		OF GRANT INUTES	
	DED S PRESENT	 November 1, 2021 7:00 p.m. 8:09 p.m. Councilmember Carr, Rog Schafer and Mayor Huber None 	
	ers present: City Planner, Jennifo or/Clerk, Kim Points		aron Schwarze; and
CALL TO	ORDER		
The meeting PUBLIC IN	g was called to order at 7:00 p.m		
	present for public input.		
	OF ALLEGIANCE		
Council Me	<u>THE AGENDA</u> ember Rog moved to approve to a motion. Motion carried una		ıncil Member Giefe
CONSENT	<u>AGENDA</u>	X	
Octo	ber 5, 2021 City Council Meetin	ng Minutes	Approved
Octo	ber 2021 Bill List, \$65,769.22		Approved
Allie	ed Blacktop, Final Pay Voucher,	\$41,214.69	Approved
	2 Paving, Town Hall Parking Lo	t, \$31,290.00	Approved
	e Bros., Special Roads Projects, hing, \$19,240.00		Approved
	e Bros., Special Roads Projects, t Boil, \$39,549.00		Approved
H&F	R Construction, Special Roads P	rojects,	

COUNCIL MINUTES

2 City of Mahtomedi, 3 rd Quarter Billing, 4 \$37,499.25 Approved 5 Northern Salt, 2 rd Dust Control, \$32,885.44 Approved 6 Northern Salt, 2 rd Dust Control, \$32,885.44 Approved 7 New Life Contracting, Town Hall Siding, \$18,250.00 Approved 10 Council Member Schafer moved to approve the consent agenda, as presented. Council Member 11 Rog seconded the motion. Motion carried unanimously by a roll call vote. 13 STAFF AGENDA ITEMS 14 STAFF AGENDA ITEMS 15 City Engineer, Brad Reifsteck (no action items) 17 Consideration of Resolution No. 2021-14, Application for Amended Conditional Use Permit for 18 City Planner, Jennifer Swanson 19 Consideration of Resolution No. 2021-14, Application for Amended Conditional Use Permit for 11 Two Silo Farmhouse Resort, 7040 117 th Street N – City Planner Swanson advised the Two Silo 12 Farmhouse Resort was granted a Conditional Use Permit (CUP) on November 2 and executed on 13 November 12, 2020 for operations of a Farm Winery and Resort consistent with the City's 14 Grannees. The 2020 CUP identified 38 conditions, and condition #32 specifically stated, "Any 14			
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25 future expansion or intensification of the Two Silo Farmhouse Resort operations shall require an			
amendment to the Permit. Intensification shall include, but not be limited to: additional			
facilities/accessory buildings (not sheds) beyond those identified on the site plan, expansion of the parking lot beyond 22 stalls, substantial increase to the number of guests identified in the addendum			
parking lot beyond 22 stalls, substantial increase to the number of guests identified in the addendum to the narrative, etc."			
29 to the narrative, etc."30			
On June 29, 2021 the Owner and Applicant, Keith Dehnert on behalf of Two Silo Farmhouse Resort			
32 LLC, submitted an application for 1) the demolition of an existing 4,250 SF accessory building and 2)			
a Building Permit to construct a new 6,000 SF building to replace the existing building to be used for			
34 the Two Silo Farmhouse winery operations. The Applicant also contacted Washington County to			
obtain an access permit that included the Site Plan which identified the new 6,000 SF building. Staff			
36 reviewed the existing 2020 CUP which includes direct reference to the approved Site Plan appended			
to the 2020 CUP review process. The approved operations and Site Plan did not include the subject			
building for demolition, and further the proposed building was not reviewed or identified on the			
approved Site Plan. Since the proposed building (nor the existing accessory building recently			
40 demolished) were identified as part of the operations, condition #32 is tripped and an Amendment to			
 41 the 2020 CUP is required. 42 			

Staff informed the Owner that an Amendment to the 2020 CUP is required to obtain a Building
Permit for the new accessory building to be used as part of the Two Silo Farmhouse winery
operations. On August 5, 2021 Keith Dehnert on behalf of the Two Silo Farmhouse Resort, LLC

submitted an application for an Amendment to the 2020 CUP to allow for the construction of the
 6,000 SF accessory building to be used for the winery operations.

3

As stated, the existing 2020 CUP for the subject property permits the operation of the Two Silo Farmhouse and Resort to operate the winery using two small existing accessory buildings on site. The subject of this application is the construction of a new building that would consolidate the winery uses into one larger building as opposed to two buildings contemplated in the existing 2020 CUP.

8

9 City Planner Swanson noted that all conditions within the 2020 CUP remain VALID and 10 ENFORCEABLE, and that the modification proposed relate to the facility only. Attached to this Staff 11 Report is a draft of the amended CUP as recommended by the Planning Commission at their October 12 18, 2021 meeting. To assist in your review of the modified conditions additions are shown as 13 <u>underline</u> and deletions are shown as strikethrough.

14

A duly noticed public hearing was held on October 18, 2021 due to a delay from the regularly schedule September meeting. Residents and property owners within 1,320-feet (1/4-mile) were sent a letter informing them of the request to amend the 2020 CUP. One member of the public provided testimony and stated that they were generally comfortable with the scale of the operation as permitted within the 2020 Permit and wanted to make sure that the proposed amendment did not increase the intensity of the operations with respect to occupancy, hours of operation, etc.

21

After consideration of public testimony and presentation by City Staff, the Planning Commission recommended unanimous approval of the proposed amendment with the conditions as presented.

24

The following staff report is generally as presented at the October Planning Commission meeting with minor updates and clarifications as provided by the Applicant.

27

28 Application Summary

29

-				
Applicant: Two Silo Farmhouse Resort,	Site Size: 21.01 Acres			
LLC				
Keith Dehnert, Agent				
Owner: Arthur F Schaefer Family Living				
Trust				
Zoning & Land Use: A1 – Agricultural	Request: Amended Conditional Use Permit (CUP)			
Large Scale				
Location Description and PIDs:				
PID 0503021220001, subject property generally located northeast of the 117 th Street N and				
Bayhill Road intersection				

30

The Applicant is requesting an amendment to the existing 2020 CUP issued on November 2, 2020. A summary of the proposed amendment is as follows:

• An existing 4,250 SF building was demolished that was denoted as a "Tin Sided Shed" on the approved site plan from 2020. The existing building was noted on the approved site plan but was not proposed as part of the initial operations plan. The Applicant has clarified that the

1	original building was used for storage of equipment and materials associated with the winery
2	operation, but was not specifically described within the approved 2020 CUP.
3	• Construction of a new 6,000 SF multi-purpose building to consolidate the winery operations
4	into one structure. The location of the new building is in the same general location as the
5	accessory building that was demolished but expands the footprint. The new accessory building
6	is proposed to be used for the Two Silo Farmhouse winery operations. The new multi-purpose
7	building will be used for:
8	• Approximately 2,000 SF of gathering space, tasting area and wine bar
9	\circ Private tasting room – approximately 375 SF
10	• Restrooms – 2 large individual stalls
11	• Bottle/Barrel Room – approximately 575 SF
12	\circ Office – approximately 70 SF
13	• Storage Room/Area – approximately 2,900 SF
14	Construction of outdoor event space to include:
15	• Approximately 1,341 SF deck on west elevation/entrance
16	
17	As stated within the attached narrative no other changes are proposed to the operations, and the
18	Applicant intends to operate in compliance with the conditions as stated within the approved 2020
19	CUP (See Attachment A).
20	
21	City Planner Swanson stated the City Code addresses amendments to existing CUPs in Section 32-
22	152 that states, "An amended conditional use permit application may be administered in a manner
23	similar to that required for a new conditional use permit" As such, the Application to amend the
24 25	CUP is processed accordingly, and the requested amendment is to consider only those portions of the operations and/or facility that are proposed to change. The City Code states the following for
25 26	consideration when reviewing a Conditional Use Permit (32-141):
27	"(d) In determining whether or not a conditional use may be allowed, the City will consider the
28	nature of the nearby lands or buildings, the effect upon traffic into and from the premises and on
29	adjoining roads, and all other relevant factors as the City shall deem reasonable prerequisite of
30	consideration in determining the effect of the use on the general welfare, public health and safety."
31	(e) If a use is deemed suitable, reasonable conditions may be applied to issuance of a conditional use
32	permit, and a periodic review of said permit may be required."
33	The number of this amondment is not to consider the use of the momentum of a Ferm Winemy since the
34 25	The purpose of this amendment is not to consider the use of the property as a Farm Winery, since the determination that the use is consistent with the City's regulations was approved during the 2020
35 36	CUP process. This amendment relates specifically to allowing construction of a new multi-purpose
37	building to house and support the Farm Winery operations, and the facility is specifically addressed
38	in conditions #4, 32, and 33. Other conditions within the 2020 CUP may be affected by this
39	amendment, but the intent and conditions will remain valid and enforceable. No changes to the
40	operations are proposed as part of this application.
41	

The site is located in the far northwestern corner of the City which is surrounded by the City of Hugo
to the north, and the City of Dellwood to the south. The following existing site conditions generally
describe the property.

COUNCIL MINUTES

0503021220001 – The parcel is described as being in the Northwest Quarter of Section 5, Township 1 30 North, Range 21 West. The parcel is approximately 21.01 acres, is rectangular in shape, and 2 located north of 117th Street North which forms the border and frontage on the southerly property 3 4 line. The parcel includes an existing farmhouse (principal structure); a grainery building; a milking parlor; five accessory buildings, a windmill; and two silos. The Applicant has planted 18-rows of 5 grape vines on either side of the entry driveway. The farmhouse, accessory buildings and vineyards 6 are accessed from an existing driveway that is connected to 117th Street North on the southerly border 7 8 of the property.

9

The site is guided A-1 in the City's adopted Comprehensive Plan. Land within the A-1 land use 10 11 designation is generally described as supporting rural, agricultural, and rural residential uses with limited accessory commercial uses as identified and allowed within the City's zoning ordinance. The 12 City's ordinances conditionally permit resorts, seasonal businesses and rural event facilities provided 13 certain performance standards can be met. Agricultural production, such as that associated with the 14 grapes/vineyard, are a permitted use. The proposed amendment to the 2020 CUP does not change the 15 intended use for a Farm Winery and Resort. The City Council determined that the Two Silo 16 Farmhouse and Resort are consistent with the stated objectives in the Comprehensive Plan. 17

18

19 The Applicant submitted a revised Certificate of Survey and Site Plan for the proposed amendment.

- 20 The following dimensional review is provided for review and consideration.
- 21

22 The following site and zoning requirements in the A-1 district for rural event facilities which includes

the most restrictive regulations and performance standards related to the proposed amendment. The

following review is conducted focusing on the proposed multi-purpose building and exterior improvements.

26

Dimension	Standard
Lot Size	20 acres
Frontage – Per Sections 32-245 & 32-	County/State Road and
352)	300'
Front yard - centerline of County	150'
Road (Principal Structure)	
Front Yard Setback	65'
Side Yard Setback (Per Section 32-	100'
352)	
Rear Yard Setback	25'
Height of Structure	35'
Accessory Buildings (# and Total SF)	No limit
Fence	May be on property line,
	but not within any ROW
Driveway Setback	5'
Parking Lot setback	10' from ROW
Wetland Setback Structure (Buffer)	75' (50')
Impervious surface coverage	50%
Floor Area Ratio	30%

27

Lot Area and Accessory Building Standards

The subject property is approximately 21.01 acres and is oriented northsouth. The subject property is accessed from 117th Street North (CR-7) from the southern property line which is a County Road. The property has direct access to a County Road as required by Section 32-352 (c)(4-5). *The lot meets the City's ordinance requirements for area and access to a County Road*.

Section 32-313 of the City's ordinance regulates the number of accessory buildings and total square footage permitted based on lot size. Lots greater than 20-acres in size do not have a limit but are subject to coverage requirements (if applicable). Further, the proposed use of this building is governed by the 2020 CUP as a Farm Winery, and as such is subject to the conditions identified.

Multi-purpose
Accessory BuildingThe proposed multi-purpose building is setback approximately 142-feet
from the easterly property line, 285-feet from the westerly property line,
450-feet from CR-7 the front property line, and more than 1,100-feet
from the north property line. As proposed, the multi-purpose accessory
building meets all required setbacks. Condition #6 in the 2020 CUP
states that all improvements must be setback a minimum of 100-feet
from all property lines. As proposed, the multi-purpose building meets
this condition.

Architectural/Building The proposed multi-purpose accessory building is intended to consolidate the activities associated with the farm winery into one new facility. For purposes of this amendment, the following analysis is provided to demonstrate the changes proposed from the 2020 CUP.

2020 CUP Building Plan

The Site Plan submitted and approved as part of the 2020 CUP proposed the use of two small buildings for Wine Tasting and Welcome Center. (Approximately 300 SF of area).

2021 Amended CUP Building Plan for Multi-Purpose facility

A summary of the multi-purpose building is as follows:

- The proposed building has an agricultural design and appearance based on the elevation renderings (see Attachment E, Sheet 1 of 8). Key architectural elements that are indicative of an "agricultural" style include a shallow pitched standing seam roof, large barn doors providing access to the entry as well as to the storage/production areas.
- Large windows are proposed on the font or west elevation which wrap around the gathering/tasting space areas on the north and south elevation (see Attachment E, Sheet 1 and Sheet 3)
- The proposed exterior materials include LP Smart Board Lap Siding and Board and Batten Siding and a metal standing seam

room.

- No colors are denoted on the plans. Staff would recommend some discussion/clarification regarding the color as exposed metal can create unwanted glare from surrounding properties.
- The proposed building is approximately 25.5-feet tall. The proposed building is within the maximum permitted height for an accessory building.
- Proposed accessory building is approximately 6,000 SF Total, it includes:
 - Approximately 2,000 SF of gathering space, tasting area and wine bar
 - Private tasting room approximately 375 SF
 - Restrooms two large individual stalls are proposed and this standard meets Condition #12 and 13 (note the number of stall is correlated to the number of patrons planned for on-site as regulated by Condition #2).
 - o Bottle/Barrel Room approximately 575 SF
 - Office approximately 70 SF
 - Storage Room/Area approximately 2,900 SF
- A covered deck is proposed on the west elevation at the entrance, wrapping around on the north elevation. The proposed deck is approximately 1,340 SF (more detail is provided in the subsequent section of this report).

The proposed building design and architecture is consistent with the agricultural and rural residential character of the surrounding area.

Capacity of New Multi-Purpose Building

Sheet 4A identifies the floor plan which identifies approximately 2,500 of "public" gathering spaces associated with the farm winery operations. Staff notes that this is significantly larger than the approximately 300-SF of space approved as part of the operations within the existing 2020 CUP. The submitted architectural floor plan states that there is "Interior Space for 52 People" but based on the floor plan there is adequate space for a higher occupancy. Condition #2 clearly states that the maximum capacity of the operation is 75 people (including overnight guests). The maximum occupancy is further regulated by Condition #7, 18 and 19 which requires the construction of a parking lot for 22-vehicles which is directly correlated to the number of occupants on site. The Applicant has reaffirmed and stated that the maximum occupancy stated within the 2020 Plan will be followed and that the new facility will allow for

gathering indoors as opposed to the largely outdoor operations planned for within the 2020 CUP.

Outdoor GatheringThe submitted Site Plan (see Attachment D, Certificate of SurveySpacesExhibit) identifies one outdoor gathering spaces on the revised site plan.
Clarification regarding the east concrete patio was provided by the
Applicant. A summary of each area is provided:

Deck (west entrance)

A covered deck space is proposed at the west entrance and extends the full width (55-feet) of the elevation and wraps around on the north façade approximately 44-feet. As denoted on Attachment E, Sheet 5A there is planned seating for up to 22 people. From an occupancy capacity perspective, the total number of patrons based on the plan is 74. Again, similar to the floor plan provided in 4A, based on the plan submitted for the deck more than 22 people could congregate in the outdoor area/deck. Similar to the architectural plan, staff suggests additional documentation regarding the plan to manage occupancy of the deck in compliance with the 2020 CUP conditions.

Condition #25 clearly states that "no amplification of music shall be permitted outdoors, including within the outdoor gathering spaces..." This condition applies to the deck space, if approved.

Concrete Patio (east entrance)

The Certificate of Survey (site plan) identifies a 2,000 SF concrete patio. This area extends from the east elevation which is adjacent to the storage area inside the facility and connects (at least visually) to the vine rows to the east. The Applicant has stated that this "concrete patio" should be labeled as an apron and staging area. No formal gathering space is planned in this location and it is intended as an access to the storage portion of the building. *A condition has been added to the amended CUP that states no outdoor gathering is permitted in this location*.

No lighting plan was submitted as part of this application. Condition #24 states that "proposed lighting shall be submitted for review by City Staff...all lighting shall be downcast and for purposes of safety and security of patrons/guests on site..." *Given the scale of the new facility, staff recommends that the lighting plan be submitted prior to the issuance of a Building Permit. The lighting plan must include any site lighting (parking area, driveway) and exterior lighting of the building and any gathering spaces.*

Landscape Plan During the 2020 review process the landscaping and buffering of the proposed facility, parking area and outdoor gathering spaces were discussed. The area of most concern was along the eastern property line given the proximity of the residential structure on the adjacent lot. To address this concern Conditions #21 and #22 were added which indicated that a minimum of 10 10-foot black hill spruce (or similar) are to be

Lighting

Miscellaneous Considerations/ Comments regarding current 2020 CUP Conditions planted along the eastern border of the overflow parking lot. This landscaping is not provided in any of the materials submitted for this amended CUP process, but the condition remains valid.

Given the scale and size of the new building and associated impervious surface area several of the requirements and conditions are more critical to properly review and consider. The following summary of Conditions, that are not proposed to change, but may be affected by the increased size of the facility, must be addressed prior to Building Permit, include:

- Parking lot design and specification must be submitted to City Engineer for review and approval (Condition #18)
- Condition #19 requires a minimum of two ADA accessible parking stalls be provided. ADA.gov states that, "Accessible parking spaces should

be the spaces closest to the accessible entrance and be located on level ground. If it is not readily achievable to locate accessible parking in the closest spaces due to sloped pavement or other existing conditions, then the closest level area should be selected. An accessible route must be provided between the access aisle and the accessible building entrance. This route must have no steps or steeply sloped surfaces and it must have a firm, stable, slip-resistant surface." The Site Plan should be updated to identify the location of the ADA parking stalls and the route must be identified on the site plan, with materials noted.

- A full grading and erosion control plan must be submitted, reviewed and approved by the City Engineer (Condition #27).
- Access Permit from Washington County must be obtained.
- Proper permits for stormwater management must be obtained from Rice Creek Watershed District (RCWD) prior to a building permit being issued.

As stated within the 2020 CUP there are several items related to site work including grading, erosion control and possibly stormwater management that must be addressed. During the 2020 review process only small grading/site work changes were contemplated. If approved, the new larger facility and exterior gathering spaces will require significantly more site work which must be planned for collectively. The City Engineer has attached and included a review letter which indicates that the site work, including grading and erosion control plan must be submitted for review and approval prior to the issuance of a Building Permit.

8

9 The property is located within the Rice Creek Watershed District, and the Applicant is working with 10 the RCWD to obtain proper permits prior to the commencement of any site work. 1

During the 2020 review process Washington County commented that their review would be 2 dependent upon the final development plan. The applicant has submitted their application for an 3 4 access permit, but the process has stopped since this amendment process was initiated. The updated site plan was submitted to Washington County and they have provided the attached review letter. As 5 noted within the correspondence their concern is primarily associated with overflow parking which is 6 addressed within the CUP. The Applicant and City Staff will continue to work with Washington 7 County to determine what improvement are necessary to obtain an access permit. Staff recommends 8 including an additional condition in the amended permit that any Washington County required 9 improvements to CR-7 to provide safe ingress/egress to the facility are at the sole cost and 10 11 responsibility of the Applicant. 12 City Planner Swanson stated the Planning Commission recommended unanimous approval of the 13 Amended CUP to allow for the construction of the new facility subject to the conditions as drafted. 14 15 Mr. Keith Dehnert, Applicant, came forward and explained the proposed staging area in terms of the 16 gapes being picked and delivered. There is also equipment that calls for a lot of space and it has to be 17 a cleanable area. The apron is to access the building. Pressing will occur outside and bottling will 18 take place inside. The pressing into the tanks will all be done in the interior of the building. 19 20 Through discussion the Council determined conditions of approval would be added relating to 21 window coverings, lighting plan and screening additions in the staging area and wraparound deck. 22 23 Council Member Giefer moved to adopt Resolution No. 2021-14, as amended. Council Member 24 Carr seconded the motion. Motion carried unanimously by a roll call vote. 25 26 Consideration of Ordinance No. 2021-65, Amendment to Antenna Regulations – City Planner 27 Swanson advised the implementation of the 2040 Comprehensive Plan Update ("Plan") requires 28 communities to update their Zoning Ordinance (official controls) for consistency with the newly 29 adopted Plan. During the implementation discussion of the Plan process we discussed ordinance 30 updates, modifications and additions that would help the support the City's vision and goals for the 31 future. Part of implementation is making sure our ordinances are clear and current to make them 32 33 easier to understand and enforce. The Antenna Regulation contained in Chapter 32 were identified because of the outdated submission requirements. While updating the required floppy disk 34 submission, other clean-up of the ordinance was completed. 35 36 37 The City Council directed staff to begin working on the ordinance update process as meetings and time permits. As such, staff has prepared the attached draft Ordinance regarding Antenna Regulations 38 39 for your review and consideration. 40 A duly noticed public hearing was held on October 18, 2021. No members of the public were 41 42 present. The Planning Commission unanimously recommended approval of the proposed ordinance 43 revisions as drafted. 44

- 45 Staff is requesting approval of the proposed ordinance amendments.
- 46

Council Member Schafer moved to approve Ordinance No. 2021-65, as presented. Council 1 Member Rog seconded the motion. Motion carried unanimously by a roll call vote. 2 3 4 **City Attorney, Dave Snyder (no action items)** 5 6 **NEW BUSINESS** 7 8 Consideration of Resolution No. 2021-15, Summary Publication of Ordinance No. 2021-65 -Staff advised Resolution No. 2021-15 authorizes a summary publication of Ordinance No. 2021-65. 9 10 Council Member Rog moved to adopt Resolution No. 2021-15, as presented. Council Member 11 Schafer seconded the motion. Motion carried unanimously by a roll call vote. 12 13 Consideration of Resolution No. 2021-16, 2022 Polling Location – Staff advised the City is 14 required to designate the polling location for the 2022 election prior to December 31, 2021. 15 16 Council Member Giefer moved to adopt Resolution No. 2021-16, as presented. Council 17 Member Rog seconded the motion. Motion carried unanimously by a roll call vote. 18 19 20 **UNFINISHED BUSINESS** 21 There was no unfinished business. 22 23 24 **DISCUSSION ITEMS (no action taken)** 25 Staff Updates (updates from Staff, no action taken) 26 27 **City Council Reports/Future Agenda Items** 28 29 **COMMUNITY CALENDAR NOVEMBER 2 THROUGH NOVEMBER 30, 2021:** 30 Mahtomedi Public Schools Board Meeting, Thursday, November 11th, Mahtomedi District 31 Education Center, 7:00 p.m. 32 Stillwater Public Schools Board Meeting, Thursday, November 11th, Stillwater City Hall, 7:00 33 34 p.m. Mahtomedi School District Special Election, Tuesday, November 2, 7:00 a.m. to 8:00 p.m. 35 Planning Commission Meeting, Wednesday, November 10th, 6:30 p.m. 36 Washington County Commissioners Meeting, Tuesdays, Government Center, 9:00 a.m. 37 38 39 **ADJOURNMENT** 40 Council Member Schafer moved to adjourn the meeting at 8:09 p.m. Council Member Rog 41 42 seconded the motion. Motion carried unanimously by a roll call vote. 43 These minutes were considered and approved at the regular Council Meeting December 7, 2021. 44

COUNCIL MINUTES

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5	Kim Points, Administrator/Clerk	Jeff Huber, Mayor	
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