

**City of Grant  
City Council Agenda  
October 4, 2016**

*The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday, October 4, 2016, in the Grant Town Hall, 8380 Kimbro Ave. for the purpose of conducting the business hereafter listed, and all accepted additions thereto.*

**1. CALL TO ORDER**

**PUBLIC INPUT**

**Citizen Comments – Individuals may address the City Council about any item not included on the regular agenda. The Mayor will recognize speakers to come to the podium. Speakers will state their name and address and limit their remarks to three (3) minutes. Generally, the City Council will not take any official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.**

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF REGULAR AGENDA**

**4. APPROVAL OF CONSENT AGENDA**

- A. September 6, 2016 City Council Meeting Minutes
- B. Bill List, \$59,336.81
- C. Kline Bros. Excavating, Road Work, \$11,988.75
- D. City of Mahtomedi, 3<sup>rd</sup> Quarter Fire Contract, \$32,347.00
- E. Envirotech, 2016 Dust Control, 17,655.76

**5. STAFF AGENDA ITEMS**

- A. City Engineer, Brad Reifsteck
  - i. Final Project Costs and Order Assessment Hearing, Keswick Avenue
  - ii. McKusick Speed Survey
- B. City Planner, Jennifer Haskamp

- i. Consideration of Update of Septic Ordinance
  - ii. Stillwater Comprehensive Plan Comments
  - iii. Environmental Assessment Worksheet
- C. City Attorney, Nick Vivian
  - i. 2016 Annual CUP Review
6. NEW BUSINESS
7. UNFINISHED BUSINESS
8. DISCUSSION ITEMS
  - A. City Council Reports (any updates from Council, no action taken)
  - B. Staff Updates
    - i. Ordinance Books
9. COMMUNITY CALENDAR OCTOBER 5 THROUGH OCTOBER 31, 2016:

Mahtomedi Public Schools Board Meeting, Thursday, October 13<sup>th</sup> and 27<sup>th</sup>, Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, October 27<sup>th</sup>, Stillwater City Hall, 7:00 p.m.

Washington County Commissioners Meeting, Tuesdays, Government Center, 9:00 a.m.
10. ADJOURNMENT

**CITY OF GRANT  
MINUTES**

**DATE** : September 6, 2016  
**TIME STARTED** : 7:02 p.m.  
**TIME ENDED** : 9:14 p.m.  
**MEMBERS PRESENT** : Councilmember Sederstrom, Lobin, Huber,  
Lanoux and Mayor Carr  
**MEMBERS ABSENT** : None

Staff members present: City Attorney, Nick Vivian; City Planner, Jennifer Haskamp; City Engineer, Brad Reifsteck; City Treasurer, Sharon Schwarze; and Administrator/Clerk, Kim Points

**CALL TO ORDER**

Mayor Carr called the meeting to order at 7:02 p.m.

**PUBLIC INPUT**

(1) Mr. Bob Tufty, Jasmine Avenue, came forward and commented on theft of campaign signs.

**PLEDGE OF ALLEGIANCE**

**SETTING THE AGENDA**

**Council Member Lanoux moved to remove Expungement and add Sheriff's Request for Volunteers to the agenda. Council Member Sederstrom seconded the motion.**

Council Member Huber stated he would like to inquire about the Expungement item on the agenda and stated the request for volunteers can be discussed under Council updates as there is no required Council action.

**Motion failed with Council Members Lobin, Huber and Mayor Carr voting nay.**

**Council Member Huber moved to approve the agenda as presented. Council Member Lobin seconded the motion. Motion carried with Council Member Lanoux and Sederstrom voting nay.**

**CONSENT AGENDA**

August 2, 2016 City Council Meeting Minutes

Approved

Bill List, \$53,991.87

Approved

1	Kline Excavating, Road Projects, \$18,390.00	Approved
2		
3	Envirotech, 2016 Dust Control,	
4	\$38,870.99	Approved
5		
6	M.J. Raleigh, 2016 Gravel, \$33,115.63	Approved
7		
8	Allied Blacktop Company, 2016 Seal Coat	
9	Project, \$35,997.50	Approved
10		
11	Washington County Sheriff, Jan-June 2016	
12	Police Services, \$55,950.78	Approved
13		
14	Brochman Blacktopping, Keats Avenue Overlay	
15	Project, \$41,401.00	Approved
16		
17	Master Subscriber Agreement and New MGA	
18	Request Form	Approved
19		
20	Contract Extension, Gravel Roadway Maintenance,	
21	Kline Bros. Excavating 2017-2019	Approved

**Council Member Huber moved to approve the consent agenda, as presented. Council Member Lobin seconded the motion. Motion carried unanimously.**

#### **STAFF AGENDA ITEMS**

#### **City Engineer, Brad Reifsteck**

**Consideration of Resolution No. 2016-23, Accept Bids and Award Project, Keswick Avenue**  
 – City Engineer Reifsteck Following public hearing, the City Council ordered the public improvements included in the project in the project area at the August 2, 2016 regular Council Meeting.

The following recommendation and bid tabulation summary indicates the recommended low bidder as Valley Paving, Inc. of Shakopee, MN with a grand total bid of \$81,749.75 or approximately 17% below the construction estimate of \$98,000.00.

CONTRACTOR	BASE BID
Valley Paving, Inc.	\$81,749.75
Hardrives, Inc.	\$90,225.00
Broachman Blacktopping Co.	\$98,500.00



1 If awarded by Council, staff's anticipated schedule for the project improvements includes a  
2 tentative construction start in mid to late September of 2016 and a specified substantial  
3 completion date for all work including cleanup of October 28, 2016.

4  
5 The improvements are anticipated to be funded by special assessments to benefitting properties,  
6 in accordance with the Assessment Policy, adopted by City Council.

7  
8 For projects that will contain special assessments, such as the assessments for roadway  
9 reconstruction and street reconstruction improvement projects, as required by Minnesota State  
10 Statute, Chapter 429 and consistent with the Assessment Policy, an Assessment Hearing will  
11 need to be held to consider the adoption of assessments. This hearing is proposed to be held at  
12 the October 4, 2016 City Council meeting.

13  
14 Final project cost will be declared once project construction is completed. Final project  
15 completion date is scheduled for October 28, 2016. Adopt final assessment amount at regular  
16 council meeting on December 6, 2016.

17  
18 Council Member Huber stated 75% of the residents are in favor of the project so it can move  
19 forward. Those not in favor can appeal at the assessment hearing. The threshold has been met  
20 per the City's road policy.

21  
22 **Council Member Lobin moved to adopt Resolution No. 2016-23, as presented. Council**  
23 **Member Huber seconded the motion. Motion carried unanimously.**

24  
25 **City Planner, Jennifer Haskamp**

26  
27 **Consideration of Resolution No. 2016-22, Application for Conditional Use Permit,**  
28 **Commercial Tree Farm, 10000 Lansing Avenue** – City Planner Haskamp advised the Owners  
29 and Applicants, Jon and Kirsten Yocum ("Applicant"), are requesting a Conditional Use  
30 Permit("CUP") to operate a commercial/wholesale Tree Farm and Nursery on a portion of the  
31 property located at 10000 Lansing Avenue North. The Applicant recently acquired the property  
32 and is currently constructing a new home on the property which will be their principal residence.  
33 In addition to living on the subject property the Applicant would like to utilize a portion of their  
34 property for the establishment of a Tree Farm and Nursery, which per the City's code requires a  
35 CUP.

36  
37 City Planner Haskamp noted a duly noticed public hearing was held on July 19<sup>th</sup>, 2016 at the  
38 Planning Commission's regular meeting, and public testimony was taken. The Planning  
39 Commission closed the public hearing on July 19<sup>th</sup> and discussed the Applicant's request. The  
40 Commissioners determined that additional information was needed from the Applicant and  
41 continued the discussion to the August 16, 2016 regular meeting. After consideration and  
42 discussion on August 16<sup>th</sup>, the Planning Commission made a unanimous recommendation to the  
43 City Council to approve the requested CUP with the draft conditions as presented by staff.

1 City Planner Haskamp reviewed the staff report and draft conditions of approval. She added that  
2 the property is located within the Brown's Creek Watershed District (BCWD), and the Applicant  
3 will be required to obtain any necessary permits or approvals from them prior to beginning  
4 operations.

5  
6 Council Member Huber referred to conditions of approval and asked for clarification regarding  
7 the driveway and proposed bump out.

8  
9 City Planner Haskamp referred to the updated site plan and pointed out the east/west access and  
10 actual driveway through the commercial area. She noted the bump out locations indicating they  
11 are for emergency vehicles. The driveway also limits the number of trips because if the bump  
12 outs are not adequate for the traffic conditions, the application will have to come back for an  
13 amended CUP. The current plan calls for a nursery on one acre to determine how it goes and  
14 includes a potential expansion in the future.

15  
16 Council Member Lanoux asked why a CUP is needed on the property as it is already listed at the  
17 State and is an agricultural use. He pointed out others in the community including the Kline  
18 Bros. and Davids Consulting run businesses and do not have a CUP.

19  
20 Council Member Huber stated CUP's are required when businesses intensify their use, such as  
21 the proposed tree farm. The applicant brought forward an excellent use and it is intensified from  
22 the previous owners. A CUP process also includes due process for neighbors affected by  
23 intensified uses.

24  
25 Mayor Carr added the ordinances have been in place since 1982. CUP's are for everyone and to  
26 protect everyone. The City encourages property owners to make use of their property. The  
27 proposed use a very minor good use but requires a CUP. There was some concern relating to  
28 additional traffic but the reality is this property could be developed and many homes could go  
29 there.

30  
31 Council Member Sederstrom stated he does support the CUP but asked where the concern for  
32 residents was when the ice arena and wedding barns went in.

33  
34 **Council Member Huber moved to adopt Resolution No. 2016-22, as presented. Council**  
35 **Member Lobin seconded the motion. Motion carried unanimously.**

36  
37 **Consideration of Ordering Environmental Assessment Worksheet** – City Planner Haskamp  
38 advised on August 15, 2016 staff received an application from Rinc 2 (Applicant) and ISD 831  
39 (Owner) to amend the current conditional use permit (CUP) to allow for construction and  
40 operation of an ice arena. The existing CUP addresses the athletic fields and supporting uses,  
41 and the proposed amendment seeks approval to construct an ice arena with a single sheet of ice  
42 on approximately four (4) acres of the site.

43 In compliance with Minnesota Statutes Section 15.99, staff reviewed the application for  
44 completeness, and has determined that all of the materials per the City's checklist were

1 submitted. Included within the application materials were several environmental reports,  
2 including a Phase I Environmental Site Assessment.

3 After preliminarily reviewing the materials, staff is recommending that the City Council consider  
4 ordering an Environmental Assessment Worksheet (EAW) for the proposed project. Chapter 32,  
5 Division 7, Section 32-213 (d) Option by City, allows the City Council to require an EAW "on  
6 any proposed action to determine if the project has the potential for significant environmental  
7 effect...provided any of the following exist: (4) The proposed project is adjacent to or near a  
8 public recreation land or facility and alters or increases use..." Preparation of such EAW would  
9 be at the cost of the Applicant/Owner which would be funded through an escrow, and if ordered,  
10 the City Council would select the consultant to prepare the EAW on the City's behalf.

11 Staff is recommending that the City Council order an EAW for the Subject project to ensure an  
12 independent review of the proposed project. Staff is further recommending that a third-party  
13 consultant, specializing in environmental review and analysis, be selected to prepare the EAW.

14  
15 City Attorney Vivian stated that as the application was reviewed, staff felt it was appropriate to  
16 obtain more information. State law allows the City to require an EAW and is recommending the  
17 consultant Bay West be utilized in this process.

18  
19 Mayor Carr stated an environmental agency was used for the school. It is not unusual to ask for  
20 this.

21  
22 Council Member Lanoux stated Braun Intertec worked on the site and he does not want them or  
23 Landmark. He requested the applicant go back to the school district and ask for a safe site.

24  
25 City Attorney Vivian stated the application itself should not be discussed at this time. The staff  
26 request is to order an EAW to proceed with the best information possible.

27  
28 Council Member Huber stated a superfund site is a federal designation and this site has never  
29 been given that designation. Council Member Lanoux's family owned the land and there is still a  
30 transfer station there. He read a letter from the school district's attorney relating to previous  
31 planning commissioners and site visits. He stated no proof is ever produced in terms of the  
32 claims being made. The Council does have an obligation to get all the information when  
33 reviewing a CUP application. He stated he had added the testing of the school site and water  
34 every six months to the CUP. That testing has been done and nothing has ever been found. He  
35 inquired about the timing on an EAW.

36  
37 City Planner Haskamp commented on the timing and regulatory guidelines that must be  
38 followed. There is so much information on this site and background information would be  
39 considered, reviewed and compiled into the EAW.

40  
41 Council Member Sederstrom stated he wants to support the EAW but does not want Landmark to  
42 participate. He stated the City should be very careful in the selection of who does the EAW.

43  
44 **Council Member Lanoux moved to order an EAW, allowing for Council time to research**  
45 **Environmental firms. Council Member Sederstrom seconded the motion.**

1  
2 City Attorney Vivian stated the City shouldn't wait another 30 days and recommended choosing  
3 an environmental firm tonight. He provided information on Bay West and recommended them  
4 based on his experience.

5  
6 Mayor Carr stated he would not be comfortable picking the firm. It is staff's job to recommend a  
7 firm and they have picked one.

8  
9 **Motion failed with Council Member Lobin, Huber and Mayor Carr voting nay.**

10  
11 **Mayor Carr moved to order an EAW on the proposed ice rink site to be prepared by Bay**  
12 **West. Council Member Lobin seconded the motion.**

13  
14 Council Member Lanoux provided reasons why the Council should research firms and asked for  
15 information as to how Bay West was determined as the recommended firm.

16  
17 City Attorney Vivian explained the process was discussed by staff at a staff meeting. Most of the  
18 focus was on the process for ordering an EAW. Staff did not want a firm that has worked on the  
19 school or site in the past. Bay West was identified as reputable and not associated in any way  
20 with the site.

21  
22 Council Member Huber confirmed the City Attorney has worked with environmental firms about a  
23 dozen times as has the City Planner. He stated staff is who the City pays for their expertise and  
24 they have found an independent experienced consultant. Council researching environmental firms  
25 would delay the process.

26  
27 Council Member Lanoux stated the Council should research firms and bring back a  
28 recommendation noting all staff would be gone January 2, 2017 anyway.

29  
30 Mayor Carr thanked Council Member Lanoux for making the point of why it should not come  
31 back to the Council.

32  
33 **Motion carried with Council Member Lanoux voting nay.**

34  
35 **City Attorney, Nick Vivian**

36  
37 **Consideration of Resolution No. 2016-25, Petition for Detachment and Annexation from**  
38 **City of Grant, 6636 Indian Wells Trail** – City Attorney Vivian advised Rose Ann Pohl has  
39 filed a Petition for Concurrent Detachment and Annexation ("Petition") with the Office of  
40 Administrative Hearings for the property legally described as Northridge Acres, Lot 5 Block 3.

41  
42 Below is a summary of the proceedings that a property owner must conduct to cause  
43 simultaneous detachment of its property from one municipality and annexation of its property to  
44 another municipality.

1           *Minnesota Statute Section 414.061, Subdivision 5* provides as follows:

2  
3     Property owners may initiate proceedings for the concurrent detachment of their property from  
4     one municipality and its annexation to an adjacent municipality by a petition signed by all of  
5     them that they submit to the [Office of Administrative Hearings – Municipal Boundary  
6     Adjustment Unit] accompanied by a resolution of the city council of at least one of the affected  
7     municipalities.

8  
9     (the Office of Administrative Hearings – Municipal Boundary Adjustment Unit is hereafter  
10    referred to as the “OAH”).

11  
12    If the City opposes the motion, it is not necessary to file any affirmative filing/pleading in  
13    response to the property owner’s request or adopt an affirmative resolution opposing it. If the  
14    other municipality adopts a resolution approving the detachment/annexation, the OAH will,  
15    within 30-60 days, schedule a hearing to consider the request, and must mail the city notice of the  
16    hearing. *Minn. Stat. § 414.09, Subd. 1.*

17  
18    There are no statutory formalities that require (or even contemplate) the City to take affirmative  
19    measures to approve or oppose the detachment/annexation, but it is prudent for the City to take a  
20    formal position prior to the hearing, and adopt a resolution approving or opposing the  
21    detachment/annexation. Furthermore, it is prudent to submit a written letter making the case for  
22    such support/opposition. In making its final decision, the OAH must consider the following  
23    (*Minn. Stat. § 414.02, Subd. 3*):

- 24  
25    (1) present population and number of households, past population and projected population  
26    growth for the subject area;  
27    (2) quantity of land within the subject area; the natural terrain including recognizable physical  
28    features, general topography, major watersheds, soil conditions and such natural features as  
29    rivers, lakes and major bluffs;  
30    (3) present pattern of physical development, planning, and intended land uses in the subject area  
31    including residential, industrial, commercial, agricultural, and institutional land uses and the  
32    impact of the proposed action on those uses;  
33    (4) the present transportation network and potential transportation issues, including proposed  
34    highway development;  
35    (5) land use controls and planning presently being utilized in the subject area, including  
36    comprehensive plans, policies of the Metropolitan Council; and whether there are inconsistencies  
37    between proposed development and existing land use controls;  
38    (6) existing levels of governmental services being provided to the subject area, including water  
39    and sewer service, fire rating and protection, law enforcement, street improvements and  
40    maintenance, administrative services, and recreational facilities and the impact of the proposed  
41    action on the delivery of the services;  
42    (7) existing or potential environmental problems and whether the proposed action is likely to  
43    improve or resolve these problems;  
44    (8) fiscal impact on the subject area and adjacent units of local government, including present  
45    bonded indebtedness; local tax rates of the county, school district, and other governmental units,



1 including, where applicable, the net tax capacity of platted and unplatted lands and the division  
2 of homestead and nonhomestead property; and other tax and governmental aid issues;  
3 (9) relationship and effect of the proposed action on affected and adjacent school districts and  
4 communities;  
5 (10) whether delivery of services to the subject area can be adequately and economically  
6 delivered by the existing government;  
7 (11) analysis of whether necessary governmental services can best be provided through the  
8 proposed action or another type of boundary adjustment;  
9 (12) degree of contiguity of the boundaries of the subject area and adjacent units of local  
10 government; and  
11 (13) analysis of the applicability of the State Building Code.

12  
13 After the hearing, the OAH may issue its order within one year of the hearing. *Minn. Stat. §*  
14 *414.07*. The order may be appealed within 30 days of the date it is issued. *Id. at Subd. 2(c)*.

15  
16 City Attorney Vivian recommended the City adopt a resolution opposing the Petition with a  
17 written submission formally notifying the Office of Administrative Hearings of its opposition.

18  
19 Council Member Lanoux asked for a legal opinion relating to Mayor Carr and Council Member  
20 Huber voting on this item because they benefit as realtors. If the property is detached there  
21 would be another 60 acre parcel to sell and the Mayor could benefit from that.

22  
23 Council Member Huber stated neither he or the Mayor are under contract with the buyer or seller  
24 so there is no conflict of interest. The idea is ridiculous and they both talk to many people every  
25 day about property. Council Member Lanoux's relations to the property owner and Shannon  
26 Bryant who is a mayoral candidate is evident. He stated scare tactics should not work as he has  
27 been on the City Council for eight years and has not tried to develop and does not want to  
28 develop. The application is for detachment which he does not support as that is why the City  
29 became a City.

30  
31 Council Member Sederstrom inquired about the City's ordinance relating to this issue.

32  
33 City Attorney Vivian explained that this application is exactly why Grant did become a City to  
34 avoid being annexed by neighboring community. He recommended the Council deny the request  
35 unless they find a compelling reason. There is a process for this type of request and there is no  
36 conflict of interest as there is no financial interest or gain in potential detachment.

37  
38 **Council Member Huber moved to adopt Resolution No. 2016-25, as presented. Council**  
39 **Member Lobin seconded the motion.**

40  
41 Council Member Lanoux made an amendment to the motion to adopt Resolution No. 2016-25,  
42 striking the statement regarding the City of Dellwood approving the petition and staff having  
43 authorization and being directed to formally oppose the Petition.

44  
45 **Council Member Huber rejected the friendly amendment. Motion carried unanimously.**

**NEW BUSINESS**

**Consideration of Resolution No. 2016-24, Summary Publication of Ordinance No. 2016-47 –**  
Resolution No. 2016-24 authorizes a summary publication of Ordinance No. 2016-47.

**Council Member Huber moved to adopt Resolution No. 2016-24, as presented. Council Member Lobin seconded the motion. Motion carried unanimously.**

**Consideration of Resolution No. 2016-20, 2017 Preliminary Budget, Treasurer Schwarze –** City Treasurer Schwarze advised the small city funding did not go through this year. Budget meeting have been held and preliminary budgets were discussed with and without the funding. She presented options for the preliminary budget.

Council Member Huber pointed out the City has approximately 4,000 residents and one employee. There are no LGA funds or gas tax provided to the City of Grant.

Council Member Lanoux asked about the \$60,000 that was set aside for local roads stating he has not seen those dollars spent.

Council Member Huber stated the entire Council gets detailed financial statements every month.

City Treasurer Schwarze noted there was detailed discussion on roads and dollars at the budget meeting.

**Mayor Carr moved to adopt Resolution No. 2016-20, with a preliminary budget amount of \$1,461,493.00. Council Member Lobin seconded the motion. Motion carried with Council Member Lanoux and Sederstrom voting nay.**

**Consideration of Resolution No. 2016-21, 2017 Preliminary Levy Certification, Treasurer Schwarze –** City Treasurer Schwarze presented the numbers for the preliminary levy certification based on the approved preliminary budget.

**Council Member Huber moved to adopt Resolution No. 2016-21, with a preliminary levy amount of \$1,140,730.00. Council Member Lobin seconded the motion. Motion carried with Council Member Lanoux and Sederstrom voting nay.**

**UNFINISHED BUSINESS**

There was no unfinished business.

**DISCUSSION ITEMS**

**City Council Reports:**

1 **Expungement, Loren Sederstrom** – Council Member Sederstrom indicated he would not like to  
2 discuss this at this time.

3  
4 Council Member Lanoux stated an email was sent out regarding Washington County asking for  
5 volunteers for search teams.

6  
7 **Staff Updates:**

8  
9 **Data Security, League of Minnesota Cities** – A memo was provided outlining a basic Data Security  
10 survey conducted by the League noting the City is in compliance and there were no recommendations.  
11

12 **MS4 Audit** – A memo was provided regarding an audit of the City's Stormwater Pollution  
13 Prevention Program noting there were not any compliant findings.  
14

15 **Minnesota Certified Municipal Clerk** – A letter from the Municipal Clerks and Finance Officers  
16 Association was providing noting the Clerk has earned the designation of Minnesota Certified  
17 Municipal Clerk  
18

19 **COMMUNITY CALENDAR SEPTEMBER 7 THROUGH SEPTEMBER 30, 2016:**

20 **Mahtomedi Public Schools Board Meeting, Thursday, September 8<sup>th</sup> and 22<sup>nd</sup>, Mahtomedi**  
21 **District Education Center, 7:00 p.m.**

22 **Stillwater Public Schools Board Meeting, Thursday, September 22<sup>nd</sup>, Stillwater City Hall, 7:00**  
23 **p.m.**

24 **Washington County Commissioners Meeting, Tuesdays, Government Center, 9:00 a.m.**  
25

26 **ADJOURN**

27  
28 **Council Member Huber moved to adjourn at 9:14 p.m. Council Member lobin seconded the**  
29 **motion. Motion carried unanimously.**  
30  
31

32 These minutes were considered and approved at the regular Council Meeting October 4, 2016.  
33  
34  
35  
36

37 \_\_\_\_\_  
38 Kim Points, Administrator/Clerk  
39

\_\_\_\_\_  
Tom Carr, Mayor



## Disbursements List

Date range: 09/01/2016 to 09/27/2016

Page 1

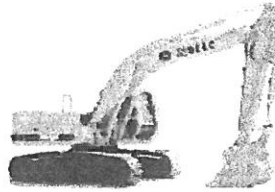
City of Grant

Disbursements List

09/27/2016

Vendor	Date	Check #	Total	Description	Void	Account #	Detail
Countryman Electric	09/26/2016	13201	\$3,973.15	Town Hall Repairs	No	100-43002-400	\$3,973.15
Sprint	09/26/2016	13202	\$33.06	City Cell Phone	No	100-43116-321	\$33.06
Kline Bros Excavating	09/26/2016	13203	\$11,988.75	Road Maintenance	No	100-43101-300	\$1,440.00
						100-43106-300	\$235.00
						100-43108-300	\$3,881.25
						100-43111-300	\$3,695.00
						100-43128-300	\$2,737.50
SHC, LLC	09/26/2016	13204	\$2,586.75	Planning	No	100-41209-300	\$872.75
						100-41210-300	\$300.00
						914-49310-300	\$429.25
						915-49310-300	\$50.50
						916-49310-300	\$631.25
						917-49310-300	\$303.00
PERA	09/26/2016	13205	\$662.91	PERA	No	100-41102-120	\$355.13
						100-41113-100	\$307.78
Xcel Energy	09/26/2016	13206	\$268.00	Utilities	No	100-43004-381	\$46.22
						100-43010-381	\$176.76
						100-43117-381	\$45.02
IRS	09/26/2016	EFT80	\$1,153.79	Payroll Taxes	No	100-41103-100	\$362.24
						100-41107-100	\$429.31
						100-41110-100	\$293.58
						100-41112-100	\$68.66
Total For Selected Checks			\$121,328.32				\$121,328.32

KLINE BROS EXCAVATING  
8996 110th St N  
STILLWATER, MN 55082



# Invoice

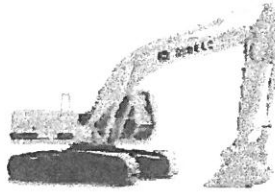
DATE	INVOICE #
9/25/16	2420

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	ASPHALT ROAD SHOULDERING 100-43108

DUE DATE
10/5/16

DESCRIPTION	QTY	UNIT COST	AMOUNT
McKUSICK ROAD EROSION AND SHOULDERS			0.00
9-07-16 LNT9000	3	75.00	225.00
9-07-16 1845C	3	85.00	255.00
9-07-16 E70	3	90.00	270.00
9-07-16 T600	1	75.00	75.00
9-08-16 LNT9000	6.75	75.00	506.25
9-08-16 E70	6.5	90.00	585.00
9-08-16 1845C	6.5	85.00	552.50
9-08-16 T600	1	75.00	75.00
9-08-16 FLAGMAN	2	45.00	90.00
9-09-16 LNT9000	5	75.00	375.00
9-09-16 E70	4.5	90.00	405.00
9-09-16 1845C	5.5	85.00	467.50
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE	<b>Total</b>		<b>3,881.25</b>

KLINE BROS EXCAVATING  
8996 110th St N  
STILLWATER, MN 55082



# Invoice

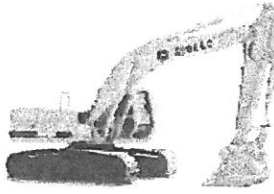
DATE	INVOICE #
9/25/16	2419

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	ROAD GRADING 100-43101

DUE DATE
10/5/16

DESCRIPTION	QTY	UNIT COST	AMOUNT
8-30-16 770B	3	80.00	240.00
8-30-16 740A	3	80.00	240.00
9-16-16 770B	6	80.00	480.00
9-19-16 740A	6	80.00	480.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			
<b>Total</b>			<b>1,440.00</b>

KLINE BROS EXCAVATING  
8996 110th St N  
STILLWATER, MN 55082



# Invoice

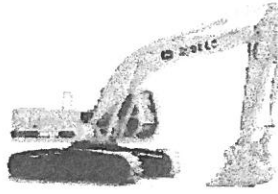
DATE	INVOICE #
9/25/16	2423

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	GRAVEL 100-43106

DUE DATE
10/5/16

DESCRIPTION	QTY	UNIT COST	AMOUNT
HAUL LOAD OF HIGH CLAY C-5	1	75.00	75.00
HAUL LOAD OF C-5 TO 84TH ST FOR EROSION	1	75.00	75.00
GRADE C-5	1	85.00	85.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			<b>Total</b> 235.00

KLINE BROS EXCAVATING  
8996 110th St N  
STILLWATER, MN 55082



# Invoice

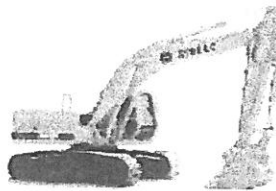
DATE	INVOICE #
9/25/16	2421

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	CULVERT WORK 100-43111

DUE DATE
10/5/16

DESCRIPTION		QTY	UNIT COST	AMOUNT
JUSTEN TRL & HWY 96 - FIND AND DIG OUT CULVERT & CLEAN DITCH				0.00
8-29-16 E70		5	90.00	450.00
8-29-16 1845C		5	85.00	425.00
8-29-16 T600		4	75.00	300.00
8-29-16 LNT9000		2	75.00	150.00
DIG OUT LAST CROSSING ON JUSTEN TRL				0.00
9-12-16 E70		4	90.00	360.00
9-12-16 1845C		4	85.00	340.00
9-12-16 T600		4	75.00	300.00
9-12-16 LNT9000		3	75.00	225.00
FILL CULVERT EROSION AT 107TH & JOLIET & FIX DAMAGED APRON THAT SOMEONE HIT - CLEAN CULVERT END ON LOCKRIDGE AND FILL EROSION				0.00
9-20-16 E70		4	90.00	360.00
9-20-16 1845C		4	90.00	360.00
9-20-16 T600		1	75.00	75.00
9-20-16 LOADS OF TOPSOIL		2	175.00	350.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE		Total		3,695.00

KLINE BROS EXCAVATING  
8996 110th St N  
STILLWATER, MN 55082



# Invoice

DATE	INVOICE #
9/25/16	2422

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	SPECIAL ROAD PROJECTS DICTHWOR 100-43128

DUE DATE
10/5/16

DESCRIPTION	QTY	UNIT COST	AMOUNT
65TH ST & JOCELYN DITCHWORK			
9-21-16 E70	5	90.00	0.00
9-21-16 1845C	5	85.00	450.00
9-21-16 LNT9000	5.25	75.00	425.00
9-21-16 T600	4.25	75.00	393.75
9-23-16 E70	4	90.00	318.75
9-23-16 1845C	4	90.00	360.00
9-23-16 T600	4	85.00	340.00
9-23-16 LNT9000	4	75.00	300.00
	2	75.00	150.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			
<b>Total</b>			<b>2,737.50</b>



December 16, 2015

City of Grant  
c/o Kim Points  
P.O. Box 577  
Willernie, MN 55090

Dear Kim,

Please remit a check in the amount of \$32,347.00 for the 3<sup>rd</sup> quarter fire contract. Please pay October 1, 2016.

If you have any questions, please feel free to give me a call at 651-426-3344.

Thank you,

A handwritten signature in cursive script, appearing to read 'Jerene Rogers'.

Jerene Rogers  
Account Clerk

600 Stillwater Road • Mahtomedi, MN 55115  
Phone: 651-426-3344 • Fax: 651-426-1786  
<http://www.ci.mahtomedi.mn.us>





# Collective Invoice

ORIGINAL

Invoice Date 08/25/2016  
 Invoice Number CD201619650  
 Customer Number 13555

Customer Address  
 City of Grant  
 111 Wildwood Road  
 Box 577  
 Willernie MN 55090

Due Date  
 09/09/2016  
 Terms of Payment  
 15 Days Net

Order Number D9938  
 Your Reference Scott Anderson 651-762-6300  
 Customer City of Grant  
 Purchase Order Number verbal

DO #	Pos	Part No	Taxabl	Sales Quantity	Unit	Sale Unit Price	Disc. %	Discount Amount	Net Amount
Receipt Ref:		Description		Price	Quantity	Unit	Tax %		USD
394992	1	<b>1010-APP</b>		4,236.00	gal	0.8850	0%	0.00	3,748.86
10640		Calcium Chloride 38% - Applied		4,236.00	gal		%		
394993	1	<b>1010-APP</b>		4,427.00	gal	0.8850	0%	0.00	3,917.90
10642		Calcium Chloride 38% - Applied		4,427.00	gal		%		
394994	1	<b>1010-APP</b>		4,460.00	gal	0.8850	0%	0.00	3,947.10
9617		Calcium Chloride 38% - Applied		4,460.00	gal		%		
408615	1	<b>1010-APP</b>		4,477.00	gal	0.8850	0%	0.00	3,962.15
10647		Calcium Chloride 38% - Applied		4,477.00	gal		%		
408616	1	<b>1010-APP</b>		2,350.00	gal	0.8850	0%	0.00	2,079.75
10646		Calcium Chloride 38% - Applied		2,350.00	gal		%		

Order Sub Total Amount 17,655.76

Order Total Exclusive Tax 17,655.76

Tax 0.00

Order Total 17,655.76

Invoice No: CD201619650  
 Due Date: 09/09/2016  
 Total Invoice: 17,655.76

Past due invoices accrue finance charges at 1.5% per month



# Collective Invoice

ORIGINAL

Invoice Date 08/25/2016  
Invoice Number CD201619650  
Customer Number 13555

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Sub Total Amount	17,655.76
Total Exclusive Tax	17,655.76
Total Tax	0.00
Invoice Amount to Pay	17,655.76

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Invoice No: CD201619650  
Due Date: 09/09/2016  
Total Invoice: 17,655.76

Past due invoices accrue finance charges at 1.5% per month



## City of Grant Minnesota

September 23, 2016

CITY OF GRANT  
P.O. BOX 577  
WILLERNIE, MN 55090

Re: McKusick Roadway North Reduced Speed Petition Inquiry  
Grant, Minnesota

Dear Property Owner:

A neighborhood meeting was held on June 14, 2016 for property owners adjacent to McKussick Road and the speed of vehicles using the roadway was a concern of many residents.

Minnesota statute defines maximum speed limits for non-posted roadways. Under specific conditions, the local road authority having jurisdiction may adjust speed limits lower without performing a formal speed study.

A segment of McKusick Road between Lofton Ave N and 88<sup>th</sup> Street lies within a rural residential district, a special condition, which allows the local road authority to adjust the speed limit to 35 MPH.

The City Council has directed staff to engage the abutting residents to better understand the interest in reducing the speed along this roadway segment from the entire neighborhood. In order to do this, we are encouraging a resident property owner to organize this effort and formally petition the city with a request to reduce the speed zone within the rural residential district.

The petition would need to be signed by a majority of abutting property owners or neighbors directly adjacent to McKusick Road and submitted to the City in order for staff to make a recommendation to City Council. An example of a petition including a map is attached for convenience.

If you have any questions or concerns regarding this letter or the open house, please feel free to contact me at 763-512-5243 or 763-287-7173.

Sincerely,

Brad A. Reifsteck, PE  
City Engineer

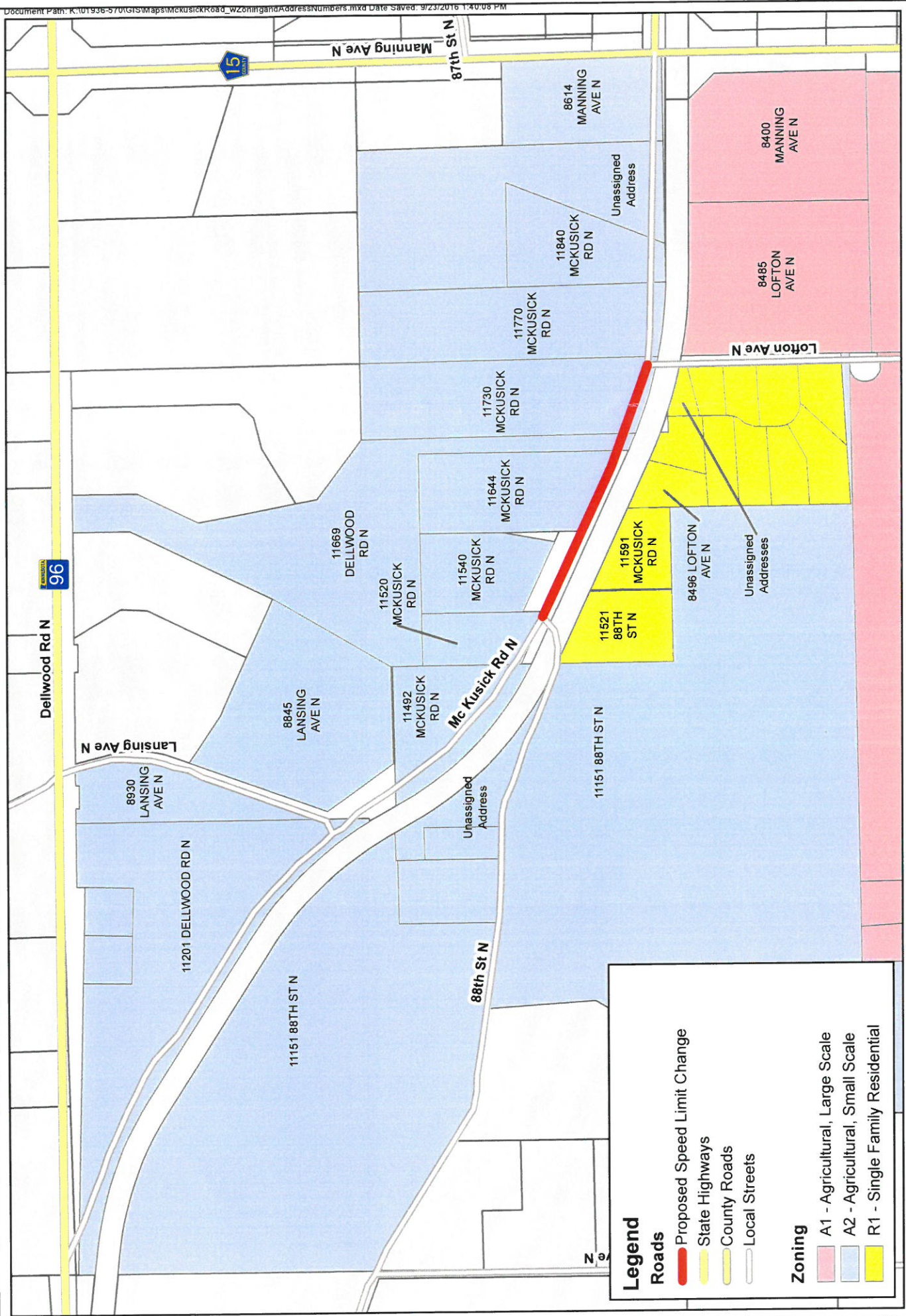
Enclosure

cc: Kim Points, City Administrator  
jmh

This Petition is to request Grant City Council to consider reducing the speed limit to 35 MPH within the Rural Residential District along McKusick Roadway North in Grant, Minnesota.

[illegible]







**Department of Public  
Health and Environment**

**Lowell Johnson**  
Director

**David Brummel**  
Deputy Director

September 7, 2016

Ms. Kim Points, Administrator  
City of Grant  
PO BOX 577  
Willernie, MN 55090

Dear Ms. Kim Points,

Re: Subsurface Sewage Treatment System Program Administration Contract

I am following up with you on the discussion about Subsurface Sewage Treatment System (SSTS) services at the recent City Administrator meeting. The City of Grant contracts with the Washington County Department of Public Health and Environment (Department) to administer inspection and permitting services for the City's SSTS program. This contract is set to terminate on December 31, 2016. Action may be needed by the City of Grant to determine how program services are delivered beyond this date.

MINN STAT 115.55 establishes that counties must adopt and administer SSTS programs in all areas of their jurisdiction unless cities or townships have adopted and administer their own local program which meets statutory requirements. The Department, in coordination with the Washington County Attorney's office, has reviewed the City's current SSTS ordinance and identified that it likely does not meet the requirements of the statute. The County Attorney's office has also advised that city SSTS ordinances should be in conformance with the statute if the SSTS service contract is to be renewed. Alternatively, the City can repeal its SSTS ordinance and the county will perform the SSTS program in the City under its statutory mandate.

The Department is committed to providing assistance to the City throughout this process to determine what will work best, to continue with a city ordinance and a service contract with the Department, or to have the County operate the program under its statutory mandate. The City can count on the same level of great customer service and expert SSTS programming from the Department whether under the city ordinance or the county program.

Government Center • 14949 62nd Street North — P.O. Box 6, Stillwater, Minnesota 55082-0006  
Phone: 651-430-6655 • Fax: 651-430-6730 • TTY: 651-430-6246

[www.co.washington.mn.us](http://www.co.washington.mn.us)

Equal Employment Opportunity / Affirmative Action







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**DATE:** September 20, 2016 **CASE NO.:** 2016-32

**TO:** Cities of Oak Park Heights, Grant and Lake Elmo  
Stillwater Township  
Washington County Public Works  
Minnesota Department of Transportation  
ISD 834

**APPLICANT:** Mark Schoening, Sr VP of Development  
Ryan Companies US, Inc

**LANDOWNER:** Dennis Trooien, Chief Mgr  
Crescent Development, LLC

**LOCATION:** 12054 60<sup>th</sup> St N

**REQUEST:** Jurisdictional and agency review of  
Comprehensive Plan Amendment

**AUTHOR:** Bill Turnblad, Stillwater Community Development Director

---

### **BACKGROUND**

Ryan Companies has been retained by Hy-Vee to pursue development of a 96,000 sf Hy-Vee grocery and 4,500 sf gas station/convenience store in Stillwater. The site desired by Hy-Vee is approximately 17.9 acres located at the northeast quadrant of the intersection of State Highway 36 and County Road 15 (Manning Avenue).

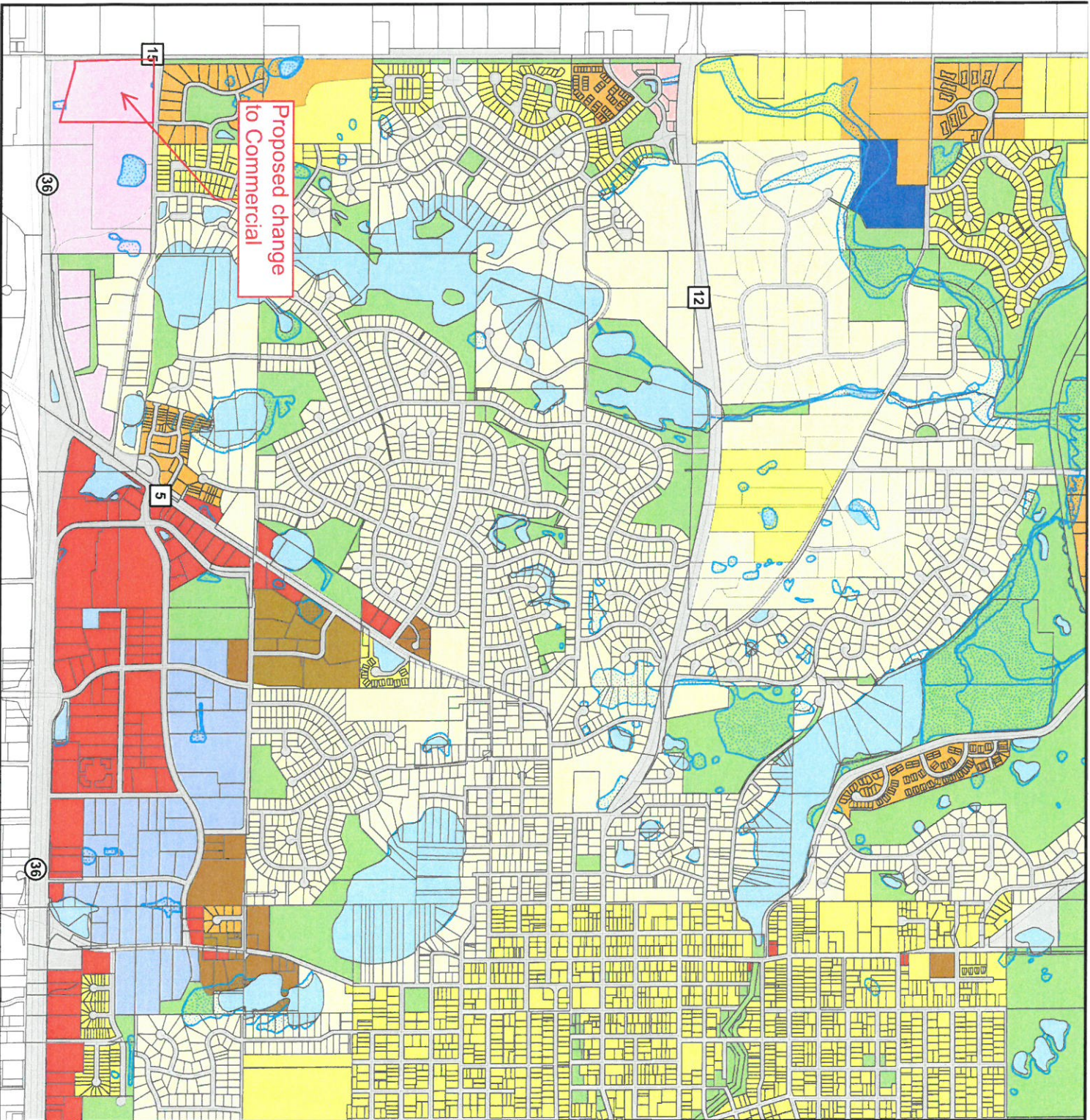
The property is currently guided by the City's Comprehensive Plan for Research & Development uses. The proposed retail uses are not consistent with the Comprehensive Plan. Therefore, Ryan Companies has requested an amendment that would change the guiding from Research & Development to Commercial.

### **SPECIFIC REQUEST**

Ryan Companies is specifically requesting an amendment to the Stillwater Comprehensive Plan's land use map guiding the subject 17.9 acres from RDP, Research Development Park to COM, Commercial.







## 2030 Future Land Use Plan

2008 Comprehensive Plan



- 2030 City Limit
- Wetland (Undelineated)
- Low Density Residential
- Low/Medium Density Residential
- Medium Density Residential
- High Density Residential
- Neighborhood Commercial
- Commercial
- Downtown Mixed Use
- Research, Development Park
- Industrial
- Institutional
- Park, Rec or Open Space
- Marina
- Road R-O-W
- Open Water

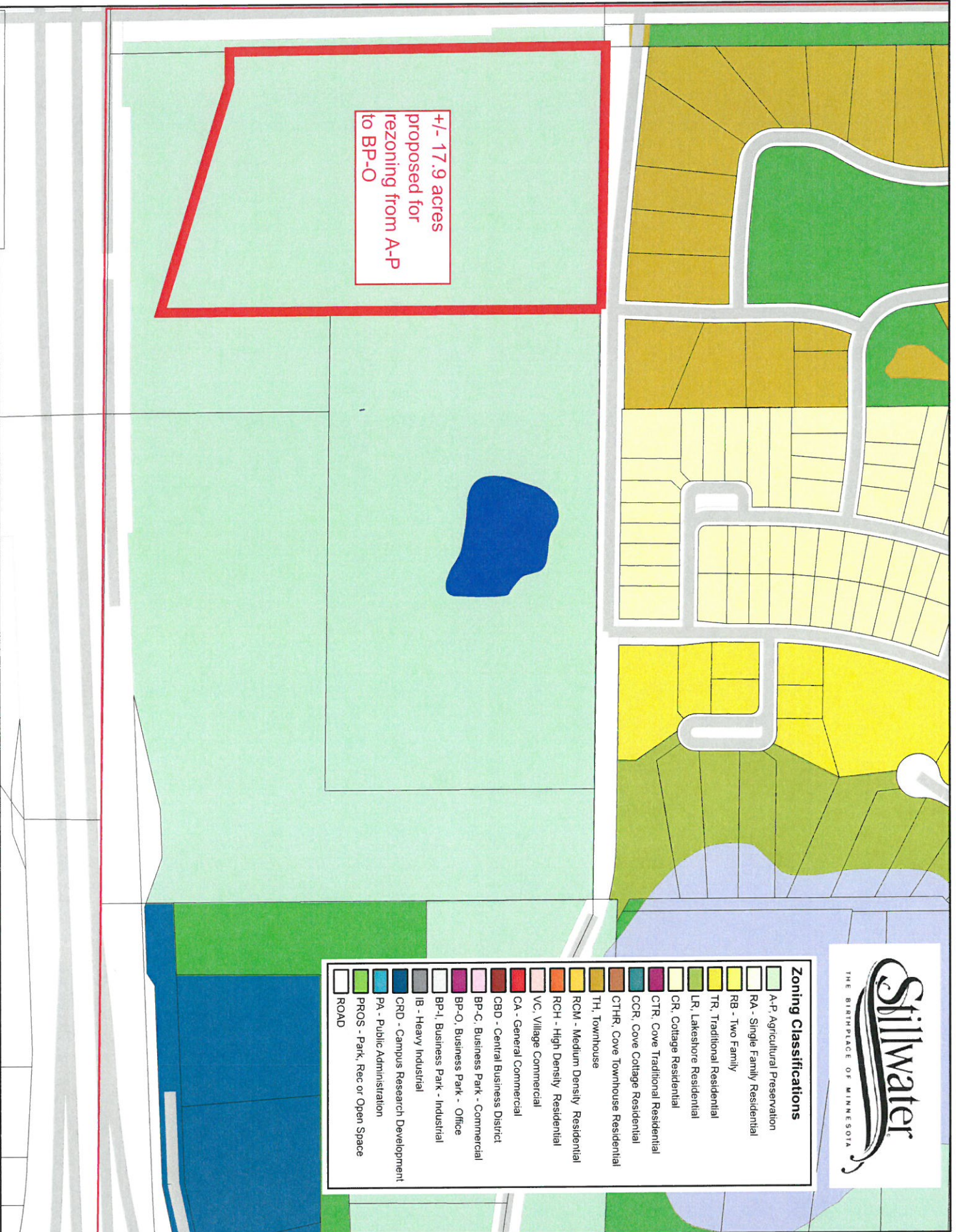
February 2, 2010



## Zoning Classifications

	A-P, Agricultural Preservation
	RA - Single Family Residential
	RB - Two Family
	TR, Traditional Residential
	LR, Lakeshore Residential
	CR, Cottage Residential
	CTR, Cove Traditional Residential
	CCR, Cove Cottage Residential
	CTHR, Cove Townhouse Residential
	TH, Townhouse
	RCM - Medium Density Residential
	RCH - High Density Residential
	VC, Village Commercial
	CA - General Commercial
	CBD - Central Business District
	BP-C, Business Park - Commercial
	BP-O, Business Park - Office
	BP-I, Business Park - Industrial
	IB - Heavy Industrial
	CRD - Campus Research Development
	PA - Public Administration
	PROS - Park, Rec or Open Space
	ROAD

+/- 17.9 acres  
proposed for  
rezoning from A-P  
to BP-O





STILLWATER

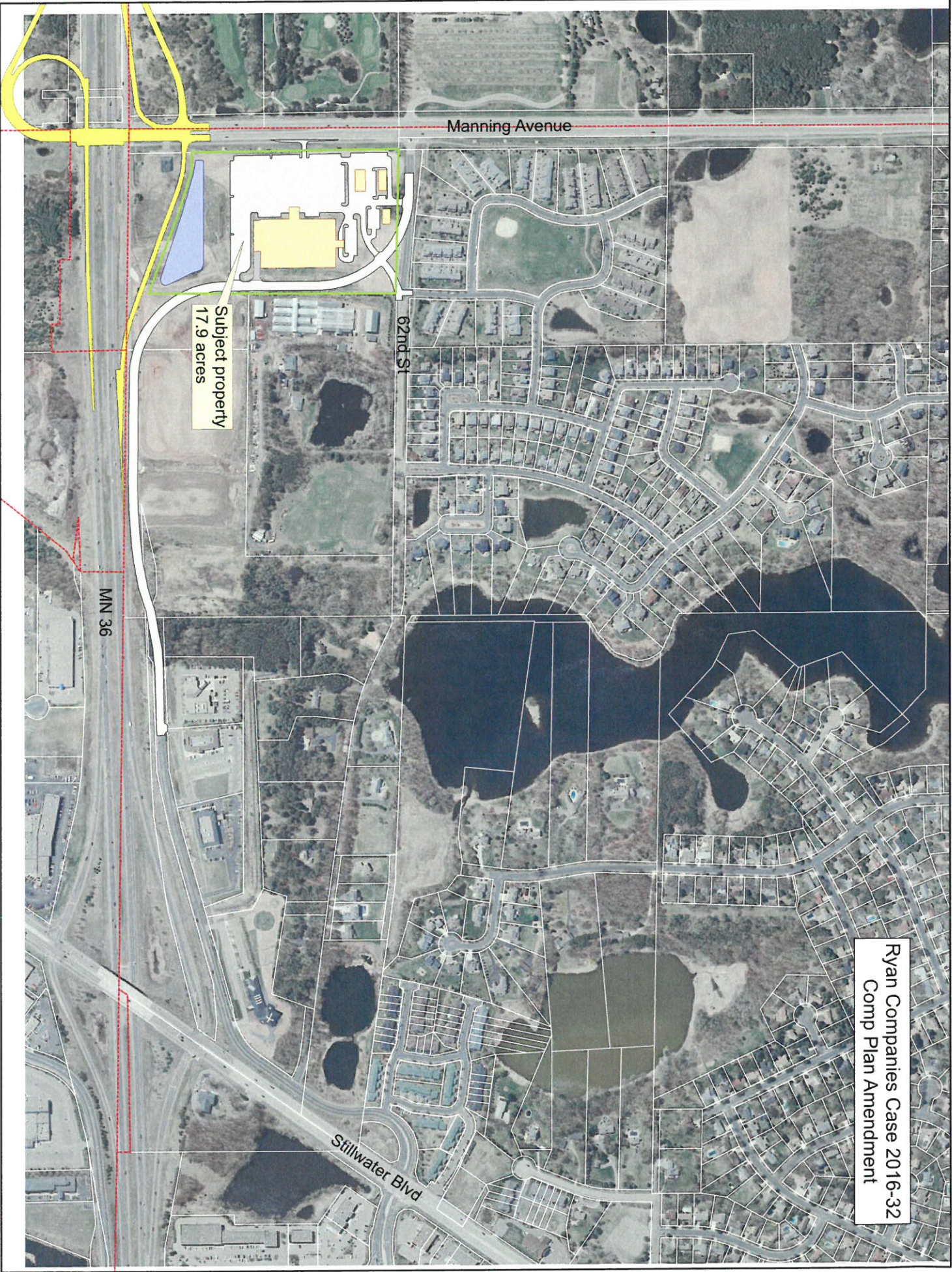
CONCEPTUAL SITE PLAN



**BUILDING INFO**

TOTAL BUILDING: 100,500 SF  
RETAIL 96,000 SF  
SMALL RETAIL 4,500 SF  
509 PARKING STALLS





Ryan Companies Case 2016-32  
Comp Plan Amendment



WWW.RYANCOMPANIES.COM

RYAN COMPANIES US, INC.  
50 South Tenth Street, Suite 300  
Minneapolis, MN 55403-2012

612-492-4000 *tel*  
612-492-3000 *fax*



August 15, 2016

Abbi Wittman, City Planner  
City of Stillwater  
216 Fourth Street North  
Stillwater, MN 55082

**Applicant Narrative for Request to Amend the 2030 Comprehensive Land Use Plan & City Zoning on a Portion of the 70-Acre area at the Northeast Quadrant of Highway 36 and Manning Avenue**

Dear Ms. Whitman,

We are pleased to submit the enclosed request to amend the Comprehensive Plan and Zoning for a portion of the property at the northeast quadrant of Highway 36 and Manning Avenue in Stillwater.

We are excited to be coming before you with this request. For many years this gateway site into the City has gone undeveloped, and while there are a variety of reasons for this, two trends have taken hold in the past few years that now lie behind our request, and that cause us to be optimistic the property can finally be developed into the community with its core goals intact.

Corporate & Business Park Development Today

The first trend is that business parks or job-generating districts are now developing most successfully when combined with retail amenities inside the park. For 21 years, the 70-acre parcel that occupies most of the NE quadrant of Highway 36 and Manning Avenue has been viewed with corporate job-generation in mind, as reflected in the 2030 Comprehensive Plan Land Use Designation (Research & Development Park, or RDP) and City Zoning (Campus Research District, or CRD). Today, it is impossible to miss the degree to which job-generating companies are focused on retail amenities *within the corporate and business park environments they will consider*. We have been presented with this requirement from all of companies we've worked with in the past five years, from Wells Fargo to Target to State Farm and others, and it is now at the center of recruiting and retaining talented young employees. Forward looking companies today are competing for the next generation of workers, they perceive those workers to be drawn to amenity-rich workplaces, and they therefore make locational decisions based on the amenity situation *within their corporate environments*. This may be the most important trend in corporate or business park development since the move to the suburbs that began in the 60s, and we will be happy to discuss it, and other examples, as requested.

### Retail Development Today

The second trend that lies behind our application is that retailers are increasingly focused on convenience and proximity to their local customers, rather than placement in larger regional centers of the sort that were the norm prior to e-commerce and the great recession. The rise of e-commerce, as well as changes in driving habits, have both placed a new premium on convenience, with the result that we hear increasingly from our retail clients about the need to “get local” in order to be close to their customers, even in stand-alone situations. The retailer that we are proposing to bring to Stillwater is at the center of this shift, as is the retail project that we are proposing, and we will be prepared to discuss this trend and other examples of it as requested.

**Both of these trends lie behind our request to amend the 2030 Comprehensive Land Use Plan and City Zoning for a portion of the northeast quadrant of Highway 36 and Manning Avenue, and to re-designate that portion of the overall property in a way that reflects how corporate and job-generating development is actually taking place today, so that this gateway property can be successfully incorporated into the Stillwater community.**

Our request for an Amendment to the 2030 Comprehensive Land Use Plan and a partial re-zoning is limited to the 20-acre area on the west side of the overall 70-acre area, as indicated on the enclosed Land Use and Zoning maps. The area in question is bounded by Highway 36 to the South, Manning Avenue to the West, and 62<sup>nd</sup> Street to the north. The subject 20-acre area, as well as 50-acres of the overall 70-acre area, is currently undeveloped. The remaining 50-acre portion of the property would remain guided by the existing 2030 Land Use Plan (RDP) and City Zoning (CRD).

### **Comprehensive Land Use Plan Amendment:**

The 2030 Comprehensive Land Use Plan currently guides the area described above for Research & Development Park (RDP). According to the Plan, the designation is intended to provide a site for corporate and business development that will bring “head of household caliber jobs to the community.” It is worth noting that contained within the plan is the statement that “through implementation of the Comprehensive Plan, the city may update this zoning district to expand the list of uses allowed to support the goal of a high quality development that will increase the city’s tax base and provide high-paying jobs.”

We are proposing that the 2030 Comprehensive Land Use Plan for the western 20 acres of this 70-acre area be amended to guide that 20-acre area Commercial, as defined under the current Comprehensive Plan land use designations. Our reasons for making this request have been partially described above, and are further detailed further below.

### **Rezoning:**

The 70-acre area in the northeast quadrant of Highway 36 and Manning Avenue is currently zoned entirely as Campus Research Development (CRD). According to the City Zoning Code, the designation is primarily a job-generating district, intended for “a mix of office, research and development, and light manufacturing uses with limited retail and service uses in a planned business park setting.” It is worth noting that the City’s description of what is allowed within this zoning includes the idea that retail and service uses may be part of a corporate or business park district.

With this application, we are requesting that the City re-zone the western 20 acres of this 70-acre area to Business Park – Commercial. This 20-acre area of the overall property is the area that companies who have considered the property as a potential location for their business see as a logical position for retail within the park, and it is the area of the site that a number of retailers have considered the right place from which to serve the Stillwater community. At the moment, we are under agreement with Hy-Vee to develop and build one of their new stores in the Twin Cities in this area, as shown on the enclosed Concept Plan. If you approve our request, we would move forward on a schedule that would have the store under construction in 2017, an event that we believe would draw new and desirable attention to the overall site as a potential corporate environment.

East of the 20-acre subject area, we are proposing to leave the existing guidance and zoning in place. We believe the evidence is abundant that the development goals associated with the existing RDP guidance and CRD zoning will be achieved more quickly, and with more success, if you approve the requested Comprehensive Plan and Zoning change on the western 20 acres.

### **Basis for the Application:**

We understand that requested changes to the Comprehensive Land Use Plan and to City Zoning need to be justified by reference to public necessity, general community welfare, and good zoning practice, in conformance with the principles and policies set forth in the Comprehensive Plan.

#### *Public Necessity*

As we’ve suggested throughout this narrative, we believe that in order to attract job-generating business development today, it is necessary to incorporate first-class retail amenities into a business district. It was not always this way, but as companies find themselves competing for talent, and specifically for talented younger workers who value a mixed-use environment, it’s clear they are requiring retail amenities within their corporate and business environments, and that they are making locational decisions with this priority in mind. The examples are many, and we will be happy to discuss them with you in the appropriate setting. In the Twin Cities alone, they include Wells Fargo, Target, Shutterfly, and North Memorial Hospital.



### General Community Welfare

We are suggesting in this application that the requested Land Use Plan and Zoning change will benefit the Stillwater community by making it more appealing to job-generating businesses. But we are also suggesting that the requested change will benefit the community by bringing to its members the most exciting retail business now developing in the Twin Cities, namely a full-line, state-of-the-art Hy-Vee store. A full description of the store, as well as background on the company, follows this narrative. But a few notable features are below:

- The store will contain full-service bakery, deli, specialty cheese, meat and seafood departments, as well as a coffee, bagel and juice bar;
- It will contain pharmacy, floral, pet care, dry-cleaning, and postal services;
- It will contain a kitchen department offering prepared foods for on-site consumption, or packaged to go;
- It will contain a Market Grill restaurant, accessed from both the grocery store and a separate entrance, providing full-service dining options including beer, wine, and mixed drinks for on-site consumption, as well as catering and pick-up options;
- It will contain a Wine & Spirits store, accessed by a separate entrance, with a tasting room capable of seating 30 people for events;
- It will be open 24 hours a day, and provide approximately 625 jobs, 125 of them full-time.

### Good Zoning Practice/Conformance with Principles and Policies set Forth in Comp Plan

We've mentioned many times that successful job-generating development today depends on the location of retail amenities within the proposed business area. And we understand that the primary development goal of the existing RDP guidance and CRD zoning is to generate jobs. In that sense, we see the requested Land Use Plan and Zoning Amendments as in conformance with the principles and policies set forth in the Comprehensive Plan, and as consistent with the planning and development goals held by the City for this property. Central to our request is the idea that 50 acres of the 70-acre area would remain guided RDP and zoned CRD, and that the prospects for bringing job-generating businesses to Stillwater on that 50 acres would be significantly increased by the opening of 20 acres of the site to a more broad zoning that would allow for the development of a key amenity that will increase the appeal of the business park land to the corporate community. Because of the trends driving business park and retail development going forward, we see the requested change as beneficial to the achievement of the development goals the community has long held for the overall site, and to the achievement of those goals sooner than might otherwise be the case.

**Proposed Project / Concept Plan** - The enclosed concept plan shows approximately 96,000 square feet for the proposed Hy-Vee grocery store. It also shows an approximately 4,500 square foot convenience store with fuel canopy and a car wash.



The project is located at the NE corner of Highway 36 and Manning Avenue, or in the SW corner of the 70-acre area currently guided RDP and zoned CRD. In total, we anticipate the project to occupy roughly 14 acres of the proposed 20-acre area that would be re-guided and re-zoned more broadly, and roughly 20% of the total 70-acre area currently guided RDP and zoned CRD.

To the north of the retail amenity that we are proposing, we envision a variety of uses that we believe will add to the Stillwater community, including but not limited to job-generating office, hospitality and/or additional retail. To the east of the proposed project, we propose to maintain the existing RDP guidance and CRD zoning, for all of the reasons described above.

The project has been concept designed to respect the historical desire of the City to establish connections between Curve Crest Road to the east, Manning Avenue to the west, and 62<sup>nd</sup> Street to the north. We have placed the road connecting Curve Crest and Manning where we believe it would serve the overall site most efficiently, and we have left open the area to the north that would contain a connecting road to 62<sup>nd</sup>.

#### Access & Internal Circulation

Because this is a critical feature of making the entire site work, please note the following circulation features of our plan:

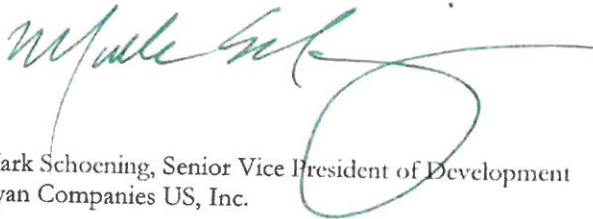
- 1) Our plan proposes to eliminate the current connection to Manning Avenue immediately north of Highway 36. We believe that connection has outlived its usefulness, and likely represents an unsafe condition as the site develops.
- 2) We propose instead the installation of a single and full-access point on Manning Avenue at the midpoint between Highway 36 and 62<sup>nd</sup> Street. We see this access point as critical to any significant development of the site for two reasons:
  - a. The overall 70-acre development area could easily contain more than 700,000 square feet. Absent a full-access point on Manning, nearly all of the traffic coming into and out of the site would flow through a primary access point on 62<sup>nd</sup> street. This would make for an extremely one-dimensional and inefficient circulation system on a development site of 70 acres.
  - b. Businesses and others potentially interested in the corporate development area will see a one-dimensional access plan as a major problem, and it will seriously disadvantage the site from a competitive standpoint. In addition, the residential neighborhood to the north, absent a full access point on Manning, would be faced with a dramatic increase in traffic on 62<sup>nd</sup> street, across from what is currently the primary entrance to their neighborhood.

**Enclosed are the following:**

- Completed Application Form and Fees
- Application Narrative
  - Applicant Narrative (this document)
  - Hy-Vee Company & Store Details
  - Hy-Vee Photographs
- Concept Plan
- 2030 Comprehensive Land Use Map
- City of Stillwater Zoning Map
- Survey with Legal Description of Subject Property

We are excited at the prospect of working with the City to bring this gateway site into the community, and we would be honored to bring one of the first new Hy-Vee stores in the Twin Cities to Stillwater. We look forward to being in front of you soon, and we thank you.

Sincerely,



Mark Schoening, Senior Vice President of Development  
Ryan Companies US, Inc.

CC: Denny Trooien  
Phil Hoey

**Hy-Vee Stillwater  
Company and Store Details  
08/15/2016**

**HY-VEE BACKGROUND:**

As an employee-owned company, Hy-Vee encourages each of its more than 82,000 employees to help guide the company. Its 85 years of outstanding success is a testament to those employees' hard work and dedication to the vision of its founders. Today, Hy-Vee is synonymous with quality, variety, value and superior customer service. Its slogan, "A Helpful Smile in Every Aisle," expresses the foundation of the company's operating philosophy.

Hy-Vee is a touchstone for its customers' desire for information on diet, nutrition and wellness topics. The company's commitment to healthy lifestyles is evidenced by ever-growing HealthMarket departments featuring natural and organic products, the consulting services of in-store dietitians and chefs, and consumer and employee wellness programs. The company also sponsors the annual Hy-Vee Road Races during Drake Relays weekend and five Hy-Vee Pinky Swear Kids Triathlons and 5K Family Runs across the Midwest that raise money for children with cancer and their families.

Hy-Vee stores have operated autonomously with store directors making in-store decisions to excel at superior customer service at the local level. Hy-Vee continues to drive this dedication to serve its customers with recent newly-introduced programs such as Hy-Vee Fuel Saver, Market Grille restaurants, and now Aisles On-line, an on-line shopping feature that allows customers to place orders for pick up or delivery.

With sales of \$9.3 billion annually, Hy-Vee ranks among the top 25 supermarket chains and the top 50 private companies in the United States. Its more than 240 stores are located in eight Midwestern states: Iowa, Illinois, Missouri, Kansas, Nebraska, South Dakota, Minnesota and Wisconsin. Distribution centers are in Chariton, Iowa, and Cherokee, Iowa, with a third perishable operation in Ankeny, Iowa. Hy-Vee's corporate office is located in West Des Moines, Iowa.

**HY-VEE STORE DETAILS:**

The proposed store will be approximately 96,000 square feet and contain traditional grocery departments as well as full service departments such as bakery, delicatessen, specialty cheese, meat, seafood, as well as a juice and smoothie bar. Other departments provided by Hy-Vee for complete customer care include general merchandise, health, beauty, cosmetics, organic (HealthMarket), pharmacy, floral, pet care, bagel shop, sweet shop, specialty cheese, charcuterie, clothing, coffee shop, postal/mail services, and dry-cleaning.

The store's pharmacy department will have a drive-up lane (window with a drawer or a tube delivery system). The Pharmacy will likely include a clinic space in partnership with a local medical facility as well and include a couple of examination rooms with a small waiting area.

The kitchen department will offer prepared foods available for on-site consumption in the casual dining area or packaged to go. Food flavor profiles include barbeque/smoked, Asian, Italian, Mexican, salads (hot & cold) as well as a self-serve soup & salad bar. The typical casual dining area seats approximately 80 customers.

The Market Grille restaurant is a full-service dining option that is connected to the grocery store but also has a separate exterior entrance. A full-service bar is included in this area to provide beer, wine, and mixed drinks for on-site consumption. On-line or phone-in ordering for pick-up will be available with 2 or 3 designated curb-side parking stalls.

In addition, a wine & spirits retail space is being offered as part of the development for sales of prepackaged beer, wine & alcohol. Due to MN law, this section of the building will be accessible by a separate exterior entrance only with no interior connection to the grocery store. A tasting/educational room is typically provided and will seat approximately 30 people for our wine & beer tasting classes.

The supermarket and convenience stores are typically open 24 hours a day, with major departments typically providing counter service between 7 am to 10 pm. A typical Hy-Vee store of this size will have approximately 625 employees (125 full-timers).

#### **HY-VEE SUSTAINABILITY:**

At Hy-Vee we see sustainability as part of our focus on healthy living, believing that healthy lifestyles and a healthy environment go hand-in-hand. Whether it is helping our customers make healthier choices or working to make the way we do business more sustainable, we see this effort as part of Hy-Vee's overall mission of making people's lives easier, healthier, and happier.

#### **Store Construction and Design:**

We have focused on building stores in an environmentally responsible manner for a number of years. Green features of our new and remodeled stores include:

- Concrete floors: Concrete floors, which eliminate the need for additional floor coverings and reduce the need for cleaning chemicals.
- Recycled materials: Where possible, recycled materials are used in our steel structures, foundations and concrete wall panels.
- Energy efficiency: We specify Low-E windows and a highly reflective roof that reduce energy load in the summer help boost our stores' energy performance.
- Water efficiency: Features such as native landscaping and motion-activated toilets and faucets are used to reduce water consumption.

#### **Energy and Resource Conservation:**

We understand that a significant portion of our environmental footprint results from the energy

and resources our stores and distribution systems consume. For this reason, our efforts to improve energy efficiency and conserve natural resources apply across all sectors of our business. These efforts include:

- **Lighting:** Measures aimed at improving lighting efficiency include the increased use of natural light, high-efficiency LED store and parking lot lighting, and store lighting that adjusts to the time-of-day.
- **Equipment:** Highly efficient heating, air conditioning and refrigeration equipment decreases energy consumption while waste heat from this equipment is often-times used to preheat hot water and air.
- **Transportation:** We are working to improve the fuel efficiency of our trucking fleet through such measures as the use of fuel additives, alternate vehicle routing, and new engine, tire and trailer designs.
- **Water consumption:** We are working to better manage water consumption through a variety of store design and operational changes. These changes include motion-activated toilets and faucets and the use of native plants with reduced irrigation needs.
- **Refrigeration management:** Our efforts to better manage refrigerants include investment in state-of-the-art technology that identifies and prevents leaks, and participation in EPA's GreenChill Advanced Refrigeration Partnership.

#### **Waste Reduction and Recycling:**

Another of Hy-Vee's sustainability priorities is reducing waste and increasing recycling rates. Hy-Vee has a long history of working to reduce waste and increase recycling of such things as cardboard, plastic, paper and cooking grease. Our ongoing efforts in this area include:

- **Diversion of food waste:** We are evaluating ways of removing food waste from land disposal. Methods being considered include composting and anaerobic digestion – a process in which micro-organisms breakdown wastes into harmless, and often-times beneficial, by-products.
- **Store recycling:** We are continuing work to increase recycling rates for store recyclables, including cardboard, plastic, paper and cooking grease. In the last three years, these efforts resulted in the recycling of an estimated 220 million pounds of cardboard, 6 million pounds of plastic, and 1 million pounds of paper.
- **Plastic bag recycling:** All stores provide recycle bins so customers can return their plastic shopping, newspaper, and dry cleaning bags for recycling.
- **Products:** Increasingly stores are converting to pre-trimmed produce and pre-packaged meat, reducing waste and transportation-related energy use.

#### **Products, Product Sourcing and Packaging:**

We are also working to increase the number of green products on our shelves, to source products from suppliers who demonstrate good environmental stewardship, and to identify more efficient packaging alternatives. Examples of these efforts include:

- **Natural, organic, and locally sourced products:** Hy-Vee has a vast assortment of natural, organic, and locally sourced products. We know it's important for our customers to know where their food comes from so we have invested in bringing the very best of these products to our stores.

- Sustainable seafood: Hy-Vee has a seafood procurement policy aimed at improving the sustainability of our seafood. In 2011 we took this commitment to the next level through a partnership with FishWise, a non-profit that works with leading seafood retailers, distributors, producers and restaurants to develop seafood sustainability programs.
- Shopping bags: Responsible use of shopping bags is another way we reduce the stress we put on the planet. Towards this end, Hy-Vee is: (1) working with our employees to reduce the use of paper and plastic bags, (2) encouraging customers to recycle plastic bags at our stores, and (3) striving to increase our customers' use of reusable bags.
- One-Step Products - Hy-Vee developed the One Step series of products with a simple mission: To offer customers a selection of products for which the proceeds go to relevant worthy causes. One Step products include a 5 pound bag of russet potatoes, shredded wheat cereal, paper towels, and bottled water.
- Packaging: We are also working with other retailers to reduce packaging on branded products and pursuing more efficient packaging for private label products.



## **AGENDA ITEM 5C**

<b>STAFF ORIGINATOR</b>	Kim Points
<b>MEETING DATE</b>	October 4, 2016
<b>TOPIC</b>	Annual CUP Review

### **BACKGROUND**

As contemplated by Section 32-156 of the Grant City Code, City staff has reviewed seventeen conditional use permits (CUP's) and Jack Kramer did conduct five site inspections in connection with such review. The CUP's that were included in the regular 2016 review were found to be in compliance.

Staff is not recommending any follow up with the formal review or vacation of said CUP's.

The City is in the third year of its four year systematic approach to reviewing CUP's. After year 2017, all CUP's will have been reviewed.

In addition, the City staff has been updating the CUP book for City records. All CUP's are on file and the recording of all CUP's is being updated.