

**CITY OF GRANT  
PLANNING COMMISSION MEETING**

Wednesday, March 9, 2022

6:30 p.m.

Zoom

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

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. OATH OF OFFICE, ROBERT TUFTY AND GREG ANDERSON
4. ELECTION OF OFFICERS, CHAIR AND VICE-CHAIR
5. APPROVAL OF AGENDA
6. APPROVAL OF MINUTES: October 18, 2021
7. NEW BUSINESS
  - A. PUBLIC HEARING, Consideration of Application for an Amended Conditional Use Permit for Woodbury Lutheran Church, 9050 60<sup>th</sup> Street North
8. OLD BUSINESS
9. ADJOURN

# PLANNING COMMISSION MEETING MINUTES CITY OF GRANT

October 18, 2021

**Present:** Jerry Helander, Jim Huttemier, Robert Tufty, Dan Gagliardi and David Tronrud

**Absent:** Matt Fritze and James Drost

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

## 1. CALL TO ORDER

The meeting was called to order at 6:31 p.m.

## 2. PLEDGE OF ALLEGIANCE

## 3. APPROVAL OF AGENDA

MOTION by Commissioner Helander to approve the agenda, as presented. Deputy Chair Tufty seconded the motion. MOTION carried unanimously.

## 4. APPROVAL OF MINUTES, March 16, 2021

MOTION by Commissioner Huttemier to approve the March 16, 2021 Minutes, as presented. Commissioner Helander seconded the motion. MOTION carried with Commissioner Tronrud abstaining.

## 5. NEW BUSINESS

**PUBLIC HEARING, Consideration of Application for an Amended Conditional Use Permit to for Two Silo Farmhouse Resort, 7040 117<sup>th</sup> Street N** – City Planner Swanson stated The Two Silo Farmhouse Resort was granted a Conditional Use Permit (CUP) on November 2 and executed on November 12, 2020 for operations of a Farm Winery and Resort consistent with the City's ordinances. The 2020 CUP identified 38 conditions, and condition #32 specifically stated, "Any 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 to the narrative, etc."

On June 29, 2021 the Owner and Applicant, Keith Dehnert on behalf of Two Silo Farmhouse Resort 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 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 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 identified for demolition) were identified as part of the operations, condition #32 is tripped and an Amendment to the 2020 CUP is required.

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.

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.

A copy of the executed 2020 CUP and approved Site Plan are provided as attachment A to this staff report for your reference and background. It should be noted that all conditions within the 2020 CUP remain VALID and ENFORCEABLE, and that the modification proposed relate to the facility only.

A duly noticed public hearing has been noticed for October 18, 2021. 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.

**Application Summary**

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

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:

- Demolition of existing 4,250 SF building that was denoted as “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.
- Construction of new 6,000 SF multi-purpose building to consolidate the winery operations into one structure. The location of the new building is in the same general location as the accessory building that will be demolished but expands the footprint. The new accessory building is proposed to be used for the Two Silo Farmhouse winery operations. The new multi-purpose building will be used for:
  - - Approximately 2,000 SF of gathering space, tasting area and wine bar
    - Private tasting room – approximately 375 SF
    - Restrooms – 2 large individual stalls
    - Bottle/Barrel Room – approximately 575 SF
    - Office – approximately 70 SF
    - Storage Room/Area – approximately 2,900 SF
  - Construction of outdoor event space to include:
    - Approximately 1,341 SF deck on west elevation/entrance
    - Approximately 2,000 SF patio on east elevation/entrance

As stated within the attached narrative no other changes are proposed, and the Applicant intends to operate in compliance with the conditions as stated within the approved 2020 CUP (See Attachment A).

The City Code addresses amendments to existing CUPs in Section 32-152 that states, “An amended conditional use permit application may be administered in a manner similar to that required for a new conditional use permit...” As such, the Application to amend the 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 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.”

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 CUP process. This amendment relates specifically to allowing construction of a new multi-purpose building to house and support the Farm Winery operations, and the facility is specifically addressed in conditions #4, 32, and 33. Other conditions within the 2020 CUP may be affected by this amendment, but the intent and conditions will remain valid and enforceable. **No changes to the operations are proposed as part of this application.**

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.

0503021220001 – The parcel is described as being in the Northwest Quarter of Section 5, Township 30 North, Range 21 West. The parcel is approximately 21.01 acres, is rectangular in shape, and located north of 117<sup>th</sup> Street North which forms the border and frontage on the southerly property 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 grape vines on either side of the entry driveway. The farmhouse, accessory buildings and vineyards are accessed from an existing driveway that is connected to 117<sup>th</sup> Street North on the southerly border of the property.

The site is guided A-1 in the City's adopted Comprehensive Plan. Land within the A-1 land use 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 City's ordinances conditionally permit resorts, seasonal businesses and rural event facilities provided certain performance standards can be met. Agricultural production, such as that associated with the grapes/vineyard, are a permitted use. The proposed amendment to the 2020 CUP does not change the intended use for a Farm Winery and Resort. The City Council determined that the Two Silo Farmhouse and Resort are consistent with the stated objectives in the Comprehensive Plan.

The Applicant submitted a revised Certificate of Survey and Site Plan for the proposed amendment. The following dimensional review is provided for review and consideration.

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.

<b>Dimension</b>	<b>Standard</b>
Lot Size	20 acres
Frontage – Per Sections 32-245 & 32-352)	County/State Road and 300'

Front yard - centerline of County Road (Principal Structure)	150'
Front Yard Setback	65'
Side Yard Setback (Per Section 32-352)	100'
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%

**Lot Area and Accessory Building Standards**

The subject property is approximately 21.01 acres and is oriented north-south. The subject property is accessed from 117<sup>th</sup> 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 Building Setbacks**

The 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 Plans**

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 front 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 roof.
  - 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 stalls is correlated to the number of patrons planned for on-site as regulated by Condition #2).

- 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 architectural floor plan states that there is “Interior Space for 52 People” but it is clear from the floor plan that the space is adequate for a higher capacity. 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. Staff is concerned about how the occupancy will be regulated to ensure that the number of patrons is managed to comply with the conditions as stated based on the size of the facility. ***The Applicant should provide additional documentation regarding the plan to manage the occupancy of the facility in compliance with the 2020 CUP conditions.***

### **Outdoor Gathering Spaces**

The submitted Site Plan (see Attachment D, Certificate of Survey Exhibit) identifies two form outdoor gathering spaces on the revised site plan. A summary of each 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.

Additionally, it is unclear from the deck plan if there is planned entertainment outdoors. 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 use of this “patio” is not identified, but it is assumed that some type of outdoor gathering is contemplated in this area. Staff is concerned about outdoor gathering and congregating on the east side of the facility given the location of the adjacent residential home to the east. During the 2020 review process the neighbors expressed concern about noise, activity and potential disturbance as a result of the new facility. Staff recommends 1) clarification from the Applicant about the intended use of the patio; and 2) discussion by the Planning Commission regarding whether this area should be prohibited for gathering spaces. Additionally, given the occupancy identified both internally and on the western deck, staff is concerned about the additional “capacity” if this area were to also be used for gathering.

#### **Lighting**

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 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. Additionally, if the Planning Commission is comfortable with outdoor gathering area on the east side of the facility, then Staff recommends additional conversation regarding appropriate landscape buffering between the gathering space and eastern property line.

**Miscellaneous  
Considerations/  
Comments regarding  
current 2020 CUP  
Conditions**

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.

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.

The property is located within the Rice Creek Watershed District, and the Applicant must submit a copy of the updated site plan and improvements to them once complete. It shall be the responsibility of the Applicant to obtain all necessary permits from the watershed district prior to commencement of any activities on site.

During the 2020 review process Washington County commented that their review would be dependent upon the final development plan. The applicant has submitted their application for an access permit, but the process has stopped since this amendment process was initiated. An updated site plan and updated trip count information shall be provided and submitted to Washington County to determine what, if any, improvements are needed for ingress/egress into the facility. ***Staff recommends including an additional condition in the amended permit that any Washington County required improvements to CR-7 to provide safe ingress/egress to the facility are at the sole cost and responsibility of the Applicant.***

Staff requests that the Planning Commission discuss the following items, at a minimum, in relation to the request:

- Size/Managing Occupancy of the facility
- Outdoor gathering spaces – any concerns regarding west deck or east concrete patio
- Roof color – reduce glare
- Additional landscaping

Requested Clarification from Applicant:

- Clarification regarding managing occupancy given the large size of the facility in combination with the outdoor gathering spaces.
- Clarification regarding the east “concrete patio” and its intended use.
- Clarification regarding colors, specifically standing seam metal roof.

The conditions as stated within the 2020 CUP remain valid and enforceable. If the Planning Commission recommends approval, staff recommends the following additional conditions and/or modifications to the 2020 Conditions:

- Conditions #17, 18, 19, 24, 27, 28, and 36 should be modified to include language that the conditions must be met prior to issuing a Building Permit for the 6,000 SF multi-purpose facility.
- An updated Site Plan should be submitted and updated to include any required improvements to CR-7, any recommended changes of the City Engineer, Planning Commission or City Council and the landscape requirements stated in Condition 21.

- Condition #12 requires that an ADA accessible restroom be provided. To meet this condition the entrance to the facility must be accessible, and the access must connect to the ADA compliant stalls. The plan set must be updated to identify and reflect this condition (see Sheet 5A for “if needed” reference).
- The Site Plan must also be updated to clearly identify the location of the ADA compliant parking spaces, and the route from the parking spaces to the facility must be identified with a solid, non-slip surface.
- The Applicant must obtain a septic permit for the installation of the restrooms noted within the new multi-purpose facility. The design of the septic system must clearly demonstrate capacity based on the occupancy identified for the facility.
- The Applicant must obtain an access permit from Washington County prior to any site work commencing. Any improvements required by Washington County shall be the sole cost and responsibility of the Applicant. The approved permit and any improvement plans must be submitted to the City Engineer for review prior to any site work commencing (including Building Permit).
- The Applicant must submit the updated Site Plan, including any modifications of the Planning Commission or City Council, to the RCWD for their review. If any permit is required, such permit shall be obtained and evidence provided to the City, prior to the issuance of a Building Permit.

MOTION by Commissioner to open the public hearing at Helander at 7:02 p.m. Commissioner Huttemier seconded the motion. MOTION carried unanimously.

Mr. Beau McGraw stated he represents the property owners across the street from the Winery. He stated the proposed structure would have been appropriate during the original application and is now concerned the applicant will continually applying for amendments and changing the use.

City Planner Swanson stated the applicant did indicate he would use existing accessory buildings for retain, tasting room, etc. The requirement of the restrooms will place the in the new building. If there are any proposed changed to the use or to extend operations an amended CUP would be required. The existing conditions in the current CUP relating to operations are not changing in any way.

MOTION by Commissioner Helander to close the public hearing at 7:10 p.m. Commissioner Tronrud seconded the motion. MOTION carried unanimously.

MOTION by Commissioner Tronrud to recommend approval of amended Conditional Use Permit, as presented. Commissioner Huttemier seconded the motion. MOTION carried unanimously.

This item will appear on the regular City Council agenda on November 1, 2021.

**PUBLIC HEARING, Consideration of Draft Ordinance for Amendment to Antenna Regulations** – City Planner Swanson stated the implementation of the 2040 Comprehensive Plan Update (“Plan”) requires communities to update their Zoning Ordinance (official controls) for consistency with the newly adopted Plan. During the implementation discussion of the Plan process we discussed ordinance updates, modifications and additions that would help the support the City’s vision and goals for the future. Part of implementation is making sure our ordinances are clear and current to make them 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 submission, other clean-up of the ordinance was completed.

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 for your review and consideration.

A duly noticed public hearing has been scheduled for October 18, 2021 for consideration of the attached draft ordinance.

MOTION by Commissioner Tronrud to open the public hearing at 7:18 p.m. Commissioner Huttemier seconded the motion. MOTION carried unanimously.

No one was present for the public hearing.

MOTION by Commissioner Helander to close the public hearing at 7:19 p.m. Commissioner Tronrud seconded the motion. MOTION carried unanimously.

MOTION by Commissioner Helander to recommend approval of the Draft Ordinance for Amendment to Antenna Regulations, as presented. Commissioner Gagliardi seconded the motion. MOTION carried unanimously.

**Consideration of Moving Planning Commission Meeting Night** – Staff proposed the regular meeting night of the City of Grant Planning Commission be moved to the second Wednesday of the month. The purpose being to allow more time between the Planning Commission meeting and the City Council meeting if a meeting needs to be rescheduled.

MOTION by Commissioner Helander to move the regular City of Grant Planning Commission meeting to the second Wednesday of the month. Commissioner Gagliardi seconded the motion. MOTION carried unanimously.

**6. OLD BUSINESS**

There was no old business.

**7. ADJOURNMENT**

MOTION by Commissioner Huttemier to adjourn at 7:23 p.m. Commissioner Tronrud seconded the motion. MOTION carried unanimously.

Respectfully submitted,

Kim Points  
City Clerk

DRAFT



## STAFF REPORT

**To:** Mayor and City Council  
Kim Points, City Clerk/Administrator

**Date:** March 9<sup>th</sup>, 2022

**CC:** Brad Reifsteck, PE, City Engineer  
David Snyder, City Attorney

**RE:** Application for an Amended  
Conditional Use Permit for Woodbury  
Lutheran Church at 9050 60<sup>th</sup> Street N

**From:** Jennifer Haskamp  
Consulting City Planner

### Background

The Applicant, Woodbury Lutheran Church, is requesting an amendment to the existing CUP on the subject property to allow for the development of outdoor recreational improvements to include a playground, 20' x 30' paved sport court, and a 30' x 40' (1,200 Square Feet) pavilion. The Site Plan shows that to develop the recreational components, it is necessary to excavate and fill some existing drainage area that developed as result of more roadways and impervious surface in the surrounding area. Since on-site stormwater management is required to support the site, and any improvements, a new drainage plan and supplemental drainage area will be developed to channel the water southeast of the proposed pavilion and open grass/play area. Additional landscaping on the site will be completed as part of the project including a rain garden and pollinator garden.

There is an existing CUP on the subject property that was first issued in 1982 for the construction and operation of the church, which was obtained by the Lutheran Church of the Risen Christ. Churches were, and remain, a permitted use with a CUP in the R-1 Zoning District. The CUP was later amended in 1999, and no further amendments to the permit have been granted since 1999. The Applicant currently uses the site for a church operation, and the existing CUP remains valid. The proposed amendment would add the proposed exterior improvements and modifications to the CUP.

### Public Hearing

A duly noticed public hearing is scheduled for March 9, 2022, and property owners within 1,320-feet were notified of the subject application.



## Application Summary

<b>Applicant:</b> Elden Lamprecht, on behalf of <b>Owner:</b> Woodbury Lutheran Church	<b>Site Size:</b> 4.02 Acres
<b>Zoning &amp; Land Use:</b> R1 – Single Family Residential	<b>Request:</b> Amended Conditional Use Permit (CUP)
<b>Address:</b> 9050 60 <sup>th</sup> St. N. Grant, MN	<b>Location Description and PIDs:</b> PID 34.030.21.33.002, subject property generally located northwest of the 60 <sup>th</sup> Street N and Jarvis Avenue N intersection

The Applicant is requesting an amendment to the existing CUP issued on July 6, 1982 and later amended in June of 1999. A summary of the proposed amendment is as follows:

- Exterior Improvements including:
  - Playground including play structure
  - 20’ x 30’ Sport Court (approximately 600 SF)
  - 30’ x 40’ Pavilion (approximately 1,200 SF)
  - Rain Garden, and pollinator garden
- Excavation and fill of existing natural drainage area and improvements to the drainage area southeast of the proposed improvements. Improvements to drainage area will include installation of a catch basin near the proposed sport court that will drain to a new drainfield area south of the proposed improvements. The design will improve the existing drainage patterns on site and will accommodate a 100-year rain event on site.

The proposed site improvements include excavation and modification of drainage areas on site, and as a result the City Engineer and the Valley Branch Watershed District (VBWD) must review the proposed request. The Applicant has submitted a copy of the permit issued by the VBWD for the proposed project which is provided in the Applicant’s submission materials.

As stated within the attached narrative no other changes are proposed to the operations, and the Applicant intends to operate in compliance with the 1982 and 1999 CUP that addresses the church operations.

## Review Criteria

The City Code addresses amendments to existing CUPs in Section 32-152 that states, “An amended conditional use permit application may be administered in a manner similar to that required for a new conditional use permit...” As such, the Application to amend the 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 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.”

The purpose of this amendment is not to consider the use of the property as a Church, since the determination that the use is consistent with the City’s regulations was approved in 1982, and as later amended in 1999. This amendment relates specifically to allowing the outdoor recreation components including the playground, 20’x30’ paved sport court, 30’ x 40’ pavilion, rain garden and pollinator garden.

### **Existing Site Conditions**

The site is located on the southern edge of the City, which is bordered by Highway 36 on the south. The area is generally used for a mix of general business uses along the 60<sup>th</sup> Street corridor, and rural residential properties exist east of the site along the frontage.

#### **9050 60<sup>th</sup> Street North, PID 3403021330002**

The parcel is described as being in the Southwest Quarter of Section 34, Township 30 North, Range 21 West. The parcel is approximately 4.02 acres, is regular in shape, and is a corner lot bordered by 60<sup>th</sup> Street North on the south and Jarvis Avenue on the east. 60<sup>th</sup> Street North is the frontage road to Highway 36, which serves generally as the municipal border between the Cities of Grant and Lake Elmo to the south. The existing building was constructed in compliance with the initial CUP issued in 1982, and the building is generally located near the center of the parcel. There is large parking lot north of the existing building that connects to 60<sup>th</sup> Avenue North on the southwest corner of the property and connects with Jarvis Avenue to the east. There is an existing natural drainage area southeast of the existing building and parking lot that is connected to a pond area on the southeast corner of the site.

### **Comprehensive Plan Review**

The site is guided RR – Rural Residential in the City’s adopted Comprehensive Plan. Land within the RR land use designation is generally described as supporting rural residential uses with limited commercial and institutional uses as identified and allowed within the City’s zoning ordinance. The proposed amendment does not change the use of the site for a Church, which is identified as a compatible use within the City’s Comprehensive Plan and supporting Zoning Ordinance.



## Zoning/Site Review

The Applicant submitted a Site Plan for the proposed amendment (See attached Exhibit, Construction Plan C1). The following dimensional review is provided for review and consideration.

### Dimensional Standards

The following site and zoning requirements in the R-1 district for Churches which includes the most restrictive regulations and performance standards related to the proposed amendment. The following review is conducted focusing on the proposed improvements.

Dimension	Standard
Minimum Lot Area per non-residential structure (Per Sections 32-313)	As per permit
Frontage – (Per Sections 32-245 & 32-352)	County/State Road and 409'
Front Yard Setback	65'
Side Yard Setback (from street in case of corner lot)	65'
Side Yard Setback (from interior lot lines)	20'
Rear Yard Setback	50'
Height of Structure	35'
Accessory Buildings (# and Total SF)	Maximum of 2 buildings not to exceed 2,000 SF
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%

#### Lot Area and Accessory Building Standards

The subject property is approximately 4.02 acres, and is used for a non-residential structure. Section 32-313(b) states that the maximum building size is established for a CUP based on the lot size. As identified, the maximum square footage on parcels between 3 and 4.99 acres is 2,000 Square Feet, and the existing church structure is approximately 13,000 SF. Since the church was approved as part of the 1982 CUP, the existing parcel, building and size are considered legally non-conforming. Since no improvements to the structure are proposed, the existing non-conforming use is not intensified.

No plans were submitted for the pavilion structure, however the footprint is



approximately 1,200 SF, and the City has typically defined similar structures as an accessory structure. (The sport court and play structure are not subject to accessory building standards since they are not covered). On parcels between 3 and 4.99 acres, a maximum of 2 accessory buildings are permitted not to exceed a maximum of 2,000 square feet. From the aerial, there is an existing shed that is approximately 155 square feet. *If the existing shed remains, the shed and the pavilion will have a total of approximately 1,355 Square Feet of Accessory Building on site. Staff recommends including a condition that no more than two accessory buildings are permitted on site, and that the total square footage may not exceed 2,000 SF.*

### **Setbacks**

As shown on the Construction Plan, the proposed pavilion and play structure are located southeast of the existing building. The proposed pavilion is setback approximately 55-feet from the easterly property line (75-feet from the traveled surface of Jarvis Avenue), 5-feet from the existing parking lot on-site, and 130-feet from 60<sup>th</sup> Street N. The play structure area is setback approximately 100-feet from the easterly property line, and 70-feet from the paved road surface of 60<sup>th</sup> Street North. As proposed, the Pavilion does not comply with the side-yard setback for structures on a corner lot. *Staff recommends that the pavilion be shifted or adjusted to meet the required 65-foot setback from Jarvis Avenue N., and that the Site Plan be updated to show the structure meeting the required setback.*

### **Architectural/Building Plans**

No building plans were submitted as part of this application. As previously noted, the proposed improvements include an approximately 1,200 square foot pavilion. No details were provided, but staff assumes that it will include a covering or roof structure. The maximum height of any accessory building is 35 feet. *Staff recommends including a condition that the Applicant must submit an elevation plan of the pavilion that is to-scale and clearly demonstrates the height of the proposed structure.*

No other accessory structures or modifications to the church are proposed, and the site plan clearly demonstrates the location of the sport court and play structure proposed.

### **Outdoor Gathering Spaces**

The Applicant is proposing to install and construct a play structure, sport court and pavilion on the site. All three of these areas will increase outdoor activity on the site and will generate more use than the existing church facility. The Applicant did not describe the intended use of the pavilion, or if it will be utilized for events or other outdoor gathering functions. The Applicant references that the play structure



and sport court will be accessible to the public or adjacent neighborhoods. Staff recommends further discussion with the Applicant for clarity regarding the use of the pavilion, as well as the sport court and play structure. *Like other outdoor uses in the City, if events are anticipated in the pavilion, staff recommends consideration of conditions related to noise, amplification, hours of operation, etc.*

#### **Lighting**

The submitted site plan does not identify any proposed lighting of the area. There are existing overhead lights in the parking lot that may provide some ambient light to the outdoor areas. Staff would recommend discussion with the Applicant to determine if any lighting is proposed. *If so, staff recommends including a condition that the lighting plan for the outdoor improvements must be submitted for review and approval by the City Staff, and that such lighting must meet the applicable City ordinances.*

#### **Landscape Plan, Fencing & Stormwater**

As noted in the submitted application materials, excavation and site work is necessary to construct the sport court, pavilion and play structure. As noted on the Construction Plan, a catch basin will be constructed between the Sport Court and Pavilion near the southern edge of the parking lot and a large swale will be graded into the site to allow for water and drainage to flow to the stormwater area on the southeast corner of the site. The open grass and play area will be reseeded as part of the project. As noted in the narrative, a rain garden and pollinator garden are proposed but are not identified on the plan. *Staff recommends including a condition that the site plan be updated to include the location of the rain garden and pollinator garden prior to the issuance of the grading permit.*

The Construction Plan (Sheet C1) also notes that a Fence will be constructed to surround the Play Structure area. A detail of the fence was not provided as part of the submission. *Staff recommends including a condition that the fence detail, including height and material, must be submitted for review and approval by City Staff prior to issuance of the grading permit.*

#### **Engineering Standards**

Since a part of this project includes the relocation/excavation of stormwater features the City Engineer must review and approve the grading plan, and stormwater plan if necessary. As noted on the Construction Plan, the Existing Drainage Area and Proposed Drainage Area are the same, but there is a slight increase in the amount of impervious surface due to the improvements (increase of approximately 1,800 SF). *Given the improvements contemplated with the proposed development, staff recommends including a condition that the City Engineer must review and approve the Construction Plan, as revised, and that the Applicant must obtain a grading plan prior to the commencement of any work on site.*



### Other Agency Review

The property is located within the Valley Branch Watershed District, and the Applicant has obtained the required permit which is attached to their submission materials.

### Action requested

Staff is recommending approval of the Amended CUP with the conditional as noted. A summary of the conditions is provided for your review, comment and modification:

- No more than two (2) accessory buildings are permitted on site, and the square footage may not exceed 2,000 square feet.
- The Site Plan must be revised to show the Pavilion meeting all required setbacks, including 65-feet from the easterly property line.
- The building plans, including elevation, of the pavilion must be submitted. The plans must clearly demonstrate that the height of the pavilion does not exceed 35-feet.
- The Site Plan must be updated to show the location of the rain garden and pollinator garden described in the narrative.
- If applicable, the lighting plan for the area must be submitted for review and approval.
- A detail of the fence, showing the height and material must be submitted for review and approval. The fence location should be clearly identified on the updated Site Plan.
- The Applicant must obtain a grading permit prior to the commencement of any site work.

### *Attachments*

Attachment A: Application

Attachment B: Construction Plan – Sheet C1 (Site Plan)



**City of Grant**  
 P.O. Box 577  
 Willernie, MN 55090  
 www.cityofgrant.us

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

# CONDITIONAL USE PERMIT

Application Date:	1/26/21
Fee: \$400	Escrow: \$3,000

*Pd check # 46190 \$5,180.50*

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): <b>34.030.21.33.0002</b>		LOT SIZE: <b>4.02 acres</b>
PROJECT ADDRESS: <b>Woodbury Lutheran Church Oak Hill Campus 9050 60th St N Stillwater, MN 55082</b>	OWNER: Name: <b>Woodbury Lutheran C</b> Address: <b>7380 Afton Rd</b> City, State, Zip: <b>Woodbury, MN</b> Phone: <b>651 739 5144</b> Email: <b>wlc@woodburylutheran.org</b>	APPLICANT (If different from Owner): Name: <b>Elden Lamprecht</b> Address: <b>2807 Hilo Ave N</b> City, State, Zip: <b>Oakdale, MN 55128</b> Phone: <b>651 788 2591</b> Email: <b>eldenL4@yahoo.com</b>
BRIEF DESCRIPTION OF REQUEST: A 0.465 acre area will be excavated to install a catch basin and drain field to accommodate a 100 year rain event then filled to accommodate a playground, paved sport court, 30' x 40' pavilion, rain and pollinator gardens. Construction access will be provided over a temporary driveway constructed to Jarvis Ave.		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code sections for a detailed description of required submittal documents, and subsequent process. - Division 5. Conditional Use Permits 32-141 through 157, others		

### Required Signatures

\*\*\* Note: All parties with a fee interest in the real estate must sign this application before the City will review for completion! \*\*\*

#### Applicant

Name: Elden Lamprecht  
(Please print)  
 Address: 2807 Hilo Ave N  
 City, State, Zip: Oakdale, MN 55128  
 Phone: \_\_\_\_\_  
 Cell Phone: 651 788 2591  
 Email: eldenL4@yahoo.com  
 Signature: *Elden Lamprecht*  
 Date: January 17, 2022

#### Fee Title Property Owner (If different from Applicant)

Name: Woodbury Lutheran Church  
(Please print)  
 Address: 7389 Afton Rd  
 City, State, Zip: Woodbury, MN 55125  
 Phone: 651 739 5144 / 8544  
 Cell Phone: 651 248 9535  
 Email: stutelbergm@woodburylutheran.org  
 Signature: *Clara Stutelberg*  
 Date: 1/17/22

\*\* For Applicant's use and records

### **Conditional Use Permit Checklist:**

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.

**COPIES: One (1) Electronic copy of full submission; Two (2) 11x17 half-scale scalable hard copy plan sets.**

- **Site Plan:** All plans must be to-scale, scalable, and include a north arrow.
  - Property dimensions
  - Area in acres and square feet
  - Identified setbacks (Front, Side, Rear)
  - Identify Buildable area (if applicable)
  - Location of existing and proposed buildings (including square footage, foot print, and dimensions to lot lines)
  - Location of existing utilities, drainfield locations
  - Location of current and proposed curb cuts, driveways and access roads
  - Existing and proposed parking (if applicable)
  - Off-street loading areas (if applicable)
  - Existing and proposed sidewalks and trails (if applicable)
  - Sanitary sewer and water utility plans (if expansion is needed)

---

- **Existing Conditions:**
  - Aerial of site and adjacent properties
  - Location of all wetlands (NWI, or similar)
  - Topographic contours at 2-foot intervals
  - Water bodies, Ordinary High Water Level, 100-year flood elevation

---

- **Grading Plan (if applicable):** All plans must be to-scale, scalable, and include a north arrow.
  - Grading Plan
  - Finished grading and drainage plan sufficient to drain and dispose of all surface water accumulated
  - Stormwater Plan and Calculations (if applicable)

---

- **Landscape Plan (if applicable):** All plans must be to-scale, scalable, and include a north arrow.
  - Landscape plan identifying species and size of trees and shrubs
  - Screening plan

---

- **Architectural/Building Plan (if applicable):** All plans must be to scale, scalable, and include a north arrow.
  - Location of existing and proposed buildings and their size including dimensions and total square footage
  - Proposed floor plans (if applicable)
  - Proposed elevations (if applicable)
  - Description of building use for proposed CUP

---

- **Written Narrative Describing your request:** 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:
  - Description of operation or use
  - Number of employees (if applicable, if not state why)
  - Sewer and water flow/user rates (if applicable, if not state why)
  - Any soil limitations for the intended use, and plan indicating conservation/BMP's
  - Hours of operations, including days and times (if applicable)
  - Describe how you believe the requested conditional use fits the City's Comprehensive Plan

**Conditional Use Permit Checklist:**

Statement acknowledging that you have contacted the other governmental agencies such as watershed districts, Washington County departments, state agencies, or others that may have authority over your property for approvals and necessary permits.

---

Paid Application Fee: \$400

---

Paid Escrow\*: \$3,000                      \*Any remaining funds, after expenses, are returned to the Applicant. Expenses incurred over \$3,000 will be billed to the Applicant.

---

**Materials that may be required upon request:**

Survey of the Property: An official survey, by a licensed surveyor, may be requested with the application. The survey shall be scalable and either Full Scale, or Half Scale (11"x17") as requested by the Zoning Administrator.

---

Full scale plans at a scale not smaller than 1"=100'

---

Sanitary and stormwater plans. Sanitary and/or stormwater plans may be requested depending on the proposal of the Conditional Use Permit.

---

Wetland Delineation. If the proposed project is near a potential wetland boundary or setback, delineation may be required to fully evaluate and approve, or deny, the Conditional Use Permit.

---



**Checklist:**

Please review the attached checklist. Minnesota State Statute 15.99 provides the City of Grant 15 business days to determine the application's completeness. Completeness depends on whether or not the applicable checklist items are fulfilled and submitted with your application.

**Review Deadline and Timeline:**

All applications must be received by the deadlines as posted on the City's website. Failure to submit by the date shown may result in a delay in the scheduling of the application for public hearing. Meeting the deadline does not guarantee that an application will be heard at the next meeting. To improve likelihood of appearing on an agenda, it is recommended that applications be submitted earlier than the deadline.

According to Minnesota State Statute 15.99 a Conditional Use Permit has a Statutory review period of 60 days, with the City's ability (which includes city staff and consultants) to extend the review for an additional 60 days if necessary due to insufficient information, directive to provide additional information, the tabling or postponement of an application, lack of quorum, or schedules.

**Application for Planning Consideration Fee Statement:**

*(Please read carefully and understand your responsibilities associated with this land use application)*

The City of Grant has set forth a fee schedule by City Ordinance as posted on the City's website. The City of Grant often utilizes consulting firms to assist in the review of projects. The consultant and city rates are available upon request. By signing this form, the Applicant accepts sole responsibility for any and all fees associated with the land use application from the plan review stage; the construction monitoring stage; and all the way to the release of any financial guarantees for an approved project. In the event the Applicant fails to make payment of all fees associated with the project, the City of Grant will assess any unpaid or delinquent fees related to this application or project against the subject property. If a project is denied by the City Council or withdrawn by the Applicant, the fees associated for the project until such denial or withdrawal, remain the Applicant's responsibility.

I/WE UNDERSTAND THE FEE STATEMENT AND RESPONSIBILITIES ASSOCIATED WITH THIS LAND USE APPLICATION:

**Applicant**

**Fee Title Property Owner**

*(If different from Applicant)*

*Elden Hamprecht*  
Signature

*Max Stelbom*  
Signature

*Elden Hamprecht*  
Printed Name

*Max Stelbom*  
Printed Name

*January 17, 2022*  
Date

*1/17/22*  
Date

To: City of Grant

January 26, 2022

111 Wildwood Road

P.O. Box 577

Willernie, MN 55090

**Applicant:** Elden Lamprecht      **Owner:** Woodbury Lutheran Church.

2807 Hilo Ave N

7380 Afton Rd

Oakdale, MN 55128

Woodbury, MN 55125

651-788-2591

651-739-5144/8544

**Project Address:** Woodbury Lutheran Church - Oak Hill Campus

9060 50<sup>th</sup> St. N

Stillwater, MN 55082

**Re: City of Grant Conditional Use Permit Application**

### **The Proposed Project**

Woodbury Lutheran Church seeks approval to improve the 0.465-acre area located in the southeast corner of their Oak Hill Campus property. The church property is located at the highest elevation in the City. The subject area is the upper end of a natural ravine which became land locked when the now Highway 36 was constructed leaving a designated non wetland depression. Chatek is the soil profile of that ravine. The Chatek soil has moderately rapid permeability in the sandy loam mantle and rapid permeability in the gravelly sand underlying material. Natural fertility, available water capacity and organic matter content are low. Hence, the site is well suited for managing rainfall and snowfall events. In a typical precipitation year, water no longer ponds two weeks after a precipitation event.

The proposed project respects the 100-year precipitation event by the addition of a drain field with stand and clean out pipes at the ponding elevation. Important focus elevations for the changes in water management as the result of site improvements are as follows:

Proposed High-Water Level = 1041.8'

Existing High-Water Level = 1038.3'

Following the installation of a drain field, clean fill will be imported with the site graded to profiles indicated in the site plan. All necessary provisions will be exercised to minimize erosion of open ground during the excavation process. The 3.5' difference between Proposed and Existing High-Water Level results from runoff of the calculated increase in impermeable surface area of the paved sport court and pavilion placeholders. A Valley Branch Watershed District permit (VBWD Permit #2022-09) was issued for the project. An optional catch basin design and outfall line, provided by the VBWD engineer, is appended to the site plan. Neither the design nor the build date of the pavilion have been established at this time.

### **Consideration for the City's Comprehensive Plan**

The City does not have a family oriented playground, sport court and pavilion combination and will not manage park land (p. 40). Yet the City's demographics report a high ratio of households with children. The three Woodbury Lutheran campuses currently use the Oak Hill Campus for Wednesday youth group activities. A 4-H club uses the facilities for their meetings. Summer time Sunday School classes commonly include outdoor activities. Today's youth currently play at the parking lot basketball backstop while their parents are convening in the church building. The parking lot is a frequent stop off place for Washington Co. Sheriff personnel, for business people and transient vendors lunching or doing paperwork, and, most recently, University of Minnesota Entomology students as a staging area for pollinator / butterfly data collection research. The project additionally includes a raingarden feature around the ponding area for enjoyment.

### **Request For Forbearance**

The proposed playground, sport court, pavilion and playable open space are intended for use by both visitors at the church and the public at large. Consider that the church building is currently used as a voting location. Community health service and education events are held on site. Neighborhood residents commonly course through the grounds throughout the year. Because the improvements likely will welcome and attract community resident families, it is requested that the \$280.50 fee calculated on the cu. yd. of imported fill be refunded to Woodbury Lutheran Church.

### **Summary**

The proposed project preserves a natural groundwater percolation feature while managing the risk of a 100-year precipitation event. The added amenities of playground, sport court, pavilion and playable open space will serve to welcome and host visitors to the area. Final grades and seeding will greatly enhance maintenance of the site's southeast gateway.



# GRADING PERMIT APPLICATION

ZONING CODE SECTION 32-341, 342, 343, 344

Revised November 6, 2017

**CITY OF GRANT**

111 Wildwood Road

P.O. Box 577

Willernie, MN 55090

Phone: 651-426-3383 Fax: 651-429-1998

**NOTE: This is not an interactive document. It must be taken or mailed to the Grant City Office.**

Please complete & submit this Grading Permit Application when reclaiming **50CY per acre or more:**

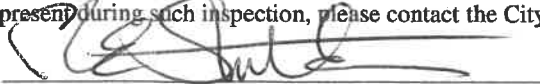
<b>LEGAL DESCRIPTION AND PARCEL IDENTIFICATION NO:</b> PT W1/2-S1/2-SW1/4 BEING W 407FT OF E 880FT OF S 427.46FT E LN SD PRCL BEING W LN OF OAK VIEW SUBJ TO EASE SECTION 34 TOWNSHIP 030 RANGE 021 34/030.21.33.0002		<b>ZONING DISTRICT: R1</b>  <b>PROPERTY SIZE (ACRES): 4.02</b>												
<b>PROJECT ADDRESS:</b> Woodbury Lutheran Church Oak Hill Campus 9050 60th Street N Stillwater, MN 55082	<b>OWNER:</b> Name Woodbury Lutheran Church Address 7380 Afton Rd City State Zip Woodbury, MN 55125 Phone 651-739-5144 / 8544	<b>APPLICANT (IF DIFFERENT THAN OWNER):</b> Name Elden Lamprecht Address 2807 Hilo Ave N City State Zip Oakdale, MN 55128 Phone 651-788-2591												
<b>1. What is the purpose of the proposed work and/or use (Circle One). Structure or Building Excavation, Site Grading, Commercial use, Other.</b> Explain: The north portion of the landlocked ravine will be excavated to install a drainfield to manage a 100 year precipitation event, then filled to accommodate a rain garden, playground, sport court and pavilion for church and community use.														
<b>1a. Does this work disturb more than one acre of land? (Circle One): YES <input type="radio"/> NO <input checked="" type="radio"/> 0.465 acres of the 4.02 acres</b>														
<b>2. Does the proposed land reclamation affect drainage on the project site and adjacent properties? (Circle one) YES <input checked="" type="radio"/> NO <input type="radio"/> If yes, explain: 1,800 sq. ft. of hard surface is being added to the site. All precipitation event drainage will be managed on site. No adjacent properties will be affected.</b>														
<b>3. Are there any Public Waters (creeks, swamps, wetlands ponds, etc..) on the property? (Circle One) YES <input checked="" type="radio"/> NO <input type="radio"/></b> If yes, explain how the public waters will be affected by the proposed work? The CHATEK soil type in the ravine accommodates rapid drainage following precipitation events. The project site is not a wetland.														
<b>4. How much material is being reclaimed in cubic yards (CY)?</b> <table style="width: 100%; border: none;"> <tr> <td style="padding-left: 20px;"><input type="radio"/> Removed</td> <td style="padding-left: 20px;">Clean fill</td> <td style="text-align: right;">2260 cu. yd.</td> <td></td> </tr> <tr> <td style="padding-left: 20px;"><input checked="" type="radio"/> Imported</td> <td style="padding-left: 20px;">Topsoil</td> <td style="text-align: right;">250 cu. yd.</td> <td></td> </tr> <tr> <td style="padding-left: 20px;"><input type="radio"/> Relocated</td> <td style="padding-left: 20px;">3/4" Drain rock</td> <td style="text-align: right;">100 cu. yd</td> <td style="text-align: right;">Total 2610 cu. yd.</td> </tr> </table>			<input type="radio"/> Removed	Clean fill	2260 cu. yd.		<input checked="" type="radio"/> Imported	Topsoil	250 cu. yd.		<input type="radio"/> Relocated	3/4" Drain rock	100 cu. yd	Total 2610 cu. yd.
<input type="radio"/> Removed	Clean fill	2260 cu. yd.												
<input checked="" type="radio"/> Imported	Topsoil	250 cu. yd.												
<input type="radio"/> Relocated	3/4" Drain rock	100 cu. yd	Total 2610 cu. yd.											
<b>5. If importing fill, provide the location the material is coming from? If removing fill, where is it being hauled?</b> TBD by excavating contractor Construction traffic access is to be provided over a temporary driveway built to Jarvis Ave.														
<b>6. What is the restoration plan for the site?</b> See the civil engineer's site plan; "Grading and Erosion Control Requirements" and the Valley Branch Watershed District addendum.														

**City of Grant**  
**Grading Permit Compliance Requirements:**

1. The applicant is required to submit a site plan including:
  - Property lines and easements.
  - Wetland locations based on the 100 year high water level.
  - Existing and proposed contours.
  - Existing buildings including dimensions of structures and dimensions to property lines.
  - Location of septic systems and wells.
2. All work must be on the property and outside of roadway right-of-ways and/or easements.
3. Grading applications can not damage or modify adjacent roadways or ditch systems. Repair will be required by the applicant at their own cost.
4. All imported material shall come from a clean source and should meet MPCA criteria of clean "unregulated fill". Property owner must provide truck manifest or other documentation for each source of imported fill indicating source site address, date and time.
5. Work shall be completed no later than 6 weeks from commencement. Working hours shall be restricted to 7 a.m. to 7 p.m., Monday through Friday.
6. Traffic control (warning signs, cones, barrels, trucks hauling signs) shall be provided as determined by the City Engineer in accordance with the Minnesota Manual of Uniform Traffic Control Devices.
7. A 48-hour notice shall be provided to the City Engineer prior to work commencing.
8. Silt fence shall be placed at all downslopes and around wetlands to control erosion.
9. A Minnesota Pollution Control Agency NPDES permit must be obtained if at least one acre of land has been disturbed.
10. The disturbed area shall have a maximum 4:1 horizontal/vertical slope and shall be restored with adequate sod or seed to establish vegetation within 7 days of finishing grading work.
11. A letter of credit or cash escrow in the amount of \$1,500 shall be provided to the City prior to work commencing to ensure erosion control measures are maintained and turf is established.
12. If reclaiming 1000 cubic yards (CY) or greater, City staff will submit a report to the City Council for review and approval.
13. No work shall be permitted until Grading Permit is issued and authorized by the City.

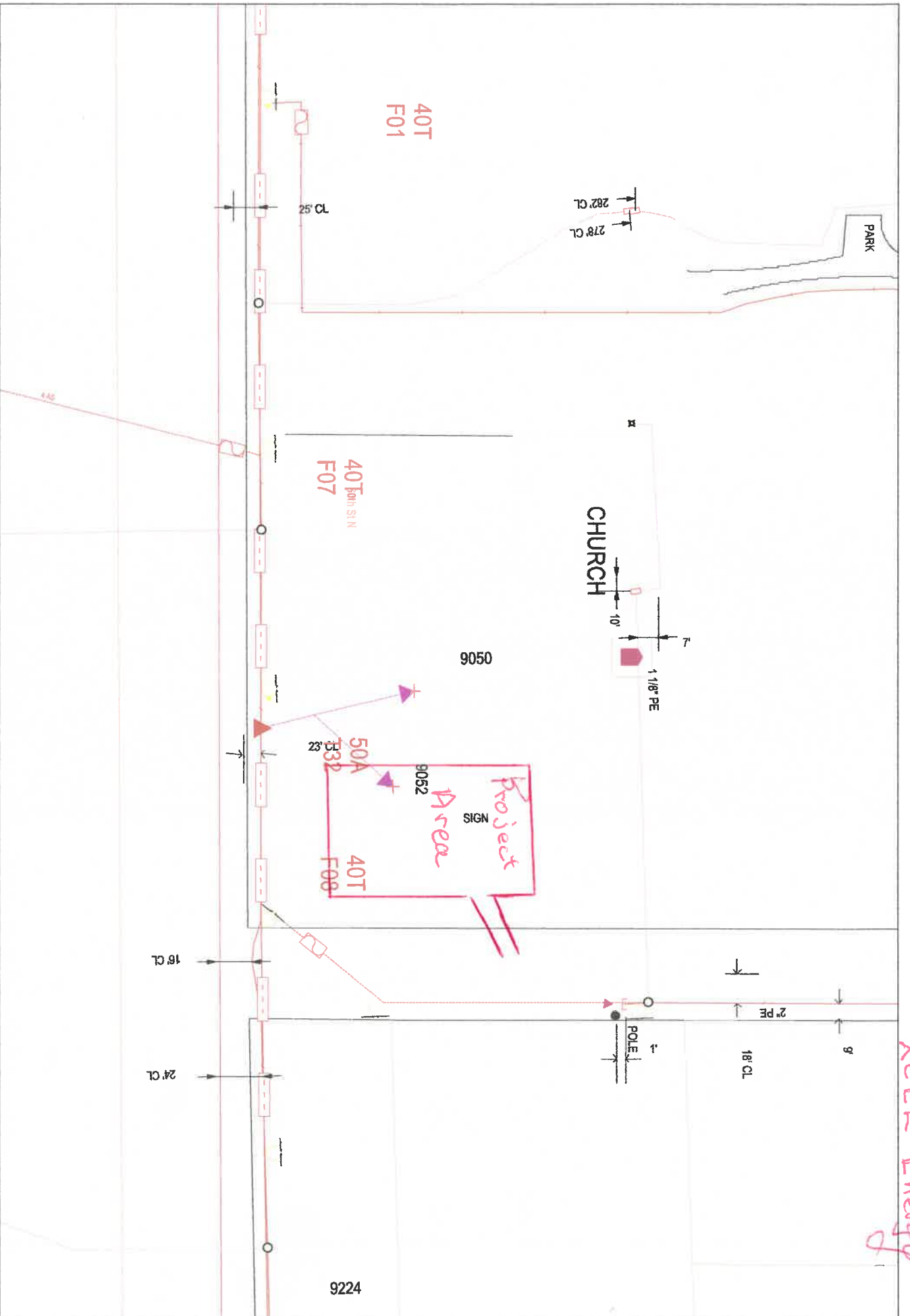
<b><u>Permit Fee:</u></b>	<b>Permit fee shall be based upon the following schedule:</b>
Base Fee:	50 cubic yards to 1,000 cubic yards .....\$200 1,000 cubic yards and greater..... \$200 + [\$0.05( 2610 CY - 1,000 CY)]
Example:	5,000 CY of reclamation on site <span style="float: right;"><b>\$280.50</b></span> $\$200 + [\$0.05(5,000 \text{ CY} - 1,000 \text{ CY})] = \$400.00$
<b><u>Checklist:</u></b>	<b>Applications will not be considered complete unless all checklist items are submitted.</b>
<input checked="" type="checkbox"/>	Grading Permit Application
<input checked="" type="checkbox"/>	Required Fees attached: <input checked="" type="checkbox"/> \$1500 Escrow Fee <input checked="" type="checkbox"/> Permit Fee
<input checked="" type="checkbox"/>	Grading Plan including existing and proposed contours
<input checked="" type="checkbox"/>	Other required permits: <u>Conditional Use Permit City of Grant</u>

In connection with your request for a Grading Permit, your signature constitutes permission for a representative of the City of Grant to enter upon your property, during normal business hours, for the purpose of evaluating your request. If you wish to be present during such inspection, please contact the City Engineer.

Signature of Owner  Date 1/17/22

Signature of Applicant (if different than owner) Elden Samprecht Date 1/17/22

XCEL Energy



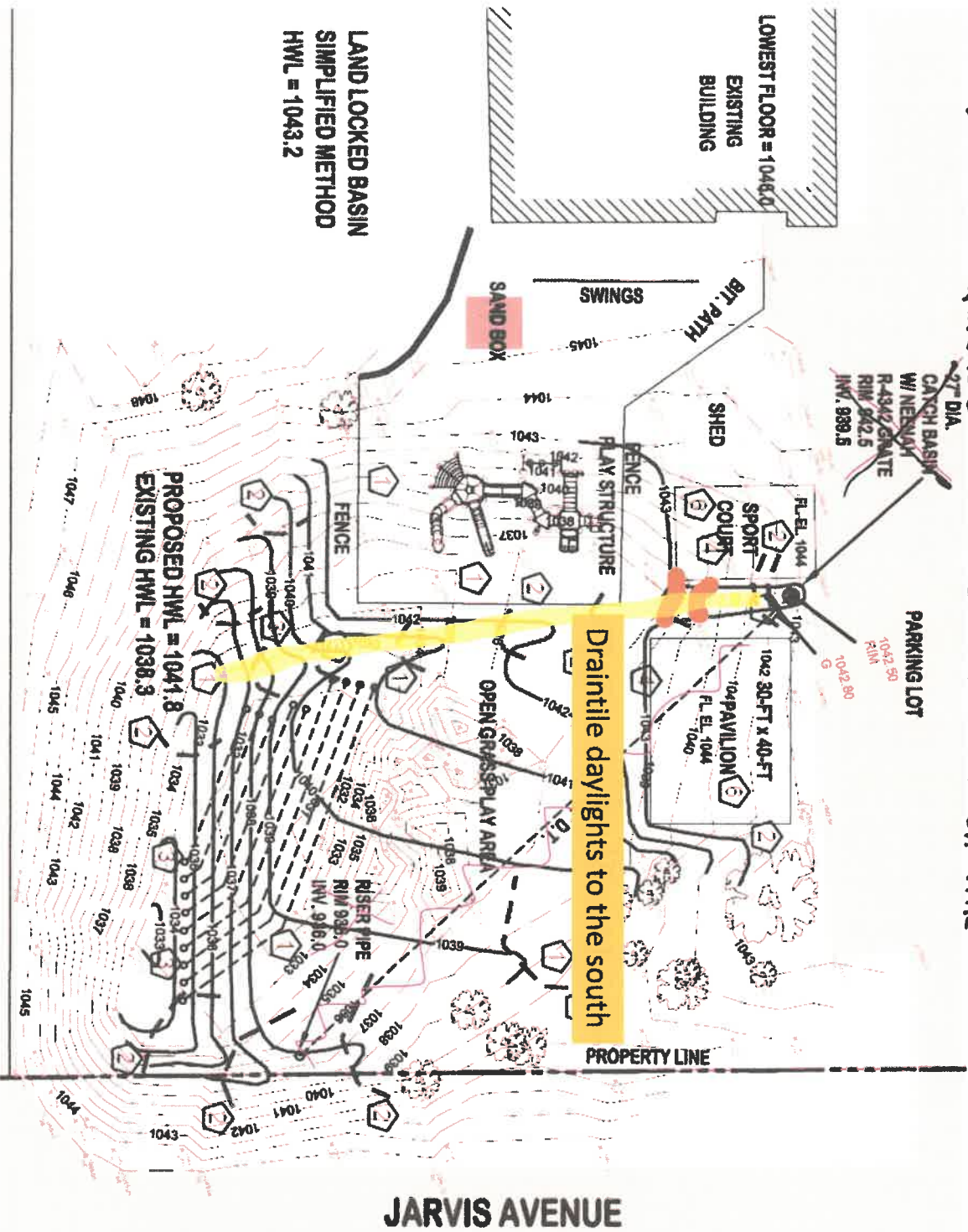
DISCLAIMER: THERE ARE NO REPRESENTATIONS OR WARRANTIES (EXPRESS OR IMPLIED) ABOUT THE ACCURACY OF THIS PRINT. THIS PRINT IS PROVIDED WITH NO CLAIM AS TO PRINT COMPLETENESS, TIMELINESS, ACCURACY OF CONTENT OR USER-FRIENDLINESS. STATE LAW REQUIRES ANYONE DIGGING / GRADING OR EXCAVATING TO OBTAIN A PRIOR FIELD NO. OF A UTILITY. THE PRINT DOES NOT DISCHARGE THE REQUIREMENT FOR ANY OTHER REQUIREMENT. THE COMPANY AND ITS AFFILIATES ASSUME NO LEGAL RESPONSIBILITY OR LIABILITY FOR THE RECIPIENT'S USE OF THE PRINT INCLUDING THE RECIPIENT'S WITNESS PURPOSE IN USING THE PRINT. For All Field Levels-Call 811.

Fieldsmart View

SCALE: 1 IN = 80 FT

01/20/22 13:20

UBWD Amended catch basin w/outfall line



JARVIS AVENUE

UGWD Amended catch basin & outfall line

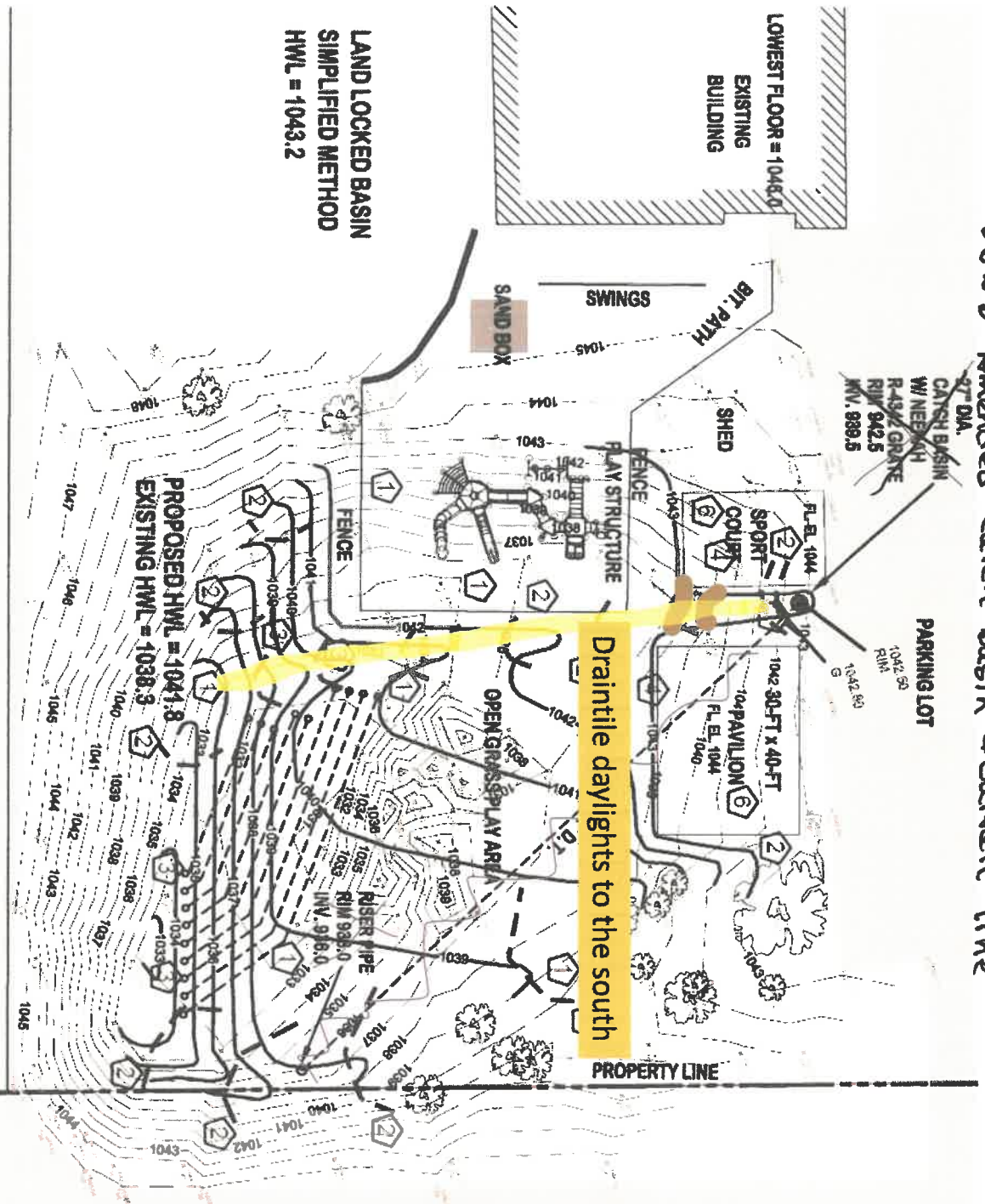
37 DIA.  
CATSKILL BASIN  
W/ NEEDLE  
R-43/2 GRATE  
R/W 942.5  
M.V. 899.5

PARKING LOT  
1042.50  
R/W

LOWEST FLOOR = 1046.0  
EXISTING  
BUILDING

LAND LOCKED BASIN  
SIMPLIFIED METHOD  
HWL = 1043.2

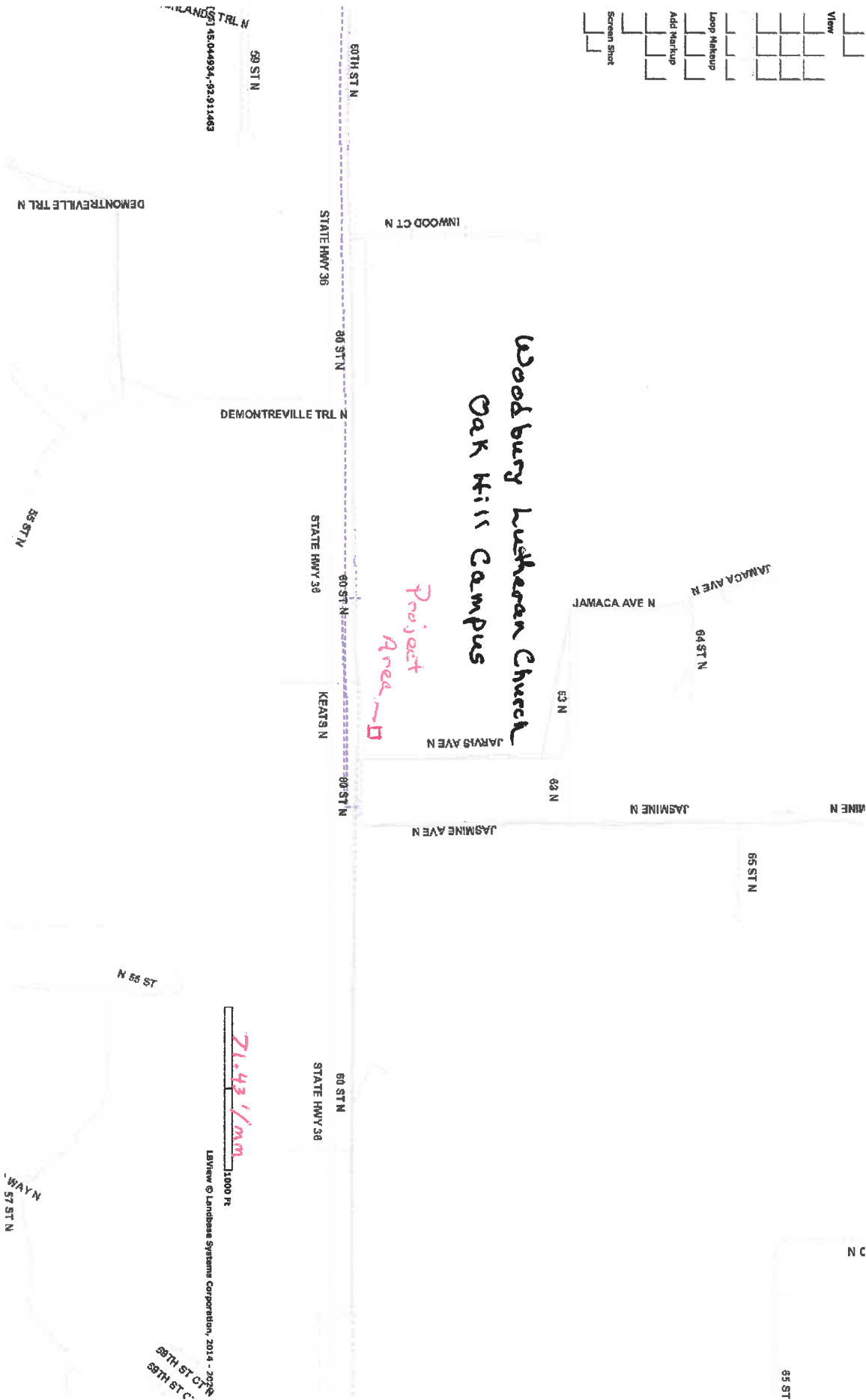
Drain tile daylight to the south



JARVIS AVENUE



- View
- Loop Markup
- Add Markup
- Screen Shot



Landbase Systems **LBVIEW** - Field Technician Offline NDS Viewing Tool

One World One Map Minnesota (MNEG2) - Extraded 2022-01-03

Layers Info LoopMakeup

**Layer Name**

Markup

Fiber Terminals

Copper Terminals

Repeaters

Load Coils

Fiber Splice

Copper Splice

Capacitors

Air Devices

Figure Eight

Poles

Manholes

Terminal Enclosures

Pedestals and more

LU Qual Speed

Related Documents:

**Fiber**

**Fiber** *By Assigned*

Aerial Fiber

Underground Fiber

Manhole/O steel

Structure Point

**Copper**

**Copper** *By Assigned*

Aerial Copper

Underground Copper

Manhole Detail

Structure Point

Underground Route

Conduit

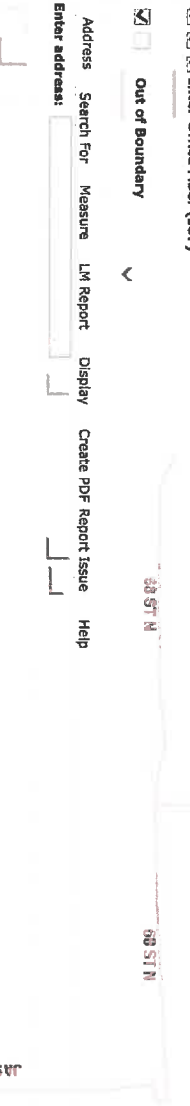
Active Project Areas

Landbase Roads

National Fiber

**Inter-Office Fiber (IOF)**

Out of Boundary



Address Search For Measure LM Report Display Create PDF Report Issue Help

Enter address:



January 20, 2022

Mark Stutelberg  
Woodbury Lutheran  
9050 60<sup>th</sup> Street North  
Stillwater, MN 55082

Elden Lamprecht  
Woodbury Lutheran  
9050 60<sup>th</sup> Street North  
Stillwater, MN 55082

**Re: Woodbury Lutheran--Oak Hill Campus—Grant, Minnesota  
VBWD Permit #2022-09**

Dear Messrs. Stutelberg and Lamprecht:

Enclosed is the Valley Branch Watershed District (VBWD) permit for your project. Please note the following conditions imposed by the Managers, which are also listed on the back of the permit.

1. A \$5,000 surety shall be submitted.
2. The applicant must obtain any necessary approvals from other persons and/or entities with ownership interests in the property affected by the proposed project. It is the applicant's burden to obtain any and all necessary permissions or ownership rights to property not owned by the applicant, including prescriptive easements. The applicant must obtain any necessary permits.
3. This permit is not transferable.
4. The applicant agrees to indemnify and hold harmless the VBWD for any and all future liability, causes of action, or claims relating to or arising out of the District's grant of this permit. Such claims include, but are not limited to, onsite flooding and flooding to neighboring properties.
5. This permit is subject to obtaining all other permits required by governmental agencies having jurisdiction (including an NPDES permit).
6. The VBWD Engineer and Inspector shall be notified at least 3 days prior to commencement of work.
7. Erosion controls shall be installed prior to the commencement of grading operations and must be maintained throughout the construction period until turf is established. Additional erosion controls may be required, as directed by the VBWD Inspector or VBWD Engineer.
8. Street sweeping shall be performed if sediment collects on streets.
9. All disturbed areas shall be vegetated within 7 days of final grading.

10. The applicant is responsible for removal of all temporary erosion-control measures, including silt fence, upon establishment of permanent vegetation at the project site as determined by the VBWD Engineer and/or Inspector.
11. Valley Branch Watershed District shall be granted drainage easements which cover land adjacent to stormwater management facilities, wetlands, and lowlands up to their 100-year flood elevations and all ditches, storm sewers, and maintenance access to the stormwater management facilities. Valley Branch Watershed District shall also be granted drainage easements which cover all land used for stormwater management to meet the District's rules; this includes land irrigated by stormwater.
12. The required drainage easements and access easements shall be recorded with the Washington County Recorder's Office.
13. Return or allowed expiration of any remaining surety and permit closeout is dependent on the permit holder providing proof that all required documents have been recorded (including but not limited to easements) and providing as-built drawings that show that the project was constructed as approved by the Managers and in conformance with the VBWD Rules and Regulations.
14. This permit becomes invalid if (1) the work is not initiated within 1 year of permit issuance, (2) work is idle for 12 consecutive months, or (3) work is not completed within 3 years of the permit issuance date.

Thank you for your cooperation with the District's permit program.

Sincerely,



Ed Marchan, President  
Valley Branch Watershed District

EM/ymh  
Enclosure

- c: Susannah Torseth, VBWD Attorney  
Dan Scollan, Interim East Metro Area Hydrologist—MDNR  
Jeffrey Brower, VBWD District Inspector  
Brad Reifsteck, WSB: City Engineer—City of Grant  
Jack Kramer, Building Inspector—City of Grant  
Kim Points, Administrator/Clerk—City of Grant  
Todd Erickson, Erickson Civil—Authorized Agent  
Karen Wold, Barr Engineering Co.  
Mike Strong, Barr Engineering Co.  
Josh Phillips, Barr Engineering Co.  
Yvonne Huffman, Barr Engineering Co.

**VALLEY BRANCH WATERSHED DISTRICT  
PERMIT APPLICATION**

TO BE COMPLETED BY VBWD:  
Permit Number \_\_\_\_\_  
Permit Fee Received \_\_\_\_\_  
Date Received \_\_\_\_\_

Return application to:  
John Hanson  
Barr Engineering Co.  
Engineers for the Valley Branch Watershed District  
4300 MarketPointe Drive  
Bloomington, MN 55435



A permit fee shall accompany this permit, unless waived by the Board of Managers. (Governmental bodies are not required to pay a fee.)

**Project Information**

Project Name: Woodbury Lutheran - Oak Hill Campus  
Location: 9050 60th Street North  
street address, if known; otherwise give route and intersection  
City or Township: Stillwater  
Parcel Identification Number (if known): 3403021330002  
Section, Township, Range (if known): Section: 34 Township: 20 Range: 21  
Project Timeline Estimate: Start: 12/12/21 Complete: 08/20/22

**Project Contacts**

	Applicant	Authorized Agent	Owner (if different than applicant)
Name	Mark Stubbins, Elden Compsett	Todd Erickson - PE	
Company (if applicable)	Woodbury Lutheran	Erickson Civil	
Address	9050 60th Street North	133 North Main Street	
City, State, Zip	Stillwater, MN 55082	Stillwater, MN 55082	
Phone	651-788-2191 (Eldon)	612-389-3804	
Email	eldenM@yahoo.com	todd@ericksoncivil.com	

Once a Valley Branch Watershed District permit has been approved, the permit conditions will be attached to the back of this form.

By signing this permit application, the permit applicant, his/her agent, and owner (hereinafter "Permittee") shall abide by all the conditions set by the Valley Branch Watershed District (VBWD). All work which violates the terms of the permit by reason of presenting a serious threat of soil erosion, sedimentation, or an adverse effect upon water quality or quantity, or violating any rule of the VBWD may result in the VBWD issuing a Stop Work Order which shall immediately cause the work on the project related to the permit to cease and desist. All work on the project shall cease until the permit conditions are met and approved by the VBWD representatives. In the event Permittee contests the Stop Work Order issued by the VBWD, Permittee shall attend a VBWD Board of Managers meeting and discuss the project. Any attorney fees, costs, or other expenses incurred on behalf of the VBWD in enforcing the terms of the permit shall be the sole approval of the permit applicant. Costs shall be payable from the permit applicant's permit fee. If said fees exceed the permit amount, the Permittee shall have ten (10) days from the date of receipt of the invoice from the VBWD to pay for the cost incurred in enforcing the permit, by which to pay the VBWD for said costs. If costs are not paid within the ten (10) days, the VBWD will draw on the permit applicant's surety. The Permittee agrees to be bound by the terms of the final permit and conditions required by the VBWD for approval of the permit. The permit applicant further acknowledges that he/she has the authority to bind the owner of the property and/or any entity performing the work on the property pursuant to the terms of the VBWD permit, and shall be responsible for complying with the terms of the VBWD permit.

**Signatures (Required):**

	Applicant	Authorized Agent	Owner (if different than applicant)
Signature			
Date	12/12/21	04/28/2021	

1. A \$5,000 surety shall be submitted.
2. The applicant must obtain any necessary approvals from other persons and/or entities with ownership interests in the property affected by the proposed project. It is the applicant's burden to obtain any and all necessary permissions or ownership rights to property not owned by the applicant, including prescriptive easements. The applicant must obtain any necessary permits.
3. This permit is not transferable.
4. The applicant agrees to indemnify and hold harmless the VBWD for any and all future liability, causes of action, or claims relating to or arising out of the District's grant of this permit. Such claims include, but are not limited to, onsite flooding and flooding to neighboring properties.
5. This permit is subject to obtaining all other permits required by governmental agencies having jurisdiction (including an NPDES permit).
6. The VBWD Engineer and Inspector shall be notified at least 3 days prior to commencement of work.
7. Erosion controls shall be installed prior to the commencement of grading operations and must be maintained throughout the construction period until turf is established. Additional erosion controls may be required, as directed by the VBWD Inspector or VBWD Engineer.
8. Street sweeping shall be performed if sediment collects on streets.
9. All disturbed areas shall be vegetated within 7 days of final grading.
10. The applicant is responsible for removal of all temporary erosion-control measures, including silt fence, upon establishment of permanent vegetation at the project site as determined by the VBWD Engineer and/or Inspector.
11. Valley Branch Watershed District shall be granted drainage easements which cover land adjacent to stormwater management facilities, wetlands, and lowlands up to their 100-year flood elevations and all ditches, storm sewers, and maintenance access to the stormwater management facilities. Valley Branch Watershed District shall also be granted drainage easements which cover all land used for stormwater management to meet the District's rules; this includes land irrigated by stormwater.
12. The required drainage easements and access easements shall be recorded with the Washington County Recorder's Office.
13. Return or allowed expiration of any remaining surety and permit closeout is dependent on the permit holder providing proof that all required documents have been recorded (including but not limited to easements) and providing as-built drawings that show that the project was constructed as approved by the Managers and in conformance with the VBWD Rules and Regulations.
14. This permit becomes invalid if (1) the work is not initiated within 1 year of permit issuance, (2) work is idle for 12 consecutive months, or (3) work is not completed within 3 years of the permit issuance date.

Approved: \_\_\_\_\_ January 13, 2022

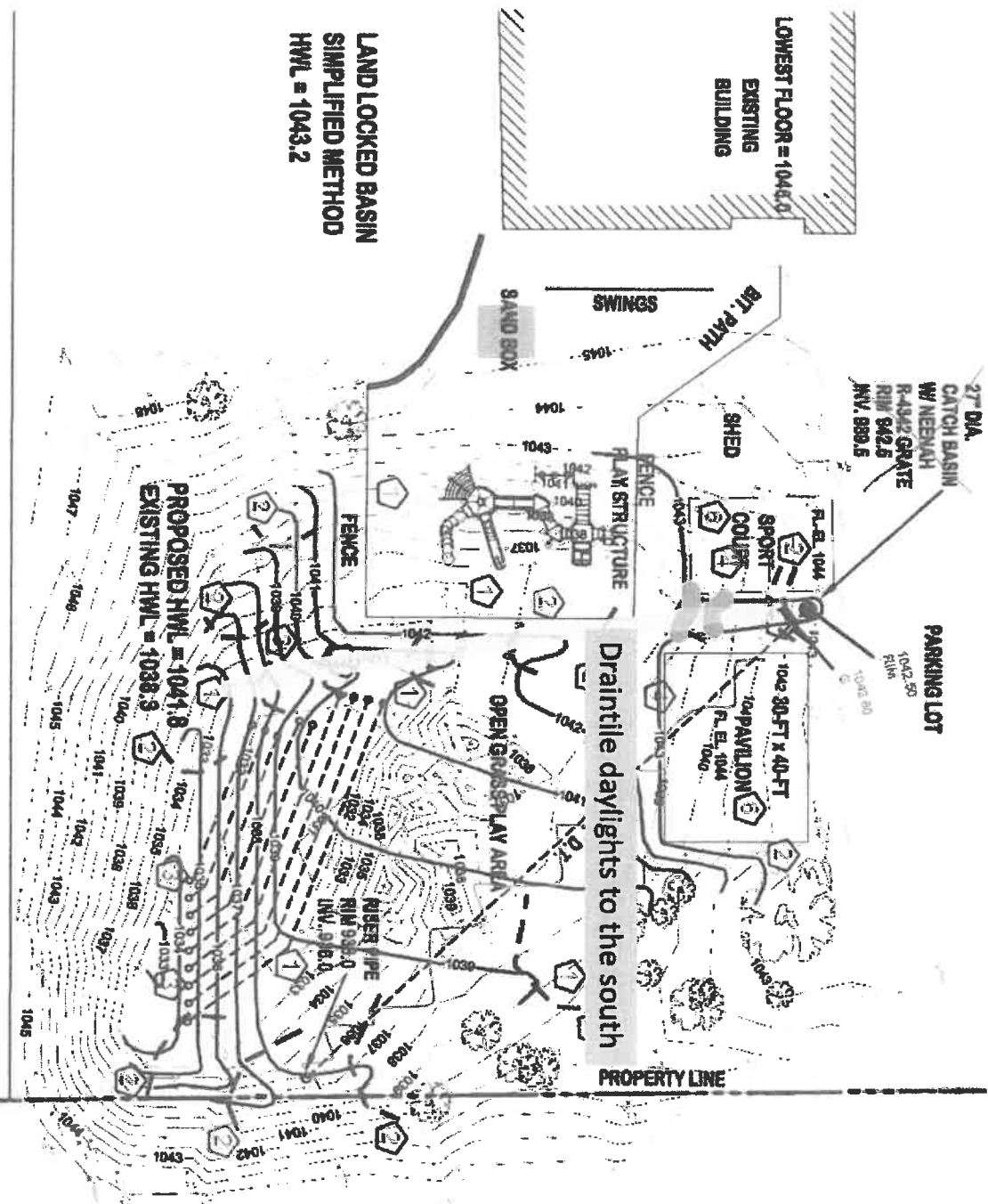
Signature

Valley Branch Watershed District

President

Title

Note: The grant of this permit in no way purports to permit acts, which may be prohibited by other governmental agencies.



Drain tile daylight to the south

JARVIS AVENUE

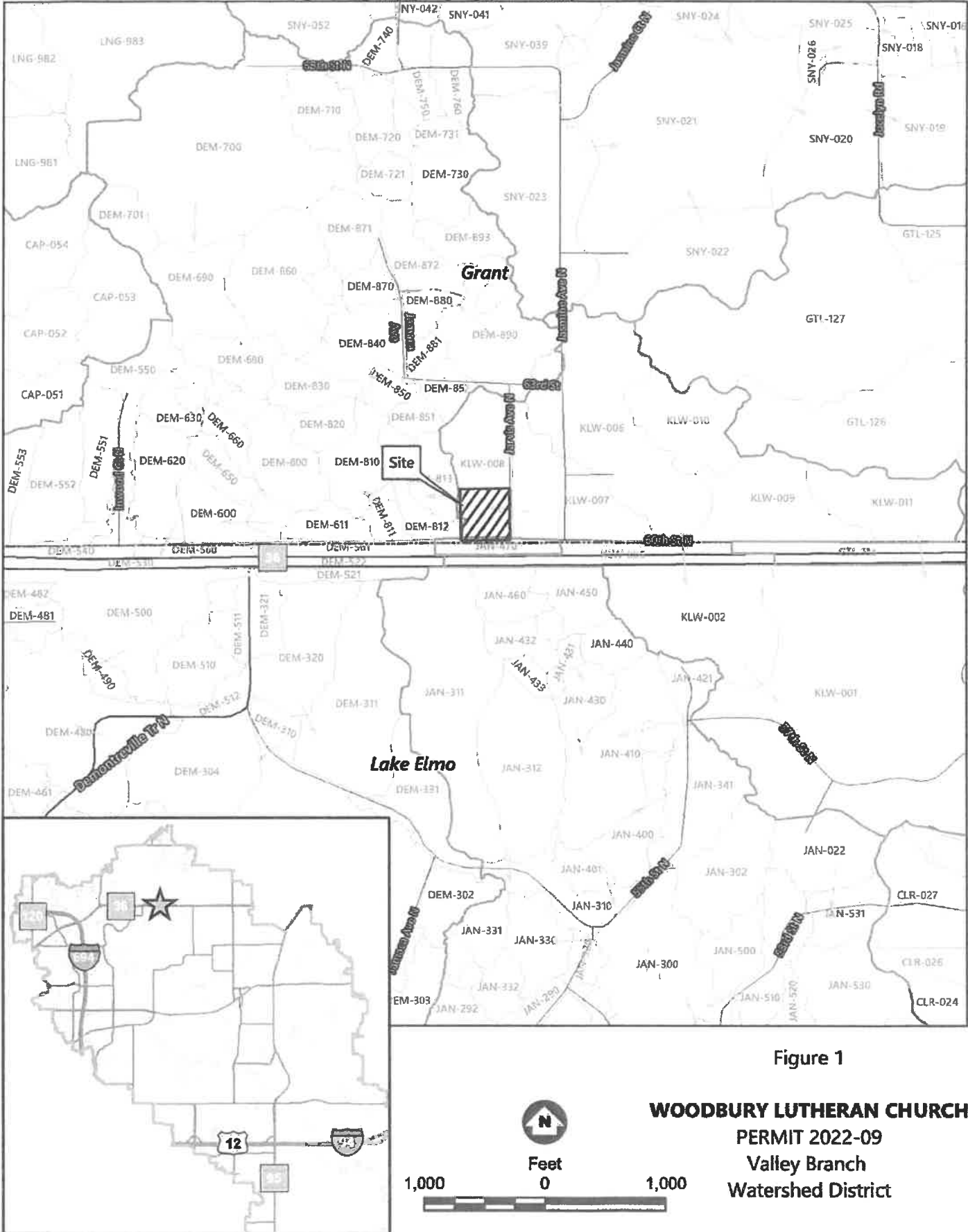


Figure 1

**WOODBURY LUTHERAN CHURCH**  
**PERMIT 2022-09**  
**Valley Branch**  
**Watershed District**