

CITY OF GRANT
MINUTES

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DATE : April 5, 2022
TIME STARTED : 7:00 p.m.
TIME ENDED : 9:23 p.m.
MEMBERS PRESENT : Councilmember Carr, Rog, Giefer, Schafer and Mayor Huber
MEMBERS ABSENT : None

Staff members present: City Attorney, Dave Snyder; City Engineer, Braid Reifsteck; City Planner, Jennifer Swanson; City Treasurer Sharon Schwarze and Administrator/Clerk, Kim Points

CALL TO ORDER

The meeting was called to order at 7:03 p.m.

PUBLIC INPUT

No one was present for public input.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

Council Member Schafer moved to approve the agenda, as presented. Council Member Giefer seconded the motion. Motion carried unanimously with a roll call vote.

CONSENT AGENDA

March 1, 2022 City Council Meeting Minutes	Approved
March 2022 Bill List, \$55,575.42	Approved
Resolution No. 2022-04, Abatement of Assessments	Approved
Back to Black Sealcoating Contract	Approved

Council Member Rog moved to approve the consent agenda, as presented. Council Member Schafer seconded the motion. Motion carried unanimously with a roll call vote.

STAFF AGENDA ITEMS

City Engineer, Brad Reifsteck

1 **Consideration of Resolution No. 2022-05, Amended Road Policy** – City Engineer Reifsteck
2 advised the most recent assessment policy revisions were completed and adopted by council in 2019
3 and included most notably lowering the threshold for property owners to approve a project from
4 seventy-five percent (75%) to at least fifty percent (50%).

5
6 The new assessment policy was discussed at a council workshop on March 22, 2022 and includes the
7 following changes:

- 8
- 9 • The new policy will follow state statute 429 exclusively and eliminates the 50% percent
10 requirement language for residents to approve a project in its entirety.
- 11 • The council will decide whether to accept the feasibility report and conduct a public hearing.
- 12 • If the council orders the public hearing, residents are strongly encouraged to attend or submit
13 in writing their comments or opinion on the project prior to the hearing to the clerk. Each
14 council member will use the available information to make an informed decision on whether
15 to order a project or not.
- 16 • If the council does not order the project improvements, residents may continue pursuing
17 support for the project on their own but must submit a new petition with at least seventy five
18 percent (75%) of the parcels adjacent to the street in favor of a project before council would
19 consider a new public hearing. In this case, the process would restart at the feasibility stage
20 and include a new or amended feasibility report. All the associated costs to update or amend
21 an existing feasibility report accepted by council for any roadway segments or projects will be
22 the responsibility of the petitioners.

23
24 A statement regarding the City expressing a preference for petitions being signed by 50% of the
25 benefitting properties was added to the amended Road Policy.

26
27 **Council Member Carr moved to adopt Resolution No 2022-05, as amended. Council Member**
28 **Rog seconded the motion. Motion carried unanimously with a roll call vote.**

29
30 **Consideration of Pump Improvements** – City Engineer Reifsteck advised the proposed new system
31 that was discussed last month includes housing the floats adjacent to the pump house within a
32 perforated 24” PVC standpipe to protect them from the elements and rodent damage. The float
33 systems would be wired electronically to an alarm dialer using a cellular phone line to notify up to 16
34 channels. The improvements would also include install the powering wiring, remote antenna, start-up
35 and training.

36
37 The items that are included with the new system include the following:

- 38
- 39 • The hardware/Software is KI alarm dialer – see attached sheet.
- 40 • New floats and stilling well standpipe
- 41 • Software upgrades and portal maintenance included with annual or monthly fees
- 42 • Software is password protected maintained by KI alarm dialer
- 43 • Warranty period is one year

44
45 City Staff recommends awarding Kilmer Electric for the base bid amount as described in the attached
46 quote in the amount of \$10,737.00

1 **Council Member Schafer moved to table Pump Improvements until a funding source is**
2 **determined. Motion failed with no second.**

3
4 **Council Member Carr moved to approve Pump Improvements as presented. Mayor Huber**
5 **seconded the motion with a friendly amendment to include staff reports back the funding**
6 **source prior to purchase. Council Member Carr agreed to the friendly amendment. Motion**
7 **carried unanimously with a roll call vote.**

8
9 **City Planner, Jennifer Swanson**

10
11 **Consideration of Resolution No. 2022-06, Amended CUP Application for Woodbury Lutheran**
12 **Church, 9060 60th Street** – City Planner Swanson stated the Applicant, Woodbury Lutheran Church,
13 is requesting an amendment to the existing CUP on the subject property to allow for the development
14 of outdoor recreational improvements to include a playground, 20' x 30' paved sport court, and a 30'
15 x 40' (1,200 Square Feet) pavilion. The Site Plan shows that to develop the recreational components,
16 it is necessary to excavate and fill some existing drainage area that developed as result of more
17 roadways and impervious surface in the surrounding area. Since on-site stormwater management is
18 required to support the site, and any improvements, a new drainage plan and supplemental drainage
19 area will be developed to channel the water southeast of the proposed pavilion and open grass/play
20 area. Additional landscaping on the site will be completed as part of the project including a rain
21 garden and pollinator garden.

22
23 There is an existing CUP on the subject property that was first issued in 1982 for the construction and
24 operation of the church, which was obtained by the Lutheran Church of the Risen Christ. Churches
25 were, and remain, a permitted use with a CUP in the R-1 Zoning District. The CUP was later
26 amended in 1999, and no further amendments to the permit have been granted since 1999. The
27 Applicant currently uses the site for a church operation, and the existing CUP remains valid. The
28 proposed amendment would add the proposed exterior improvements and modifications to the CUP.

29
30 Prior to the Planning Commission, the Applicant submitted a summary response to the staff report on
31 March 4, 2022 which is included as Attachment D to this staff report. The analysis contained herein
32 has been updated to reflect the Applicant's response, where applicable.

33
34 Planning Commission and Public Hearing

35 A duly noticed public hearing was held on March 9, 2022, and property owners within 1,320-feet
36 were notified of the subject application. One member of the public provided written testimony
37 regarding concern of the improvements being open to the public.

38
39 After closing the public hearing the Planning Commission discussed the application. Concerns
40 regarding the use of the pavilion were identified, specifically whether there would be events, at what
41 times, etc. There was also concern regarding amplification of activities in the pavilion if used for
42 gatherings and events. After discussion the Planning Commission recommended approval of the
43 Amended Conditional Use Permit with conditions. A draft of the Amended CUP, with the conditions
44 as recommended by the Planning Commission is provided in Attachment A of this staff report.

<p>Applicant: Elden Lamprecht, on behalf of Owner: Woodbury Lutheran Church</p>	<p>Site Size: 4.02 Acres</p>
<p>Zoning & Land Use: R1 – Single Family Residential</p>	<p>Request: Amended Conditional Use Permit (CUP)</p>
<p>Address: 9050 60th St. N. Grant, MN</p>	<p>Location Description and PIDs: PID 34.030.21.33.002, subject property generally located northwest of the 60th Street N and Jarvis Avenue N intersection</p>

1
2 The Applicant is requesting an amendment to the existing CUP issued on July 6, 1982 and later
3 amended in June of 1999. A summary of the proposed amendment is as follows:
4

- 5 • Exterior Improvements including:
 - 6 ○ Playground including play structure
 - 7 ○ 20’ x 30’ Sport Court (approximately 600 SF)
 - 8 ○ 30’ x 40’ Pavilion (approximately 1,200 SF)
 - 9 ○ Rain Garden, and pollinator garden
- 10 • Excavation and fill of existing natural drainage area and improvements to the drainage area
11 southeast of the proposed improvements. Improvements to drainage area will include
12 installation of a catch basin near the proposed sport court that will drain to a new drainfield
13 area south of the proposed improvements. The design will improve the existing drainage
14 patterns on site and will accommodate a 100-year rain event on site.

15
16 The proposed site improvements include excavation and modification of drainage areas on site, and
17 as a result the City Engineer and the Valley Branch Watershed District (VBWD) must review the
18 proposed request. The Applicant has submitted a copy of the permit issued by the VBWD for the
19 proposed project which is provided in the Applicant’s submission materials.
20

21 As stated within the attached narrative no other changes are proposed to the operations, and the
22 Applicant intends to operate in compliance with the 1982 and 1999 CUP that addresses the church
23 operations.
24

25 City Planner Swanson advised the City Code addresses amendments to existing CUPs in Section 32-
26 152 that states, “An amended conditional use permit application may be administered in a manner
27 similar to that required for a new conditional use permit...” As such, the Application to amend the
28 CUP is processed accordingly, and the requested amendment is to consider only those portions of the
29 operations and/or facility that are proposed to change. The City Code states the following for
30 consideration when reviewing a Conditional Use Permit (32-141):
31

32 “(d) In determining whether or not a conditional use may be allowed, the City will consider the
33 nature of the nearby lands or buildings, the effect upon traffic into and from the premises and on
34 adjoining roads, and all other relevant factors as the City shall deem reasonable prerequisite of
35 consideration in determining the effect of the use on the general welfare, public health and safety.”

1 (e) If a use is deemed suitable, reasonable conditions may be applied to issuance of a conditional use
 2 permit, and a periodic review of said permit may be required.”
 3

4 The purpose of this amendment is not to consider the use of the property as a Church, since the
 5 determination that the use is consistent with the City’s regulations was approved in 1982, and as later
 6 amended in 1999. This amendment relates specifically to allowing the outdoor recreation components
 7 including the playground, 20’x30’ paved sport court, 30’ x 40’ pavilion, rain garden and pollinator
 8 garden.
 9

10 The site is located on the southern edge of the City, which is bordered by Highway 36 on the south.
 11 The area is generally used for a mix of general business uses along the 60th Street corridor, and rural
 12 residential properties exist east of the site along the frontage.
 13

14 **9050 60th Street North, PID 3403021330002**

15 The parcel is described as being in the Southwest Quarter of Section 34, Township 30 North, Range
 16 21 West. The parcel is approximately 4.02 acres, is regular in shape, and is a corner lot bordered by
 17 60th Street North on the south and Jarvis Avenue on the east. 60th Street North is the frontage road to
 18 Highway 36, which serves generally as the municipal border between the Cities of Grant and Lake
 19 Elmo to the south. The existing building was constructed in compliance with the initial CUP issued in
 20 1982, and the building is generally located near the center of the parcel. There is large parking lot
 21 north of the existing building that connects to 60th Avenue North on the southwest corner of the
 22 property and connects with Jarvis Avenue to the east. There is an existing natural drainage area
 23 southeast of the existing building and parking lot that is connected to a pond area on the southeast
 24 corner of the site.
 25

26 City Planner Swanson noted he site is guided RR – Rural Residential in the City’s adopted
 27 Comprehensive Plan. Land within the RR land use designation is generally described as supporting
 28 rural residential uses with limited commercial and institutional uses as identified and allowed within
 29 the City’s zoning ordinance. The proposed amendment does not change the use of the site for a
 30 Church, which is identified as a compatible use within the City’s Comprehensive Plan and supporting
 31 Zoning Ordinance.
 32

33 The Applicant submitted a Site Plan for the proposed amendment (See attached Attachment C,
 34 Construction Plan C1). The following dimensional review is provided for review and consideration.
 35

36 The following site and zoning requirements in the R-1 district for Churches which includes the most
 37 restrictive regulations and performance standards related to the proposed amendment. The following
 38 review is conducted focusing on the proposed improvements.
 39

Dimension	Standard
Minimum Lot Area per non-residential structure (Per Sections 32-313)	As per permit
Frontage – (Per Sections 32-245 & 32-352)	County/State Road and 300’
Front Yard Setback	65’

Side Yard Setback (from street in case of corner lot)	65'
Side Yard Setback (from interior lot lines)	20'
Rear Yard Setback	50'
Height of Structure	35'
Accessory Buildings (# and Total SF)	Maximum of 2 buildings not to exceed 2,000 SF
Fence	May be on property line, but not within any ROW
Driveway Setback	5'
Parking Lot setback	10' from ROW
Wetland Setback Structure (Buffer)	75' (50')
Impervious surface coverage	50%
Floor Area Ratio	30%

1

Lot Area and Accessory Building Standards

The subject property is approximately 4.02 acres and is used for a non-residential structure. Section 32-313(b) states that the maximum building size is established for a CUP based on the lot size. As identified, the maximum square footage on parcels between 3 and 4.99 acres is 2,000 Square Feet, and the existing church structure is approximately 13,000 SF. Since the church was approved as part of the 1982 CUP, the existing parcel, building and size are considered legally non-conforming. Since no improvements to the structure are proposed, the existing non-conforming use is not intensified.

No plans were submitted for the pavilion structure, however the footprint is approximately 1,200 SF, and the City has typically defined similar structures as an accessory structure. The Applicant submitted an example of the type of structure contemplated in their supplemental materials which is provided in Attachment D. (The sport court and play structure are not subject to accessory building standards since they are not covered). On parcels between 3 and 4.99 acres, a maximum of 2 accessory buildings are permitted not to exceed a maximum of 2,000 square feet. From the aerial, there is an existing shed that is approximately 155 square feet. *If the existing shed remains, the shed and the pavilion will have a total of approximately 1,355 Square Feet of Accessory Building on site and meets the ordinance requirements. Staff recommends including a condition that no more than two accessory buildings are permitted on site, and that the total square footage may not exceed 2,000 SF.*

Setbacks

As shown on the Construction Plan, the proposed pavilion and play structure are located southeast of the existing building. The proposed

pavilion is setback approximately 55-feet from the easterly property line (75-feet from the traveled surface of Jarvis Avenue),5-feet from the existing parking lot on-site, and 130-feet from 60th Street N. The play structure area is setback approximately 100-feet from the easterly property line, and 70-feet from the paved road surface of 60th Street North. As proposed, the Pavilion does not comply with the side-yard setback for structures on a corner lot from a road right-of-way. The Applicant has indicated that they will rotate the pavilion 90-degrees so that it is oriented north-south to meet the setback requirements. The marked-up site plan demonstrates that this is feasible. ***Staff recommends that the Site Plan be updated to show the structure meeting the required setback.***

Architectural/Building Plans

No building plans were submitted as part of this application. As previously noted, the proposed improvements include an approximately 1,200 square foot pavilion and the supplemental materials show a concept of a pavilion that is covered with a concrete floor. The maximum height of any accessory building is 35 feet. ***Staff recommends including a condition that the Applicant must submit an elevation plan of the pavilion that is to-scale and clearly demonstrates the height of the proposed structure prior to a building permit being issued.***

No other accessory structures or modifications to the church are proposed, and the site plan clearly demonstrates the location of the sport court and play structure proposed.

Outdoor Gathering Spaces

The Applicant is proposing to install and construct a play structure, sport court and pavilion on the site. All three of these areas will increase outdoor activity on the site and will generate more use than the existing church facility. The Applicant addressed this loosely during the planning commission meeting but could not describe in detail the types of events that may be held. The Applicant references that the play structure and sport court will be accessible to the public or adjacent neighborhoods. The Planning Commission was interested in learning more about the outdoor activities, but given the lack of information, they recommended discussion by the City Council and also included additional conditions for consideration. ***The Planning Commission recommended including a condition that the hours of operation be limited to 9:00 PM, and that all furniture used in the pavilion must be stored indoors when not in use. (See Attachment X: Draft Amended CUP).***

Lighting

The submitted site plan does not identify any proposed lighting of the area. There are existing overhead lights in the parking lot that may provide some ambient light to the outdoor areas. The Applicant indicated that some lighting under the roof of the pavilion will be used for security purposes. ***Staff has included a condition that the lighting is restricted to security lighting and must be mounted under the roof of the pavilion.***

No addition exterior site lighting is approved or permitted as part of this amended permit. The lighting in the pavilion must be downcast and must meet all applicable City Ordinances.

**Landscape Plan,
Fencing &
Stormwater**

As noted in the submitted application materials, excavation and site work is necessary to construct the sport court, pavilion and play structure. As noted on the Construction Plan, a catch basin will be constructed between the Sport Court and Pavilion near the southern edge of the parking lot and a large swale will be graded into the site to allow for water and drainage to flow to the stormwater area on the southeast corner of the site. The open grass and play area will be reseeded as part of the project. As noted in the narrative, a rain garden and pollinator garden are proposed but are not identified on the plan, and the Applicant shows the rough area on the marked-up concept plan provided as supplemental information. *Staff recommends including a condition that the Site Plan be updated to include the location of the rain garden and pollinator garden prior to the issuance of the grading permit.*

The Construction Plan (Sheet C1) also notes that a Fence will be constructed to surround the Play Structure area. A detail of the fence was not provided as part of the submission, but the Applicant noted in their supplemental information that the fence is proposed to be a 48” chain-link fence. *Staff recommends including a condition that the fence detail, including height, material, and location should be provided on the updated Site Plan.*

1
2 City Planner Swanson advised that ince a part of this project includes the relocation/excavation of
3 stormwater features the City Engineer must review and approve the grading plan, and stormwater
4 plan if necessary. As noted on the Construction Plan, the Existing Drainage Area and Proposed
5 Drainage Area are the same, but there is a slight increase in the amountd impervious surface due to
6 the improvements (increase of approximately 1,800 SF). *Given the improvements contemplated with
7 the proposed development, staff recommends including a condition that the City Engineer must
8 review and approve the Construction Plan (Site Plan), as revised, and that the Applicant must
9 obtain a grading plan prior to the commencement of any work on site.*

10
11 The property is located within the Valley Branch Watershed District, and the Applicant has obtained
12 the required permit which is attached to their submission materials.

13
14 The Planning Commission unanimously recommended approval of the amendment to the CUP with
15 the conditions as noted in the attached Permit.

- The Applicant must obtain a grading permit prior to the commencement of any site work.

16
17
18

1 Mr. Elden Lamprecht, Applicant, came forward and stated the Church has a 40 year history and
2 Sheriff’s reports were sent demonstrating no complaints on the site. He stated they are not doing
3 large scale event. Next September 10, 2022 will be the next event with amplification. He noted they
4 can do events and stay within the noise requirements. Events having to end at 9:00 pm is too
5 restrictive with their type of events.

6
7 **Council Member Rog moved to table Amended CUP Application to allow for more information**
8 **to be submitted. Council Member Schafer seconded the motion. Motion carried unanimously**
9 **with a roll call vote.**

10
11 **Consideration of Resolution No. 2022-07, Final Plat, 2nd Addition, White Oaks Savannah** – City
12 Planner Swanson advised White Oaks Savanna is a major subdivision that was approved in 2017 and
13 2018. The preliminary plat for the subdivision in its entirety included 30 rural residential lots and two
14 agricultural Outlots was approved by resolution 2017-08. The Final Plat for Phase I was approved in
15 the Spring of 2018 and included:

- 16
- 17 • 19 rural residential lots
- 18 • Two (2) covenant restricted agricultural outlots bordering CSAH 12
- 19 • Two (2) Outlots to be replatted into the remaining 11 lots as part of subsequent phases.
- 20 • Dedicated Road right-of-way for local street (named Lone Oak Rd.)

21 Over the past few years the Applicant has been working to develop all required improvements for
22 Phase I consistent with the Development Agreement that was executed as a condition of the Final
23 Plat. All current rural residential lots are accessed from the new local road, Lone Oak Trail N., that is
24 currently stubbed with a temporary cul-de-sac on the easterly border between Phase I and Phase II.
25 All other required improvements to be completed as part of the project are identified within the
26 Development Agreement and are subject to review and approval by the City Staff. Upon visual
27 inspection, of the 19 lots in Phase I, 7 lots are either built and occupied, or under construction, and
28 several more have “sold” signs indicated on the lot markers. Given the success of Phase I, the
29 Applicant now requests approval of the Final Plat for White Oaks Savanna 2nd Addition (Phase II,
30 note, there are no more phases of the project).

31
32 Per the City’s ordinances, the Final Plat does not require a public hearing or review by the planning
33 commission. The Final Plat is subject to a 60-day review period.

34
35 The following summary regarding the Final Plat, and conditions of Preliminary Plat are provided for
36 consideration:

Applicant: Streetcar Holdings, LLC	Site Size: 36.2 Acres (Outlot C, north of Lone Oak Trl. N ROW) 27.6 Acres (Outlot D, south of Lone Oak Trl. S ROW)
Zoning & Land Use: A-1	Proposed Plat: White Oaks Savanna 2 nd Addition
General Location: At temporary	Request:

<p>easterly terminus of Lone Oak Trail N. (East of CSAH 17, South of CSAH 12)</p>	<ul style="list-style-type: none"> • Replat of Outlot C and Outlot D for Final Plat of 11 rural residential lots to be known as White Oaks Savanna 2nd Addition (Phase II)
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1 The White Oaks Savanna subdivision preliminary plat was approved in 2017 and the Phase I Final
 2 Plat was approved in 2018. The Final Plat of Phase I established 19-rural residential lots, two (2)
 3 covenant restricted agricultural parcels, two (2) Outlots to be subdivided in future phases,
 4 drainageways and stormwater management areas, and road right-of-way for a local roadway to serve
 5 the subdivision. The Final Plat of the first phase included the dedication of the full right-of-way to
 6 serve both Phase I and Phase II of the subdivision, with road installation to be completed concurrently
 7 to the Phase of construction.

8
 9 The following staff report will review and consider the following:

- 10
- 11 • The consistency of the White Oaks Savanna 2nd Addition Final Plat with Phase I Final Plat.
- 12 • Consistency of the Phase II Final Plat with the approved preliminary plat for the development
- 13 area.
- 14 • Review for compliance with the City’s ordinance for Final Plat approval.
- 15

16 General Subdivision Summary:

- 17 • The proposed subdivision will replat Outlot C and Outlot D of the White Oaks Savanna plat
 18 into 11 rural residential lots. The created lots range in size between approximately 5.0 and 7.5
 19 acres, which is consistent with the approved preliminary plat for this area. Combined Outlot
 20 C and Outlot D are 63.8 Acres. No other modifications to the White Oaks Savanna plat are
 21 proposed as part of this Application.
- 22 • The 11 lots developed as part of Phase II will be a part of the part of a homeowners’
 23 association (HOA) and will be subject to the restrictive covenants established for the lots
 24 developed in Phase I.
- 25 • The Applicant phased the construction of the new roadway and installed Lone Oak Trail S.,
 26 which currently ends with a temporary cul-de-sac on the easterly boundary between the Phase
 27 I lots and Outlot C and Outlot D (Phase II). The Final Plat of Phase II will comprise all
 28 approved lots within the Preliminary Plat, and as such the completion of the roadway to
 29 CSAH 12 is required. A condition of approval of the Final Plat is that the road extension must
 30 be completed, and access permit to CSAH 12 obtained is included a recommendation within
 31 this staff report.

32
 33 Final Plat Summary:

- 1 • Washington County reviewed the proposed access points on Lake Elmo Avenue and CSAH
2 12 as part of the Preliminary Plat process. The improvements and access from Lake Elmo
3 Avenue are complete, but the access to CSAH 12 must be constructed as part of Phase II. The
4 Applicant is required to obtain all necessary permits from Washington County, and is
5 responsible to complete any required improvements at their cost. Evidence of the permit must
6 be provided prior to the continuation of site work in this Phase area.

- 7 • The Phase II Final Plat includes the following:
 - 8 ○ Outlot C: 6 Rural Residential Lots
 - 9 ○ Outlot D: 5 Rural Residential Lots

10
11 City Planner Swanson advised Chapter 30, Section 30-77 states that a Final Plat must conform to the
12 approved Preliminary Plat. Any significant modifications to the preliminary plat may require
13 additional review and/or approvals.

14 15 **Consistency with Requirements of Preliminary Plat**

16
17 The full right-of-way for Lone Oak Trail N., was platted as part of Phase I (White Oaks Savanna).
18 The established right-of-way was modified slightly from the Preliminary Plat, which was reviewed
19 and approved during the review process of Phase I.

20
21 The Development Agreement required the full right-of-way to be platted as part of Phase I to ensure
22 adequate access would be available to serve all lots with two access locations (the new local road,
23 Lone Oak Trl. S. connects from Lake Elmo Avenue N. from the west to CSAH 12 on the north). The
24 main access from Lake Elmo Avenue N., was constructed as part of Phase I and the roadway was
25 permitted to be constructed only to the edge of the Phase I rural residential lots. A temporary
26 terminus was constructed on the edge between Phase I and Phase II, with the intention that it would
27 be fully constructed and extended when Phase II Final Plat was completed.

28
29 The road design, and platting of the right-of-way, is consistent with the Preliminary Plat and Phase I
30 Final Plat. The completion of the road must be addressed as part of the Addendum to the
31 Development Agreement for Phase II.

32
33 To complete Phase II, the extension of Lone Oak Trail S., to 75th Street North (CSAH 12) is required.
34 The roadway is a County Road and an access permit for the connection must be coordinated with
35 Washington County. Any required improvements to the access will not impact the Phase II rural
36 residential lots since they are located south of the large agricultural properties. However, it should be
37 noted that it is possible that some alterations may be required to obtain the access permit.

38
39 The remaining 11 lots will be served with individual wells and individual septic systems. As noted in
40 the Preliminary Plat review, the lots are proposed to be generally custom graded and custom homes
41 will be constructed. The Preliminary Plat identified primary and secondary drainfield locations
42 associated with each of the lots. Based on the Final Plat submission, there are no known changes to
43 primary or secondary drainfield locations and all lots comply with the requirements and standards as
44 reviewed during the Preliminary Plat. Staff understands that the drainfield locations may change

1 based on the final housing design and location. However, since the locations as noted within the
2 Preliminary Plat generally comply with the septic systems, the Applicant should protect these sites
3 during construction if no alternate locations have been identified. Consistent with the requirements
4 established in Phase I, the Applicant must obtain all septic permits from Washington County prior to
5 obtaining a building permit from the City for any lots in Phase II. This condition has been addressed
6 and included within the Development Agreement and its Addendum.

7 The proposed White Oaks Savanna 2nd Addition lots are consistent with the approved Preliminary
8 Plat and Phase I Final Plat. The proposed Final Plat includes Block 1, Lots 1 through 6 and Block 2,
9 Lots 1 through 5. Block 1 is located north of Lone Oak Trail N., and Block 2 is located south of Lone
10 Oak Trail N. The configuration of the Blocks and Lots is consistent with the Preliminary Plat, and all
11 lots contain the required area, frontage, width and depth.

12 **Conditions of Preliminary Plat**

13
14
15 The full subdivision, including the Phase II area, was reviewed and approved by the City Engineer
16 through the Preliminary Plat and Phase I Final Plat process. The following summary is provided as
17 reference, but it should be noted that there are no substantive changes proposed in Phase II. Further
18 the development remains subject to the Development Agreement and the applicable addendum
19 required as part of this Final Plat.

- 20 ▪ *Grading & Erosion Control:* The Applicant submitted a revised and updated Preliminary Plat,
21 which included Grading and Erosion Control Plans that were reviewed and approved by the
22 City Engineer. The plans included full design for the Phase II area and lots. The plans remain
23 in effect.
- 24 ▪ *BCWD Permits:* The Applicant obtained a BCWD permit which is applicable to the full
25 subdivision and includes the Phase II area and lots. The City Engineer and Applicant have
26 been working with the BCWD through the site development process of Phase I to ensure
27 compliance with the issued permit. The permit remains valid and in effect.
- 28 ▪ The Applicant is responsible for ensuring that all appropriate permits are obtained for the
29 individual septic systems from Washington County Environmental Services.
- 30 ▪ The Applicant will be required to enter into an Addendum to the Development Agreement
31 prior to the City granting the Phase II Final Plat to ensure that the requirements and conditions
32 as set forth herein are complied with and ensure the installation of the subdivision
33 infrastructure.
- 34 ▪ The Applicant shall obtain all necessary permits for installation of individual wells serving
35 each lot, and such permits shall be obtained prior to the City issuing any Building Permit for
36 such lot.
- 37 ▪ The Applicant shall obtain access permits from Washington County prior to the City granting
38 the Phase II Final Plat.
- 39 ▪ The Applicant shall be required to install all necessary improvements to CSAH 12 as agreed
40 to, and conditioned by, Washington County. References to required improvements are
41 addressed within the Addendum to the Development Agreement.
- 42 ▪ Site improvements as described within Section 30-194 shall be agreed to and identified within
43 the Addendum to the Development Agreement.

- 1 ▪ The Applicant shall identify and rope off all septic drainfield areas on the site prior to the City
- 2 issuing any grading permits in the Phase II area.
- 3 ▪ The Applicant shall be required to obtain all septic permits, based on actual design of a
- 4 principal structure, prior to the city issuing a building permit.
- 5 ▪ The Applicant shall pay all fees and delinquent escrow balances.

6

7 **Final Plat**

8

9 The submitted Final Plat for White Oaks Savanna 2nd Addition (Phase II) generally conforms to
10 Preliminary Plat and conditions as identified during the process. The following conditions of the
11 White Oaks Savanna 2nd Addition Final Plat are provided for your review and considerations:
12

- 13 1. The Final Plat shall comply with the setbacks and standards established by the approved
- 14 preliminary plat package, including grading and erosion control plans. Any modifications are
- 15 subject to review and approval by the City Engineer.
- 16 2. The plat shall comply with the provisions of all state statutes and standard procedures for
- 17 platting in Washington County.
- 18 3. The Applicants shall obtain Final Plat approval from the Washington County Surveyor.
- 19 4. Prior to the City's execution of the Final Plat, the Applicant must enter into an Addendum to
- 20 the Development Agreement for the installation of all required improvements.
- 21 5. The requirements and conditions of the Development Agreement and its Addendum shall be
- 22 incorporated as conditions of the City's execution of the Final Plat.
- 23 6. The Final Plat shall be recorded within 120 days of approval or the City's approval shall be
- 24 deemed null and void.
- 25 7. The Applicant shall pay all fees and delinquent escrow balances.

26 City Planner Swanson noted and addendum was completed similar to the original Development
27 Agreement and was reviewed by the City Attorney.
28

29 **Council Member Giefer moved to adopt Resolution No. 2022-07 with Addendum. Council**
30 **Member Schafer seconded the motion. Motion carried unanimously with a roll call vote.**

31
32 **City Attorney, Dave Snyder (no action items)**

33 NEW BUSINESS

34

35 **Consideration of Resolution No. 2022-03, Resolution Supporting Housing and Local Decision-**
36 **Making Authority** – Staff advised the League provided draft resolutions supporting local decision
37 making authority in terms of housing. If the Council agrees with local decision making, the
38 resolution should be adopted and sent to the League of Minnesota Cities.

1 Council Member Giefer moved to adopt Resolution No. 2022-03, as presented. Council
2 Member Rog seconded the motion. Motion carried with a roll call vote.

3
4 Consideration of Apollo Heating & Air Conditioning Bid – Staff advised the possibility of
5 installing HVAC at the Town Hall was discussed at the Council Work Session. A bid was obtained
6 from Apollo Heating to complete the required work.

7
8 No Council action was taken on Apollo Heating & Air Conditioning Bid.

9
10 Consideration of Lawn Care Bids, Town Hall – Staff advised two bids were obtained for
11 landscaping services at Town Hall.

12
13 It was the consensus of the Council to obtain a bid from KEJ Contracting for aerating the field, fall
14 clean up of leaves and fertilizer/weed control twice a year.

15
16 No action was taken on Lawn Care Bids, Town Hall.

17
18 Consideration of Comcast Bid Town Hall WIFI – Staff advised a quote was obtained from
19 Comcast to wire Town Hall for WIFI. The bid was in the amount of \$5,078.75 (City cost) plus the
20 on-going monthly fee, equipment fee and service fee.

21
22 Council Member Schafer moved to approve the quote from Comcast, as presented. Council
23 Member Rog seconded the motion. Motion carried with a roll call vote and Council Member
24 Carr abstaining.

25
26 Consideration of 2022 Special Road Projects, Additional Brushing, Kline Bros. – Staff advised a
27 quote was received from Kline Brothers to complete the brushing project that was starting last year.
28 The quote is in the amount of \$47,000 with a list of areas that would be completed.

29
30 Council Member Giefer moved to approve the quote from Kline Bros., as presented. Mayor
31 Huber seconded the motion. Motion carried with a roll call vote and Council Member Schafer
32 voting nay.

33
34 **UNFINISHED BUSINESS**

35 There was no unfinished business.

36 **DISCUSSION ITEMS (no action taken)**

37 Staff Updates (updates from Staff, no action taken)

38 City Council Reports/Future Agenda Items

39
40 **COMMUNITY CALENDAR APRIL 6 THROUGH APRIL 30, 2022:**

41
42 Mahtomedi Public Schools Board Meeting, Thursday, April 14th and April 28th, Mahtomedi
43 District Education Center, 7:00 p.m.

- 1 **Stillwater Public Schools Board Meeting, Thursday, April 14th, Stillwater City Hall, 7:00 p.m.**
- 2 **Washington County Commissioners Meeting, Tuesdays, Government Center, 9:00 a.m.**
- 3 **City of Grant Clean Up Day, Saturday, April 30, 9:00 am to Noon, Town Hall**

4

5 **ADJOURNMENT**

6 **Council Member Rog moved to adjourn the meeting at 9:23 p.m. Council Member Giefer**
7 **seconded the motion. Motion carried unanimously with a roll call vote.**

8

9 These minutes were considered and approved at the regular Council Meeting May 3, 2022.

10

11

12

13

14 _____
Kim Points, Administrator/Clerk

Jeff Huber, Mayor

15

16

