

**CITY OF GRANT  
PLANNING COMMISSION MEETING**

Tuesday, January 17, 2017

7:00 p.m.

Town Hall

*Please be courteous and turn off all electronic devices during the meeting.*

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES: August 16, 2017
5. NEW BUSINESS
  - A. PUBLIC HEARING, Consideration of an Application for a Minor Subdivision located at 10450 Dellwood Road N
  - B. PUBLIC HEARING, Consideration of Application for a Conditional Use Permit for Land Alteration for Pavement Reconstruction of Parking Lot located at 8000 75<sup>th</sup> Street N
6. OLD BUSINESS
7. ADJOURN

# PLANNING COMMISSION MEETING MINUTES

## CITY OF GRANT

August 16, 2016

**Present:** John Rog, James Drost, Darren Taylor, Jeff Schafer, Dennis Kaup, Jeff Geifer and Robert Tufty

**Absent:** None

**Staff Present:** City Planner, Jennifer Haskamp; City Clerk, Kim Points

1. **CALL TO ORDER**

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

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF AGENDA**

MOTION by Commissioner Geifer to approve the agenda as presented. Commissioner Drost seconded the motion. MOTION carried unanimously.

4. **APPROVAL OF MINUTES, JULY 19, 2016**

MOTION by Commissioner Drost to approve the July 19, 2016 Minutes, as amended. Commissioner Taylor seconded the motion. MOTION carried unanimously.

5. **NEW BUSINESS**

There was no new business.

6. **OLD BUSINESS**

- A. **Continuation of Application for a Conditional Use Permit, Commercial Tree Farm, 10000 Lansing Avenue N (Public Hearing Closed)** – City Planner Haskamp advised On July 19<sup>th</sup>, 2016 the Planning Commission considered Jon and Kirsten Yocum's Application for a Conditional Use Permit to construct and operate a Commercial Tree Farm and Nursery on their property. A duly noticed public hearing was held at the meeting; public testimony and comment received, and was subsequently closed. Through the course of the discussion and presentation the Planning Commission determined that

additional information was necessary to adequately consider the request. A summary of staff's understanding of the requested information is as follows:

- Updated Site Plan reflecting the following information:
  - Defined parking area with number of stalls indicated.
  - Show the "Potential Secondary Access Road" as constructed and part of the site plan.
  - Indicate a plan for one-way traffic through the tree farm area to reduce the need for backing up, thereby reducing back-up beeping.
  - Show/indicate location of proposed lighting.
  - Show/indicate location of proposed signage.
- Provide a supplemental narrative addressing the following:
  - Information regarding class types, schedule (hours and days), number of classes per month, maximum number of attendees per class.
  - Address how the operations will be powered, indicated solar during presentation, should be verified within the narrative.
  - Trip count and traffic information regarding the use.
  - Address/clarify retail sales
  - While not expressly stated, address the access drive and Gateway State Trail crossing.

In addition to the supplemental information requested from the Applicant, the Planning Commission also requested that the City Staff consider and address dust control on-site as well as on Lansing Avenue.

The City Engineer has indicated that due to the fairly limited number of trips anticipated that additional dust control is likely not warranted. However, if significant intensification of the use occurs resulting in increased trips, then a dust control plan may be necessary. Additionally, the trip information was provided to the City Engineer and he recommends that rather than widening the entire length of the driveway, that two bump-outs or pull-over locations be identified to ensure two cars could pass each other internal to the site. This recommendation is reflected in the analysis above, as well as in the proposed conditions.

City Planner Haskamp reviewed the draft conditions and advised staff is requesting a recommendation from the Planning Commission reflecting one of the following options:

- Recommendation to the City Council of Approval with Draft Conditions and Findings

- Recommendation to the City Council of Denial with Findings

If the Planning Commission recommends Approval, the following draft Findings are provided for consideration:

- The proposed Tree Farm use conforms to the City's Comprehensive Plan for rural residential and agricultural uses.
- The proposed Tree Farm is classified as a *Nursery, Commercial*, and is a conditionally permitted user per the City's zoning code.
- The proposed Tree Farm will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood.
- The proposed Tree Farm is compatible with the existing neighborhood.
- The proposed Tree Farm meets the conditions or standards adopted by the city through resolutions or other ordinances.
- The proposed Tree Farm will not create additional requirements for facilities and services at public cost beyond the city's normal low-density residential and agricultural uses.

City Planner Haskamp added that per the City's land use, retail alone is not allowed but the proposed use fits under a nursery and the site line improvements proposed at the driveway will improve the visibility at the trail crossing.

The Planning Commission commented on the use being zoned properly, the applicant making every attempt to provide more information and site improvements, and the thorough report submitted by the City Planner.

MOTION by Commissioner Geifer to recommend approval of the CUP application to the City Council, as presented. Commissioner Kaup seconded the motion. Motion carried unanimously.

This item will appear on the regular City Council agenda September 6, 2016.

## **7. ADJOURNMENT**

MOTION by Commissioner Giefer to adjourn the meeting at 7:35 p.m. Commissioner Schafer seconded the motion. Motion carried unanimously.



Respectfully submitted,

Kim Points  
City Clerk

DRAFT

City of Grant  
P.O. Box 577  
Willemie, MN 55090



Phone: 651.426.3383  
Fax: 651.429.1998  
Email: clerk@cityofgrant.com

Application Date:	12/21/16
Fee: \$400	Escrow: \$4,000

MINOR SUBDIVISIONS

A minor subdivision is any subdivision containing not more than two lots fronting on an existing street, not involving any new street or road, or the extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property.

Check # 4,400 5178

<b>PARCEL IDENTIFICATION NO (PIN):</b> 1403021340001		<b>ZONING DISTRICT &amp; COMP PLAN LAND USE:</b> A2 - Agricultural Small Scale	
<b>LEGAL DESCRIPTION:</b> Lengthy - see Site Plan		<b>LOT SIZE:</b> Approx 14 acres currently	
<b>PROJECT ADDRESS:</b> 10450 Dellwood Rd Grant MN 55082	<b>OWNER:</b> Name: John Moore Address: 10450 Dellwood Rd City, State: Grant, MN Phone: 612-605-8623 Email: jam0329@gmail.com	<b>APPLICANT (IF DIFFERENT THAN OWNER):</b> William David 9131 Keswick Ave Grant, MN 55082 612-590-1110 cell bldavid@visi.com	
<b>DESCRIPTION OF REQUEST:</b> See attached			
<b>EXISTING SITE CONDITIONS:</b> See attached			
<b>APPLICABLE ZONING CODE SECTION(S):</b> Please review the referenced code section for a detailed description of required submittal documents, and subsequent process. 1. Chapter 30; Section 30-9			

Submittal Materials

The following materials must be submitted with your application in order to be considered complete. If you have any questions or concerns regarding the necessary materials please contact the City Planner.

AP - Applicant check list, CS - City Staff check list

AP	CS	MATERIALS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Site Plan:</b> Technical drawing demonstrating existing conditions and proposed changes (Full scale plan sets shall be at a scale not less than 1:100) <ul style="list-style-type: none"> <li>North arrow and scale</li> <li>Name, address, phone number for owner, developer, surveyor, engineer</li> <li>Streets within and adjacent to the parcel(s) including driveway access points</li> <li>Topographic data at two (2) foot contour intervals and steep slopes</li> <li>Proposed lot sizes (with dimensions) indicating setbacks for newly created lots</li> <li>Buildable area with acres and square footage identified</li> <li>Wetland limits (delineation)</li> <li>Drainage plans</li> <li>Soil tests for the installation of an on-site septic system</li> </ul>

Application for: MINOR SUBDIVISION  
City of Grant

<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"><li>Septic system and well location</li><li>Building locations and dimensions with setbacks</li><li>Vegetation and landscaping</li><li>Wetland Delineation</li><li>Shoreland classifications: waterbodies, Ordinance High Water Level, 100 year flood elevation, and bluff line</li><li>Name of subdivision with lot and block numbers of property, if platted</li></ul> <p>COPIES: 20 copies (4 sets at 22" x 34" and 16 at 11" x 17" format)</p>
<input type="checkbox"/>	<input type="checkbox"/>	A certificate of survey, by a registered land surveyor for each parcel will be required. The survey must show newly created lots and the original lot, limits of any wetland, one acre of buildable area, and elevation of the building site above any lake, stream, wetland, etc. <i>Per Jennifer Haskamp, not yet required</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County departments, State agencies, or others that may have authority over your property for approvals and necessary permits. <i>see attached</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and address of property owners within 1,320 feet, contact Washington County Surveyor's Office: (651) 430-6875
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Minor Subdivision submittal form completed and signed by all necessary parties
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$400
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Escrow Paid: \$4,000

**Review and Recommendation by the Planning Commission.** The Planning Commission shall consider oral or written statements from the applicant, the public, City Staff, or its own members. It may question the applicant and may recommend approval, disapproval or table by motion the application. The Commission may impose necessary conditions and safeguards in conjunction with their recommendation.

**Review and Decision by the City Council.** The City Council shall review the application after the Planning Commission has made its recommendation. The City Council is the only body with the authority to make a final determination and either approve or deny the application for minor subdivision.

This application must be signed by ALL owners of the subject property or an explanation given why this not the case.

We, the undersigned, have read and understand the above.

<div>Authentisign</div> <div>William G. David</div> <div>12/21/2016 4:26:54 PM CST</div>	<div>12/21/2016</div> <div>Date</div>
<div>Authentisign</div> <div><i>[Signature]</i></div> <div>12/21/2016 9:28:32 AM CST</div>	<div>12/21/2016</div> <div>Date</div>

Additional Contact:  
Kelly Hudick (Agent for John Moore)  
Marathon Realty  
612-382-6402  
khudick@marathon-realty.com

Authentisign

Kelly Hudick

12/21/2016 9:28:32 AM CST



**Minor Subdivision Application—Supplemental information**

**Description of Request (Narrative):**

Owner John Moore wishes to sell approximately 4 acres along the entire western border of his current parcel to neighbors William and Laura David (denoted as “Proposed Parcel 1” on the site plan), and the residual 10 acres with house will be sold to a different buyer named William Bernard (“Proposed Parcel 2”). Both transactions are currently under contract.

Functionally, this is a lot line adjustment between neighbors, but the Davids want to keep the proposed parcel a separate PID for tax purposes so it requires a minor subdivision application. Splitting the lot and selling the parcels to two separate buyers allows Mr. Moore to obtain the maximum value for his property that he could not otherwise obtain in a single transaction.

The Davids’ intended use of Proposed Parcel 1 is, at some point in the future, to join Proposed Parcel 1 together with their two current parcels (“William David Existing Parcel” and “William David Additional Parcel”). Combined with the density pickup from the Gateway Trail acreage, this will provide the Davids with an additional building credit.

Proposed Parcel 1 is not buildable (see existing site conditions below) and the Davids do not intend to ever build any structures on Proposed Parcel 1. The additional building credit would be used to build an outbuilding on their current parcel at 9131 Keswick Ave.

Because the proposed parcel will not conform to the City of Grant’s requirements, the parties agree to memorialize this understanding in a Development Agreement that will be recorded against all involved properties.

**Existing Site Conditions:**

Proposed Parcel 1 is raw land consisting mostly of woods, swamp, and a pond. The Gateway Trail scenic easement runs along the entire western border. There is a roadway easement (State Highway 96) running through the southern portion. There is a pond in part of the northern portion. See site plan for graphical representation of these features.

**Statement acknowledging that we have contacted other governmental agencies:**

Per the surveyor (Dan Thurmes at Cornerstone), there are roadway and scenic easements on the parcels along with wetlands but because we will not be disturbing any land, the watershed district “should not have any say” in the lot split. Regardless, we will reach out to both the Minnesota DNR and watershed districts to confirm there are no approvals or necessary permits required.

[ WGD ]

[  ]

[ KH ]

## SUBDIVISIONS

include a storm sewer system or a system of open ditches, culverts, pipes, catchbasins and ponding areas, or both systems. Such facilities and easements shall be installed as will adequately provide for the drainage of surface waters. Drainageway easements or land dedication may be required when such easements or land is needed in the public interest for purposes of floodplain management, proper drainage, prevention of erosion, pedestrian access to water bodies, or other public purposes. If there is a watershed district or water management organization, that board must approve all surface water drainage.

(b) *Easements.*

- (1) Easements at least 20 feet wide, centered on rear and other lot lines as required, shall be provided for utilities where necessary. Where underground utilities are being installed, a ten-foot-wide front or side yard easement may be required. These easements shall be dedicated on the plat.
- (2) Easements shall be provided along each side of the centerline of any watercourse or drainage channel, whether or not shown on the comprehensive plan, to a width sufficient to allow for maintenance and to provide for stormwater runoff and installation and maintenance of storm sewers.

(3) Utility and drainage easements shall be dedicated for the required use.

(Ord. No. 1996-01, § 705, 10-22-1996)

### **Sec. 30-169. Street signs.**

All street signs shall be provided and installed by the city at the expense of the subdivider.

(Ord. No. 1996-01, § 706, 10-22-1996)

### **Sec. 30-170. Utilities location.**

When practicable and feasible, all utilities shall be placed underground and completed prior to street surfacing. All utility lines for telephone and electrical service shall be placed in rear line easements when carried on overhead poles.

(Ord. No. 1996-01, § 707, 10-22-1996)

### **Sec. 30-171. Inspection.**

All required improvements shall be inspected by the engineer during construction at the expense of the subdivider.

(Ord. No. 1996-01, § 708, 10-22-1996)

### **Sec. 30-172 Erosion and sediment control plans.**

(a) *Applicability.* Construction activity that results in land disturbance of equal to or greater than one acre or a common plan of development or sale that disturbs one acre will be required to submit an erosion and sediment control plan to the city prior to construction. All construction sites regardless of size will be required to provide and maintain minimum erosion control measures during construction.

(b) *General criteria.* Projects requiring an erosion and sediment control plan shall include the following criteria:

- (1) Erosion Control
- (2) Sediment Control
- (3) Temporary Sediment Basins
- (4) Dewatering and Basin Draining
- (5) Inspection and Maintenance
- (6) Pollution Management Measures/Construction Site Waste Control

- (7) Final Stabilization
- (8) Training
- (c) *Specifications.* All erosion and sediment control plans shall meet the specifications set forth in the city's Engineering Design Guidelines, the NPDES Construction Stormwater Permit and applicable Watershed District Rules.

**Sec. 30-173. Stormwater management plans.**

- (a) *Applicability.* All projects either creating or disturbing one acre or greater of new impervious will require the submittal of a stormwater management plan to the city prior to construction.
- (b) *General criteria.* At a minimum, the stormwater management plan shall meet the criteria as described in the city's Engineering Design Guidelines, the NPDES Construction Stormwater Permit, and applicable Watershed District Rules.
- (c) *Specifications.* Unless determined by the City to be exempt or granted a waiver, all site designs shall establish storm water management facilities to control the peak flow rates and pollutants of stormwater discharge associated with specified design storms and runoff volumes, as detailed in the city's Engineering Design Guidelines, the NPDES Construction Stormwater Permit, and applicable Watershed District Rules.
- (d) *Maintenance Agreement.* All permanent stormwater management facilities must provide a maintenance agreement with the City that documents all responsibilities for operation and maintenance of long-term stormwater management facilities. Such responsibility shall be documented in a maintenance plan and executed through a maintenance agreement. All maintenance agreements must be approved by the City and recorded at Washington County recorder's office prior to final plan approval. At a minimum, the maintenance agreement shall describe the inspection and maintenance obligations:
  - (1) The responsible party who is permanently responsible for inspection and maintenance of the structural and nonstructural measures.
  - (2) Pass responsibilities for such maintenance to successors in title
  - (3) Allow the City and its representatives the right of entry for the purposes of inspecting all permanent stormwater management systems.
  - (4) Allow the City the right to repair and maintain the facility, if necessary maintenance is not performed after proper and reasonable notice to the responsible party of the permanent stormwater management system.
  - (5) Include a maintenance plan that contains, but is not limited to the following:
    - a. Identification of all structural permanent stormwater management systems
    - b. A schedule for regular inspections, monitoring, and maintenance for each practice. Monitoring shall verify whether the practice is functioning as designed and may include, but is not limited to quality, temperature, and quantity of runoff.
    - c. Identification of the responsible party for conducting the inspection, monitoring and maintenance for each practice.
    - d. Include a schedule and format for reporting compliance with the maintenance agreement to the City.
    - e. Right of Entry. The issuance of a permit constitutes a right-of-entry for the community or its contractor to enter upon the construction site. The applicant shall allow the community and their authorized representatives, upon presentation of

SUBDIVISIONS

credentials, to:

- i. Enter upon the permitted site for the purpose of obtaining information, examination of records, conducting investigations or surveys.
- ii. Bring such equipment upon the permitted development as is necessary to conduct such surveys and investigations.
- iii. Examine and copy any books, papers, records, or memoranda pertaining to activities or records required to be kept under the terms and conditions of the permit.
- iv. Inspect the stormwater pollution control measures.
- v. Sample and monitor any items or activities pertaining to stormwater pollution control measures.
- vi. Correct deficiencies in stormwater and erosion and sediment control measures.

Secs. 30-174--30-193. Reserved.

ARTICLE V.

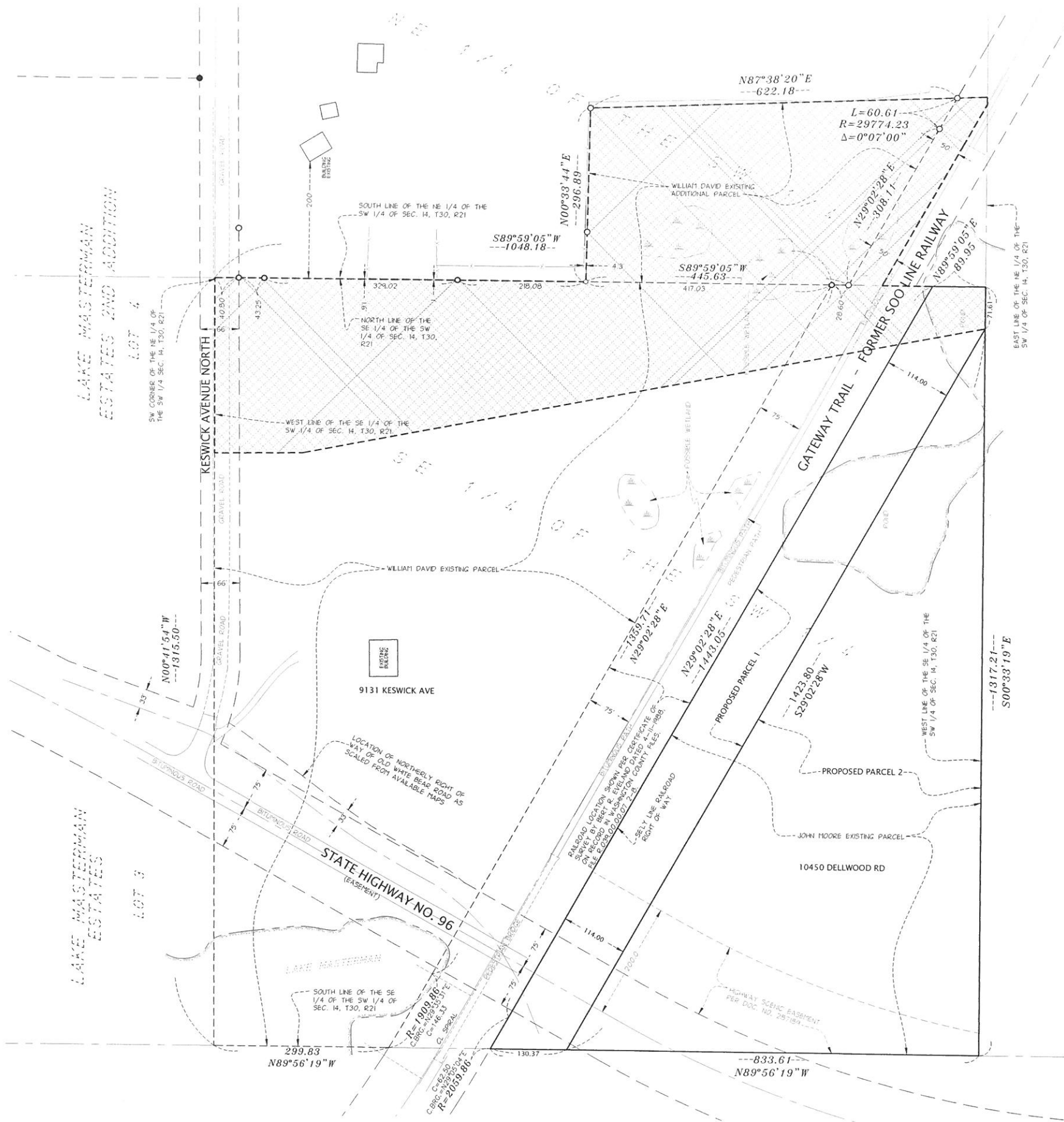
REQUIRED IMPROVEMENTS AND FINANCIAL ARRANGEMENTS

Sec. 30-194. Improvements required.

Prior to the approval of a plat by the city council, the subdivider shall have agreed, in the manner set forth below, to install, in conformity with approved construction plans and in conformity with all applicable standards and ordinances, the following improvements on the site:

- (1) *Survey monuments.* All subdivision boundary corners, block and lot corners, road intersection corners and points of tangency and curvature shall be marked with survey monuments meeting the minimum requirements of state law. All U.S., state, county and other official benchmarks, monuments or triangulation stations in or adjacent to the property shall be preserved in precise position unless a relocation is approved by the controlling agency.
- (2) *Grading.* The full width of the right-of-way of each street and alley dedicated in the plat shall be graded.
- (3) *Pavement.* All streets and alleys shall be improved with concrete or bituminous surface except as may be approved by action of the city council.
- (4) *Curb and gutter.* Local roadway sections shall be in accordance with city standards. The city roadway standard is a rural section 28 feet wide with 22 feet of bituminous pavement surface. Curb and gutter may be included at the discretion of the city as part of the required street surface improvement and shall thus be designed for installation along both sides of all roadways for urban design.
- (5) *Drainage facilities.* Such facilities and easements shall be installed as will adequately provide for the drainage of surface waters; a storm sewer system may be required. Drainageway easements or land dedication may be required when such easements or land is needed in the public interest for purposes of floodplain management, proper drainage, prevention of erosion, pedestrian access to water bodies, or other public purpose. If there is a watershed district or water management organization, that board must approve all surface water drainage.
- (6) *Miscellaneous facilities.* Tree planting, street name signs, traffic control signs, oversized utility trunk lines, pedestrian ways, and other improvements may be required.





#### EXISTING LEGAL DESCRIPTIONS:

WILLIAM DAVID EXISTING PARCEL (9131 KESWICK AVE N., PID:1403021340003) :

The following legal description is as shown on Washington County, Minnesota Warranty Deed per Document Number 952408:

All that part of the Southeast 1/4 of the Southwest 1/4 (SE1/4 of SW1/4) of Section 14, Township 30 North, Range 21 West, lying West of the right of way of the Soo-Line Railway Company, Washington County, Minnesota.

WILLIAM DAVID EXISTING ADDITIONAL PARCEL:

The following legal description is as shown on Washington County, Minnesota Warranty Deed per Document Number 3673947:

That part of the Northeast Quarter of the Southwest Quarter of Section 14, Township 30 North, Range 21 West, Washington County, Minnesota, described as follows:

COMMENCING at the southwest corner of said Northeast Quarter of the Southwest Quarter; thence on an assumed bearing of North 89 degrees 59 minutes 05 seconds East a distance of 631.15 feet; thence North 00 degrees 33 minutes 44 seconds East a distance of 296.89 feet; thence North 87 degrees 38 minutes 20 seconds East a distance of 622.18 feet more or less to the westerly right of way line of the former Soo Line Railroad also known as the Gateway Trail; thence southwesterly along said westerly right of way line to the south line of said Northeast Quarter of the Southwest Quarter; thence westerly along said south line to the point of BEGINNING. Subject to Keswick Avenue along the west line thereof.

JOHN MOORE EXISTING PARCEL (10450 DELLWOOD RD N, PID:1403021340001) :

The following legal description is as shown on Washington County, Minnesota Warranty Deed per Document Number 3611784:

The Southeast Quarter of the Southwest Quarter of Section 14, Township 30 North, Range 21 West, excepting railroad right of way also excepting therefrom that part thereof lying Westerly of said railroad right of way.

#### EXISTING AREAS:

WILLIAM DAVID EXISTING PARCEL (9131 KESWICK AVE N., PID:1403021340003):

TOTAL AREA = 20.4 ACRES, MORE OR LESS  
AREA OF ROADS (HIGHWAY 96 AND KESWICK AVE) = 2.4 ACRES, MORE OR LESS

WILLIAM DAVID EXISTING ADDITIONAL PARCEL:

TOTAL AREA = 3.8 ACRES, MORE OR LESS

JOHN MOORE EXISTING PARCEL (10450 DELLWOOD RD N, PID:1403021340001):

TOTAL AREA = 14.0 ACRES, MORE OR LESS  
AREA OF STATE HIGHWAY 96 EASEMENT = 1.0 ACRE, MORE OR LESS  
AREA OF HIGHWAY SCENIC EASEMENT = 1.8 ACRES, MORE OR LESS

#### PROPOSED LEGAL DESCRIPTIONS:

PROPOSED PARCEL 1 (TO BE DEEDED TO WILLIAM DAVID FROM JOHN MOORE):

That part of the Southeast Quarter of the Southwest Quarter of Section 14, Township 30 North, Range 21 West, lying southeasterly of the southeasterly line of the railroad right of way described as follows:

A 114.00 foot wide strip of land, as measured at right angles to the southeasterly right of way line of the railroad right of way, lying adjacent to and southeasterly of the southeasterly right of way line of said railroad.

Washington County, Minnesota

PROPOSED PARCEL 2 (RESIDUE OF JOHN MOORE PARCEL):

That part of the Southeast Quarter of the Southwest Quarter of Section 14, Township 30 North, Range 21 West, lying southeasterly of the following described strip of land:

A 114.00 foot wide strip of land, as measured at right angles to the southeasterly right of way line of the railroad right of way, lying adjacent to and southeasterly of the southeasterly right of way line of said railroad.

Washington County, Minnesota

#### PROPOSED AREAS:

PROPOSED PARCEL 1 (TO BE DEEDED TO WILLIAM DAVID FROM JOHN MOORE):

TOTAL AREA = 3.9 ACRES, MORE OR LESS

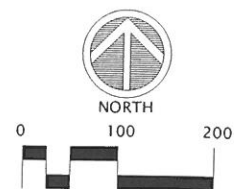
PROPOSED PARCEL 2 (RESIDUE OF EXISTING JOHN MOORE PARCEL):

TOTAL AREA = 10.1 ACRES, MORE OR LESS

#### PROPOSED FUTURE PARCEL:

A PROPOSED FUTURE PARCEL BEING 10 ACRES, MORE OR LESS, INCLUDING RAILROAD RIGHT OF WAY NOT OWNED IN FEE TITLE BY WILLIAM DAVID

 DENOTES PROPOSED FUTURE PARCEL



#### CONTACT:

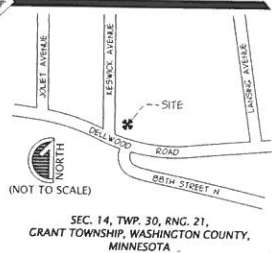
BILL DAVID  
612-590-1110  
bldavid@visi.com

#### COUNTY/CITY:

WASHINGTON  
COUNTY

GRANT  
TOWNSHIP

#### VICINITY MAP




#### REVISIONS:

DATE	REVISION
12-16-16	INITIAL ISSUE

#### CERTIFICATION:

I hereby certify that this plan was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

  
Daniel L. Thurmes Registration Number: 125718  
Date: 12-16-16

#### PROJECT LOCATION:

9131  
KESWICK AVE N  
PID#1403021340003  
PID#1403021310008

10450  
DELLWOOD RD N  
PID#1403021340001

Suite #1  
6750 Stillwater Blvd. N.  
Stillwater, MN 55082  
Phone 651.275.8969  
Fax 651.275.8976  
dan@  
cssurvey  
.net

CORNERSTONE  
LAND SURVEYING, INC.

FILE NAME 4south-SURVZZ172  
PROJECT NO. ZZ07172

PARCEL LINE  
ADJUSTMENT





STAFF REPORT

TO:

Members of the Planning Commission  
Kim Points, City Clerk

Date:

January 7, 2017

RE:

Application for Minor Subdivision  
10450 Dellwood Road

CC:

Nick Vivian, City Attorney

From:

Jennifer Haskamp, Consulting City Planner

Background

The Applicant, William (Bill) David, with the Owner, John Moore, are proposing a minor subdivision of the property located at 10450 Dellwood Road. The Owner has agreed to sell approximately four (4) acres of the subject property to the Applicant who owns the adjacent property located at 9131 Keswick Avenue. To effectuate the sale, a minor subdivision is necessary so that the 4-acre parcel can be legally described and transferred/deeded to the Applicant.

On December 20, 2016, a pre-application meeting was held with the Applicant and the Owner where they explained their desired objectives related to the subdivision. During that meeting, the Applicant explained that he would like to purchase approximately 4-acres of property from the Owner, but would like the parcel to retain its own property identification number for tax purposes. The Applicant also explained that at some point in the future he may wish to the subdivide his property, but at this time that is not his objective. He also stated that there would be no proposed construction associated with this subdivision request. Staff indicated to the Applicant and Owner that to achieve their objectives a minor subdivision of the property would be necessary, and that a Development Agreement would be required to ensure that the created parcel is recorded as unbuildable and that for purposes of zoning and land use the created parcel must be considered concurrently with the property at 9131 Keswick Avenue.

A duly noticed public hearing has been published for January 17, 2017 at 7:00 P.M., and letters were sent to property owners within ¼-mile of the requested subdivision.

Project Summary

Owner: John Moore	PID: 1403021340001 (Moore Parcel – to be subdivided) Road ROW (Dellwood Rd.)	14.0 Acres 1.0 Acres
Applicant: Bill David	PID: 1403021340003 (David Parcel – Principal Structure) PID: 1403021310008 (David Parcel – Vacant) PID: 1403021340002 (DNR Parcel – Gateway Trail) Road ROW (Keswick & Dellwood Rd.)	20.4 Acres 3.8 Acres 5.19 Acres 2.4 Acres
Address:	10450 Dellwood Road	



Zoning & Land Use:	A-2
Request:	Minor subdivision of PID 1403021340001 to allow approximately 4-acres to be deeded from Owner to Applicant

The Applicant would like to achieve the following objectives through the minor subdivision process:

- Purchase Proposed Parcel 1 from the Owner (See Exhibit 2: Parcel Line Adjustment dated 12/16/2016).
- Acquire a new Property Identification Number (PID) for Proposed Parcel 1, and retain as separate parcel.
- Allow for all three PIDs owned by the Applicant (1403021340003, 1403021310008 and created for Parcel 1) to be considered as one parcel for purposes of zoning and land use decisions.

**Review Criteria**

The City’s subdivision ordinance allows for minor subdivisions and lot line adjustments as defined in Section 30-9 and 30-10. Since the Applicant is proposing to maintain Proposed Parcel 1 as an independent parcel rather than combine it with his existing property the process does not fit the strict definition of a lot line rearrangement, and therefore it is reasonable for the request to be considered by the Planning Commission.

The sections of the code that relate to dimensional standards and other zoning considerations are provided for your reference:  
      Secs. 32-246

**Existing Site Conditions**

PID 1403021340001 (Moore Parcel)

The existing property is approximately 14.0 acres and is trapezoidal in shape. The property has frontage on Dellwood Road which crosses the southwestern corner of the parcel. However, the driveway which serves the property crosses the adjacent southerly property providing access to the existing home and accessory buildings, which is likely secured through a private driveway/access easement between the two properties. There is an existing home on the property, as well as two small accessory buildings which total approximately 920 square feet. The existing home is setback approximately 285-feet from Dellwood Road, approximately 442-feet from the westerly property line (Gateway Trail), 1,100-feet from the rear property line and 175-feet from the easterly property line. The accessory buildings are located approximately 47-feet west of the existing home, and are setback a minimum of 165-feet from Dellwood Road.

The property is heavily vegetated and screens the existing home and accessory buildings from Dellwood Road. Based on the City’s available GIS information there appears to be extensive wetlands present on the property. There appears to be a large wetland complex directly west of the existing home and accessory buildings which extends to the Gateway Trail easement/ROW area. Additionally, there is a large wetland area/pond on the northeastern corner of the property.

PID 1403021340003 and 1403021310008 (David Parcels)



The principal structure and accessory building are currently located on PID 1403021340003 which is approximately 20.4 acres in size. The parcel is trapezoidal in shape, and is crossed by Dellwood Road on the south and is bordered by Keswick Avenue North on the westerly boundary. The roadways are right-of-way easements and currently contain approximately 2.4 acres of land. The existing principal structure is setback approximately 68-feet from Keswick Avenue N., and 290-feet from Dellwood Road. There is an existing accessory building on the property which is approximately 3,275-SF based on the GIS aerial and is setback approximately 230-feet from Keswick Avenue N., and 280-feet from Dellwood Road. The site is heavily vegetated and based on the City’s available GIS data there does not appear to be any wetlands on the parcel. PID 1403021310008 is approximately 3.8 acres and is vacant. The site contains minimal vegetation and does appear to have a small wetland present. There are no structures on this parcel.

PID 1403021340002 (Gateway Trail)

The Gateway Trail currently forms the northeasterly property line of the Moore parcel and the southeasterly property line of the David’s parcel which contains their principal residence. The Gateway Trail is the former Soo Line Railroad right-of-way and now contains the regional/state trail. The parcel is approximately 150-feet wide in this location.

**Comprehensive Plan Review**

The adopted comprehensive plan sets a maximum density of 1 unit per 10 acres in the A-2 land use designation. The proposed minor subdivision/lot line rearrangement meets the density requirements with the objectives as proposed, as it does not create any new buildable lots. However, it should be noted that the **Applicant has identified an area on the survey which is designated as “PROPOSED FUTURE PARCEL”, and since there is not a subdivision proposed as it relates to that area, this analysis does not consider or evaluate the potential density available to that parcel.** Review of that parcel will be subject to a future subdivision application, if and when, the Applicant desires to further subdivide the property.

**Zoning/Site Review**

Dimensional Standards

The following site and zoning requirements in the A-2 district are defined 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 (Keswick, Dellwood)	65’, 150’
Side Yard Setback (Interior)	20’
Rear Yard Setback	50’
Maximum Height	35’



#### Lot Area and Lot Width

The proposed subdivision creates Proposed Parcel 1 which is an approximately 114-foot strip of land running adjacent to the Gateway Trail property. The Applicant is proposing to maintain Proposed Parcel 1 as an individual PID, but is proposing that such parcel will be included or 'combined' with PID 1403021340003 for purposes of zoning and land use considerations. Since the parcel is non-contiguous, it cannot be legally combined with the Applicant's adjacent parcel. Given the unique circumstances of the Gateway Trail, staff believes the request is reasonable even though the created parcel is substandard.

*Staff would recommend that a condition be included which specifically states that Proposed Parcel 1 is not buildable, and that for purposes of zoning and land use Proposed Parcel 1 must be considered concurrently with PID 1403021340003 and that the parcels cannot be sold independently of each other; this should also be stated within a Development Agreement.*

The survey submitted is attached as Figure 1, and is titled "Parcel Line Adjustment" dated 12/16/16. On the figure, there is an area identified as "PROPOSED FUTURE PARCEL" which includes portions of PID 1403021340003 and all of PID 1403021310008. This proposed parcel is not legally described, and the parcel area and dimensions are not provided. While it is helpful to know the future intentions of the Applicant, this review does not consider the proposed parcel or evaluate it for compliance with the City's Zoning Ordinance and dimensional standards because it is Staff's understanding that the Applicant is NOT requesting formal subdivision approval of this parcel. *Therefore, staff would recommend including a condition that specifically states that the area denoted as "PROPOSED FUTURE PARCEL" is not a legal parcel, and that this subdivision review process has not determined whether this area meets the current zoning or comprehensive plan standards. Any future subdivision of this area will be subject to rules and regulations in place at the time of the Application.*

#### Setbacks

Based on the submitted information, all setback requirements are met for the proposed lot line rearrangement and combination. However, as stated in previous sections, there is no determination of evaluation made with respect to the area denoted as "PROPOSED FUTURE PARCEL". *Staff would recommend a condition that states any future construction on any of the parcels will be subject to all ordinances in place at time of application including setbacks from lot lines and wetland areas.*

#### Accessory Structures

Based upon the Washington County aerials/GIS there appear to be two accessory buildings on the subject property. The rearrangement of the lot lines would result in the Proposed Lot 2 containing the existing home, a detached garage (680 SF) and a shed (240 SF). The total square footage of the garage and shed is approximately 920 SF, and it is unknown based upon the information submitted whether or not the existing home has an attached garage. (If not, the square footage of the detached garage may be exempted from the total square footage allowable on the lot up to 720 SF). Proposed Lot 1 contains no accessory or principal



structures. As indicated previously, for purposes of zoning and land use considerations, Proposed Lot 1 will be considered as part of PID 1403021340003. Currently, the parcel contains an existing home and one large accessory building which appears to be approximately 3,275 square feet.

At the time of this Application, the Applicant should be aware that Section 32-313 regulates the type, total square footage, and number of accessory buildings permitted on a parcel. The current ordinance regulations permit on parcels of size 9.6 to 14.99 acres no more than 4 accessory buildings with a total maximum combined square footage of 3,500 square feet; and parcels with 20 acres or more have no regulations. Currently, the parcels meet this standard; however, the lots will be subject to the standards and ordinances in place at the time any new accessory building is proposed. The Applicant and Owner should also be aware that at any time any future subdivision or construction is proposed that an updated survey which shows all of the accessory and principal structures will be required to verify and confirm square footages and to ensure compliance with lot standards. *Staff would recommend including a condition that all future subdivision, rearrangement, or construction on any of the parcels may require an updated survey indicating square footage of the accessory buildings to ensure compliance with ordinance standards.*

**Staff Recommendation & Conditions**

- Staff would recommend approval of the lot line rearrangement and combination with the following findings:
- Proposed Parcel 1 is permitted to obtain an individual PID after subdivision, and is not required to be combined with PID 1403021340003, because it is non-contiguous to PID 1403021340003 due to the existence of the Gateway Trail.
  - The proposed subdivision does not negatively impact the public health, safety or welfare of the adjacent neighborhood or larger community.
  - The proposed subdivision is consistent with the City’s adopted Comprehensive Plan.
  - The proposed subdivision does not create a new buildable lot, and does not propose an increase in density.
  - Portions of the minor subdivision code are not applicable because the created parcel is deemed non-buildable and will be considered as part of PID 1403021340003 for purposes of zoning and land use.

Staff would further recommend the following conditions be placed upon the proposed rearrangement and combination:

- Any future subdivision of the David Parcels (PID 1403021340003, 1403021310008 and Proposed Parcel 1) shall be subject to rules and regulations related to the zoning and subdivision entitlement at the time of Application.
- The Applicant shall be required to enter into a Development Agreement with the City that shall be recorded against the properties identified as PID 1403021340003, 1403021310008 and Proposed Parcel 1.



- The Development Agreement shall stipulate that this minor subdivision process does not ensure nor review the buildability or availability of the number of units which may be created at some future time on PIDs 1403021340003, 1403021310008 and Proposed Parcel 1.
- The Development Agreement shall clearly indicate that Proposed Parcel 1 is not buildable in its current configuration and is sub-standard based on currently adopted regulations.
- The Development Agreement shall clearly state that for purposes of zoning and land use review all three PIDs (1403021340003, 1403021310008 and Proposed Parcel 1) shall be considered as one. However, and future subdivision of these parcels shall require any newly create parcels to comply with all necessary zoning regulations in place at the time of application.
- The Applicant and/or Owner must submit the deeds reflecting the adjusted parcel boundaries for review and approval by the City Attorney.

#### **Action Needed**

Staff is requesting a recommendation from the Planning Commission reflecting one of the following options:

- Recommendation to the City Council of Approval with Draft Conditions and Findings
- Recommendation to the City Council of Denial with Findings
- Continue the discussion to the next available Planning Commission, and request additional information from the Applicant, if applicable

#### *Attachments:*

Exhibit A: Application and Narrative

Exhibit B: Parcel Line Adjustment, Survey Dated 12/16/2016

City of Grant  
P.O. Box 577  
Willemie, MN 55090



Phone: 651.426.3383  
Fax: 651.429.1998  
Email: clerk@cityofgrant.com

Application Date:	
Fee: \$400	Escrow: \$3,000

### CONDITIONAL USE PERMIT

Certain uses, while generally not suitable in a particular Zoning District, may, under certain circumstances be acceptable. When such circumstances exist, a Conditional Use Permit may be granted. Conditions may be applied to the issuance of the Permit and/or periodic review may be required. The Permit shall be granted for a particular use and not for a particular person or firm.

PARCEL IDENTIFICATION NO (PIN): 28.030.21.23.0001		ZONING DISTRICT & COMP PLAN LAND USE:
LEGAL DESCRIPTION: Section 28 Township 030 Range		LOT SIZE:
PROJECT ADDRESS: Mahtomedi High School 8000 75th Street Grant, MN	OWNER: Name: Mahtomedi Public Schools Address: 1520 Mahtomedi Avenue City, State: Mahtomedi, MN 55115 Phone: 651-407-2000 Email: paul.spakousky@ceso.us	APPLICANT (IF DIFFERENT THAN OWNER): Anderson-Johnson Associates 7575 Golden Valley Rd, #200 Minneapolis, MN 55427 763-544-7129
BRIEF DESCRIPTION OF REQUEST: Pavement reconstruction plan review and approval.		
EXISTING SITE CONDITIONS: Existing high school / middle school		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code section for a detailed description of required submittal documents, and subsequent process. 1. Division 5. Conditional Use Permits 32-141 through 157		

### Submittal Materials

The following materials must be submitted with your application in order to be considered complete. If you have any questions or concerns regarding the necessary materials please contact the City Planner.

AP – Applicant check list, CS – City Staff check list

AP	CS	MATERIALS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>Site Plan:</b> All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow</p> <ul style="list-style-type: none"><li>Property dimensions</li><li>Area in acres and square feet</li><li>Setbacks</li><li>Location of existing and proposed buildings (including footprint, and dimensions to lot lines)</li><li>Location of utilities</li><li>Location of well and septic systems on adjacent properties</li><li>Location of current and proposed curb cuts, driveways and access roads</li><li>Existing and proposed parking (if applicable)</li><li>Off-street loading areas (if applicable)</li><li>Existing and proposed sidewalks and trails</li><li>Sanitary sewer and water utility plans</li></ul> <p>COPIES: 4 plans at 22"x34", 20 plans at 11"x17"</p>



Application for: **CONDITIONAL USE PERMIT**  
City of Grant

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Grading/Landscape Plan:</b> All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow <ul style="list-style-type: none"><li>Grading Plan</li><li>Vegetation, landscaping, and screening plans including species and size of trees and shrubs</li><li>Wetland Delineation</li><li>Buildable area</li><li>Topographic contours at 2-foot intervals, bluff line (if applicable)</li><li>Waterbodies, Ordinary High Water Level and 100 year flood elevation</li><li>Finished grading and drainage plan sufficient to drain and dispose of all surface water accumulated</li></ul> COPIES: 4 plan sets 22"x34", 20 plan sets 11"x17"
<input type="checkbox"/>	<input type="checkbox"/>	<b>Architectural/Building Plan (if Applicable):</b> All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow <ul style="list-style-type: none"><li>Location of proposed buildings and their size including dimensions and total square footage</li><li>Proposed floor plans</li><li>Proposed elevations</li><li>Description of building use</li></ul> COPIES: 4 plan sets 22"x34", 20 plan sets 11"x17"
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Written Narrative Describing your request:</b> A written description of your request for the Conditional Use will be required to be submitted as a part of your application. The description must include the following: <ul style="list-style-type: none"><li>Description of operation or use</li><li>Number of employees (if applicable, if not state why)</li><li>Sewer and water flow/user rates (if applicable, if not state why)</li><li>Any soil limitations for the intended use, and plan indicating conservation/BMP's</li><li>Hours of operation, including days and times (if applicable)</li><li>Describe how you believe the requested conditional use fits the City's comprehensive plan</li></ul> COPIES: 20
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County departments, State agencies, or others that may have authority over your property for approvals and necessary permits.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and address of property owners within ¼ mile (1,320 feet).
<input type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$400
<input type="checkbox"/>	<input type="checkbox"/>	Escrow Paid: \$3,000
MATERIALS THAT MAY BE REQUIRED UPON THE REQUEST OF THE CITY PLANNER		
<input type="checkbox"/>	<input type="checkbox"/>	<b>Survey of the property:</b> An official survey, by a licensed surveyor, must be submitted with the application. The survey shall be scalable and in an 11" x 17" or 8 ½" x 11" format.
<input type="checkbox"/>	<input type="checkbox"/>	Electronic copy of all submittal documents

This application must be signed by ALL owners of the subject property or an explanation given why this not the case.

We, the undersigned, have read and understand the above.

J. Lane 11-14-16  
Signature of Applicant Date  
Rachel Mader 11/21/16  
Signature of Owner (if different than applicant) Date



City of Grant  
Conditional Use Permit  
Request Narrative

#### Mahtomedi High School Pavement Reconstruction

ISD 832 is requesting a Conditional Use Permit from the City of Grant for Pavement reconstruction at 8000 75<sup>th</sup> St N. Mahtomedi MN 55115

The proposed improvements will have a positive impact on the access to the school site and provide a safe and convenient access for district residents. Many school and community programs use our school buildings daily. Our schools serve both the needs of the district, neighborhoods and the entire community. By doing these improvements we will create a better environment for all who use our schools.

Some of the entities and organizations that use this site on a regular basis are:

- Washington County Sheriff's Department as a Mass dispensing site
- Mahtomedi Fire Department
- Lego Robotics League
- Several Sports Clinics
- Local political parties
- Mahtomedi Hockey Association

The number of staff is 115, the number of students is 1,115

The normal hours of operation are 8:00am-2:30pm calendar school year

# DESIGN NARRATIVE

Mahtomedi Public Schools is proposing to do improvements on the parking lots and drives of Mahtomedi High School and Mahtomedi Middle School. The site is located in both Grant, Minnesota and Mahtomedi, Minnesota. This project is a continuation of this year's project in the west lot of the High School. Included in the work is redesigning the parking lot, drives and walks around both the high school and middle school. The entrance of the new west lot of the high school will also be closed to the county road with a new through drive being installed. With changes being done to work completed this year, it was determined to combine this year's and next year's projects as one for calculations. The project is planned for construction during the summer of 2017 and completed by the start of school in the fall of 2017. This design narrative will address each of the design aspects related to storm water management as required by the Rice Creek Watershed District.

## BASIS FOR DESIGN

There will be 9.411 acres of reconstructed impervious surface and 0.623 acres of new impervious surface for a total of 10.034 acres of new and disturbed impervious surface.

Rate control is required for the 2, 10 and 100 year storm events, and the proposed runoff rate shall not exceed the existing runoff rate for these events. For water quality treatment, the stormwater report shall provide the abstraction of the first 1.1 inch of runoff from the sites new and reconstructed impervious area divided by the TP Removal Factor of 0.5. Additionally 85 percent of the new and disturbed impervious surface must be treated.

## RATE CONTROL

Rate control has been accomplished using underground storage systems under the proposed parking lots. Proposed rates of runoff do not exceed existing rates of runoff for the 2, 10 and 100 year storm events.

## WATER QUALITY TREATMENT

Volume control is accomplished using underground storage systems under the proposed parking lots. This system was chosen due to the wetlands around the site. It was placed where soil boring indicated clay soils. Due to the soils, a daintile will be placed under the system with 1 foot of sand covering it, and it will be treated as filtration.

The three underground systems treat 8.604 acres of impervious surface. This is more than the 8.529 acres required to be trated.



STAFF REPORT

**To:**  
Planning Commission Members  
Kim Points, City Clerk

**Date:** January 9, 2017

**From:**  
Jennifer Haskamp  
Consulting City Planner

**RE:** Application for a Conditional Use Permit (CUP) for Land Alteration related to Reconstruction of parking lots and drives on Mahtomedi School Camps

Summary of Request & Background

The Applicant, Anderson-Johnson Associates, on behalf of the Owner, Mahtomedi Public Schools, is requesting a Conditional Use Permit (CUP) for land disturbance activities associated with improvements to the parking lots and drives located at the Mahtomedi High School and Mahtomedi Middle School (“School Campus”). Most of the proposed improvements are located within the City of Grant, however, some of the improvements extend into the City of Mahtomedi as demonstrated by the submitted Plan Set (Exhibit B). The improvements in Mahtomedi will be reviewed by the City of Mahtomedi and will be subject to their rules and regulations with respect to permitting and approvals. The operations of the High School, Middle School, and associated athletic facilities located in the City of Grant are governed by existing CUPs that will remain in effect, and will not be altered and/or modified by this process. The Applicant has applied for a new CUP to simplify the review process and to focus the discussion on the proposed improvements, which are grading and/or land disturbance activities and pavement reconstruction.

Public Hearing & Notice

A duly noticed public hearing was published for January 17, 2017 at the Planning Commission’s regular meeting, and letters were mailed to property owners within ¼-mile of the subject project informing them of the application request and public hearing.

Project Summary

Applicant: Anderson-Johnson Associates	Site Size: 69.68 Acres (Total)
Owner: Mahtomedi Public Schools	Request: Conditional Use Permit (CUP)
Zoning & Land Use: A-1 & A-2	PIDs: 2803021230001 (39.68 Acres) 2803021240002 (30 Acres)
Address: 8000 75 <sup>th</sup> Street N	

The Applicant is applying for a CUP to allow for improvements to the drives and parking lots at the High School and the Middle School. The existing CUPs for the High School and Middle School were done many years ago when the facilities were first constructed, and primarily address operations of the facilities rather than site development activities. While the permits are still valid with respect to the school operations, they



do not adequately address the proposed reconstruction and other land disturbance activities associated with the project. As a result, a new CUP is necessary to allow the Owner and Applicant to perform these improvements. The purpose of this review process is not to review the existing CUPs, rather it is intended to focus specifically on the grading and land disturbance activities as required by the City's Ordinances. The following summary of the request, and items to be reviewed and considered by the Planning Commission, is itemized as the following:

- The reconfiguration project will include moving the west parking lot access on CR-12, and modifying the drives internal to the site near the High School and Middle School.
- The proposed project includes approximately 9.4 acres of reconstructed impervious surface, and 0.6 acres of new impervious surface, for a total of approximately 10 acres of new and disturbed impervious surface on the project site (includes all activity associated with the project in both Mahtomedi and Grant, however, the majority of work is in the City of Grant).
- The proposed project includes the installation of underground stormwater storage to manage surface water generated as result of the impervious surface coverage (the rules in place today differ significantly from the regulations that were in place at the time the facilities were initially constructed.)

**Review Criteria**

According to the City Code, Conditional Use Permits are subject to the process and review criteria stated in City Code Section 32-152. The City Code further states the following for consideration when reviewing a Conditional Use Permit (32-141):

- “(d) In determining whether or not a conditional use may be allowed, the City will consider the nature of the nearby lands or buildings, the effect upon traffic into and from the premises and on adjoining roads, and all other relevant factors as the City shall deem reasonable prerequisite of consideration in determining the effect of the use on the general welfare, public health and safety.”
- (e) If a use is deemed suitable, reasonable conditions may be applied to issuance of a conditional use permit, and a periodic review of said permit may be required.”

However, since the High School and Middle School uses are already permitted through their respective CUPs, the analysis of this CUP should be focused on the Land Disturbance activity proposed, and should be reviewed in consideration of Sections 32-172 and 32-173 (attached for your reference).

**Existing Site Conditions**

PID 2803021230001 contains the existing High School, Middle School, access drives and parking lots. There are several wetland areas on the site that were delineated previously and are identified on the attached



Plan Set dated 11/8/2016 (Exhibit B). The site includes extensive vegetation on the southeast corner of the property which helps screen portions of the school facilities from CR-12.

PID 2803021240002 is developed with athletic fields, access drives and parking lots. There are intermittent wetlands on the site that were previously delineated and are identified on the attached Plan Set dated 11/8/2016. The site is sparsely vegetated with some intermittent trees on the northern property line.

**Comprehensive Plan Review**

The site is guided A-1 and A-2. The Comprehensive Plan states that limited public/semi-public uses within this land use guiding is appropriate. The proposed project does not alter the use of the property, and does not intensify the School Campus uses. The proposed reconstruction project will improve the stormwater runoff and potentially may improve the water quality leaving the site due to improved stormwater management practices and rules that have been adopted since the initial School Campus was developed. The current regulations will govern the reconstruction project, and will be implemented as part of the project.

**Zoning/Site Review**

The City’s Zoning Code section, 32-143 states, “Land disturbing activities that disturb 5,000 cubic yards or greater will require a conditional use permit. Application for a grading permit and a conditional use permit shall require the submittal of an erosion and sediment control plan, and stormwater management plan. Erosion and sediment control and stormwater management standards shall comply with the City’s Engineering Design Guidelines, and those standards identified in Section 30-172 and 30-173 contained with this Subdivision code.” Since the proposed reconstruction project will disturb in excess of 5,000 cubic-yards the Owner is required to submit this application for a CUP.

The proposed project does not change the uses on site, so the analysis is focused on compliance with Section 30-172 and 30-173 as required in the City Code. The City Engineer conducted this review, and his comments and recommendations can be found in Exhibit D.

**Dimensional Standards**

In addition to the City Engineer’s comments, the following dimensional standards related to the reconstruction project are relevant and considered. The following site and zoning requirements in the A-1 and A-2 district regulate the site and proposed project (no dimensional standard analysis was completed for the existing facilities since no changes are proposed):

Dimension	Standard
Lot Size	5 acres
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')



Setbacks & Access:	<p>As demonstrated on the Plan Set (Exhibit B), the reconstruction activities include realignment of some of the internal drives and reconfiguration of existing parking lots. Staff has reviewed the Plan Set submitted and the closest drive to a property line is setback approximately 10-feet, and the closest parking lot is setback approximately 50-feet from any property line. <i>As proposed, all improvements and reconstruction meet and or exceed the City's setback requirements.</i></p> <p>The Applicant's narrative in the Stormwater Management Plan states that the entrance into the Middle and High School from CR-12 will be moved as part of this project. The Applicant has stated that they are working with Washington County on the design and location of the new access location. <i>Staff would recommend including a condition that the Applicant/Owner will be required to secure all necessary access permits from Washington County prior to any grading permit being issued by the City.</i></p>
Parking Lot (Location & Spaces):	<p>While not explicitly stated within the narrative, staff assumes that the parking lot(s) reconfiguration and reconstruction will result in an adequate number of parking stalls to serve the existing High School, Middle School and associated athletic facilities. While the number of parking stalls is not directly related to land disturbance activities, it is the responsibility of the Applicant and/or Owner to ensure compliance with the existing CUPs with respect to the number of parking spaces available. <i>Staff would recommend including a condition that states the number of parking stalls must be regulated in compliance with the existing CUPs.</i></p>
Driveway/Circulation:	<p>One of the objectives of this reconstruction project is to improve the internal circulation and drives on the High School and Middle School campus. The most significant reconfiguration occurs at the access to the parking lot located to the northeast of the High School which is demonstrated by comparing Sheet C1.1 with C2.1. <i>This modification is internal to the site and appears to improve the access/safety on the site particularly in and around the High School.</i></p>
Stormwater/Erosion Control	<p>The City's Zoning and Subdivision Ordinance both require that the Applicant submit a stormwater management plan and erosion control plan. The Stormwater Management Plan was submitted and reviewed by the City Engineer. It is important to note that stormwater management regulations have changed significantly since the original High School and Middle School campus, including parking lots and drives, were constructed. Because of the reconstruction, the Applicant/Owner must now meet current standards that will likely improve the stormwater and surface water leaving the site as opposed to the existing conditions</p>



(must now meet rate, quality and volume control measures as regulated by Rice Creek Watershed District). For example, the Applicant/Owner is proposing to install underground water storage facilities to help with rate and volume control, and these facilities are not currently present on the site. *Staff believes that these improvements will likely improve the water quality, however, proper steps to mitigate any potential environmental issues must be considered as stated within the City Engineer's memo (i.e. must have a contingency remediation plan where excavation depths reach below the existing roadway or parking lot pavement sections.)*

#### **Engineering Standards**

The City Engineer has provided a memo reviewing the Applicant's submittal regarding Stormwater and Erosion Control, specifically addressing Sections 30-172 and 30-173. Staff would recommend including a condition that the Applicant/Owner must meet all conditions as stated within the City Engineer's memo dated January 4, 2017.

#### **Other Agency Review**

The proposed project is located within the Rice Creek Watershed District (RCWD), and the Applicant is required to obtain any necessary permits or approvals from them prior to beginning any site work. Additionally, with the modified access onto CR-12 appropriate access permits (if necessary) must be obtained from Washington County. As noted by the City Engineer, a Right-of-Way permit from Washington County for work adjacent to CSAH 12 will also be necessary.

#### **Draft Conditions**

The following draft recommendations and findings are provided for your consideration and discussion. The following can be modified, deleted, added to, etc., depending on the public testimony and discretion of the planning commission.

- The Applicant shall update the Plan Set, as necessary, and provide all additional requested information as identified in the City Engineer's staff report dated January 4, 2017.
- A grading permit shall be acquired prior to commencement of work on site.
- All necessary permits from the RCWD shall be obtained prior to the City issuing any grading permit.
- An access permit, if necessary, shall be obtained from Washington County prior to any site work commencing.
- The number of parking stalls after construction shall be consistent with the number of parking stalls required in all governing CUPs for the High School, Middle School and Athletic fields affecting the property.





- All necessary permits shall be obtained from Washington County, MPCA, Minnesota Department of Health, Brown's Creek Watershed District and any other entity having authority of the site work.

**Action requested:**

Staff is requesting a recommendation from the Planning Commission reflecting one of the following options:

- Recommendation to the City Council of Approval with Draft Conditions and Findings
- Recommendation to the City Council of Denial with Findings
- Continue the discussion to the next available Planning Commission, and request additional information from the Applicant, if applicable

If the Planning Commission recommends Approval, the following draft Findings are provided for your consideration:

- The proposed land alteration activities do not change or modify the existing use on the site for a school campus and conforms to the City's Comprehensive Plan.
- Land Disturbance exceeding 5,000 cubic-yards is a conditionally permitted user per the City's zoning code.
- The proposed land disturbance activities will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood.
- The proposed land disturbance activities are compatible with the existing school uses and will only be temporary while improvements occur.
- The proposed land disturbance meets the conditions or standards adopted by the city through resolutions or other ordinances.
- The proposed land disturbance will not create additional requirements for facilities and services at public cost beyond the city's normal low-density residential and agricultural uses.

***Attachments***

Exhibit A: Applicant's CUP Narrative and Application (including Design Narrative from Stormwater Management Report)

Exhibit B: Applicant's Plan Set



Exhibit C: City Code Sections 30-172 and 30-173

Exhibit D: City Engineer's Memo, January 4, 2017



Building a legacy – your legacy.

701 Xenia Avenue South  
Suite 300  
Minneapolis, MN 55416  
Tel: 763-541-4800  
Fax: 763-541-1700

## Memorandum

**To:** Jennifer Haskamp, City Planner

**From:** Brad Reifsteck, PE, City Engineer  
WSB & Associates, Inc.

**Date:** January 4, 2017

**Re:** 2017 Mahtomedi Public Schools Pavement Reconstruction Plan - Engineering Review

---

### Submittal:

Engineering review comments were generated from the following submittals:

- 2017 Mahtomedi Schools Pavement Reconstruction Plans – Not For Construction (32 pages):
  - Removal Plans
  - Site Plans
  - Grading Plans
  - Utility Plans
  - Erosion Control Plans
  - Details
- Rice Creek Watershed District (RCWD) Permit Application, dated November 8, 2016
- Storm Water Management Report, dated November 8 , 2016 (111 pages)

### Comments:

1. The Stormwater Management Report only includes soil boring logs ST1-ST14. The Application should provide the complete Geotechnical Evaluation Report including all boring logs.
2. Contaminated soils are known to be in nearby areas. The applicant should include a contingency remediation plan where excavation depths reach below the existing roadway or parking lot pavement sections.
3. The Applicant should provide an existing condition plan which includes contours and arrows indicating existing storm water sheet flow direction.
4. The Applicant should provide adequate detail on the grading plan to insure all pedestrian facilities meet current ADA requirements.
5. The Applicant should provide proposed contours near the removed entrance onto CSAH 12 to properly show proposed grading and drainage in this area.
6. The Applicant should show arrows on the proposed overall grading plan to indicate stormwater sheet flow direction.
7. The utility plan is required to show underground storage labels, including normal water level, high water level elevation and the elevation and locations of all emergency overflow routes.
8. Wetland mitigation areas are not shown on the plan. If mitigation is occurring on site, these areas are required to be defined. If not, the Applicant should provide a plan detailing where mitigation will occur.

9. The existing drainage patterns shall be maintained on the property with no additional drainage directed to the public Right-of-Way or wetlands without regulatory agency approval.
10. Final engineer signed plans must be submitted prior to acceptance and approval.
11. The Applicant shall submit an approved RCWD permit prior to construction.
12. The Applicant shall submit an approved NPDES permit to the City prior to construction.
13. The Applicant shall submit an approved Grading permit from the City of Grant prior to construction.
14. The Applicant shall submit an approved Right-of-Way permit from Washington County for work adjacent to CSAH No. 12 (75<sup>th</sup> Avenue No.) prior to construction.
15. Please confirm that all proposed utilities, including but limited to the underground stormwater storage facilities and storm sewer, will be owned and maintained following construction by the Mahtomedi School District.

Should you have any questions or comments regarding the items listed above, please contact me at 763-512-5243.