

CITY OF GRANT
MINUTES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

DATE : February 5, 2019
TIME STARTED : 7:00 p.m.
TIME ENDED : 9:26 p.m.
MEMBERS PRESENT : Councilmember Carr, Kaup Giefer,
Rog and Mayor Huber
MEMBERS ABSENT : None

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

CALL TO ORDER

The meeting was called to order at 7:00 p.m.

PUBLIC INPUT

(1) Mr. Gary Baumann, 10600 Joliet Avenue, came forward and commented on screening issues brought up at the last Planning Commission meeting noting the Washington Conservation District is a great resource that does site visits at no costs and does cost shares for the actual purchase of trees.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

Council Member Kaup moved to approve the agenda, as presented, Council Member Rog seconded the motion. Motion carried unanimously.

CONSENT AGENDA

| | |
|---|----------|
| January 2019 Bill List, \$85,952.52 | Approved |
| Amendment to City of Grant Policy and Procedures | Approved |

Council Member Giefer moved to approve the consent agenda, as presented. Council Member Kaup seconded the motion. Motion carried unanimously.

CONCEPT PLAN REVIEW, 21 ROOTS FARM, 10361 110TH STREET

Mr. Dan Tebow, Property Owner, came forward and provided his personal background as well as an outline of future plans for the property. He commented on the future capital improvements and indicated he would apply for a CUP if it is determined one is required.

STAFF AGENDA ITEMS

City Engineer, Brad Reifsteck (no action items)

City Planner, Jennifer Swanson

Consideration of Resolution No. 2019-05, Consideration of the Gateway Final Plat Submission – City Planner Swanson advised the Applicant TEGLF Gateway, LLC is applying for a Final Plat of the major subdivision known as The Gateway. Prior to filing the application, the Applicant TEGLF Gateway, LLC an entity associated with The Excelsior Group closed on the property from Premier Bank after obtaining preliminary plat approval. As a The Applicant was granted preliminary plat and a variance from maximum length of a cul-de-sac with conditions as noted within Resolution 2018-26.

Several of the conditions noted in the preliminary plat were required to be completed prior to granting of the Final Plat. The following staff report summarizes the conditions as noted in the Resolution, and identifies any outstanding items needed from the Applicant prior to 1) being able to record the Final Plat; or 2) commencing site work.

Per the City’s ordinances, the Final Plat does not require a public hearing or review by the planning commission. The Final Plat is subject to a 60-day review period. Since the proposed subdivision has received Preliminary Plat approval the purpose of the Final Plat review is to 1) review and evaluate the Final Plat for consistency with he Preliminary Plat and 2) to evaluate whether the applicable conditions of preliminary plat have be met, and 3) to identify any outstanding conditions that must be met prior to work commencing on site.

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

| | |
|---------------------------------|---|
| Applicant: TEGLF Gateway, LLC | Site Size: 165.12 Acres |
| Zoning & Land Use: A-2 | Request: Final Plat of Major Subdivision |
| Proposed Plat Name: The Gateway | 16-Lots, 5.0 to approximately 29-acres |
| | PIDs: 2803021420003 (Parcel A) 3303021210002 (Parcel B) 2803021310003 (Parcel C) 2803021310002 (Parcel D) 2803021340001 (Parcel E) |

TEGLF Gateway, LLC is requesting Final Plat approval of the subject properties to create a rural residential single-family subdivision. A summary of the proposed project is as follows:

- The proposed Project will create 16 new lots ranging in size between 5.00 and 29 acres. The lots lot sizes and general configuration is consistent with the approved preliminary plat.

- 1 • The rural residential lots will be a part of a homeowner’s association (“HOA”) that will
2 govern the proposed subdivision. Draft covenants, bylaws and declarations have been
3 reviewed by City Staff for consistency with the City’s ordinances.
- 4 • The proposed subdivision will be platted in one phase, and subsequent phases are not
5 contemplated or reviewed as part of this Project.
- 6 • The Applicant will dedicate Outlot A as part of the Final Plat to the HOA to provide trail
7 access to the Gateway Trail. The trail corridor connects the southern terminus of the cul-de-
8 sac to the Gateway Trail between Lot 10 and Lot 11 in the proposed subdivision. The
9 proposed trail is private and will be maintained by the HOA.
- 10 • All 16 lots will be served with individual wells and individual septic systems. The
11 Preliminary Plat identified primary and secondary drainfields associated with each lot, and
12 septic reports/boring logs for each lot. There is an existing septic system and well located on
13 existing Parcel C. As stated during the preliminary plat process, a demolition plan for the
14 existing structures on site, including a plan to address the existing well and septic system will
15 be required prior to any site work commencing. Due to the time of year (winter) a full review
16 of the septic sites could not be performed. As such, staff has included a draft condition within
17 the Resolution, and has carried this item over to the Development Agreement for review and
18 consideration.
- 19 • The existing property is irregular in shape and is bordered by 75th Street North (CSAH 12) on
20 the northern property line, the Gateway Trail along the east-southeast property line, and
21 existing rural-residential lots along the westerly property line. CSAH 12 is a County Road
22 and the proposed access requires an access permit. The Applicant, in coordination with the
23 City, will obtain all necessary access permit approvals from Washington County prior to any
24 site work commencing.
- 25 • The lots in the proposed Project will be accessed from two cul-de-sacs with one access
26 proposed onto CSAH 12. The cul-de-sac length of both cul-de-sacs exceed the City’s
27 standards and were granted a variance from the City’s ordinance standards during the
28 preliminary plat process.
- 29 • The rural residential lot sizes can accommodate a variety of housing styles and plans. As such
30 the Applicant anticipates all homes in the subdivision will be custom built, and that lots will
31 be custom graded once house plans are developed.

32 As summarized above, there are three objectives related to the Final Plat review 1) to determine if the
33 proposed Final Plat is substantially consistent with the Preliminary Plat; 2) to determine if the

1 applicable conditions of preliminary plat have been met; and 3) to identify any required conditions of
2 Final Plat approval prior to recording or site work commencing.

3
4 Final Plat Consistency with Preliminary Plat:

- 5
6 • As presented the Final Plat lot and block configuration, lot sizes, road layout and access
7 locations are consistent with the Preliminary Plat and there are no significant changes. Minor
8 adjustments have been completed to meet the conditions of preliminary plat.

9
10 The following conditions of preliminary plat are identified, and comments and/or response regarding
11 the condition are provided in italics.

- 12
13 1. An updated Preliminary Plat, if necessary, and revised Grading and Erosion Control Plans
14 depicting any necessary changes and/or modification shall be submitted for review and
15 approval of city staff within 12-months of Preliminary Plat approval.

16
17 *Lot line configurations and other conditions of the preliminary plat have been revised as*
18 *shown on the Final Plat. The City Engineer has reviewed the submitted plans and has issued*
19 *a grading permit (January 25, 2019).*

20
21 *Washington County requested that a driveway easement be provided to the adjacent easterly*
22 *property. This was not shown on an updated preliminary plat, and no easement is shown on*
23 *the Final Plat. Staff would request that the driveway easement be granted and shown on the*
24 *Final Plat to comply with the County's request. Staff has included this as a condition in the*
25 *draft Resolution attached for your review and consideration.*

- 26
27 2. The Applicant shall obtain all necessary stormwater permits from the VBWD and such
28 permits shall be acquired prior to the City granting any Final Plat of the Project.

29
30 *The Applicant received approval from the VBWD and was issued a permit on November 16,*
31 *2018 identified as permit number 2018-36.*

- 32
33 3. The Applicant shall obtain an approved wetland delineation prior to any Final Plat of the
34 Project being granted.

35
36 *The Applicant prepared a wetland delineation in September 2018 which was submitted to the*
37 *VBWD and City of Grant for review. A Notice of Decision (NOD) approving the wetland*
38 *delineation was issued on November 21, 2018,*

- 39
40 4. If necessary, a wetland mitigation and replacement plan shall be approved prior to any Final
41 Plat of the Project being granted.

1 *The Applicant shall be aware that a wetland mitigation and replacement plan may be*
2 *required, particularly as lots are developed and final placement of homes and/or accessory*
3 *building are designed. It is the Applicant’s responsibility to ensure future homeowners and/or*
4 *builders are aware of the wetlands on site and that appropriate permits and approvals are*
5 *obtained in the future, if applicable.*
6

- 7 5. A letter from Washington County Environmental Services shall be provided indicating that
8 the proposed primary and secondary septic sites meet their standards and requirements, and
9 that adequate area exists on each lot to accommodate a septic system. Such letter shall be
10 provided prior to granting any Final Plat of the Project.

11
12 *Staff exchanged emails with Washington County Environmental Services and was informed*
13 *that their process for subdivision review has changed in the last two years with staff changes.*
14 *Based on their correspondence, the Applicant is required to apply for a subdivision review*
15 *application with the County at which time they will go out to the property and inspect the*
16 *proposed septic locations. Unfortunately, given the time of year this cannot be completed*
17 *easily until spring. Staff has reviewed the septic reports that are consistent with previous*
18 *results for standard systems, but the onsite inspection cannot be completed and therefore a*
19 *final determination cannot be made. Staff suggests that this be addressed both in the Final*
20 *Plat and in the Development Agreement to state that if it is determined that a primary and*
21 *secondary site cannot be located on an individual lot, that such lot must be combined with an*
22 *adjacent lot and may not be sold separately as a buildable lot.*
23

- 24 6. The Applicant will be required to enter into a Development Agreement prior to the City
25 granting any Final Plat of the Project to ensure that the requirements and conditions as set
26 forth herein are complied with and ensure the installation of the subdivision infrastructure.

27
28 *Staff is working on the draft Development Agreement that will be submitted to the City*
29 *Council and the Applicant under separate cover prior to the City Council meeting. Staff will*
30 *work with the Applicant to determine appropriate cost and fee estimates to install in the*
31 *public improvements. The estimates may not be available prior to the City Council meeting*
32 *but must be estimated and included in the Development Agreement prior to its execution.*
33

- 34 7. 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
38 *This condition is included as a condition of Final Plat approval and will also be included*
39 *within the Development Agreement.*
40

- 41 8. The full public right-of-way of both cul-de-sacs shall be dedicated at time of Phase I Final
42 Plat.
43

1 *The Final Plat shows the full right-of-way of both cul-de-sacs as required. Washington*
2 *County requested additional right-of-way be dedicated along CSAH 12 which has been*
3 *provided and is shown on the Final Plat.*
4

- 5 9. The Applicant shall obtain access permits from Washington County prior to the City granting
6 any Final Plat of the Project.

7
8 *The Applicant is working with City to apply for the access permit from Washington County.*
9 *This condition is carried forward as a condition to be met prior to recording of the Final Plat*
10 *and is also included in the draft Development Agreement.*
11

- 12 10. The Applicant shall be required to install all necessary improvements to CSAH 12 as agreed
13 to, and conditioned by, Washington County. Such improvements shall be included and
14 addressed within the Development Agreement.

15
16 *This requirement is addressed within the Development Agreement, and staff recommends*
17 *including this requirement as a condition of Final Plat.*
18

- 19 11. Site improvements as described within Section 30-194 shall be agreed to and identified within
20 a Development Agreement.

21
22 *This condition is addressed in the draft Development Agreement.*
23

- 24 12. A street name for the proposed cul-de-sac shall be provided prior to granting any Final Plat of
25 the Project.

26
27 *The Applicant has identified the north-south cul-de-sac as Inwood Way, and the east-west cul-*
28 *de-sac as 73rd Court. Both proposed road names are consistent with the Washington County*
29 *road naming policy.*
30

- 31 13. The Applicant shall identify and rope off all septic drainfield areas on the site prior to the City
32 issuing any grading permits on the subject property.

33
34 *This condition is addressed in the draft Development Agreement, and staff recommends*
35 *revising the condition slightly to state that the septic drainfield areas shall be roped off prior*
36 *to any site work commencing.*
37

- 38 14. The Applicant shall be required to obtain all septic permits, based on actual design of a
39 principal structure, prior to the city issuing a building permit.

40
41 *This condition is addressed in the draft Development Agreement and is also a draft condition*
42 *included within the Final Plat resolution.*
43

- 1 15. Review of the cul-de-sac length from the Fire Chief shall be obtained to ensure that there are
2 no issues regarding access to each of the created lots.

3
4 *The Applicant submitted the cul-de-sac design to the Fire Chief who has stated that provided
5 that the cul-de-sac design meets the City's specifications (adequate right-of-way, terminus,
6 etc.) that the length of the cul-de-sac is acceptable. An email correspondence from the Fire
7 Chief was submitted to meet this condition.*

- 8
9 16. The Applicant shall pay all fees and delinquent escrow balances.

10 *The Applicant's fees and escrow balances are current. Staff has also included estimated fees
11 to cover administrative costs including planning, engineering and attorney's fees within the
12 Development Agreement.*

13
14
15
16
17 **City Attorney, Dave Snyder (no action items)**

18
19 **NEW BUSINESS**

20
21 **Consideration of Planning Commission Appointments** – Staff advised two seats are vacant on the
22 Planning Commission. Four applications were received and interviews were held prior to the Council
23 meeting.

24
25 **Council Member Carr moved to appoint Mr. David Tronrud to the Planning Commission.**
26 **Council Member Kaup seconded the motion. Motion carried unanimously.**

27
28 **Council Member Giefer moved to appoint Mr. Gary Baumann to the Planning Commission.**
29 **Council Member Kaup seconded the motion. Motion carried unanimously.**

30
31 **Consideration of January 2, 2019 City Council Meeting Minutes (Council Member Giefer and
32 Rog Abstain)** – Staff advised draft meeting minutes were included in the Council packets.

33
34 **Council Member Kaup moved to approve the January 2, 2019 City Council Meeting Minutes,
35 as presented. Council Member Carr seconded the motion. Motion carried with Council
36 Member Giefer and Rog abstaining.**

37
38 **UNFINISHED BUSINESS**

39
40 **Consideration of Resolution No. 2018-25, US Solar Text Amendment Application** – City Planner
41 Swanson stated the City has been reviewing an application to allow solar garding in the A1 and A2
42 Zoning District. A special meeting was held last week resulting in no staff presentation this evening.
43 A draft resolution was distributed earlier today that hopefully reflects the discussion that was held at
44 the meeting last week.

1
2 Mr. David Watts, US Solar, came forward and stated Grant is the only City he is aware of that opposes
3 solar and he does not know why. He explained why denying the application would damage the
4 community and entered into the record a formal study showing there is no impact on property values.
5 He encouraged the Council to approve the application.
6

7 City Attorney Snyder referenced the document that was sent to the City this afternoon dated through
8 year 2017 from an appraiser in North Carolina that there was no impact on property values. The
9 Council had more recent data at the last meeting on values that suggested local values were heavily
10 impacted and also provided other materials of reference at that meeting.
11

12 **Council Member Giefer moved to adopt Resolution 2018-25, as presented. Council Member**
13 **Rog seconded the motion. Motion carried unanimously.**
14

15 **Consideration of Resolution No. 2019-01, Amended CUP Application for Construction and**
16 **Operation of Ice Arena, Mahtomedi School Campus, 8678 75th Street North, City Planner**
17 **Swanson** – City Planner Swanson advised a full presentation was provided at the last meeting and the
18 item was tabled. She provided the background of the application and noted the applicant has
19 provided the supplemental information that was requested at the last meeting.
20

21 Mr. Alex Rogeshesky came forward and stated he provided an Event Management Plan using both the
22 entrance with a signal and unsignaled entrance with 114 additional parking spaces. Sidewalks and
23 lighting have been added. He reviewed portions of the lease noting the traffic constrictions and times
24 in terms of ice times that are available.
25

26 **Council Member Giefer moved to adopt Resolution No. 2019-01, as presented. Council**
27 **Member Kaup seconded the motion. Motion carried unanimously.**
28

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

30 **Staff Updates (updates from Staff, no action taken)**
31

32 **Consideration of Amending Policy for Special Assessments, City Engineer Reifsteck** – This item
33 will appear on a future Council agenda for consideration.
34

35 **City Council Reports/Future Agenda Items**
36

37 No items were discussed to be placed on a future agenda.
38

39 **COMMUNITY CALENDAR FEBRUARY 6 THROUGH FEBRUARY 28, 2019:**
40

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

43 **Stillwater Public Schools Board Meeting, Thursday, February 14th, Stillwater City Hall, 7:00**
44 **p.m.**

1 **Washington County Commissioners Meeting, Tuesdays, Government Center, 9:00 a.m.**
2 **City Office Closed, Presidents' Day, Monday, February 18, 2019**

3
4 **ADJOURNMENT**

5
6 **Council Member Kaup moved to adjourn the meeting at 9:26 p.m. Council Member Rog**
7 **seconded the motion. Motion carried unanimously.**

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

These minutes were considered and approved at the regular Council Meeting March 5, 2019.

Kim Points, Administrator/Clerk

Jeff Huber, Mayor

