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**DATE** : January 7, 2020  
**TIME STARTED** : 7:00 p.m.  
**TIME ENDED** : 9:04 p.m.  
**MEMBERS PRESENT** : Councilmember Carr, Rog, Giefer,  
and Mayor Huber  
**MEMBERS ABSENT** : None

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

**CALL TO ORDER**

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

**PUBLIC INPUT**

(1) Mr. Gary Baumann, 10060 Joliet Avenue, came forward and suggested the City include something in the next newsletter from the DNR regarding hunting and leaving deer carcasses on property..

**PLEDGE OF ALLEGIANCE**

**CONSIDERATION OF RESOLUTION NO. 2020-04, APPOINTMENT TO VACANT COUNCIL SEAT**

Staff advised Mr. Loren Sederstrom and Mr. Jeff Schafer submitted letters of interest relating to the vacant Council seat.

**Council Member Giefer moved to appoint Mr. Jeff Schafer to the vacant Council seat. Council Member Rog seconded the motion. Motion carried unanimously.**

**OATH OF OFFICE**

City Attorney Snyder provided the Oath of Office to newly appointed Council Member Jeff Schafer.

**SETTING THE AGENDA**

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

**CONSENT AGENDA**

- |  |          |
|--|----------|
| December 2019 Bill List, \$58,578.22                           | Approved |
| Washington County sheriff, July-<br>December 2019, \$65,083.89 | Approved |
| 2020 Clerk Pay per Approved 2020 Budget                        | Approved |

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

**2019 YEAR IN REVIEW, MAYOR JEFF HUBER**

Mayor Huber stated the City worked diligently to continue keeping taxes low and services and safety consistent. He thanked the City staff for all their work and helping the City run efficiently.

**STAFF AGENDA ITEMS**

**City Engineer, Brad Reifsteck**

**Consideration of Resolution No. 2020-02, Approving Plans and Specifications and Ordering Advertisement for Bids for the 2020 Street Project** – City Engineer Reifsteck advised the City Council authorized preparation of plans and specifications for the project on November 4, 2019.

- The City Council authorized preparation of a Feasibility Report for the project on May 7th, 2019,
- Received the Feasibility Report on September 3<sup>rd</sup>, 2019 and
- Ordered the public improvement for the project following a noticed public hearing held at the October 1, 2019 and November 4th, 2019 regular council meeting.

A bid date and time has been proposed for Thursday February 6, 2019. At that time all bids shall be opened, tabulated for mathematical accuracy, and prepared for City Council consideration at the March 3, 2019 regular council meeting.

City Engineer Reifsteck advised Resolution No. 2020-02 authorizes the adopt the approval of Plans and Specifications and Ordering Advertisement for Bids for 2020 Street Improvement Project. The project includes the following streets:

- Janero Court North;
- Justen Trail North;
- Grenelefe Avenue North

**Council Member Rog moved to adopt Resolution No. 2020-02, as presented. Council Member Giefer seconded the motion. Motion carried with Council Member Carr voting nay.**

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**City Planner, Jennifer Swanson**

**Consideration of Resolution No. 2019-22, Application for Conditional Use Permit to Board up to Sixteen (16) Horses on Property, 9104 68<sup>th</sup> Street North** – City Planner Swanson advised the Applicant and Owner Summer Lutgen made an application for a Conditional Use Permit (CUP) in August 2019 to permit horse boarding for up to sixteen (16) horses on the subject property. The initial application was deemed incomplete, and additional information was requested from the Applicant so that staff could adequately review the application. Staff worked cooperatively with the Applicant to obtain the needed information, and in mid-October the remaining items were received as requested. The following staff report provides a review and analysis of the Applicant’s CUP request.

Planning Commission Summary and Public Hearing

A duly noticed public hearing was held on November 19, 2019 at the regular City Council meeting. Members of the public were in attendance and provided public testimony. A summary of the key concerns expressed during the public hearing are provided:

- Concerns regarding potential, and current lighting, of the Main Barn/Indoor Riding Arena were expressed. Testimony included reference to exterior lighting, as well as indoor lighting that is now visible as a result of recent remodeling activities that included the addition of picture windows to the north and east elevation of the existing arena space.
- Questions regarding manure management plan, and the need to ensure that appropriate management is maintained given the number of horses requested.
- Concerns regarding the paddock area north of the property located at 9186 68th Street North, which now has horses due to a new fenced area (which was not previously fenced/contained).
- Questions and/or concerns regarding the amount of traffic that may be generated from the “commercially” boarded horses. A request was made to limit the number of commercial boardings to reduce traffic and activity on the site.
- Other comments were provided that were not related to the CUP requests, but instead were related to current construction activity on the site including remodeling of both he Barn/Indoor Riding arena as well as the existing homestead.

After the close of the public hearing, the Planning Commissioners discussed the application and considered the public testimony. Ultimately the Planning Commission added a few conditions to staff’s proposed draft conditions, and with the conditions as amended, recommended approval of the CUP application to the City Council.

The following staff report is generally as presented at the Planning Commission meeting. Additions hereafter are noted with an underline, and deletions with a ~~strikethrough~~.

**Project Summary**

Applicant: Summer Lutgen, Owner: Summer Haven Trust	Site Size: 20.01 Acres
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Zoning & Land Use: A-2	Request: Conditional Use Permit (CUP)
Address: 9104 68 <sup>th</sup> Street N. Lot 2, Block 1 Brockberg’s Farm	PIDs: 3403021220011

1 The Property Owner and Applicant (hereafter referred to as “Applicant”) is requesting a CUP to allow  
 2 for horse boarding up to sixteen (16) horses on their residential property. As stated within the  
 3 Applicant’s narrative, the intent is for both personal and commercial boarding activities on the  
 4 property. The following summary of the existing site improvements as described within the  
 5 Applicant’s narrative (Attachment A), and shown on the site plan, as well as the proposed operations  
 6 are summarized as follows:

7 *Existing Homestead:* There is an existing homestead located on the property that was constructed in  
 8 1901. The Applicant intends to reside on the property after remodeling of the home is completed. And  
 9 the principal use of the property will continue to be for residential use.

10 *Main Barn and Indoor Riding Arena:* There is an existing large barn with 16 stalls, and an indoor  
 11 riding arena on the subject property. The existing structure is approximately 22,645 square-foot per  
 12 GIS records. As summarized within the Applicant’s narrative, the area dedicated to the barn is  
 13 approximately 72’x100’ and the indoor riding arena is approximately 72’x200’. The barn and riding  
 14 arena are proposed to remain on the property and will be used to support the proposed boarding  
 15 facility. The applicant has begun the remodeling process in the Main Barn and Indoor Riding Arena  
 16 and has added picture windows to all elevations of the Indoor Riding Arena area.

17 *Outdoor Riding Arena:* There is an existing pasture area located southwest of the existing home that  
 18 is proposed to be converted into an outdoor riding arena. The area will be fenced and will be  
 19 constructed with a permeable surface including draitile to prevent puddling. The proposed area is  
 20 setback approximately 18-foot from the westerly property line, and 18.5-foot from the southerly  
 21 property line (frontage on 68<sup>th</sup> Street N).

22 *Pasture Area:* There are several pasture and paddock areas near the existing indoor riding arena and  
 23 stables, as well as surrounding the access drives. Several of these areas are currently fenced, and per  
 24 the site plan, will be rebuilt and rehabilitated as necessary. The areas designated on the site plan are  
 25 outside of, or exclude, the wooded areas on the site.

26 *Main Access and Parking:* There is one access driveway connection from 68<sup>th</sup> Street North that splits  
 27 internal to the site into two access drives. The westerly drive provides a connection to the homestead,  
 28 and the easterly driveway provides access to the stables and indoor riding arena. Both drives are  
 29 existing and appear to be gravel based on the GIS aerial imagery. As noted on the site plan, there are  
 30 some areas of expansion proposed to accommodate additional parking and/or better access which is  
 31 described in subsequent sections of this report.

32 *Utilities:* The existing homestead is currently served by a private well and individual septic system.  
 33 There is an area identified on the site plan noted as “Septic System Area” and it is unclear if this area  
 34 is the current/existing drainfield or proposed and needed as part of the house remodel. Regardless of  
 35 if new or existing, this area is identified exclusive of any improvements or disturbance based on the  
 36 site plan.

37 *Operations:* The Applicant’s narrative describes a horse boarding facility for both commercial and  
 38 personal use. As outlined, the Applicant will have approximately five (5) horses for personal use, five  
 39 (5) horses that may be for sale, and six (6) horses boarded commercially. No events or other activities  
 40 were identified in the Applicant’s narrative.

41

1 City Planner Swanson stated that according to the City Code, Conditional Use Permits are subject to  
 2 the process and review criteria stated in City Code Section 32-152. The City Code further states the  
 3 following for consideration when reviewing a Conditional Use Permit (32-141):  
 4

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

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

11 Further Section 32-146 lays out nine specific standards to consider when reviewing a request for a  
 12 conditional use permit.  
 13

14 Additionally, Sections 32-328 Horse Boarding and Training; and 32-337 Livestock provide additional  
 15 criteria when considering CUPs for the proposed use.  
 16

17 The subject property is approximately 20.01 acres and is irregularly shaped. The property was platted  
 18 as part of Brockberg’s Farm subdivision and is identified as Lot 2 Block 1. The site is oriented north-  
 19 south, with primary frontage on 68<sup>th</sup> Street North which is the southerly property line. The site is  
 20 currently accessed from a single driveway connection which provides internal access to the existing  
 21 principal and accessory structures. There is an existing homestead on the property that was  
 22 constructed in 1901, an existing barn and indoor riding arena, and a few small shed-like structures  
 23 adjacent to fenced paddock areas. A wetland delineation was completed as part of this application  
 24 process which identified approximately 4.33-acres of Type 3 and Type 5 wetlands on the subject site.  
 25 There are intermittent wooded areas on the site surrounding the wetland areas. The existing  
 26 homestead and barn/indoor riding arena are located on the southerly half of the property.  
 27

28 The site is guided A-2 Small Scale Agricultural which promotes rural residential and agricultural  
 29 uses. The principal use of the property for a single-family rural residential homesite with an  
 30 accessory barn/indoor riding arena which is generally consistent with the goals for the A-2 land use  
 31 designation as stated within the Comprehensive Plan.  
 32

33 The City of Grant zoning ordinance permits “Horse Boarding and Training Facilities” for operations  
 34 that exceed 1 horse per 2 grazable acres with a Conditional Use Permit. The following review is  
 35 provided with respect to how the proposed project conforms, is consistent, or inconsistent with the  
 36 zoning and site regulations.  
 37

38 The following site and zoning requirements in the A-2 district regulate the site and proposed project:  
 39

<b>Dimension</b>	<b>Standard</b>
Lot Size	5 acres
<i>Grazable Acres</i>	<i>1 Horse per 2 Grazable Acres</i>
Frontage – public road	300’
Front Yard Setback	65’
Side Yard Setback	20’

Rear Yard Setback	50'
Height of Structure	35'
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')

Lot Size/Area and Grazable Acres:

Section 32-337(f) of the ordinance requires a minimum of 5-acres for the keeping of domestic farm animals (horses) and requires a minimum of 2-acres of grazable land. The subject parcel is approximately 20.01 acres excluding right-of-way, and meets the minimum lot size for the keeping of horses. To calculate grazable acres 1-acre for the homestead is excluded as well as wetlands of Type 3, 4 and 5. Based on the submitted information there are approximately 14.68 acres of grazable acres, which would allow seven (7) horses without a CUP. Because the horse density exceeds the permitted grazable acres per horse, and the total number of horses is greater than 10 a CUP is required. Given the requested increase in density, neighbors requested that the number of commercially boarded horses be limited to six (6) to reduce traffic to the site. The Applicant indicated that this condition is acceptable, and a condition has been included in the draft CUP.

*The existing lot meets the city’s minimum standards for lot size and area for the keeping of horses and would permit the keeping of 7 horses. The request to permit an additional nine (9) horses requires a conditional use permit for greater density and because the total number of horses exceeds 10 as described in Section 32-337 subsection (h) and 32-328 (a)(1).*

Setbacks & Frontage:

The subject property is oriented north-south with primary frontage on the southerly property line on 68<sup>th</sup> Street North. The existing home is setback approximately 225-feet from the south property lot lines (front yard), 170-feet from the westerly property line (side yard), 350-feet from the easterly property line (side yard) and 900 feet from the northerly property line (rear). The barn/indoor riding arena is setback approximately 250-feet from the front property line, and 30-feet from the easterly property line which is the nearest side yard. During the Public Hearing the adjacent neighbor provided comment regarding the sideyard setback of the indoor riding arena per Section 32-313 (n) that notes that all domestic farm animal buildings shall be setback 100-feet from any property lines. Staff notes that the building is existing, and it is unclear why the structure was permitted to be sited within the setback area. However, staff would note that the “main barn” area, or that area where the horse will be kept is setback approximately 102-feet from the easterly property line, and it is only the Indoor Riding Arena space that

is within the setback area.

***Generally, the yard setbacks of both the existing home and the barn meet or exceed the City's ordinance setback requirements with the exception as noted above. The existing principal structure meets the City's frontage requirements and front yard setbacks. No additions or new structures are proposed as part of this application.***

Accessory Building  
(Barn and Riding  
Arena)

Section 32-313 identifies the permitted number and total size of allowable accessory buildings on lot which is correlated to lot size. For parcels 20-acres or greater, there is no limit on the number or maximum accessory building square footage. ***The existing Barn and Indoor Riding Arena are approximately 22,000 square-feet and meets the City's ordinances for permitted accessory building number and size.***

Parking Area  
(Location & Spaces):

The Applicant's narrative states that approximately six of the horses will be commercially boarded, while the remaining 10 are generally personal and will not generate additional traffic. Since it is difficult to monitor, even if all horses were commercially boarded because no events are proposed, the amount of parking based on the site plan would likely be adequately and could accommodate up to 16 personal vehicles in the gravel areas surrounding the barn and/or riding arena. While the number of visitors/trips generated will likely exceed a typical single-family residential use on some days the number of visitors can easily be accommodated in the gravel areas identified on the Site Plan near the existing Stables and Indoor Riding arena. ***Based on the proposed operations stated within the Applicant's narrative, staff does not believe any additional parking is warranted on site and the Applicants and any visitors have sufficient area to park cars and/or horse trailers on the site.***

Driveway/Circulation:

The principal structure and accessory buildings are accessed from a single gravel access to 68<sup>th</sup> Street North, which splits into two driveways internal to the site. The easterly driveway section is connected to the existing barn and riding arena, while the westerly driveway sections connects to the principal structure (home). While there may be some additional trips generated into the site based on the proposed operations, the use is relatively low intensity based on the details provided in the Applicant's narrative. Therefore, it is anticipated that the Applicants will have the ability to control traffic and timing of large vehicles and/or trailers entering and exiting the site to ensure safe ingress and egress particularly to the barn/indoor riding arena. ***Based on the proposed operations, and the existing site layout the driveways and circulation appear adequate to allow for safe ingress and egress into the operations. Staff would recommend adding a condition that large trailers and vehicles of visitors may not be parked on the access driveways and that parking must occur in the designated parking***

*areas.*

Architecture, Building  
Height, Accessory  
Structure Floor Plans:

The Applicants submitted a floor plan for the barn that is used to support the operations. The height of the structures is not known but the arena ceiling height is identified as 16-feet; however, the building is existing at the date of this permit application and no known changes are proposed to the existing structures.

**Barn:**

The floor plan submitted for the Barn shows area for 16 horse stalls, a private tack room and ¼-bathroom, a tack room with full bathroom, a feed room and designated grooming stalls, and two designated wash stalls. Staff conducted research on a previous application to understand what facilities are necessary, particularly in winter and summer (inclement weather), for horses through the University of Minnesota Extension Services. Based on that research, it seems that the only necessary ‘improvements’ are to make sure that there is a shelter/wind break area available for all horses during winter months. In this case, the barn provides adequate permanent shelter for sixteen (16) horses as indicated within the narrative.

**Indoor Arena:**

The floor plan submitted for the Indoor Arena shows 14 12’x12’ stalls, a grooming stall, open riding area and area for hay storage. This area is proposed to be used to support the main barn area. It is unclear if the stalls shown on the plan are existing, and clarification regarding how the arena spaces and stalls will be used should be discussed with the Applicant. Some remodeling activities of the space are underway, including the addition of picture windows on all elevations of the structure.

*As proposed, the number of stalls and size of the main barn and indoor riding arena are adequate to support up to sixteen (16) horses as requested..*

Utilities (well and  
septic):

The existing home is served by a well and individual septic system, the septic system area is identified on the Site Plan (Attachment B) and the well is assumed to be located near the existing home. It is unclear if a separate well or septic system was installed for the existing barn and riding arena, but given that there is 1.25 bathrooms as well as wash rooms it is assumed that all utilities have been pulled to the barn and that the septic system is sized appropriately to support the number of bathrooms on site. *As constructed and installed, the existing utilities meet setback requirements and there are no known additional improvements needed to support the proposed operations. Staff would recommend including a condition to address proper septic system permitting if any additional improvements are made to the*



*barn/indoor riding arena.*Manure Management  
Plan/MPCA

While the City's ordinance states that a feedlot permit for the proposed use is required from the MPCA, as researched for a previous application, given the size and scale of the proposed operations a feedlot permit is not applicable. During the public hearing some questions regarding the definition of "feedlot" or "animal lot" were brought forward. As noted within this staff report, the City has generally used both terms interchangeably, and has not provided a distinction between the two terms.

The Applicant's narrative (Attachment A) states that they will construct a large cement manure storage containment area that will be located southwest of the current location behind the barn. The location will allow for run-off to go into the existing man-made pond for infiltration. The Applicant stated that this is a desirable solution based on preliminary review from the Valley Branch Watershed District. Staff would request that the Applicant provide some documentation and/or correspondence from VBWD regarding this method, but generally it seems consistent with previous applications considered. The containment will be cleaned, and waste removed on a monthly basis.

***Based on staff's research, and materials presented, provided the Applicant follows the Manure Management Plan (MMP) as submitted, staff believes these practices are adequate and meets the City's ordinances. Staff would recommend a condition be included regarding monthly cleaning/removal of waste from the manure containment area if 16 horses are present on the site. Staff would also recommend a condition that the Applicant provide evidence (email or other written correspondence) that the VBWD is satisfied with the proposed MMP.***

Landscape Plan and  
Fencing

As shown on the Site Plan, the Applicant is proposing to construct and/or rehabilitate an existing paddock area for an outdoor arena that will include a series of ramps and jumps. Additionally, the area will be draintiled and permeable surface installed. The area will be fenced and buffer plantings installed surrounding the south and eastern edges of the area. The Site Plan does not identify a plant schedule so it is not possible to determine whether the proposed plants will screen the area. The arena area is setback approximately 18.5-feet from the front property line and 18-feet from the westerly property line. The City's ordinances do not address paddock fences, but there are existing fences present on the site in this area.

During the public hearing, a neighbor indicated that the paddock area north of the property located at 9186 68<sup>th</sup> Street North was recently fenced, and that the area had not previously had fencing. After review of the historic aerials this was verified, and the area was previously

unfenced. The neighbor voiced concern about this area being permitted to be fenced to contain horses on the property. After discussion, the Planning Commission included a recommendation that this area is not permitted for the containment of horses (i.e. removal of the paddock/pasture area).

After the meeting, Staff spoke with the Applicant and she stated that the condition proposed by the Planning Commission is a concern. She believes that this area is suitable as pasture area, and that she should be able to use it as part of her property to support the requested Conditional Use permit.

***Staff recommends including a condition that a Plant Schedule be prepared and provided as part of the Site Plan to determine the extent of screening and/or buffering. Staff recommends including a condition that all fences must be managed, maintained and kept in good repair to ensure horses remain on the property.***

In addition to the outdoor arena improvements, there are a series of stormwater management areas proposed to help control runoff on site. The proposed landscaping appears to meet the City's ordinances; however, additional analysis regarding stormwater management may be needed depending on the amount of grading work proposed.

***Staff would recommend including a condition that if site grading work exceeds 50-Cubic Yards that a grading permit must be obtained from the City Engineer.***

#### Lighting Plan

Prior to the Planning Commission meeting Staff was aware of the adjacent neighbor's concern regarding lighting of the subject operations, particularly related to the Main Barn/Indoor Riding Arena structure. As a result, Staff spoke with the Applicant who provided some information regarding the proposed exterior lighting. During the public hearing it was clarified that the lighting concerns included the exterior lighting plan, as well as the indoor lighting of the arena space because new picture windows had been installed which now allow for light spillage from the structure that was not present before remodeling.

As a result of the public testimony, and discussion the Planning Commission recommended that two conditions be included in the CUP; 1) that a photometric plan be submitted to demonstrate compliance with Section 32-321 (a) of the City's ordinance; and 2) that hours of operation be restricted to 9 PM and that the indoor arena lights must be shut-off, with exceptions only permitted in emergencies.

It should be noted that after the Planning Commission meeting the Applicant contacted Staff and indicated that they are concerned with this condition for several reasons. First, if the Photometric Plan provides that the barn meets the Ordinance requirements, then they believe that there hours of operations should not be limited. Second, it is imperative that they have flexibility to ride the hours at times after 9PM because they are show horses and they must be exercised. She provided an example that in the Summer in extreme heat is safer to exercise the horses in the middle of the night, rather than during the day and that she will shift her hours to provide adequate care of the horses. Staff offers the following ordinances language to assist in your discussion: Section 32-321 (a) states, “No light or combination of lights which cast light on a public street shall exceed one footcandle meter reading as measured from the centerline of said street, nor shall any light or combination of lights which cast light on residential property exceed 0.4 footcandles. Staff would suggest that a lighting plan, including indoor lights, must be submitted and must demonstrate that the combination of lights complies with the City’s ordinances.

Staff has included both of the Planning Commission’s proposed conditions in the draft CUP which is provided as an attachment to this staff report. However, staff would request additional discussion by the City Council regarding the condition specifically related to the hours of operation.

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2 The existing facilities, access driveway and gravel areas are proposed to be used for the operation and  
3 no significant site improvements are proposed as part of this application. Since no site improvements  
4 to the site, the City Engineer does not have any additional comments. However, as previously noted,  
5 if grading work exceeds 50 Cubic Yards a grading permit must be obtained, and the City Engineer  
6 will review the proposed work and issue any necessary permits.

7  
8 The property is located within the Valley Branch Watershed District (BCWD), and a wetland  
9 delineation for the property was completed in 2019. The Applicant should be aware that there may be  
10 additional permits required from the VBWD if significant grading activities are proposed related to  
11 the stormwater management and improvement noted on the site plan and it is the responsibility of the  
12 Applicant to obtain all necessary permits. ***Staff would recommend including a condition that all***  
13 ***permits from other agencies having regulatory authority over the operations are the responsibility***  
14 ***of the Applicant to obtain and maintain, as applicable.***

15  
16 City Planner Swanson advised the Planning Commission recommended approval of the Conditional  
17 Use Permit with Conditions as noted in the attached draft Resolution.

18

1 City Planner Swanson noted she can say for certain that the interior lights that were incorporated into  
2 the photometric plan does meet the ordinance requirements and she is not clear on what was  
3 considered in terms of lighting.

4  
5 Ms. Summer Lutgen, Applicant, came forward and stated there was one halogen light on the west side  
6 and none on the north and east side. More downlit lights are proposed. She stated there are no stalls  
7 in the indoor arena being proposed as stalls interfere with jumping. There will be no outside jumping.  
8 Training at night is beneficial during the summer due to the outside temperatures. She stated she is  
9 installing drain tile on the east side of the building and there will be a rain garden. She explained the  
10 manure management plan and noted the containment of the manure will be further from the neighbors  
11 but does meet the setbacks.

12  
13 It was the consensus of the Council to add conditions of approval relating to time of operations for  
14 commercial customers, interior light spillage and exterior lighting relating to the City Ordinance.

15  
16 **Council Member Giefer moved to adopt Resolution No. 2019-22, as amended. Council Member**  
17 **Shafer seconded the motion. Motion carried unanimously.**

18  
19 **Consideration of Resolution No. 2020-03, Authorization for Submission of 2040 Comprehensive**  
20 **Plan Update to Metropolitan Council for Review** – City Planner Swanson advised between mid-  
21 2018 and early 2019 the City worked to update its 2040 Comprehensive Plan in conformance with the  
22 Minnesota Land Planning Act. The Planning Commission served as the working group to the process  
23 and provided guidance and feedback throughout the Plan development/update. Because the Plan was  
24 an update many of the Plan chapters and various components remain consistent with the 2030  
25 Comprehensive Plan. However, there were a few significant changes that are summarized in the  
26 following:

- 27  
28
- 29 • Simplified Land Use Designations. The City's Future Land Use map (Map 3-3) reflects the  
30 consolidation of A-1 and A-2 land use designations to RR/A. This designation more  
31 appropriately matches the dominant rural residential uses in the community, while  
32 acknowledging strong support for continued agricultural uses.
  - 33 • Land Use designations nomenclature. To better describe the "use" of property in Grant, the  
34 land use designation was renamed to include both Rural Residential and Agricultural so that it  
35 is clear to residents, policy makers and potential applicants the desired activities and use of  
36 property.
  - 37 • Restructured chapters to address the Metropolitan Council's checklists. This included moving  
38 environmental discussions to the Local Water Management Plan.

39 In May 2019 the City Council authorized the distribution of the draft 2040 Comprehensive Plan for  
40 adjacent/affected jurisdictional review. The Minnesota Land Planning Act requires municipalities to  
41 send their draft plans to the identified municipalities and affected jurisdictions and provide a 6-month  
42 review period. The 6-month review period commenced on November 14, 2019. The following entities  
43 provided comments and/or response, and a brief summary of recommended changes/edits is provided:  
44

- 1 • **Washington County:** Minor changes and additions. Most changes requested refer to potential  
2 County programs that are available to assist residents. Staff agrees with the changes and has  
3 updated Chapter 3 and 4 to address these changes. Other grammatical changes have been  
4 made to respond to the County's requests.
- 5 • **Rice Creek Watershed District (LWMP specific):** WSB has incorporated and modified the  
6 LWMP to reflect RCWD requested changes.
- 7 • **Stillwater Township:** Provided correspondence indicating no comments.
- 8 • **Minnesota Department of Natural Resources:** All comments were optional, and requested  
9 consideration of the City modifying its policies to address things such as pollinator friendly  
10 habitat, etc. To respond to these comments, the implementation chapter has included language  
11 stating that the City will explore some of the requested inclusions over this planning period.  
12

13 No other comments were received. This will be noted in the transmittal to the Metropolitan Council  
14 when the draft is submitted.  
15

16 City Planner Swansons stated the draft with incorporated changes will be available electronically on  
17 the City's website, and a link will be forwarded to all Council members once edits are complete. After  
18 the Metropolitan Council reviews the draft staff will update the draft chapters to reflect their required  
19 comments/edits. Once a final document is complete, a hard copy will be prepared and distributed to  
20 all members of the City Council and the Planning Commission.  
21

22 Prior to submitting the final draft to the Metropolitan Council for review, the City was required to  
23 hold a duly noticed public hearing to consider the draft. The duly noticed public hearing was held at  
24 the regular November 19, 2019 Planning Commission meeting. There were no members of the public  
25 in attendance who provided comment or testimony, and no written testimony was submitted. The  
26 Planning Commission closed the public hearing and subsequently recommended to the City Council  
27 that it authorize the submittal of the draft for formal review by the Metropolitan Council.  
28

29 City Planner Swanson identified the following next steps with the Plan:  
30

- 31 • City Council authorizes Staff to submit the 2040 Comprehensive Plan to the Metropolitan  
32 Council.
- 33 • Metropolitan Council provides comment letter, if applicable. Staff incorporates needed  
34 changes. If substantive, issues will be brought back to the City Council prior to making  
35 changes.
- 36 • Formal resolution adopting the 2040 Comprehensive Plan is adopted after Metropolitan  
37 Council approval.  
38

39 Staff is requesting the City Council direct staff to submit the 2040 Comprehensive Plan Update for  
40 consideration by the Metropolitan Council. The resolution authorizing submittal is attached for our  
41 consideration.  
42

1 **Council Member Rog moved to adopt Resolution No. 2020-03 as presented. Council Member**  
2 **Schafer seconded the motion. Motion carried unanimously.**

3  
4 **City Attorney, Dave Snyder (no action items)**

5  
6 **NEW BUSINESS**

7  
8 **Consideration of December 3, 2019 City Council Meeting Minutes** – Staff noted draft meeting  
9 minutes were included in the City Council packets for review.

10  
11 **Council Member Giefer moved to approve the December 3, 2019 City Council Meeting**  
12 **Minutes, as presented. Council Member Rog seconded the motion. Motion carried with**  
13 **Council Member Schafer abstaining.**

14  
15 **Consideration of Ordinance No. 2020-60, 2020 Fee Schedule**–.Staff advised there are no  
16 recommended changes to the 2020 Fee Schedule.

17  
18 **Council Member Rog moved to approve Ordinance No. 2020-60, as presented. Council**  
19 **Member Schafer seconded the motion. Motion carried unanimously.**

20  
21 **Consideration of Resolution No. 2020-01, Summary Publication of Ordinance No. 2020-60** –  
22 Staff advised Resolution No. 2020-01 authorizes summary publication of Ordinance No. 2020-60, the  
23 City of Grant 2020 Fee Schedule.

24 **Council Member Rog moved to adopt Resolution No. 2020-01, as presented. Council Member**  
25 **Schafer seconded the motion. Motion carried unanimously.**

26  
27 **Consideration of 2020 City Council Meeting Schedule** – Staff advised a 2020 City Council  
28 Meeting Calendar was included in the Council packets noting City meetings are subject to change.

29  
30 **Council Member Schafer moved to approve the 2020 City Council Meeting Schedule, as**  
31 **presented. Council Member Giefer seconded the motion. Motion carried unanimously.**

32  
33 **Consideration of 2020 Appointment List** – Staff advised a 2020 Appointment List was included in  
34 the Council packets with no changes recommended.

35  
36 **Council Member Carr moved to approve the 2020 Appointment List exclusive of the Fire**  
37 **Warden. Council Member Schafer seconded the motion. Motion carried unanimously.**

38  
39 **Council Member Giefer moved to approve the Fire Warden Appointment as presented.**  
40 **Council Member Carr seconded the motion. Motion carried with Council Member Schafer**  
41 **abstaining.**

42  
43 **UNFINISHED BUSINESS**

44  
45 There was no unfinished business.

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**DISCUSSION ITEMS** (no action taken)

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

**City Council Reports/Future Agenda Items**

No items were placed on a future agenda.

**COMMUNITY CALENDAR JANUARY 8 THROUGH JANUARY 31, 2020:**

**Mahtomedi Public Schools Board Meeting, Thursday, January 9<sup>th</sup> and 23<sup>rd</sup>, Mahtomedi District Education Center, 7:00 p.m.**

**Stillwater Public Schools Board Meeting, Thursday, January 9<sup>th</sup>, Stillwater City Hall, 7:00 p.m.**

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

**City Office Closed, Martin Luther King Day, Monday January 20<sup>th</sup>, 2020**

**ADJOURNMENT**

**Council Member Giefer moved to adjourn the meeting at 9:04 p.m. Council Member Rog seconded the motion. Motion carried unanimously.**

These minutes were considered and approved at the regular Council Meeting January 7, 2020.

\_\_\_\_\_  
Kim Points, Administrator/Clerk

\_\_\_\_\_  
Jeff Huber, Mayor