

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
46

DATE : June 1, 2021
TIME STARTED : 7:00 p.m.
TIME ENDED : 8:01 p.m.
MEMBERS PRESENT : Councilmember Carr, Rog, Giefer,
Schafer and Mayor Huber
MEMBERS ABSENT : None

Staff members present: City Attorney, Dave Snyder; 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

No one was present for public input.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

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

CONSENT AGENDA

May 4, 2021 City Council Meeting Minutes	Approved
May 2021 Bill List, \$63,390.65	Approved
Kline Bros. Excavating, Road Maintenance and Pump House, \$32,766.70	Approved

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

STAFF AGENDA ITEMS

City Engineer, Brad Reifsteck (no action items)

City Planner, Jennifer Swanson

1 **PUBLIC HEARING, Consideration of Resolution No. 20211-18, Application for a Minor**
 2 **Subdivision, 9694 75th Street North**– City Planner Swanson advised the Applicants and Owners,
 3 Eric and Wendy Hawkins (Applicant), are requesting permission to subdivide the property located at
 4 9694 75th Street North into two (2) parcels. There is an existing homestead and several accessory
 5 buildings located on the existing property. In 2017 the previous Owner, David Washburn, applied for
 6 and was granted a minor subdivision of the subject property into two parcels (Resolution #2017-13).
 7 The minor subdivision was never recorded, but the approved lot configuration is shown on the Site
 8 Plan which is a part of this new application. The proposed configuration is generally consistent with
 9 the intent of the 2017 subdivision with some changes to the proposed lot line configuration.

10
 11 Since the proposed minor subdivision is generally consistent with the 2017 request, the request is not
 12 scheduled for consideration at the Planning Commission. However, since the 2017 minor subdivision
 13 was not recorded, a public hearing is required. A duly noticed public hearing is scheduled for the
 14 regular City Council meeting on June 1, 2021.

15
 16 **Project Summary**

17

Owner & Owner:	Eric and Wendy Hawkins
PID:	2703021130001
Address:	9694 75 th Street North
Zoning & Land Use:	A-2
Request:	Minor Subdivision to create: Parcel A - 28.49 Acres and Parcel B – 5.01 Acres

18
 19 The Applicant is proposing a Minor Subdivision (lot split) of the existing 33.5 Acre parcel into two
 20 (2) lots for single-family residential uses. The Applicants purchased the property from David
 21 Washburn who previously obtained a minor subdivision to create a similar configuration which is
 22 shown on the attached Minor Subdivision with a red-hashed line. The proposed configuration is
 23 depicted with a solid black line, which encompasses the existing home and two accessory buildings.
 24 The Applicants have indicated that they intend to keep the existing home on Parcel B, and are
 25 planning to construct a new home on Parcel A. In 2017, the Owner provided soil borings, a wetland
 26 delineation and other supporting materials to demonstrate that both Parcel A and Parcel B were
 27 buildable.

28
 29 City Planner Swanson stated the City’s subdivision ordinance allows for minor subdivisions and lot
 30 line adjustments as defined in Section 30-9 and 30-10. The sections of the code that relate to
 31 dimensional standards and other zoning considerations are provided for your reference:

32 Secs. 32-246

33
 34 The existing parcel is located north of 75th Street North and is approximately 33.5 acres. The existing
 35 parcel is bordered by 75th Street North on the south, and contains approximately 880-feet of frontage.
 36 There is an existing homestead on the parcel located approximately 330-feet to the west of the
 37 easterly property line and setback approximately 110-feet from the southerly property line
 38 (approximately 170-feet from the centerline). Current right-of-way for 75th Street North is platted as

1 part of the county’s roadway and is not included in the subject property’s acreage calculation. There
 2 are five (5) accessory buildings on the site with a total square footage of approximately 2,806 square
 3 feet. There are currently two accesses onto the property from 75th Street North; there is a driveway
 4 into the existing homestead, and a second more substantial field road located approximately 370-feet
 5 to the west of the homestead’s driveway.

6
 7 The Applicant completed a wetland delineation for the site which identified 11 wetlands of various
 8 sizes. The wetlands are generally clustered on the south and eastern half of the site, with only the
 9 northwestern 10-15 +/- acres being fairly dry. Based on an aerial review, this area appears to be the
 10 only portion of the site that has been used for agricultural uses and/or open grasslands. The
 11 remaining 20-25 acres of the site includes intermittent wetland areas, woodlands, tree cover and
 12 rolling topography.

13
 14 The adopted Comprehensive Plan sets a maximum density of 1 unit per 10 acres in the A-2 land use
 15 designation. The proposed minor subdivision/lot line rearrangement of the 33.5 acres results in one
 16 additional unit. The original 40 included the adjacent Exception parcel, which when considered
 17 collectively would result in three (3) lots on 40 acres, or a proposed gross density of approximately 1
 18 unit per 13 acres. The minor subdivision as proposed meets the density requirements as established
 19 in the comprehensive plan. Further, the intent of the A-2 land use designation is to promote rural
 20 residential uses, and the proposed subdivision is consistent with that objective.

21
 22 City Planner Swanson stated he following site and zoning requirements in the A-2 district are defined
 23 as the following for lot standards and structural setbacks:

Dimension	Standard
Lot Area	5 acres
Lot Width (public street)	300’
Lot Depth	300’
FY Setback – County Road (Centerline)	150’
Side Yard Setback (Interior)	20’
Rear Yard Setback	50’
Maximum Height	35’

24
 25
 26 The proposed subdivision is depicted on Attachment B: Minor Subdivision. As shown the proposed
 27 subdivision would result in newly created Parcel A and Parcel B. The following summary of each
 28 created parcel is identified on the table below:

29 **Lot Tabulation:**

Parcel	Size	Frontage/Lot Width	Lot Depth
Parcel A	28.49 Acres	594.04’	1,254.59’
Parcel B	5.01 Acres	397.13’	548.45’

30
 31 *As proposed, both created lots meet the city’s dimensional standards for size, frontage/lot width*
 32 *and lot depth.*

1 The existing homestead and accessory structures are located on proposed Parcel B, and are subject to
 2 the city’s setback requirements. The existing principal structure is setback approximately 108-feet
 3 from the right-of-way line (southerly property line) of 75th Street North which is County State Aid
 4 Highway 12. However, the City’s ordinance requires that the setback be measured from the
 5 centerline of the roadway, and the existing home is setback approximately 170-feet from the
 6 centerline of the roadway and therefore meets the city’s setback requirement. The existing home will
 7 be setback approximately 89.9-feet from the created westerly property line, 230-feet from the easterly
 8 property line, and 440-feet from the rear property line. As proposed the existing home will meet all
 9 setback requirements. The existing accessory structures are setback approximately 150-feet from the
 10 east and west property line, and are more than 200-feet from the rear property line. All other property
 11 lines are existing and remain in their current configuration (south and easterly property lines are
 12 unchanged and therefore setbacks to existing structures not evaluated).

13
 14 Since no new structures are evaluated as part of this subdivision, *staff would recommend including a*
 15 *condition that all future structures and improvements will be subject to the applicable setback rules*
 16 *and regulations, including wetland setbacks, in effect at the time of application.*

17
 18 No new access or driveways are proposed as part of this application. There is an existing driveway
 19 that serves the existing home on Parcel B, and there is an existing gravel driveway/trail that provides
 20 access to Parcel A. The Applicant should be aware that any new accesses will be subject to review
 21 and approval from Washington County because 75th Street North is under their authority. *Staff*
 22 *would recommend including a condition that all new accesses, or changed accesses, are subject to*
 23 *review and approval by Washington County.*

24
 25 As previously stated there are five (5) accessory structures on the site which total approximately
 26 2,806-square feet. Three of the structures will be located on newly created Parcel B, which will be
 27 subject to the Accessory Structure standards contained in Section 32-313. On parcels between 5 and
 28 9.59 acres, a combined square footage not to exceed 2,500 square feet and no more than three (3)
 29 buildings are permitted. The total square footage of the three existing accessory buildings on Parcel A
 30 is approximately 1,146 square feet. As proposed, the existing accessory buildings meet the City’s
 31 standards for accessory buildings.

32
 33 Parcel A is larger than 20-acres and therefore there are no limitations on the number or total square
 34 footage of accessory buildings permitted. Section 32-313(d) of the City’s ordinance require a
 35 principal structure be constructed prior to any accessory buildings. Parcel A does not have an existing
 36 principal structure, and therefore the accessory buildings would not be permitted. However, the
 37 Applicants have indicated that they intend to own both parcels, and that a principal structure will
 38 eventually be constructed on Parcel A. *Since the ownership of both parcels will remain with the*
 39 *Applicants, staff recommends including a condition that Parcel A may not be sold of independently*
 40 *of Parcel B unless the accessory buildings are removed, or a principal structure is constructed.)*

41
 42 **Septic System – Soil Borings**

43 The existing home is currently served by a septic system that will continue to be used for the existing
 44 homestead. Both the septic system and well are located on Parcel B. *Staff would recommend*
 45 *including a condition that any redevelopment of the parcel with a new, or substantially larger,*
 46 *principal structure may necessitate a new septic system and at such time a septic permit must be*

1 *obtained from Washington County.* The previous Owner, David Washburn, submitted soil
2 boring/septic tests that demonstrated that Parcel A is buildable. The location of the tests is on Parcel
3 A of the new configuration and complies with the City's requirements. *Staff would recommend*
4 *including a condition of approval that a septic permit must be acquired from Washington County*
5 *prior to the city issuing a building permit for a principal structure on Parcel A.*

6
7 There is an existing well on Parcel B that will continue to be used for the property. Since Parcel A is
8 vacant and no home is yet proposed no well has been installed. *Staff would recommend including a*
9 *condition that if and when a new home is proposed on Parcel A that the appropriate permits to*
10 *install a well must be obtained prior to the city issuing a building permit.*

11
12 The subject property is located on CSAH 12, and therefore is subject to Washington County's review
13 and comment. During the 2017 Washburn application staff received an email from Washington
14 County staff who reviewed the proposed subdivision. Washington County is requesting an additional
15 15-feet of right-of-way in the form of an easement be dedicated along the frontage of the subject
16 property. Staff would recommend including this as a condition of approval, and request that the
17 Survey be updated to reflect the additional right-of-way.

18
19 Additionally, as previously discussed, if and when development or redevelopment of the lots occurs
20 proper permits for installation of wells, septic systems, or driveways will be subject to review and
21 approval of the appropriate permitting authorities.

22
23 **Council Member Schafer made a motion to open the public hearing at 7:08 p.m. Council**
24 **Member Rog seconded the motion. Motion carried unanimously with a roll call vote.**

25
26 No one was present to speak during the public hearing.

27
28 **Council Member Schafer made a motion to close the public hearing at 7:10 p.m. Council**
29 **Member Giefer seconded the motion. Motion carried unanimously with a roll call vote.**

30
31 **Council Member Rog made a motion to adopt Resolution No. 2021-08, as presented. Council**
32 **Member Giefer seconded the motion. Motion carried unanimously with a roll call vote.**

33
34 **Consideration of Ordinance No. 2021-64, Interim Use Permit** – City Planner Swanson advised
35 at the regular meeting on May 4, 2021 the City Council directed staff to prepare a revised draft
36 Interim Use ordinance for consideration. Per the City Council discussion, the changes and
37 modifications include:

- 38
39
 - Remove all proposed language regarding Accessory Dwelling Units (ADUs) from the draft
40 ordinance. This includes removing the language from the definitions and all draft performance
41 standards.

42
43 City Planner Swanson noted that with the removal of all proposed language regarding ADUs, the last
44 page of the draft ordinance should be revised by removing the underlined language and putting the
45 strike out language back in.

1 **Mayor Huber moved to approve Ordinance No. 2021-64, as amended. Council Member Giefer**
2 **seconded the motion. Motion carried unanimously with a roll call vote.**

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

5
6 **NEW BUSINESS**

7
8 **Acceptance of 2020 Audit** – City Treasurer Schwarze provided the highlights of the 2020 Audit
9 noting last year was an unusual year due to COVID and road projects. She reviewed the variances in
10 the budget noting that was mostly from building permits. Everything else was close to the budgeted
11 amounts and some of the road projects that did not move forward.

12
13 **Council Member Giefer moved to accept the 2020 Audit, as presented. Council Member Rog**
14 **seconded the motion. Motion carried unanimously with a roll call vote.**

15
16 **UNFINISHED BUSINESS**

17
18 There was no unfinished business.

19
20 **DISCUSSION ITEMS (no action taken)**

21
22 **Staff Updates (updates from Staff, no action taken)**

23
24 **City Council Reports/Future Agenda Items**

25
26 No items were placed on a future agenda.

27
28 **COMMUNITY CALENDAR JUNE 2 THROUGH THROUGH JUNE 30, 2021:**

29 **Mahtomedi Public Schools Board Meeting, Thursday, June 10th and 24th, Mahtomedi District**
30 **Education Center, 7:00 p.m.**

31 **Stillwater Public Schools Board Meeting, Thursday, June 10th, Stillwater City Hall, 7:00 p.m.**

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

33
34 **ADJOURNMENT**

35
36 **Council Member Giefer moved to adjourn the meeting at 8:01 p.m. Council Member Rog**
37 **seconded the motion. Motion carried unanimously.**

38
39 These minutes were considered and approved at the regular Council Meeting June 30, 2021.

40
41
42
43
44 _____
45 Kim Points, Administrator/Clerk

44 _____
45 Jeff Huber, Mayor

APPROVED