



## **PLANNING COMMISSION MEETING**

ISD #15 District Office Building 4115 Ambassador Blvd.

**Wednesday, September 20, 2023 at 7:00 PM**

---

### **AGENDA**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. ADOPT AGENDA**
- 4. APPROVE MINUTES**
  - [A.](#) Planning Commission Minutes - August 16, 2023
- 5. PUBLIC COMMENT**
- 6. PUBLIC HEARINGS**
  - [A.](#) Minnetonka Game & Fish Club CUP Amendment and Ordinance Amendment
- 7. REGULAR BUSINESS ITEMS**
- 8. DISCUSSION BY PLANNING COMMISSIONERS**
- 9. ADJOURNMENT**

**CITY OF ST. FRANCIS  
ST. FRANCIS, MN  
PLANNING COMMISSION MINUTES  
AUGUST 16, 2023**

1. **Call to Order:** The Planning Commission meeting was called to order at 7:00 pm by Chair Woman Fairbanks

2. **Roll Call:** Present were Dean Becker, Liz Fairbanks, Gail Genin, Deborah Humann, Dustin Hingos, and Dustin Pavek. Absent: None.

Others in attendance: Kate Thunstrom, City Administrator; Beth Richmond, City Planner; and, Kevin Robinson, City Council.

3. **Adopt Agenda:** Motion by Genin, second by Humann to approve the agenda. Motion carried 6-0.

4. **Approve Minutes:** Motion by Hingos, second by Fairbanks to approve the June 21, 2023 minutes. Motion carried 6-0.

5. **Public Comment:** None

6. **Public Hearing:**

a. Serenity at Seelye Brook Preliminary Plat & Lot Width Variance  
Richmond reviewed the staff packet concerning the preliminary plat and lot width variance for the Serenity at Seelye Brook development. She shared that Anoka County has reviewed this and shared that they are satisfied with the location of the driveways for these properties.

Public Hearing opened at 7:08 p.m.

No one came forward to address the Commission.

Public Hearing closed at 7:08 p.m.

Chairwoman Fairbanks shared that she drove around the area and had a few questions regarding a little cross in the ground for a memorial near the site and asked about what would be happening to this.

The applicant, Eric Vickaryous, 3244 146th Avenue, Ham Lake, came forward and stated that he is not sure what will be done with this. Richmond stated that she has not seen this either; however, it is likely in the County right-of-way versus private property so it would be something that the County would be responsible for.

Chairwoman Fairbanks asked about harvesting and shared that last she asked about it she was told that no harvesting was going but she has notified otherwise that harvesting has

been going on. Mr. Vickaryous stated that he would like to know when someone saw it being harvested. He explained that the person who planted the crops there had already planted them before he bought the land so he allowed them to harvest the crops.

Councilmember Robinson shared that this proposal is a lot better than what was previous proposed.

Motion by Hingos, second by Humann to recommend approval of the lot width variance requested for Lots 2 and 3 of the Serenity at Seelye Brook development with conditions and findings of fact as presented by Staff. Motion passed 6-0.

Motion by Genin, second by Hingos to recommend approval of the preliminary plat for the Serenity at Seelye Brook development with conditions and findings of fact as recommended by Staff. Motion passed 6-0.

b. AutoZone Comprehensive Plan Amendment, Rezoning, and Site Plan  
Richmond reviewed the staff packet and land use applications related to the construction of an AutoZone on Highway 47.

The Commission asked about crosswalks in the area. Richmond stated that there are no public sidewalks or crosswalks proposed.

The Commission asked about why they are rezoning so much property that was just done through the Comprehensive Plan. Richmond explained that when the City looked at this area, Staff, Council, and the Planning Commission were all using their best judgment as far as what types of uses will go in these areas. She added that they now have an application from someone who would like to come in and develop this area which is why they are looking to amend the Comprehensive Plan.

The Commission discussed the land that is on the corner of 241st and Highway 47 which has not sold because it is currently zoned as a business park but there has been a request to change this to commercial which has not been approved. Richmond explained that they have discussed this with the property owner and the property owner has shared that they have been looking at residential uses and going from business park zoning to residential is a different conversation.

Public Hearing opened at 7:24 p.m.

No one came forward to address the Commission.

Public Hearing closed at 7:24 p.m.

The applicant came forward and shared that he does not have any issues with the Staff and engineering comments and they will be making some changes to their plan.

Motion by Hingos, second by Humann to recommend approval of the Comprehensive Plan Amendment to reguide the AutoZone property from Business Park/Light Industrial to Commercial with conditions and findings of fact as recommended by Staff. Motion passed 6-0.

Motion by Fairbanks, second by Pavak to recommend approval of the zoning map amendment to rezone the AutoZone property from BPK Business Park to B-2 General Business as presented by Staff. Motion passed 6-0.

Motion by Humann, second by Hingos to recommend approval of the AutoZone site plan with conditions and findings of fact as recommended by Staff. Motion passed 6-0.

**7. Regular Business Items:** None

**8. Planning Commission Discussion:**

Chairwoman Fairbanks shared that she attended the National Night Out which was a great event. She added that tomorrow is the Ice Cream with a Cop event at Dairy Queen. She shared the Stay at Home Safe for Kids event on August 24.

The Commission recommended putting a sign in front of the new City Hall Fire Station building with some information.

The Commission asked for an update on the senior center. Richmond shared that the applicants were just finishing up with the financing and were getting ready to move on the project. She noted that they are working through the performance agreements and the next step will be for the applicant to start pulling permits.

**9. Adjournment:** Meeting adjourned at 7:30 p.m.

Website Link to Packets and Minutes for the Planning Commission:

<https://www.stfrancismn.org/meetings>

Recorded by: Colette Baumgardner

**DATE APPROVED:**





## PLANNING COMMISSION AGENDA REPORT

<b>TO:</b>	St. Francis Planning Commission
<b>FROM:</b>	Beth Richmond, Planner
<b>SUBJECT:</b>	Minnetonka Game & Fish Club CUP Amendment and Ordinance Amendment
<b>DATE:</b>	09-13-2023 for 09-20-2023 meeting
<b>APPLICANT:</b>	Minnetonka Game & Fish Club (Kurt Kisch)
<b>LOCATION:</b>	8310 Hill and Dale Drive NW
<b>COMP PLAN:</b>	Park/Open Space
<b>ZONING:</b>	A-2 Rural Estate Agriculture District

### OVERVIEW:

The Minnetonka Game and Fish Club (MGFC) located along Hill and Dale Drive NW in western St. Francis has requested an amendment to its existing Conditional Use Permit (CUP). The original CUP for the site was approved in 1969 and has been amended several times since. Today, the site includes a gravel driveway, various shooting ranges, a small clubhouse, and multiple accessory structures used primarily for the storage of equipment.

In order to better utilize the space and function of the site, MGFC is proposing to make the following changes in the near-term:

- Add two shooting bays to the club's general purpose ranges for a total of six bays
- Improve the existing access drive to address drainage
- Create a parking area, and
- Install two 8'x16' accessory structures near the new shooting bays to be used for equipment storage

These changes increase the intensity of the use on the site, and so an amendment to the existing CUP is needed. The applicant has also identified two locations on the south end of the site that could be used for future building sites in the long-term.

In association with the CUP amendment, MGFC has also requested a zoning ordinance amendment pertaining to the number and size of accessory structures allowed on gun club properties.



## **REVIEW PROCEDURE:**

### ***60-Day Land Use Application Review Process***

Pursuant to Minnesota State Statutes Section 15.99, local government agencies are required to approve or deny land use requests within 60 days. Within the 60-day period, an automatic extension of no more than 60 days can be obtained by providing the applicant written notice containing the reason for the extension and specifying how much additional time is needed. The deadline for the land use request is October 30, 2023.

### ***Public Hearing***

City Code Section 10-31-03 requires that a public hearing for review of the land use requests be held by the Planning Commission. The public hearing notice was published in the Anoka County Union Herald on September 8, 2023 and posted on the City Hall bulletin board on September 7, 2023. The public hearing notice was mailed to all affected property owners located within 350 feet of the subject property on September 7, 2023.

**CONDITIONAL USE PERMIT AMENDMENT REVIEW**

The MGFC has operated as a gun club at this location in St. Francis since 1969. The site includes over 200 acres spread across 7 parcels and includes several shooting ranges and a small clubhouse. The applicant is proposing to redesign aspects of the site including the access driveway and the general purpose range to better utilize the site’s space and function. Staff supports the proposed CUP amendment as the proposed improvements will help to better serve the site without creating substantial negative impacts on the surrounding properties. The site is large, and all proposed ranges are located at least 500 feet from neighboring property. Additional traffic will be accommodated by the new parking area, while the hours of operation of the gun club will remain the same at 8:00 AM to 10:00 PM.

***Land Use***

The site is guided for Park/Open Space use by the 2040 Comprehensive Plan and is zoned A-2 Rural Estate Agriculture. As an outdoor recreational oriented use, the gun club use is consistent with this land use designation. Within the A-2 District, gun clubs are allowed as a conditional use.

***Proposed Site Changes***

**Shooting Bays**

Currently, there are four shooting bays located in the MGFC general purpose range. The applicant is proposing to redesign this area to lengthen an existing bay, add two new bays, and add a second entrance to the range to improve access. Two new accessory structures, each sized 8’x16’, are proposed to be located near the new bays to be used for equipment storage.

**Driveway & Parking**

Currently, the site is served by a gravel drive from Hill and Dale Drive NW. This drive lacks proper crown and ditches which results in surface washout during the spring months and heavy rain events. The applicant is proposing to redesign the road slopes and add culverts to address these drainage needs and reduce surface washout. The location of the driveway itself will remain largely unchanged, except that a small area will be shifted to the north to increase the distance between the roadway and an existing wetland. In addition to the redesign of the driveway, a new parking area with space for 59 vehicles is proposed between the access drive and the general purpose gun range.

While typically driveways and parking areas serving commercial enterprises are required to be paved, rural parking lots outside of the City’s Urban Service Area may be allowed to be surfaced with alternative materials. Staff has reviewed the proposed plans and finds that the proposed gravel surface is appropriate for this site.

Anoka County has reviewed the proposed changes and did not have further comment.

**Stormwater**

As part of this update, grading will be completed on the site which warrants additional stormwater management. New stormwater facilities are planned in conjunction with the proposed improvements. The applicant has provided the necessary soil borings and technical

information to the City Engineer for review. The City Engineer's comments are included in the attached memo.

### Future Building Sites

Two building sites are identified south and southwest of the gravel driveway. These areas are intended to be used for building sites in the long-term. Since these locations have been identified on the plans as part of this CUP amendment, the future construction of these buildings would only require administrative review of the buildings at the time of building permit, rather than an additional amendment to the CUP.

### **ORDINANCE AMENDMENT**

As the Zoning Code is written today, accessory structures located on gun club property must follow the number and size regulations listed in Section 10-68-03 which are based on the size of the lot. For example, lots exceeding 10 acres in size are allowed a total of 5,000 square feet of detached accessory structure square footage and a maximum number of two buildings per lot.

However, since approval of the original CUP in 1969, new accessory structures on the gun club site have been approved by amending the CUP. Currently, there are 24 accessory structures on the site ranging in size from 55 square feet to 4,900 square feet.

The applicant has requested an ordinance amendment to allow the City to authorize additional accessory structures on the property with approval of a CUP. The applicant is proposing to add a standard to Section 10-65-02 that would read, "the number and size of accessory structures associated with a gun club use may exceed the standards found in Section 10-68-03 with an approved conditional use permit." This would allow the number of accessory structures and/or square footage to be determined by the CUP. Staff recognizes that this change is appropriate due to the unique context, use, and character of the gun club.

### **STAFF RECOMMENDATIONS:**

Staff recommends the following:

1. Staff recommends approval of the amendment to the existing Conditional Use Permit for the Minnetonka Game and Fish Club of St. Francis with conditions and findings of fact.
2. Staff recommends approval of the zoning ordinance amendment to amend Section 10-65-02 to allow additional accessory structures for gun club uses with an approved CUP.

### ***Suggested CUP Amendment Findings of Fact***

1. The proposed CUP amendment is consistent with the City's 2040 Comprehensive Plan and the proposed use is compatible with present and future land uses of the area.
2. With conditions, the proposed use conforms with all performance standards contained in the City's Zoning Ordinance.
3. The proposed use is located outside of the City's Urban Service Area and therefore will not overburden the City's service capacity.

4. Traffic generation by the proposed use is within capabilities of streets serving the property.

***Suggested CUP Amendment Conditions of Approval***

1. Approval of this request is subject to the concurrent approval of the related ordinance amendment request pertaining to the MGFC project.
2. Applicant shall address all comments in the City Engineer's memo.
3. Additional accessory structures and accessory structure square footage as shown in the plans dated August 17, 2023, including the two future building areas identified, are approved. Administrative review of the proposed buildings shall be required at the time of building permit.
4. All other conditions of the existing CUP remain in effect.
5. All fees and financial obligations shall be received by the City prior to the releasing of the approval documents for recording.
6. Other conditions identified during the review process by Staff, the Planning Commission, or the City Council.

**PLANNING COMMISSION ACTIONS**

After the public hearing and discussion, the Planning Commission could take one of the following actions:

1. Recommend approval with the conditions and findings of fact as presented by Staff:
  - a. Suggested motions:
    - i. Recommend approval of the amendment to the existing Conditional Use Permit for the Minnetonka Game and Fish Club of St. Francis with conditions and findings of fact as presented by Staff.
    - ii. Move to recommend approval of the ordinance amendment allowing additional accessory structures for gun club uses as presented by Staff.
2. Recommend denial with Planning Commissioners' findings of fact.
3. Table the requests to the next Planning Commission meeting and provide direction to Staff and the applicant as to the additional information needed.

**ATTACHMENTS**

- Applicant Narrative
- Proposed Plans
  - Cover Sheet
  - Existing Conditions
  - Grading & Erosion Control Plan
  - Site, Utility, & Street Construction
- City Engineer Memo



August 31, 2023

Ms. Baumgardner

The Minnetonka Game and Fish Club (MGFC) is a non-profit organization and has been at its present location at 8310 Hill n1 Dale Drive NW since 1969. The club strives to provide various shooting facilities to its members and, where the IRS rules and club by-laws permit, to the public. Persons that are not members may participate in club activities. Some of them are the various sanctioned shooting matches, deer rifle sight in, Mn. DNR Hunter Safety, high school trap and skeet and law enforcement training.

The Minnetonka Game and Fish Club is planning range improvements to better utilize space and function.

The site is currently a shooting facility consisting of various ranges to accommodate a variety of shooting disciplines. There is currently a small club house with heat, air conditioning, sewer and water. The remainder of the shooting areas are serviced by permanent and portable toilet facilities.

There is not expected to be any impact changes to the neighboring properties. The club does generate noise from the discharge of firearms. There may be additional traffic on some weekends from members and guests attending the public shooting events. The current hours of use by the members from 8:00 AM until 10:00 PM is not expected to change. The perimeter is fenced, and signs posted as per the CUP of 1969.

The area is primarily wooded except for the parking areas and those used as shooting ranges. To the north and west is the testing facility of Northrup Grumman. To the east and south is a combination of wooded and field areas.

There is no similar use in the area other than Northrup Grumman.

#### **Entrance Road and Grading Improvements - Overview**

The current entrance road lacks proper crown and ditches that contribute to surface washout during spring thaw and heavy rain events. The proposed project redesigns the road slopes, builds proper crown and ditch cross sections and address drainage during the seasonal thaw and rain events. The design includes installation of accepted durable roadway material to improve the durability and transfer of surface water, and durability aligned with the use. Culvert structures are included in the design to facilitate improved drainage to identified drainage areas. The roadway corridor will remain in its current location except for the area shifted north to provide additional space separating from an existing wetland area. Design plans, stormwater management plan and related submittal requirements as provided by Carlson McCain dated 8/15/23 last revised 8/17/23.

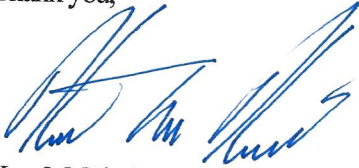
#### **General Purpose Range Improvements - Overview**

The General-purpose ranges currently contain 4 shooting bays, with one access point. The proposed project adds two additional shooting bays, lengthens one existing bay and adds a second entrance to improve access during use and in the event of service or emergency vehicles. The additional material generated by the construction of these bays will be utilized in the area adjoining the existing entrance road to create additional parking and improve vehicle flow as well as assist in configuration of planned drainage design. The proposed project adds three 12x 8 structures for equipment storage in the General-Purpose Ranges. Those structures are being requested as a part of an ordinance amendment request based on their unique nature of the use as it relates to the current code regarding accessory structures. Design plans, stormwater management plan and related submittal requirements as provided by Carlson McCain dated 8/15/23 last revised 8/17/23.

**Project Approach - Overview**

It is anticipated that the grading for both projects is expected to be completed at the same time. The proposed additional structures would not be placed until grading is completed. Those proposed structures are modular and prefabbed wood frames. Required building permits will be submitted at the completion of the grading operations.

Thank you,



Kurt M. Kisch  
Project manager  
Long Range Planning Chair  
Minnetonka Game and Fish Club

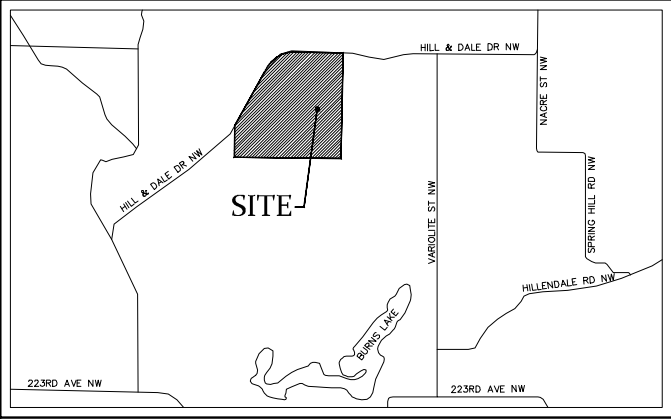


# MINNETONKA GAME & FISH CLUB

SITE IMPROVEMENTS  
ST. FRANCIS, MINNESOTA

VICINITY MAP

Agenda Item # 6A.

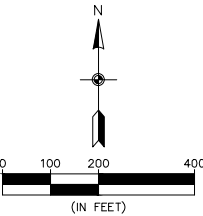


Building Number	Location	Building Name	Area (sq. feet)
1	General purpose range	Equipment Shed	163
2		Equipment Storage	174
3	Bench Rest Range	Garage/Storage	5012
4	300 Meter Range	Shooting Shelter	1933
5		Shooting House	1933
6		Shooting Shelter	2022
7		Storage Shed	322
8	Small Bore Range	Shooting House	2057
9		Storage Shed	126
10	Bullseye Range	Storage Shed	138
11		Shooting Shelter	1682
12		Storage Shed	77
13		Shooting Shelter	1196
14		Outhouse	90
15	Clubhouse	Wood Frame w/basement	977
16	Shotgun Range	Garage/Storage	486
17	Skeet & Trap Range	Skeet House	33
18		Trap House	62
19		Skeet House	250
20		Trap House	59
21		Skeet House	245
22		Trap House	63
23		Skeet House	246
24		Trap House	88
25		Trap House	87
Total Existing Building Area			19521

Proposed Buildings			
26	Proposed General Purpose Range	Storage Shed	128
27		Storage Shed	128
Total Proposed Building Area			256
Total Building Area			19777

## SHEET INDEX

- COVER
- EXISTING CONDITIONS
- GRADING INDEX
- GRADING & EROSION CONTROL PLAN
- SITE, UTILITY & STREET CONSTRUCTION
- DETAILS



BENCHMARK	
1. Anoka County Benchmark No. 3048 - Elevation 966.71 ft. (NAVD88)	
2. Anoka County Benchmark No. 3049 - Elevation 916.56 ft. (NAVD88)	



3800 PHEASANT RIDGE DRIVE  
SUITE 100  
BLAINE, MN 55449  
TEL 763.488.7900  
FAX 763.488.7900  
CARLSONMCCAIN.COM

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

Print Name: Justin J Olson  
Signature: *Justin J Olson*  
Date: 8/15/23 License #: 54231

Drawn: KRO  
Designed: JJO  
Date: 8/15/23

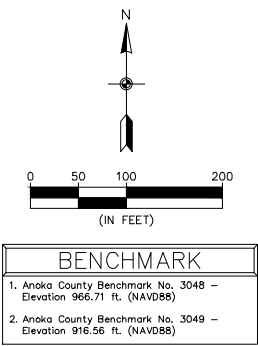
Revisions:  
1. 8/17/23 Add Proposed Storage Sheds.

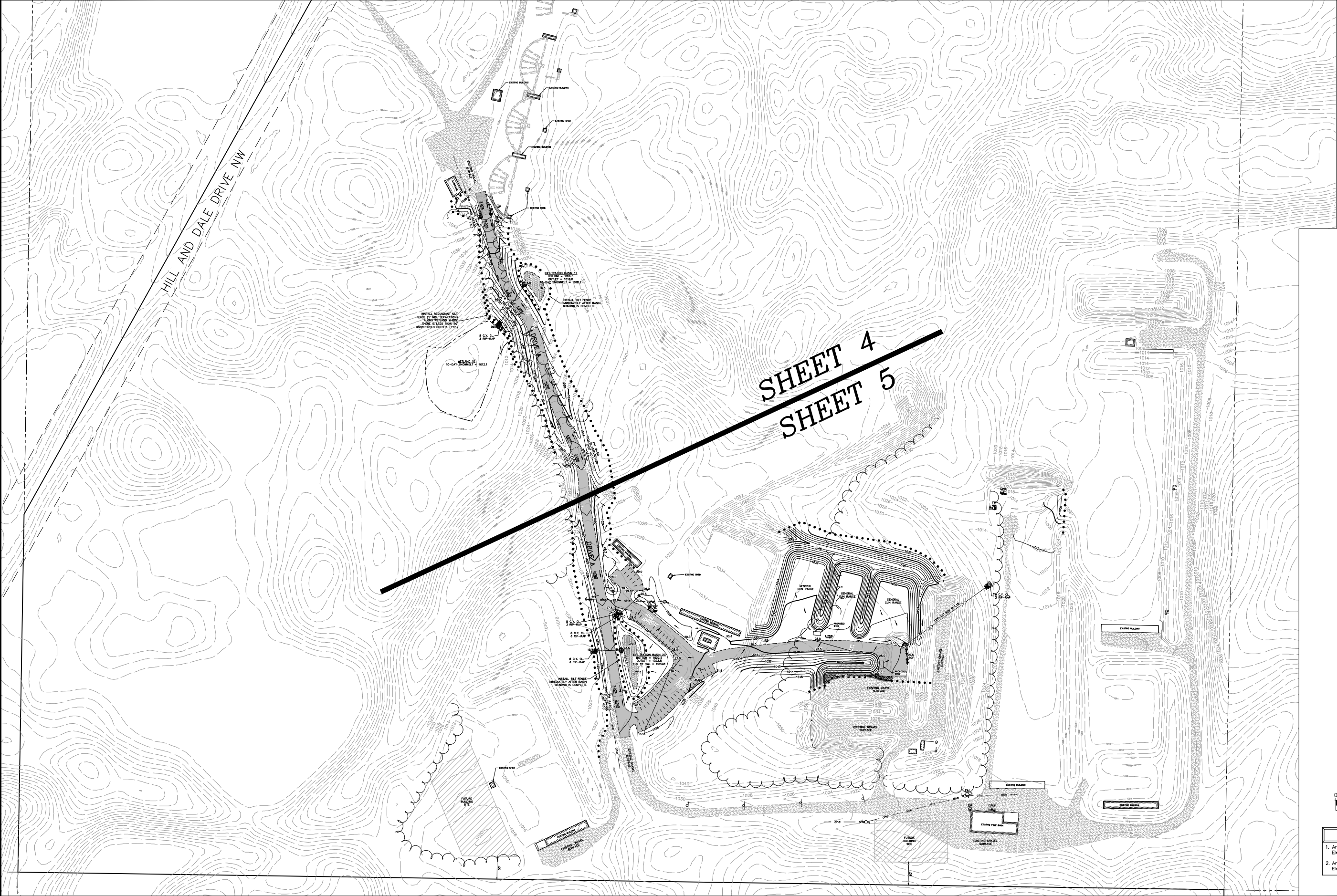
MINNETONKA GAME & FISH CLUB  
8310 Hill and Dale Dr. NW  
St. Francis, MN 55330

MINNETONKA GAME & FISH CLUB  
St. Francis, Minnesota

COVER







0 50 100 200  
(IN FEET)

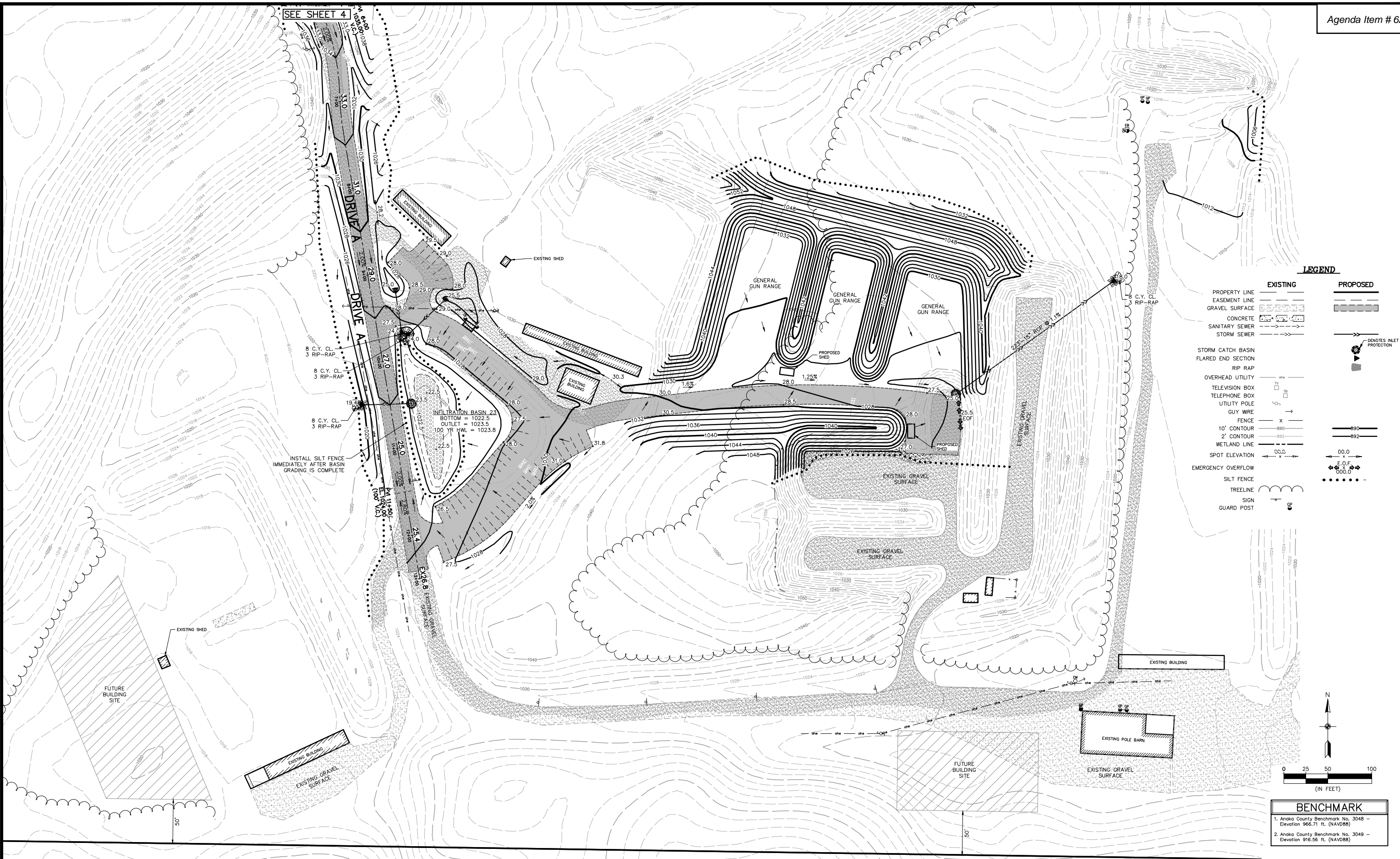
**BENCHMARK**

1. Anoka County Benchmark No. 3048 - Elevation 966.71 ft. (NAVD88)

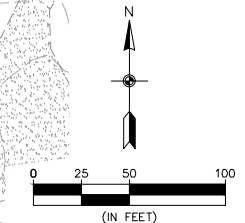
2. Anoka County Benchmark No. 3049 - Elevation 916.56 ft. (NAVD88)







LEGEND	
EXISTING	PROPOSED
PROPERTY LINE	
EASEMENT LINE	
GRAVEL SURFACE	
CONCRETE	
SANITARY SEWER	
STORM SEWER	
STORM CATCH BASIN	
FLARED END SECTION	
RIP RAP	
OVERHEAD UTILITY	
TELEVISION BOX	
TELEPHONE BOX	
UTILITY POLE	
GUY WIRE	
FENCE	
10' CONTOUR	
2' CONTOUR	
WETLAND LINE	
SPOT ELEVATION	
EMERGENCY OVERFLOW	
SILT FENCE	
TREELINE	
SIGN	
GUARD POST	



BENCHMARK	
1. Anoka County Benchmark No. 3048 - Elevation 966.71 ft. (NAVD88)	
2. Anoka County Benchmark No. 3049 - Elevation 916.56 ft. (NAVD88)	



**CARLSON MCCAIN**  
ENGINEERING  
SURVEYING  
ENVIRONMENTAL

**3800 PHEASANT RIDGE DRIVE  
SUITE 100  
BLAINE, MN 55448  
TEL 763.488.7800  
FAX 763.488.7850  
CARLSONMCCAIN.COM**

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

Print Name: Justin J Olson  
Signature: *Justin J Olson*  
Date: 8/15/23 License #: 54231

Drawn: KRO  
Designed: JJO  
Date: 8/15/23

Revisions:  
1. 8/17/23 Add Proposed Storage Sheds.

MINNETONKA GAME & FISH CLUB  
8310 Hill and Dale Dr. NW  
St. Francis, MN 55330

MINNETONKA GAME & FISH CLUB  
8310 Hill and Dale Dr. NW  
St. Francis, MN 55330

MINNETONKA GAME & FISH CLUB  
St. Francis, Minnesota

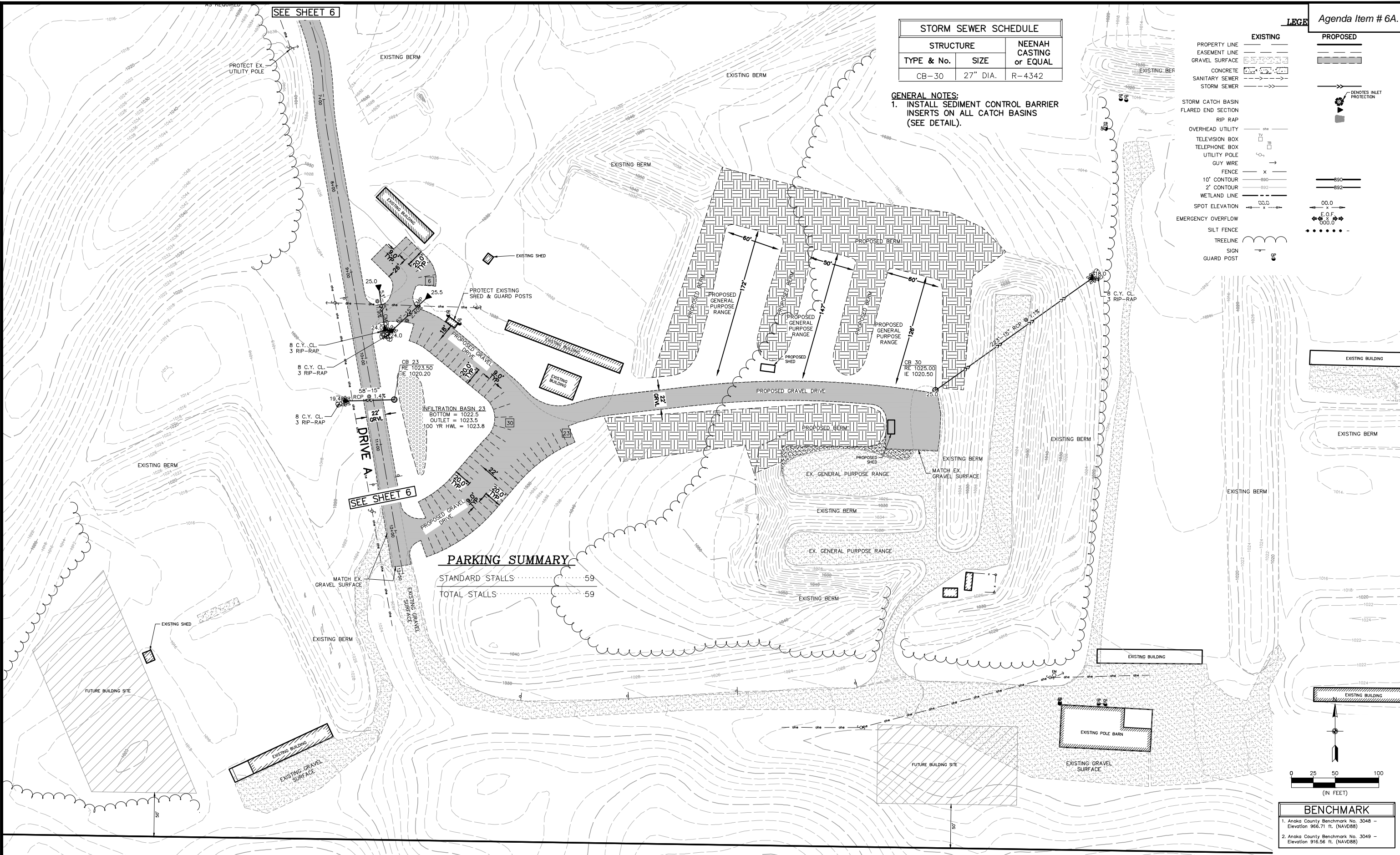
GRADING & EROSION  
CONTROL PLAN

5  
16

STORM SEWER SCHEDULE		
STRUCTURE		NEENAH CASTING or EQUAL
TYPE & No.	SIZE	
CB-30	27" DIA.	R-4342

GENERAL NOTES:  
1. INSTALL SEDIMENT CONTROL BARRIER INSERTS ON ALL CATCH BASINS (SEE DETAIL).

EXISTING	PROPOSED
PROPERTY LINE	
EASEMENT LINE	
GRAVEL SURFACE	
CONCRETE	
SANITARY SEWER	
STORM SEWER	
STORM CATCH BASIN	
FLARED END SECTION	
RIP RAP	
OVERHEAD UTILITY	
TELEVISION BOX	
TELEPHONE BOX	
UTILITY POLE	
GUY WIRE	
FENCE	
10' CONTOUR	
2' CONTOUR	
WETLAND LINE	
SPOT ELEVATION	
EMERGENCY OVERFLOW	
SILT FENCE	
TREELINE	
SIGN	
GUARD POST	



## MEMORANDUM

**TO:** Colette Baumgardner, Community Development Director

**CC:** Beth Richmond, City Planner

**FROM:** Shane Nelson, Assistant City Engineer

**DATE:** September 14, 2023

**RE:** Minnetonka Game and Fish Club Site Improvements

---

We have reviewed the application for the above-referenced project. Construction, Grading, and Erosion Control Plans, dated 8/15/2023, and a Stormwater Management Plan, dated 8/15/2023, prepared by Carlson McCain, have been submitted with the application. We would offer the following:

1. This project proposes to widen and slightly realign the entrance road. The existing entrance road utilizes a gravel surface and is approximately 16 feet wide in the location of the proposed project. This project proposes to widen the gravel entrance road to a standard 22 foot width. The proposed 22 foot width of the entrance road is suitable to accommodate two-way traffic and the gravel surface is conducive to the use of the property.
2. This project will increase the impervious surface on the subject property. Infiltration basins have been designed to manage the stormwater runoff as required by City ordinances and watershed rules. In general, we find the proposed stormwater management plan to be acceptable and only minor revisions to the report are required.
3. The runoff curve numbers for subcatchment 10, subcatchment 11, and subcatchment 20 are the same or decrease in the proposed condition when compared to the existing condition. The stormwater model shall be revised in the proposed condition to account for the slight increase in impervious surface and an updated Stormwater Management Plan shall be submitted for approval.
4. The stormwater ponds, once constructed, will be private ponds and the landowner will be responsible for the long-term operation and maintenance. In accordance with City ordinances, the Applicant must enter into a Stormwater Maintenance Agreement with the City to ensure the long-term operation and maintenance. (Section 10-93.5.H)
5. The wetlands on the site were delineated in 2020 and Notice of Decision approving the wetland boundary and type was issued on 12/09/2020. The decision is valid for 5 years. No wetland impacts are proposed with this project.

In summary, we recommend approval of the Conditional Use Permit subject to the conditions as included herein and subject to the Applicant providing an erosion control financial surety as required by City ordinances.