

**City of Grant  
City Council Agenda  
January 2, 2019**

*The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Wednesday, January 2, 2019, in the Grant Town Hall, 8380 Kimbro Ave. for the purpose of conducting the business hereafter listed, and all accepted additions thereto.*

**1. CALL TO ORDER**

**PUBLIC INPUT**

**Citizen Comments – Individuals may address the City Council about any item not included on the regular agenda. The Mayor will recognize speakers to come to the podium. Speakers will state their name and address and limit their remarks to two (2) minutes with five (5) speakers maximum. Generally, the City Council will not take any official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.**

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_
- (5) \_\_\_\_\_

- 2. PLEDGE OF ALLEGIANCE**
- 3. OATH OF OFFICE, JEFF GIEFER**
- 4. APPROVAL OF REGULAR AGENDA**
- 5. APPROVAL OF CONSENT AGENDA**

- A. December Bill List, \$55,186.06
- B. H & R Construction, Keats Guardrail Project, \$20, 240.63
- C. Kline Bros. Excavating, Road Work, \$19,172.50
- D. 2019 Clerk Pay per Approved 2019 Budget

E. Video Tech 2019 Contract

6. **2019 YEAR IN REVIEW, MAYOR JEFF HUBER**

7. **STAFF AGENDA ITEMS**

A. City Engineer, Brad Reifsteck (no action items)

B. City Planner, Jennifer Haskamp

i. Consideration of Resolution No. 2019-01, Amended CUP Application for Construction and Operation of Ice Arena, Mahtomedi School Campus, 8678 75<sup>th</sup> Street North

C. City Attorney, Dave Snyder (no action items)

8. **NEW BUSINESS**

i. Consideration of December 4, 2018 City Council Meeting Minutes (Council Member Giefer Abstain)

ii. Consideration of December 4, 2018 Truth in Taxation Meeting Minutes (Council Member Giefer Abstain)

iii. Consideration of Ordinance No. 2019-58, 2019 Fee Schedule

iv. Consideration of Resolution No. 2019-02, Summary Publication of Ordinance No. 2019- 58

v. Consideration of 2019 City Council Meeting Schedule

vi. Consideration of 2019 Appointment List

vii. Consideration of Resolution No. 2019-03, Resolution Supporting a Respectful Workplace

viii. Consideration of Resolution No. 2019-04, Designating 2019 Polling Location

9. **UNFINISHED BUSINESS**

i. Consideration of Resolution No. 2018- 25, US Solar Text Amendment Application (Applicant has Requested this item be tabled to the February Council meeting)

10. **DISCUSSION ITEMS** (no action taken)

A. Staff Updates (updates from Staff, no action taken)

B. City Council Reports/Future Agenda Items (no action taken)

11. **COMMUNITY CALENDAR JANUARY 3 THROUGH JANUARY 30, 2019:**

Mahtomedi Public Schools Board Meeting, Thursday, January 10<sup>th</sup> and 24<sup>th</sup>, Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, December 10<sup>th</sup>, Stillwater City Hall, 7:00 p.m.

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

City Office Closed, Martin Luther King Day, Monday January 21<sup>st</sup>

12. **ADJOURNMENT**

City of Grant

Disbursements Register

12/26/2018

Fund Name: 100 - General Fund

Date Range: 12/05/2018 To 12/31/2018

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
12/05/2018	Loren Sederstrom	13927	2018 Extra Council Meetings	N	Council Meeting Per Diem	100-41006-100-	\$ 75.00
	<b>Total For Check</b>	<b>13927</b>					<b>\$ 75.00</b>
12/26/2018	Payroll Period Ending 12/31/2018	13928	Dec2018	N	Clerk Salary	100-41101-100-	\$ 3,736.70
	<b>Total For Check</b>	<b>13928</b>					<b>\$ 3,736.70</b>
12/26/2018	OPG	13929	2019 Server/Web/User	N	Office Equipment	100-41314-210-	\$ 600.00
	<b>Total For Check</b>	<b>13929</b>					<b>\$ 600.00</b>
12/26/2018	CenturyLink	13930	City Phone	N	City Office Telephone	100-41309-321-	\$ 138.69
	<b>Total For Check</b>	<b>13930</b>					<b>\$ 138.69</b>
12/26/2018	Lyle Signs, Inc.	13931	Freight Charges	N	Road Sign Replacement	100-43110-330-	\$ 13.94
	<b>Total For Check</b>	<b>13931</b>					<b>\$ 13.94</b>
12/26/2018	Phyllis Johnson	13932	Mailbox Replacement	N	Road Expenses - Other	100-43116-224-	\$ 50.00
	<b>Total For Check</b>	<b>13932</b>					<b>\$ 50.00</b>
12/26/2018	Todd Smith	13933	Monthly Assessment Services - December	N	Property Assessor	100-41208-300-	\$ 1,991.92
	<b>Total For Check</b>	<b>13933</b>					<b>\$ 1,991.92</b>
12/26/2018	Waste Management	13934	Recycling	N	Recycling	100-43011-384-	\$ 4,907.88
	<b>Total For Check</b>	<b>13934</b>					<b>\$ 4,907.88</b>
12/26/2018	Lisa Senopole	13936	Video Tech Services	N	Cable Costs	100-41212-200-	\$ 150.00
	<b>Total For Check</b>	<b>13936</b>					<b>\$ 150.00</b>
12/26/2018	AirFresh Industries	13937	PortaPot #32843	N	Town Hall Porta Pot	100-43007-210-	\$ 125.00
	<b>Total For Check</b>	<b>13937</b>					<b>\$ 125.00</b>
12/26/2018	H & R Construction	13938	2018 Guard Rail Project	N	Special Road Projects	100-43128-531-	\$ 20,240.63
	<b>Total For Check</b>	<b>13938</b>					<b>\$ 20,240.63</b>
12/26/2018	KEJ Enterprises	13939	December 2018 Road Contractor	N	Animal Control	100-42006-300-	\$ 83.00
	<b>Total For Check</b>	<b>13939</b>					<b>\$ 83.00</b>
13939		13939	Town Hall Mowing		Town Hall Mowing	100-43006-300-	\$ 125.00
13939		13939	Ball Field Maintenance		Ball Field Maintenance	100-43009-300-	\$ 125.00
13939		13939	Road Engineering Fees		Road Engineering Fees	100-43102-300-	\$ 166.14

Fund Name: 100 - General Fund

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<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
12/26/2018	Johnson Turner Legal	13939	November Billing	N	Road Garbage Removal	100-43105-300-	\$ 167.00
		13939			Gravel Road Costs	100-43106-300-	\$ 20.84
		13939			Magnesium Choride	100-43107-300-	\$ 41.67
		13939			Road Sign Replacement	100-43110-300-	\$ 83.84
		13939			Culvert Repair	100-43111-300-	\$ 20.84
		13939			Snow & Ice Removal	100-43113-300-	\$ 5,416.67
		13939			Road Brushing	100-43114-300-	\$ 2,250.00
		13939			Road Side Mowing	100-43115-300-	\$ 500.00
		<b>13939</b>					<b>\$ 9,000.00</b>
12/26/2018	WSB & Associates	13940	Engineering - September	N	Legal Fees - General	100-41204-301-	\$ 2,971.50
		13940			Legal Fees - Complaints	100-41205-301-	\$ 264.00
		13940			Legal Fees - Prosecutions	100-41206-301-	\$ 1,700.00
		<b>13940</b>					<b>\$ 4,935.50</b>
12/26/2018	Joseph Turch	13941	Jasmine Project Refund	N	Engineering Fees - General	100-41203-300-	\$ 400.00
		13941			Road Engineering Fees	100-43102-300-	\$ 192.50
		13941			Special Road Projects	100-43128-300-	\$ 160.00
		13941			Utility/ROW Permits	100-43132-300-	\$ 240.00
		13941			Comprehensive Plan	100-43173-300-	\$ 503.50
		<b>13941</b>					<b>\$ 1,496.00</b>
12/26/2018	Darrel & Katherine Kalland	13942	Jasmine Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
		<b>13942</b>					<b>\$ 1,073.00</b>
12/26/2018	John Dietz	13943	Jasmine Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 268.00
		<b>13943</b>					<b>\$ 268.00</b>
12/26/2018	Roger & Kristen St. George	13944	Jasmine Ave Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 268.00
		<b>13944</b>					<b>\$ 268.00</b>
12/26/2018	James Meis & Kathryn Zehnder	13945	Jasmine Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
		<b>13945</b>					<b>\$ 1,073.00</b>
12/26/2018	Jerry & Marjorie Helander	13946	Jasmine Ave Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
		<b>13946</b>					<b>\$ 1,073.00</b>
12/26/2018	Michael & Brenda Gengler	13947	Jasmine Ave Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
		<b>13947</b>					<b>\$ 1,073.00</b>
12/26/2018	Michael & Brenda Gengler	13948	Jasmine Ave Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
		<b>13948</b>					<b>\$ 1,073.00</b>



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<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
12/26/2018	Larry & Mary Fedie	13949	Jasmine Ave Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
	<b>Total For Check</b>	<b>13949</b>					<b>\$ 1,073.00</b>
12/26/2018	Robert Tufty & Susan Ebertz	13950	Jasmine Ave Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
	<b>Total For Check</b>	<b>13950</b>					<b>\$ 1,073.00</b>
12/26/2018	Allan & Josephone Studtmann	13951	Jasmine Ave Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
	<b>Total For Check</b>	<b>13951</b>					<b>\$ 1,073.00</b>
12/26/2018	Shannon Klint & Thomas Schmit	13952	Jasmine Ave Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
	<b>Total For Check</b>	<b>13952</b>					<b>\$ 1,073.00</b>
12/26/2018	Setphen Bohnen	13953	Jasmine Ave Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 268.00
	<b>Total For Check</b>	<b>13953</b>					<b>\$ 268.00</b>
12/26/2018	Richard Peterson	13954	Jasmine Ave Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
	<b>Total For Check</b>	<b>13954</b>					<b>\$ 1,073.00</b>
12/26/2018	Brochman Blacktopping Co.	13955	Potholes	N	Pothole Repairs	100-43109-300-	\$ 5,486.90
	<b>Total For Check</b>	<b>13955</b>					<b>\$ 5,486.90</b>
12/26/2018	Kristin Bowditch	13956	Jasmine Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
	<b>Total For Check</b>	<b>13956</b>					<b>\$ 1,073.00</b>
12/26/2018	Jeffrey & Holly Lauseng	13957	Jasmine Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
	<b>Total For Check</b>	<b>13957</b>					<b>\$ 1,073.00</b>
12/26/2018	Terri Berg & William Weeding	13958	Jasmine Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
	<b>Total For Check</b>	<b>13958</b>					<b>\$ 1,073.00</b>
12/26/2018	Patricia Tebben	13959	Jasmine Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
	<b>Total For Check</b>	<b>13959</b>					<b>\$ 1,073.00</b>
12/26/2018	Paul Haugen	13960	Jasmine Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
	<b>Total For Check</b>	<b>13960</b>					<b>\$ 1,073.00</b>
12/26/2018	Cletus & Susan Busse	13961	Jasmine Project Refund	N	Bond Principal - Jasmine	100-45006-810-	\$ 1,073.00
	<b>Total For Check</b>	<b>13961</b>					<b>\$ 1,073.00</b>
12/26/2018	Petty Cash	13962	Postage/Office	N	Office Supplies	100-41313-210-	\$ 100.00
	<b>Total For Check</b>	<b>13962</b>			Postage	100-41318-210-	\$ 100.00
	<b>Total For Check</b>	<b>13962</b>					<b>\$ 200.00</b>

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12/26/2018	Kline Bros Excavating	13963	Road Maintenance	N	Grader Contractor	100-43101-301-	\$ 980.00
		13963			Culvert Repair	100-43111-301-	\$ 14,080.00
		13963			Special Road Projects	100-43128-301-	\$ 4,112.50
		<b>13963</b>					<b>\$ 19,172.50</b>
12/26/2018	Xcel Energy	13964	Utilities	N	Town Hall Electricity	100-43004-381-	\$ 135.59
		13964			Well House Electricity	100-43010-381-	\$ 11.36
		13964			Street Lights	100-43117-381-	\$ 49.40
		<b>13964</b>					<b>\$ 196.35</b>
12/26/2018	Wells Fargo Business Card	13965	2018 Mayor/Staff Lunch	N	Miscellaneous Expenses	100-41306-320-	\$ 70.00
		<b>13965</b>					<b>\$ 70.00</b>
12/26/2018	SHC, LLC	13966	Planning	N	City Planner	100-41209-301-	\$ 820.00
		13966			Pre-App	100-41319-301-	\$ 300.00
		<b>13966</b>					<b>\$ 1,120.00</b>
12/26/2018	Croix Valley Inspector	13967	Building Inspector	N	Building Inspection	100-42004-300-	\$ 1,041.38
		<b>13967</b>					<b>\$ 1,041.38</b>
12/26/2018	Sprint	13968	City Cell Phone	N	Road Expenses - Other	100-43116-321-	\$ 32.00
		<b>13968</b>					<b>\$ 32.00</b>
12/26/2018	PERA	13969	PERA	N	Council PERA	100-41007-120-	\$ 376.77
		13969			Clerk PERA Withholding	100-41108-100-	\$ 326.53
		<b>13969</b>					<b>\$ 703.30</b>
12/26/2018	IRS	EFT110	Payroll Taxes	N	Clerk FICA/Medicare	100-41103-100-	\$ 384.30
		EFT110			Clerk Medicare	100-41105-100-	\$ 72.84
		EFT110			Federal Withholding	100-41107-100-	\$ 374.90
		EFT110			Social Security Expens	100-41109-100-	\$ 311.46
		<b>EFT110</b>					<b>\$ 1,143.50</b>
		<b>EFT110</b>					<b>\$ 94,599.19</b>

Total For Selected Checks

# H & R Const. Co.

P.O. Box 756  
Dalton, MN 56324  
218-589-8707 fax 218-589-8708

Invoice No. 17069

## INVOICE

**Customer**  
Name **CITY of GRANT**  
Address \_\_\_\_\_  
City \_\_\_\_\_

Invoice Date **11/27/18**  
S.P./ Work Order /P.O # \_\_\_\_\_  
Work Completion Date **w/e 11/24/18**  
H&R Job # **707**

Item #	Description	Qty		Unit Price	TOTAL
	RE: KEATS GUARDRAIL - 83rd STREET WASHINGTON COUNTY - CITY OF GRANT				
	END TREATMENT - TANGENT TERMINAL	2.00	EA	\$3,750.00	\$7,500.00
	TRAFFIC BARRIER DESIGN TYPE 31	337.50	LF	\$37.75	\$12,740.63
				SubTotal	\$20,240.63
				<b>TOTAL</b>	<b>\$20,240.63</b>

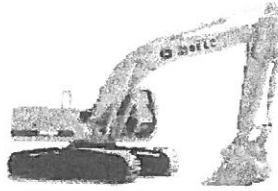
**Payment Details**  
 **Net Ten (10) Days**  
 1 1/2% service charge after 30 days  
 Due upon receipt

Office Use Only

*Please pay promptly. Thank You.*

*Please pay off this invoice. No statement will be sent.*

KLINE BROS EXCAVATING  
 8996 110th St N  
 STILLWATER, MN 55082



# Invoice

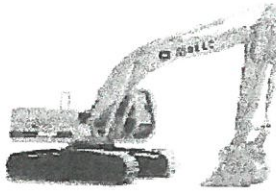
DATE	INVOICE #
12/25/18	2502

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	SPECIAL PROJECTS 100-43128

DUE DATE
1/4/19

DESCRIPTION	QTY	UNIT COST	AMOUNT
REMOVE LARGE TREES ALONG 88TH ST			0.00
12-14-18 E70	4.5	90.00	405.00
12-14-18 1845C	4.5	85.00	382.50
12-14-18 LNT9000	5	75.00	375.00
12-14-18 T600	4	75.00	300.00
12-17-18 E70	4.5	90.00	405.00
12-17-18 1845C	4.5	85.00	382.50
12-17-18 LNT9000	4.5	75.00	337.50
12-17-18 T600	3	75.00	225.00
REMOVE LARGE DOWNED TREES FROM LAKE ELMO AVE			0.00
12-18-18 E70	4	90.00	360.00
12-18-18 1845C	4	85.00	340.00
12-18-18 LNT9000	4	75.00	300.00
12-18-18 T600	4	75.00	300.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE	<b>Total</b>		4,112.50

KLINE BROS EXCAVATING  
 8996 110th St N  
 STILLWATER, MN 55082



# Invoice

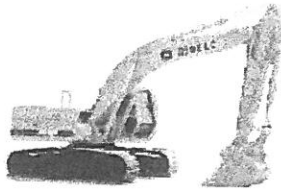
DATE	INVOICE #
12/25/18	2503

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	ROAD GRADING 100-43101

DUE DATE
1/4/19

DESCRIPTION	QTY	UNIT COST	AMOUNT
12-19-18 770B	6	80.00	480.00
12-19-18 740A	4.75	80.00	380.00
12-20-18 770B	1.5	80.00	120.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			
<b>Total</b>			980.00

KLINE BROS EXCAVATING  
 8996 110th St N  
 STILLWATER, MN 55082



# Invoice

DATE	INVOICE #
12/25/18	2504

<b>BILL TO</b>	<b>JOB ADDRESS</b>
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	CULVERT REPAIR 100-43111

<b>DUE DATE</b>
1/4/19

DESCRIPTION	QTY	UNIT COST	AMOUNT
FEET OF 15" GALV METAL CULVERT	200	18.50	3,700.00
15" GALV METAL FLARE ENDS	8	125.00	1,000.00
FEET OF 18" GALV METAL CULVERT	100	20.50	2,050.00
18" GALV METAL FLARE ENDS	4	155.00	620.00
FEET OF 13" X 17" ARCHED GALV METAL CULVERT	50	20.50	1,025.00
FEET OF 24" GALV METAL CULVERT	150	28.50	4,275.00
24" GALV METAL FLARE ENDS	6	235.00	1,410.00
<b>Total</b>			<b>14,080.00</b>

AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE

AGREEMENT BETWEEN LS PRO (LISA SENOPOLE) AND  
THE CITY OF GRANT FOR VIDEOGRAPHER SERVICE

THIS AGREEMENT, made and entered into this 2nd of JANUARY, 2019, by and between the CITY OF GRANT, Washington County, Minnesota, herein referred to as "CITY," and LS PRO (LISA SENOPOLE), herein referred to as "VIDEOGRAPHER."

WHEREAS, the CITY desires to contract with a videographer to record City Council, Planning Commission, and special meetings as needed;

WHEREAS, the CITY has broadcast facilities and government access through the Ramsey Washington Suburban Cable Commission (RW/SCC); and

WHEREAS, the VIDEOGRAPHER will provide recording services, primarily for the City Council meetings, held on the second Tuesday of each month in January through December; Planning Commission meeting, held on the third Tuesday of each month. It is understood that meeting schedules may change due to Holidays and other conflicts.

WHEREAS, under the terms of this agreement, the VIDEOGRAPHER is an independent contractor.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. The CITY shall be responsible for providing and maintaining the broadcast equipment and facility. The CITY is responsible for establishing broadcast policies and procedures and meeting schedules. The CITY shall provide the VIDEOGRAPHER with the next year's meeting schedule each December.
2. As needed, the CITY shall provide training for the VIDEOGRAPHER on broadcast equipment. The CITY shall pay the VIDEOGRAPHER at rate of at rate of \$75.00 for all scheduled training. Training exceeding three hours will be billed at an hourly rate of \$25.00 per hour rounded to the nearest quarter hour.
3. For filming CITY meetings, VIDEOGRAPHER shall be paid at the rate of \$90.00 per meeting, twice monthly. Meeting's exceeding three hours will be billed at an hourly rate of \$25.00 per hour rounded to the nearest quarter hour. Subject to the provisions of Paragraph 11, it is the intent of the parties of this Agreement that it shall become effective January 2, 2019 and terminate on December 31, 2020. The terms of this contract may be renegotiated annually between the CITY and VIDEOGRAPHER.
4. VIDEOGRAPHER shall submit an invoice to the city clerk after each meeting as a record of hours worked. Invoices shall list meeting dates, type of meeting and actual hours worked. Invoices and original receipts will be submitted to the city for reimbursement. Mileage will be calculated following the Federal Mileage Rate. The CITY agrees to pay invoice within 30 days of receipt.
5. VIDEOGRAPHER shall be professional, accommodating, courteous and timely at all times.



6. VIDEOGRAPHER shall arrive at Grant Town Hall, 8380 Kimbro Ave, at least 30 minutes before the start of each scheduled meeting to prepare for production. Food and beverages are not allowed in the production booth. Upon departing, VIDEOGRAPHER shall shut down equipment in the production booth, turn off lights in the production booth and secure the door to the production booth.
7. The CITY shall notify the VIDEOGRAPHER, via email, at least three business days in advance for any special broadcast coverage requirements or changes in the meeting schedule. The VIDEOGRAPHER shall notify the CITY at least three business days in advance in event that VIDEOGRAPHER is not available to film a meeting. Should a schedule conflict arise the VIDEOGRAPHER will work with the RW/SCC cablecaster group to arrange a substitute. Subject to the provisions of Paragraph 3, the VIDEOGRAPHER agrees to forfeit pay when a substitute is employed.
8. VIDEOGRAPHER is expected to respect the confidentiality of all closed meetings. Any communication, including that on social media, of said meetings is not permitted. The videographer hereby understands and acknowledges that all videos completed by this agreement are governed by the Minnesota Data Practices Act "the Act". Retention, distribution, or destruction of any video shall occur only with written approval of the Town's Data Practice Compliance Officer.
9. VIDEOGRAPHER shall notify the City Clerk of any changes or issues with AV equipment. VIDEOGRAPHER will do their best to communicate technical issues to SCC staff and implement solutions as directed.
10. The Agreement is to be considered AT WILL and may be terminated by either party at any time. E-mail shall be recognized as an official means of communication alongside, U.S. mailing.
11. If the city provides the VIDEOGRAPHER with any keys, keycards, codes etc, it is understood that the VIDEOGRAPHER shall be prohibited from allowing any parties, with exception to law enforcement and emergency personal access to the building for any reason whatsoever. Violation of these terms is grounds for immediate termination. Upon contract termination, VIDEOGRAPHER shall return all keys, keycards, codes etc. to the CITY within two business days.
12. The VIDEOGRAPHER and CITY waive consequential damages for claims, disputes or other matters in question arising out of or relating to this Agreement. This mutual waiver is applicable, without limitation, to all consequential damages due to either party's terminating in accordance with the AT WILL clause.
13. Any notice required by this Agreement shall be sent as follows:

TO CITY:  
VIDEOGRAPHER: City of Grant  
111 Wildwood Road  
Willernie, MN, 55090

TO  
Lisa Senopole  
2989 Hamlet Avenue North  
Oakdale, MN 55128



IN WITNESS WHEREOF, the parties hereto have made and executed this agreement the day and year first above written.

CITY OF GRANT

LISA SENOPOLE

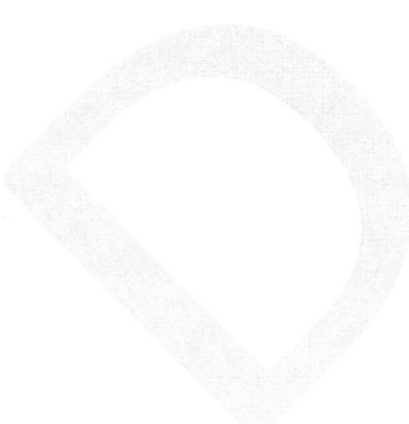
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Lisa Senopole

\_\_\_\_\_  
City Administrator/Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date





## STAFF REPORT

**To:** Mayor and City Council Members  
Kim Points, City Clerk

**Date:** December 24, 2018

**RE:** Application for an Amended  
Conditional Use Permit (CUP)  
construct and operate an Ice  
Arena on a 4-acre portion of the  
Mahtomedi School Campus (8678  
75<sup>th</sup> Street N.)

**CC:** David Snyder, City Attorney

**From:** Jennifer Haskamp  
Consulting City Planner

### Summary of Request & Background

The Applicant, Rinc 2, is requesting an Amendment to the existing Conditional Use Permit (CUP) on the Subject Property to permit the construction and operation of an Ice Arena. The existing CUP permits the operation and use of portions of the Mahtomedi School Campus for Athletic Field Uses but does not address the construction and operation of an Ice Arena. In August of 2015 the Applicant contacted the City to determine what steps and processes would be necessary to permit the construction and operation of an Ice Arena on the Mahtomedi School Campus. At that time, the City's Staff, including Attorney, indicated that either a new CUP or an Amendment to the existing CUP would be necessary since the Ice Arena use was not identified within the current CUP that addresses the Athletic Field Uses on the site. In August of 2016, the Applicant made a formal application to the City to Amend the Conditional Use Permit for Athletic Field Uses, thus initiating the process.

### Planning Commission and Public Hearing

On December 18, 2018 the Planning Commission held a duly noticed public hearing at their regular meeting. Several members of the public provided testimony, both in support and opposition of the proposed Ice Arena. A summary of the testimony is provided as background for consideration of the City Council:

- Those that spoke in favor, cited the lack of an Ice Arena in the area to supports the Mahtomedi Schools and the youth hockey programs. Given the proposed location as part of the Mahtomedi School Campus, the proposed location seemed reasonable to those in favor of an arena.
- The public noted that an Ice Arena, particularly in an area that so heavily participates in the sport, will be a community gathering space and good for the area's youth and families.
- Some environmental concerns were raised, though nothing specific to the EAW or the EAW process.
- Testimony regarding the 'use' as an Ice Arena was questioned, and whether the appropriate 'use' is commercial and therefore the site should be rezoned to accommodate the Ice Arena. If rezoning to Commercial is necessary, then the public questioned whether the Ice Arena is appropriate since that would not be consistent with the rural character of the community.



- One member of the public inquired as to whether or not the existing CUP was being followed and evaluated by the City regularly. Noting that the existing permit should be followed before allowing an amendment to the permit.
- Concerns regarding traffic and parking were noted and identified. This was discussed particularly in reference to events. Circulation internal to the site was mentioned, and ingress/egress onto CSAH 12.
- Questions regarding hours of operation were noted, and some testified that they would like to see similar hours of operation for the Ice Arena as other athletic field uses on the site.
- Though not under the purview of the Planning Commission, some members of the public commented on the financial viability of arena and questioned what happens to the facility if it fails since it is a private non-profit that proposes to construct and operate the facility.

In addition to the public testimony, the Planning Commission discussed the proposal, and provided the following feedback:

- Some commissioners expressed concern regarding the accurate and true number of parking spaces needed to support the use, particularly if the facility was at maximum capacity (1,200 spectators).
- Internal circulation, particularly pedestrian connections between overflow parking areas and the Ice Arena were discussed. Some commissioners questioned whether people would walk between overflow areas and the Ice Arena, or if they would resort to parking along CSAH 12 or internal roadways/driveways. This discussion resulted in an additional proposed condition to include proper wayfinding and lighting between overflow parking areas and the Ice Arena.
- The commission asked about fire services given the type of facility (refrigeration, etc.) and wanted verification that such use would not increase the City's rates. While financial impact/analysis is not generally under the purview of the planning commission, they have proposed a draft condition for consideration of the City Council to address this concern.
- Access (ingress/egress) was discussed as well as the event management plan. There was discussion whether the event management plan should be instituted during all events (not just those exceeding 600), but ultimately no changes to the draft conditions were provided.
- As noted within the Public Testimony, commissioners also questioned what happens if the facility fails given that the owner/operator is a private non-profit.
- Commissioners also requested an opinion from the City Attorney regarding the Commercial Use question but did not request that such response be a condition of the permit.

After discussion, and with the items as noted, the Planning Commission unanimously recommended approval of the Amended Conditional Use Permit for the Ice Arena, with the conditions as noted by staff and as amended by the commission. A draft of the Amended CUP has been included as Attachment A, for the review and consideration of the City Council.

The following staff report is generally as presented to the Planning Commission, with some modifications and clarifications based on the Applicant's presentation, public testimony and Planning Commission discussion. The City Engineer's review memo is attached for your consideration as Attachment B.



## Application Background

The following summary of the City's review efforts and timelines to-date associated with the Subject Application are provided to the Planning Commission for reference:

- August 2016: Application for Amendment CUP to permit Ice Arena construction and operations is submitted to the City.
- City Staff determines that the Amended CUP Application is complete.
- August 25, 2016 Staff prepares a memo to request that the City Council order the preparation of an Environmental Assessment Worksheet (EAW) by a third-party consultant to properly evaluate the proposed project.
- September 6, 2016 Regular City Council Meeting, the City Council orders the preparation of the discretionary EAW to evaluate the proposed project. Due to ordering the EAW, the review timeline permit Minnesota State Statutes 15.99 is paused to allow for environmental review.
- September 2016 – January 2017 the draft EAW is prepared by BayWest and Traffic Impact Group.
- January 31, 2017 Draft #1 of EAW is submitted to EQB for public review and comment. The Project Description proposes to construct the Ice Arena within the dump/waste extents and to use pilings to support the structure.
- February 6 – March 8, 2017 Public Comment Period is Open
- February 22, 2017 City of Grant holds Public Open House for review of Draft EAW
- March – April 2017 City of Grant's consultant, BayWest, compiles and reviews comments received during the Public Comment period. After review, BayWest concludes that a declaration cannot be made and that additional information is necessary to make a determination regarding the EAW. BayWest discusses with the EQB the need to obtain additional information from the Project Proposer to make sure the City is compliant with the EQB's rules. After discussion with the EQB, BayWest informs the Project Proposer that additional information is need.
- April 17, 2017 – February 2018 The Project Proposer prepares the Additional Work as needed and identified by BayWest. During this time, the Project Proposer works with the MPCA on a VRAP (Voluntary Response Action Plan) and supplemental processes to ensure the MPCA will permit the construction of the proposed Ice Arena. As a result of the effort to achieve approval from the MPCA, the Project Proposer changed their construction proposal to excavate the dump and remove the waste, and to replace it with clean fill thus changing the Project Description. As a result, the EAW was required to be amended to consider the revised Project Description, and to allow for another public comment period.
- May 25, 2018 Revised EAW is submitted to the EQB for release and a second public comment period based on the amended Project Description.
- June 6 – July 8, 2018 The 30-day Public Comment Period is opened.
- July 9 – August 3, 2018 BayWest prepares Response to Comments, Findings of Fact and Notice of Decision regarding the amended EAW. Based on comments received, approvals from the MPCA regarding the revised project description, BayWest recommends that the City Council find that there is no need for further environmental review.
- August 7, 2018 The Resolution of No Need, and Response to Comments and Findings of Fact are on the agenda for review. The City Council adjourns the meeting early without taking action.
- September 4, 2018 The City Council adopts Resolution 2018-15, finding that there is no need for additional environmental review based on the information contained within the EAW.



- October 11, 2018 Rinc 2 formally applied for the Amended Conditional Use Permit (the subject of this Application) with the revised materials as presented within the EAW.

Rinc 2 was required to submit revised drawings and plans in this submission because the construction and development plan for the proposed Ice Arena changed as a result of the EAW process. The October 11<sup>th</sup> submittal materials include the prior materials from 2016, as well as revised drawings based on the materials reviewed as part of the EAW process that was completed in 2018. For purposes of this Staff Report and the City Engineer’s review memo the most current available drawings were reviewed and where possible Staff has identified the date of the Plan for clarification. Based on Staff’s review, there are some drawings and plans that will need to be updated to reflect the revised construction/development plan. Where updated information is needed staff has noted and identified within the respective staff reports. Because of the history and extensive quantity of information contained within the submitted materials, staff has identified a few key documents to highlight within this Staff Report. Staff encourages the Planning Commission to review all of the other submitted information, and the purpose of highlighting key documents is to help Commissioner’s understand what pieces of information have been reviewed and where official action has occurred, and to highlight where some issues or updates are needed as part of the City’s CUP process. A list of key documents highlighted within this staff report are provided in the list at the end of this report.

**Project Summary**

<b>Applicant:</b> Rinc 2 (c/o Alex Rogosheske, Esq.)	<b>Site Size:</b> ~4 Acres – Disturbed (Total Parcel Area 60.57 Acres)
<b>Owner:</b> ISD 832	<b>PIDs:</b> 2803021130001 (2803021240002, 2803021240001 Existing Parking & Drainage)
<b>Zoning &amp; Land Use:</b> A-1	<b>Existing Use:</b> The property is used as part of the Mahtomedi School Campus; there are two existing CUPs recorded against the subject PID, 1) The Wildwood Elementary School CUP, and 2) The Athletic Fields CUP
<b>Address:</b> 8678 75 <sup>th</sup> Street N.	<b>Request:</b> A Conditional Use Permit (CUP)

The Applicant, Rinc 2, and Owner, ISD 832, are proposing to Amend the existing Conditional Use Permit for Athletic Fields (Attachment A: Amended CUP) to allow for the construction and operation of an Ice Arena as part of the existing CUP. The proposed project would disturb an approximately 4-acre portion of the Mahtomedi School Campus, and no subdivision is contemplated or proposed as part of this request. A summary of the proposed project is provided as follows:

*Existing Site Use:* The existing parcel is used for a combination of uses including an Elementary School (Wildwood), stormwater management (ponds), athletic fields including multi-purpose and soccer fields, and internal roads and parking lots. The proposed Ice Arena is located near the western edge of the subject parcel and would be located on approximately 4-acres that is currently used as a multi-purpose filed (See Attachment A: Site Aerial).

*Owner & Applicant Agreement:* The Applicant, Rinc 2, has entered a Ground Lease with the Owner, ISD 832, that would permit the Applicant to construct and operate the proposed Ice Arena on the Subject Site. A



copy of the lease has been provided and was included in the Applicant's materials. The Ground Lease indicates a period from 2016 through 2036, with option to extend the period through 2056 provided Rinc 2 is not default of any of the terms or conditions of the Lease. (See Second Amended Ground Lease dated March 2017) Ownership of the property would remain ISD 832, and Rinc 2's proposed project would operate to benefit the School District's facilities and athletic fields as described within the Applicant's narrative.

*Traffic, Main Access and Parking:* The proposed Ice Arena is accessed from CSAH 12 (75<sup>th</sup> Street N) which is a shared access location with Wildwood Elementary School located to the southeast of the proposed Ice Arena. There are internal connector roads throughout the Mahtomedi School Campus that would be used to provide connections and access to the High School and Middle School located to the west of the proposed Ice Arena. A traffic study was prepared by Traffic Impact Group as a part of the EAW process, which was coordinated with Washington County to ensure that the study would also include additional information need for access permitting. After the completion of the EAW process, Washington County requested additional information and the Applicant updated the traffic study which was submitted to Washington County for review (See Memo Additional Traffic Analysis October 16, 2018) There is an existing parking lot that was constructed to serve the athletic fields on site, which is located southwest of the proposed Ice Arena. The existing parking lot has 203 parking spaces (195 + 8 Handicap Stalls). The Applicant and Owner propose to use this parking lot as the main parking lot to serve the Ice Arena, which will be shared with the athletic fields and High School overflow. (See Site Plan C1.1, dated June 14, 2016) As noted in subsequent sections of this report, the Applicant and Owner have agreed that during events, overflow parking will be directed to the Elementary School Parking lot and the parking lot near the tennis courts.

*Utilities:* The proposed Ice Arena would be connected to municipal water and wastewater services which are currently provided to the Mahtomedi School Campus by the City of Mahtomedi. There are two letters contained in the Applicant's materials, both on behalf of the City of Mahtomedi from WSB. The first letter dated January 10, 2017 indicates that there is enough capacity in the City's water and wastewater infrastructure to serve the Ice Arena. The second correspondence dated October 1, 2018 indicates that the City of Mahtomedi has planned for the Ice Arena within its updated 2040 Comprehensive Plan so that if the project is approved no Comprehensive Plan Amendment will be required as the City has guided and planned for the improvements. (See Correspondence from WSB on behalf of Mahtomedi)

*Environmental Review:* The proposed project was evaluated to determine the potential for environmental impact since the proposed Ice Arena location is on a former dump site (See Letter from Minnesota Pollution Control Agency dated January 4, 2018; page one provides a summary of the site history). As indicated in the letter, the Applicant and Owner have prepared a Response Action Plan that was approved by the MPCA, and provided that the conditions as stated within the memo are met, they will issue necessary permits to allow for the construction and operation of the Ice Arena in the proposed location. This information was included in the revised EAW, which was provided for review during the 2018 public comment period. On September 4, 2018 the City Council adopted resolution 2018-15, determining that there is "no-need" for additional environmental review based on the information contained and evaluated in the EAW. This resolution and finding closed the EAW process. Several mitigation measures were indicated and identified within the EAW, which are included within this staff report as draft conditions.

*Operations:* The proposed Ice Area includes an NHL-size single sheet of ice, team rooms for high-school boys and girls varsity, and leagues. The proposed operations include public use spaces such as concessions, skate





changing, ticketing and restrooms. The Ice Arena includes seating initially to accommodate 600 spectators with a full build out of up to 1,200 spectators. The facility includes space for mechanical and equipment spaces for refrigeration and resurfacing. The principal use of the facility is as a hockey arena, and the Applicant has indicated flexibility in the possibility of allowing other accessory or secondary uses in the facility when not in use as a hockey arena. The number of employees is anticipated to range from one (1) to seven (7) depending on the activities planned on a particular day. Obviously during events, more employees will be necessary, including potential traffic operations/control assistance as noted in the Traffic Analysis memo.

*Hours of Operation:* The Applicant indicates within their narrative that the exact hours of operation have not been determined but proposes to allow for the facility to be open daily from 5:00 AM to 12:00 AM. Though not stated specifically, staff understands that the facility would be open and operational on a year-round basis.

### **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. Although this request is to Amend an existing Conditional Use Permit, the following standards are still applicable since the Ice Arena use is new and not currently present or addressed within the existing CUP. 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.”

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

The City Council should note that the only conditions in the existing CUP that are subject to review or modification within this process are those conditions that would be directly affected or related to the proposed Ice Arena amendment. So, for example the existing parking lot that was approved as part of the original Site Plan for the Athletic Fields is now proposed to also accommodate the Ice Arena. Therefore, any specific conditions in the existing CUP that relate to the parking lot are open for discussion in this process.

### **Existing Site Conditions**

The proposed project is sited on an approximately 4-acre portion of a larger 60.57 Acre property. The existing larger site includes the Wildwood Elementary School, internal roadways, parking lots, surface water management features and ponds, wetlands, park/recreational area, soccer fields, baseball fields and open spaces with vegetated buffers along the northern edge. The Ice Arena site is located northeast of Existing



Athletic Parking ‘A’, and north of the existing drive and infiltration areas as noted on the plans. Currently this portion of the site is used as open recreational field area, used for La Crosse, Soccer and other field activities. There are no wetlands on the 4-acre portion of the site per the Rice Creek Watershed District’s correspondence. As described in the correspondence from the MPCA dated January 4, 2018, from the 1950s to the 1970 the 4-acre Ice Arena site was within a 10-acre portion of the property used for “disposal of municipal, solid, demolition and industrial waste.” This area is shown in gray and denoted as “Contaminated Soils” on the Applicant’s Grading & Utility Plan dated July 1, 2016. At this time the contaminated soils remain on site.

**Comprehensive Plan Review**

The Subject Site is guided A-1 and is currently used for the Mahtomedi School Campus. The City’s Comprehensive Plan describes the A-1 land use designation as primarily large lot residential and agricultural uses, but further states that some non-residential uses are permitted through conditional use permit. The existing Mahtomedi School Campus is a conditionally permitted Public School, and the associated Athletic Fields have also been reviewed and approved as part of the City’s CUP processes. The proposed Ice Arena use is an extension of the Athletic Field Use and is considered as part of the School’s existing CUP which was deemed consistent with the City’s Comprehensive Plan.

As noted in the Public Hearing, public testimony questioning whether the site was required to be re-zoned, and subsequently re-guided to a commercial use was provided. Staff responded at the Planning Commission meeting that the Athletic Field uses were determined, in prior applications dating back to the 1970s, to be an accessory use of the “Public School” use and therefore the Ice Arena is a conditionally permitted accessory use to the Public School campus. A short memo from the City’s Attorney will also be provided under separate cover as requested by the Planning Commission addressing this issue.

**Zoning/Site Review**

The City of Grant zoning ordinance conditionally permits Public Schools and their accessory uses within the A1 and A2 zoning districts. The following dimensional standards are provided for your review and consideration.

**Dimensional Standards**

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

Dimension	Standard
Lot Size	20 Acres
Frontage – public road	300’
Front Yard Setback	65’
Side Yard Setback	20’
Rear Yard Setback	50’
Height of Structure	35’





Driveway Setback	5'
Parking Lot setback	10' from ROW
Wetland Setback Structure (Buffer)	75' (50')

**Lot Size/Area:** The proposed Ice Arena is located on the Wildwood Elementary School parcel which is approximately 60.57 Acres. Section 32-1 Definitions, requires all Public or Private Schools to have a minimum of 20 contiguous acres. The portion of property that will be disturbed to construct the Ice Arena is approximately 4 acres; however, there is no subdivision proposed as part of this project. While the Ice Arena will be sited on a portion of the property, the site will remain contiguous and exceeds the City's minimum lot area for Public Schools.

***As proposed the proposed site and project meet the City's ordinance requirements.***

**Setbacks & Frontage:** Section 32-1 requires all public schools to be located on parcels that are a minimum of 20-contiguous acres, and that such sites must have frontage on a State or County roadway. The proposed Ice Arena (and existing Mahtomedi School Campus) have frontage on CSAH 12 (75<sup>th</sup> Street North) which is a County Road. Additionally, the City requires a minimum of 300-feet of frontage for all lots/parcels, and the existing parcel has over 1,600-feet of frontage on CSAH 12.

***As proposed, the existing site and proposed project meet the City's ordinance requirements.***

Section 32-246 of the City's ordinances require that all structures must be setback a minimum of 150-feet from the centerline of an Arterial roadway. The proposed structure is setback approximately 430-feet from the centerline of CSAH 12. ***As proposed the Ice Arena's location meets the City's front-yard setback ordinance requirements.***

**Parking Area (Location & Spaces):** The Applicant is proposing to utilize and share the existing parking lot on site that was constructed to support the Athletic Fields which was a condition of site plan approval of the existing CUP. The existing parking lot currently has 195 standard stalls and 8 handicap accessible stalls with total parking available of 203 stalls. It is staff's understanding that the parking lot also serves as overflow parking for High School permit parking, but that a limited number of stalls are used for this purpose on a regular basis.

The City's current ordinance does not specify a parking ratio to determine how many spaces are needed to adequately serve the facility. As described in the narrative the Phase I spectator seating is 600, while a phase II condition is 1,200 (Note that there is no exterior physical changes between phase I and phase II, and it is simply the interior spectator seating that will be adjusted). While not detailed within the narrative, the analysis in the Traffic Study (See Traffic Study as part of EAW, and the Additional Traffic Analysis dated October 16, 2148) analyzes the 600-spectators as an event condition that does not reflect daily conditions.



However, if the Traffic Study information is utilized with the assumption that there are 2.1 persons per vehicle, then the number of parking spaces need to support an event with 600 people would be 285 stalls. This is more than is currently available at the main proposed parking lot and would not support the Phase II condition of 1,200. Staff followed up with the Applicant to discuss the plan for overflow parking during events. The Applicant has indicated that the existing Wildwood Elementary School parking lot and the existing parking lot located near the tennis courts would serve as overflow parking during events. Based on plan submitted with the Wildwood Elementary School project, there are approximately 130-stalls at the Elementary School, and additional 125-parking stalls at the tennis courts. This would make total available parking of approximately 540-stalls. This is slightly less than what be needed if the facility is maxed out at 1,200 spectators (ratio results in needed 580-stalls). ***While this condition is likely in the future, staff would recommend that the Applicant provide verification of total number of stalls available in all three parking lots since as-builts were not used to calculate the numbers (preliminary plan sent from 2011 was used to calculate).***

From a daily use perspective, it is assumed that regular team practices would result in between 20 and 50 vehicles onsite at a time with the higher counts expected as teams change/crossover. Based on that projection, the proposed main parking lot would be adequate to accommodate the expected cars, while still providing parking spaces for other users on site.

***Based on the information provided and reviewed, the proposed main parking lot is adequate to function and serve expected daily use of the facility. More information regarding anticipated Phase II conditions (1,200 spectators) would be needed to ensure adequate parking is available.***

Driveway/Circulation:

As part of the EAW process a Traffic Study was completed by Traffic Impact Group to evaluate the potential impact of the proposed use on the ingress/egress into the site. Since the Ice Arena is located near the main entrance which serves the elementary school, the proper/safe functioning of this intersection is critical. Per the Traffic Study, the intersection and internal traffic flow would be acceptable under the Phase I condition. However, if and when Phase II occurs, and additional spectator space is added then proper mitigative measures will be necessary during events to ensure that safe ingress/egress from the site can occur. The recommended mitigation contained in the supplemental traffic study dated October 2018 includes an event management plan to address potential traffic flow issues. It is unclear if Washington County has formally reviewed the recommendations regarding the proposed mitigation, but it has been submitted to Washington County for their review and comments. Staff will reach out to Washington County to understand their current perspectives and will provide written or verbal update to the City Council, if available, at the meeting. ***Staff recommends including a condition in the Conditional Use Permit that all event parking mitigation, acceptable to Washington County and the City,***



*must be provided at every event.*

In addition to car circulation, pedestrian traffic flow is important given the location of the proposed Ice Area in relation to the main access drive. The main entrance to the Elementary School runs along the eastern edge of the parking lot and then heads directly east just south of the proposed Ice Arena. This makes the pedestrian plan important to try and keep pedestrians crossing into the Ice Arena off the 'main drive' to the extent possible. The site design, as shown on the figure noted as "Site Plan – C1.1" shows how the Applicant proposes to use vegetation as a guide to the main entrance into the Ice Arena. While the vegetation helps, it seems likely that users of the Ice Arena may still wander into the "main drive" particularly if the 'stubs' at the end of the parking rows are not medians/curbs. Staff would recommend some additional measures to help guide pedestrians away from the main drive. ***Staff recommends the Applicant consider additional crosswalk striping, medians, or other pedestrian markers to help reduce potential conflicts.***

Finally, in the case of overflow parking, the Applicant has stated that the Tennis Court parking lot as well as the Elementary School parking lot will be used. The site plan does not show the pedestrian routes between these parking lots and the Ice Arena. Since the Ice Arena will be most active during the winter, walking on shoulders/grass areas is not feasible given that there will likely be snow accumulation/piles. Staff has concerns that walking on the driveways/access will not provide safe pedestrian routes given the volume of traffic as well as winter conditions. ***As a result, staff recommends that a condition be included in the CUP that requires the applicant to prepare a pedestrian plan and that such plan must be reviewed and approved by the City Staff, including the City Engineer, to ensure that there is a safe route between the overflow parking areas and the Ice Arena.***

Architecture, Building  
Height, Foundation

The proposed Ice Arena is approximately 46,091 square feet and is oriented east-west on the site. The main entrance to the facility is on the western façade and connected to the parking lot via a sidewalk and some vegetation. Given the proposed use, there is little fenestration and articulation on the facades, with the exception of the western façade that includes the main entrance vestibule area and three windows on the elevation. The proposed structure's maximum height is 29-feet, and steps down to 18-feet on the east elevation. ***As proposed, the Ice Arena meets the City's Ordinance requirements for architecture and maximum height.***

Staff would note the foundation and some special construction/architectural characteristics of the Ice Arena that are not typically reviewed as part of a CUP process. However, given the background and history of the Site, staff notes a few specific site characteristics that will be evaluated/reviewed by both the City's Engineer (where applicable) and the Building Official (State or Local). As background the EAW process resulted in a revised construction plan that now involves removing the waste material currently on-site directly within the



disturbance area (building pad) and bringing in clean fill to support the foundation of the new Ice Arena. Secondly, as described in the Response Action Plan approved by the MPCA, the construction will also include the installation of a Vapor Barrier on the foundation and vapor mitigation system. Staff identifies these characteristics as reference but has not completed any review or analysis as they are permitted and reviewed through the building permit and MPCA RAP processes.

#### Lighting

Section 32-321 addresses lighting standards, specifically related to non-residential uses. The proposed plan does not identify any outdoor lighting, and existing lighting in the parking lot or along the internal driveways is not identified. Staff contacted the Applicant for additional information regarding proposed lighting, and the Applicant's architect stated that the existing parking lot is lit and no changes are proposed. There will be some lighting along the sidewalk to the facility, and on the perimeter of the building. All lighting will be hooded and downlit with the primary function as pedestrian safety and wayfinding. Staff also notes that a full plan indicating lighting on internal driveways was not provided. Additional information regarding the lighting of these driveway is important particularly related to event situations where overflow parking will occur in nearby parking lots. Staff provided additional clarification during the Planning Commission meeting that if sidewalks/pedestrian ways are provided between the overflow parking areas and the Ice Arena that a lighting plan should be shown and developed to ensure these walkways are properly lit. ***The Applicant should provide a lighting plan that identifies lighting on the proposed structure, as well as lighting in the parking lot, along the drives and any proposed pedestrian-ways to the Tennis Court Parking Lot and the Wildwood Elementary School Parking lot. Staff recommends including a condition that such plan shall be required to demonstrate compliance with the City's lighting standards and ordinances.***

#### Utilities (Municipal Water & Septic):

The Mahtomedi School Campus facilities are the only buildings/uses served by municipal water and wastewater services in the City of Grant. The City of Mahtomedi has indicated that the current pipes (water and wastewater) serving the School Campus are adequate to serve the Ice Arena. The City has provided two correspondence indicating that 1) infrastructure is adequate and available, and 2) that they have updated their 2040 Comprehensive Plan to include and plan for the Ice Arena.

#### Engineering Standards

The City Engineer has reviewed the subject application and has provided a memo for your review and consideration. At this time, more/updated information is necessary to perform a complete review, since several of the drawings and information were completed prior to the revised construction plan.

#### Other Agency Review



The Applicant is working with several agencies on the proposed Ice Arena project, and many of those agencies will have some permitting or other required approval process. As discussed, Washington County has actively been working with the Applicant, and the City during the EAW process, on the access permits and traffic mitigation during events. The Applicant has submitted a permit request to the Rice Creek Watershed District and that memo was provided with the submittal documents. Additionally, if the CUP is granted, the Applicant will need work with the City of Mahtomedi, Minnesota Department of Health, and all other agencies having permitting authority over the water and sanitary sewer connections to serve the facility.

#### **Draft Conditional Use Permit and Action requested:**

As directed by the Planning Commission, Staff has provided a draft Amended Conditional Use Permit and Resolution of Approval that is attached to this staff report for your review and consideration. Please note, that the amended permit includes conditions as approved during the 2011 process that have been completed. No changes to the conditions have been made, but instead remain as approved, except as noted.

#### **Attachments**

- Attachment A: City of Grant Resolution 2018-15
- Attachment B: City Engineer's Memo
- Attachment C: Amended Conditional Use Permit – Athletic Fields
- Attachment D: Overall Site Aerial
- Attachment E: Draft City of Grant Resolution 2019-XX

#### **List of Documents Referenced in Staff Report:**

- Applicant's Narrative
- Additional Traffic Analysis, Traffic Impact Group, October 16, 2018
- Site Plan C1.1, June 4, 2016
- WSB Memos on behalf of City of Mahtomedi, by Perdu and LaBounty
- Approval of Revised Response Action Plan, MPCA, January 4, 2018
- Applicant's Grading & Utility Plan, July 1, 2016
- Permit Application, Rice Creek Watershed District, November 7, 2018

## Memorandum

**To:** *Jennifer Haskamp, City Planner*

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

**Date:** *December 11, 2018*

**Re:** *Mahtomedi Ice Rink Preliminary Engineering Review*

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### Submittal:

Engineering review comments were generated from the following submittals:

- Mahtomedi Ice Arena Feasibility Study, dated October 3, 2018
  - Geotechnical Evaluation Report, dated January 31, 2018:
  - RCWD Permit Application - CAPROC, dated November 7, 2018
  - Approved VRAP Mahtomedi Ice Rink MPCA, dated January 4, 2018
  - Updated Traffic Impact Study Traffic Impact Group, dated October 16, 2018
- Mahtomedi Ice Arena Drawings, dated August 12, 2016

These plans were reviewed for conformance with the City of Grant Engineering Guidelines Dated April 2015

### Site Comments:

1. A complete site, utility, grading and drainage plan to scale must be designed and signed by a registered civil engineer in the State of Minnesota before submitted for review prior to construction.
2. Traffic Signs and devices shall be installed per Minnesota Manual on Uniform Traffic Control Devices for Streets and Highways.
3. Show proposed parking lot, driveway and walk spot elevations.
4. Show limits of clearing and grading.
5. A separate erosion control plan is required that will accompany the grading plan. The plan shall be compliant with all City and National Pollutant Discharge Elimination System (NPDES) permit standards.
6. Provide pavement sections for all roadways, trails and parking lots

### Stormwater Management Comments:

7. A complete Storm water Report meeting the requirements of the appropriate watershed organizations must be submitted for review.
8. Show emergency overflow routes shall be provided for all basins in addition to the normal pipe outlet. If pipe is installed to provide for an emergency overflow, label it as the emergency overflow.

9. Show or define access routes for maintenance purposes to all manholes, inlets, and/or outlets at ponding areas that are outside of public right of way.
10. The Applicant shall submit an approved RCWD permit prior to construction.
11. The Applicant shall submit an approved NPDES permit to the City prior to construction.
12. The Applicant shall submit an approved Grading permit from the City of Grant prior to construction.

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



**INDEPENDENT SCHOOL DISTRICT NO. 832  
AMENDED CONDITIONAL USE PERMIT  
CITY OF GRANT**

PROPERTY OWNER/APPLICANT: ISD #832  
Rinc 2

GENERAL LEGAL DESCRIPTION: See Exhibit A  
PID 28-030-21-23-0001  
PID 28-030-21-24-0001  
PID 28-030-21-24-0002  
PID 28-030-21-13-0001

ADDRESS: 8000 & 8678 75<sup>th</sup> Street North  
Grant, MN 55082

This Amended Conditional Use Permit amends, supersedes and incorporates the prior Conditional Use Permit dated August 16, 2006 and Amended Conditional Use Permit dated ~~XXXXXX~~, 2011. This permit provides for the continued operation of the Athletic Fields in compliance with the conditions as noted that allows a total of 10 fields; stadium improvements including a concession stand and ticket booths; and resurfacing and addition of two new tennis courts for a total of 8 tennis courts. In addition, this permit allows for the construction and operation of an Ice Arena located on a portion of the property identified as PID 28-030-21-13-0001. Any additional expansion of the business operations shall require additional amendment to this Amended Conditional Use Permit.

The uses contained within this permit shall be subject to the following conditions and/or restrictions imposed by the City Council, City of Grant, Washington County, Minnesota, in addition to all previous permits and applicable ordinances, statutes or other laws in force within the City.

The following conditions are as approved, and changes are only provided if they relate to the Ice Arena operations, in the Amended CUP dated ~~XXXX~~, 2011 that addressed the Athletic Field expansion and improvements:

1. The Amended CUP shall be consistent with the depiction of the athletic fields and stadium as presented on the site plan as presented in Exhibit B.
2. The design for the bleachers must be submitted and is subject to the review and approval of the City Engineer.
3. The materials and submaterials of the tennis court must be submitted and is subject to the review and approval of the City engineer



4. A buffering and landscaping plan for the north boundary of the site shall be attached to this CUP as Exhibit C.
5. All deciduous and coniferous trees proposed shall have a minimum of 3" caliper and shall be a minimum of 8-feet tall. A two-year landscaping guarantee shall be required for all new plantings within the site.
6. The location of proposed plantings as identified in the buffering and landscaping plan shall be accomplished in collaboration with property owners to the north to ensure that sight lines are buffered and/or protected. It shall be included within the School District's bid package that the landscaping along the north boundary shall be staked prior to planting and neighbors asked to determine whether trees/plantings need to be moved to accomplish the screening objective.
7. The Applicant shall meet with the Washington Conservation District to discuss the landscaping plan and determine whether modifications would be beneficial to ensure that the proposed landscaping plan creates a long-term screen from the neighbors. After the consultation with the Conservation District, the School District shall meet with the neighborhood to discuss any significant modifications to the landscaping plan.
8. The School District shall provide at a minimum the total number of trees as presented in Exhibit C, and shall be committed to dedicate a minimum of \$96,000 for screening along the north boundary to provide adequate visual screening and sound buffering to the neighbors.
9. The landscaping plan as described in Condition 8 shall be fully implemented by the fall of 2012.
10. The applicant shall be required to provide a financial guaranty to the city in the form of a cash escrow or letter of credit in the amount \$21,000 to ensure the landscaping plan is fully executed.
11. All fences over 6 feet tall and any cantilevered gates shall require a building permit and are subject to the review and approval of the Building Official.
12. The applicant shall be required to sign the driveways for proper wayfinding within the site. The applicant shall be responsible for the costs of all signage as well as the costs associated with the posting and placement of all signs.
13. The proposed irrigation of the fields, whether by pond or well, shall be reviewed and approved by the city engineer and the appropriate agreements executed prior to construction.
14. Building permits must be obtained prior to construction of the concession stands or ticket booths.
15. All stormwater management and surface water runoff must comply with the recommendations and conditions of the City Engineer.
16. All grading plans, including remediation due to the closed landfill, drainage, utility plans and easements are subject to the review and approval of the City Engineer.
17. This amended CUP does not include approval for a lighting plan at any of the field or tennis court locations. If lighting is proposed at a later date, the Applicant will need to apply to amend this conditional use permit.
18. The athletic fields, including the tennis courts but excluding the Ice Arena, shall only be used from dawn until dusk to prevent unauthorized use of the facilities.

19. The hours of operation shall not extend beyond 10:00 P.M. excluding the Ice Arena, which shall include dimming of all lighting and cessation of public address speaker use.
20. The stadium's concession stand and ticket booths shall be permitted to operate during any scheduled/high school sanctioned activity. During non-operational hours, the facilities shall be secured and the minimum level of lighting provided only for security purposes.

The conditions that follow are specific to the construction and operation of the Ice Arena:

21. The Applicant is permitted to construct the Ice Arena per the preliminary architectural plans dated May 6, 2016 and floor plan dated December 18 2018. The Architectural Plans shall be updated for consistency with the floor plan and submitted for review and approval of City Staff prior to obtaining a building permit.
22. The hours of operation shall be limited daily to 5 A.M. to 12 A.M.
23. The Applicant shall perform and complete the described mitigation within the Environmental Assessment Worksheet to the satisfaction of the City Engineer, and if applicable, City Staff. Specifically noted within the EAW are mitigation measures related to stormwater management, permitting, excavation, grading, utilities, and traffic management.
24. The Applicant shall prepare an updated plan as requested and identified in the City Engineer's review memo dated December 10, 2018. The updated Plans shall be incorporated as Exhibit X.
25. The Applicant shall meet all requirements and conditions as identified in the City Engineer's review memo dated December 10, 2018
26. The Applicant shall prepare and update a pedestrian circulation plan that includes the Event condition where overflow parking may be used. The Plan shall be reviewed and approved by the City Staff. One approved, the pedestrian circulation plan shall be incorporated as Exhibit X.
27. The Applicant shall provide a lighting plan that identifies existing and planned fixtures related to the facility, including overflow parking areas, pedestrian connections and drives. The lighting plan shall be consistent with the City's ordinance but should reflect consideration of pedestrian access and routes to the Ice Arena.
28. The Applicant shall obtain all necessary access permits and approvals from Washington County.
29. The Applicant shall prepare a written Event Management Plan that shall be reviewed and approved by the City Engineer, with input and review by Washington County. The Event Management Plan shall be required to kept on file at the City.
30. The Applicant's Emergency Plan shall be reviewed by the Fire Chief for comment and review. If it is determined that any additional costs, including training or equipment, related specifically to the project would otherwise be passed onto the City of Grant that such fees and increases shall be the sole responsibility of the Applicant to pay.
31. The Applicant shall be required to obtain all necessary permits regarding water supply and wastewater supply as required by the City of Mahtomedi. Such permits and approval shall include payment of appropriate SAC and WAC charges.
32. The Applicant shall obtain all necessary permits and approvals from the Rice Creek Watershed District.

- 33. The Applicant shall obtain a building permit prior to any construction or site work commencing.
- 34. The Applicant shall follow the approved Response Action Plan as reviewed and approved by the Minnesota Pollution Control Agency (MPCA) and shall follow all required mitigation as outlined within the approval letter dated January 4, 2018.

The following conditions relate to all uses addressed within this Permit:

- 35. All escrow amounts shall be paid in full.
- 36. All construction shall be done in compliance with the directions of the RCWD, the MPCA, Department of Health or any governmental or regulatory agency having jurisdiction over the site.
- 37. The traffic circulation plan and pedestrian circulation plan shall be subject to the review and approval of the City Engineer and Fire Chief.
- 38. Parking lot lighting and lighting along the driveways shall be a maximum of 25' tall and all fixtures shall be down-lit and light shall not extend beyond the property line. Lights shall be dimmed or turned off by 10:00 P.M. for all uses, with the exception of the Ice Arena and its parking lots which must be dimmed or turned off within one-hour of the completion of the event or the facility closing, whichever occurs first.
- 39. The Applicant shall be required to submit bi-annual water quality reports for review by the City Engineer. Water quality shall meet stormwater management levels.
- 40. No structures or improvements shall be constructed in areas identified with an easement.
- 41. All activities permitted by this CUP shall comply with the City of Grant noise ordinance and the MPCA's noise regulations.
- 42. This permit shall be reviewed consistent with the City's adopted annual CUP review process.
- 43. Any violation of the conditions of this permit may result in the revocation of said permit.
- 44. Any change in use, buildings, sales, lighting parking, storage, screening, or traffic circulation shall require an amendment to the Conditional Use Permit.

IN WITNESS WHEREOF, the parties have executed this agreement and acknowledge their acceptance of the above conditions.

CITY OF GRANT:

Date: \_\_\_\_\_

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

Date: \_\_\_\_\_

\_\_\_\_\_  
Kim Points, City Clerk

State of Minnesota            )  
  )ss.  
County of Washington        )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, before me, a Notary Public, personally appeared Tom Carr and Kim Points, of the City of Grant, a Minnesota municipal corporation within the State of Minnesota, and that said instrument was signed on behalf of the City of Grant by the authority of the city council and Tom Carr and Kim Points acknowledge said instrument to be the free act and deed of said City of Grant.

\_\_\_\_\_  
Notary Public

APPLICANT:  
RINC 2

Date: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

OWNER:  
INDEPENDENT SCHOOL DISTRICT #832

Date: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Kim Points, City Clerk

State of Minnesota            )  
  )ss.  
County of Washington        )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, before me, a Notary Public, personally appeared \_  
\_\_\_\_\_ the \_\_\_\_\_ of RINC 2 who acknowledged that said  
instrument was authorized and executed on behalf of said Company.

\_\_\_\_\_  
Notary Public

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, before me, a Notary Public, personally appeared \_  
\_\_\_\_\_ the \_\_\_\_\_ of Independent School District 832 who  
acknowledged that said instrument was authorized and executed on behalf of said Company.

\_\_\_\_\_  
Notary Public

**CITY OF GRANT, MINNESOTA  
RESOLUTION NO. 2019-01**

**RESOLUTION APPROVING AN AMENDED CONDITIONAL USE PERMIT FOR  
8000 AND 8678 75<sup>TH</sup> STREET NORTH  
(INDEPENDENT SCHOOL DISTRICT #832)**

**WHEREAS**, Rinc 2 (“Applicant”) and the Independent School District #832 (“Owner”) have collectively submitted an application for an Amended Conditional Use Permit to allow for the construction and operation of an Ice Arena on an approximately 4-acre portion of the property located at 8678 75<sup>th</sup> Street North in the City of Grant, Minnesota; and

**WHEREAS**, the property at 8000 and 8678 75<sup>th</sup> Street North has an existing Conditional Use Permit issued to Independent School District #832, dated August 16, 2006, for “Athletic Field Expansion”; and

**WHEREAS**, the Planning Commission has considered the Applicant’s request at a duly noticed Public Hearing which took place on December 18, 2018, and has recommended approval to the City Council; and

**WHEREAS**, the City Council for the City of Grant has considered the Planning Commission’s recommendation at its January 2, 2019 City Council meeting;

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA**, that it does hereby approve the request of Rinc 2 and Independent School District #832 for an Amended Conditional Use Permit, based upon the following findings pursuant to Section 32-147 of the City’s Zoning Ordinance which provides that a Conditional Use Permit may be granted “if the applicant has proven to a reasonable degree of certainty” that specific standards are met. The City Council’s Findings relating to the standards are as follows:

- The Public School use is designated in Section 32-245 as a conditional use for the Agricultural A1 zoning district.

- The City has previously determined that the Athletic Field Use is a conditionally permitted accessory use to a principal Public School use.
- The proposed Ice Arena is an extension of the existing Mahtomedi School Campus athletic Field use and conforms with the adopted Comprehensive Plan.
- The proposed Ice arena complies with the City's adopted zoning ordinance and standards for the A1 zoning district.
- The proposed use, provided all conditions and mitigation are complied, will not negatively affect the quality of the neighborhood or surrounding uses.
- The use will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood.
- The use is an expansion of existing uses on the site and is compatible with adjacent properties and the neighborhood.
- The use meets conditions or standards adopted by the city (through resolutions or other ordinances).
- The use will not create additional requirements for facilities and services at public cost beyond the city's normal low density residential and agricultural uses.
- The proposed use will not negatively or adversely impact utilities or infrastructure of the area and the City of Mahtomedi will provide adequate municipal services to the facility.
- The use will not result in the destruction, loss or damage of natural, scenic, or historic features of importance.
- The use will not increase flood potential or create additional water runoff onto surrounding properties.

**FURTHER BE IT RESOLVED**, that the following conditions of approval of the Conditional Use Permit shall be met:

1. The Applicant and Owner shall comply with all conditions as stated within the Amended Conditional Use Permit approved as part of the review process.
2. All construction shall be done in compliance with the directions of the RCWD, the MPCA, Department of Health or any governmental or regulatory agency having jurisdiction over the use and site.
3. No structures or improvements shall be constructed in areas identified with an easement.
4. Any violation of the conditions of the Amended Conditional Use Permit may result in the revocation of said permit.



5. Any change in use, buildings, sales, lighting parking, storage, screening, traffic circulation shall require an amendment to the Conditional Use Permit.
6. All escrow amounts shall be paid in full.

Adopted by the Grant City Council this 2nd day of January, 2019.

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

State of Minnesota            )  
  ) ss.  
County of Washington        )

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on \_\_\_\_\_, 2019 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Kim Points  
Clerk  
City of Grant

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



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

Application Date:	8/15/16
Fee: \$400	Escrow: \$3,000

Check # 3011 - \$3,400.00

## 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.

<b>PARCEL IDENTIFICATION NO (PIN):</b> 2803021130001 <b>LEGAL DESCRIPTION:</b> See attachment		<b>ZONING DISTRICT &amp; COMP PLAN LAND USE:</b> A-1, Parcel 60.57A <b>LOT SIZE:</b> 4 Acres (area of construction)
<b>PROJECT ADDRESS:</b> 8678 75th Street N Grant, MN 55002	<b>OWNER:</b> Name: ISD 831 Address: 1520 Mahtomedi Ave City, State: Mahtomedi, MN 55115 Phone: (651) 407-2000 Email:	<b>APPLICANT (IF DIFFERENT THAN OWNER):</b> Rinc 2 c/o Alex Rogosheske, Esq. 105 Hardman Ct. South St. Paul, MN 55075 (651) 253-3127
<b>BRIEF DESCRIPTION OF REQUEST:</b> Rinc 2, Corp. and ISD 832 are seeking an amendment to the current conditional use permit for construction and operation of a single sheet ice arena on a portion of the Mahtomedi Public School campus.		
<b>EXISTING SITE CONDITIONS:</b> The site is currently open space in-between athletic fields.		
<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. 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

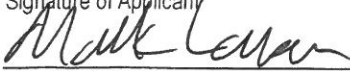
AP	CS	MATERIALS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Site Plan:</b> All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow <ul style="list-style-type: none"> <li>▪ Property dimensions</li> <li>▪ Area in acres and square feet</li> <li>▪ 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> COPIES: 4 plans at 22"x34", 20 plans at 11"x17"

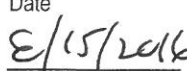
Application for: **CONDITIONAL USE PERMIT**  
City of Grant

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Grading/Landscape Plan:</u></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>▪ 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> <p>COPIES: 4 plan sets 22"x34", 20 plan sets 11"x17"</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Architectural/Building Plan (if Applicable):</u></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>▪ 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> <p>COPIES: 4 plan sets 22"x34", 20 plan sets 11"x17"</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Written Narrative Describing your request:</u></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:</p> <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> <p>COPIES: 20</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>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.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and address of property owners within ¼ mile (1,320 feet).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$400
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Escrow Paid: \$3,000
<b>MATERIALS THAT MAY BE REQUIRED UPON THE REQUEST OF THE CITY PLANNER</b>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Survey of the property:</u></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.</p>
<input checked="" 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.

Signature of Applicant  
  
 Signature of Owner (if different than applicant)

Date  
  
 Date

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

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Grading/Landscape Plan:</u></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>▪ 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> <p>COPIES: 4 plan sets 22"x34", 20 plan sets 11"x17"</p>
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<input checked="" 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.

[Handwritten Signature]

\_\_\_\_\_  
Signature of Applicant

8/15/16

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner (if different than applicant)

\_\_\_\_\_  
Date

CITY OF GRANT  
PO BOX 577  
WILLERNIE, MN 55090

Received  
10/11/18

City of Grant  
P.O. Box 577  
Willernie, 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.

<b>PARCEL IDENTIFICATION NO (PIN):</b> 2803021130001 <b>LEGAL DESCRIPTION:</b> See attachment		<b>ZONING DISTRICT &amp; COMP PLAN LAND USE:</b> A-1, Parcel 60.57A  <b>LOT SIZE:</b> 4 Acres (area of construction)
<b>PROJECT ADDRESS:</b> 8678 75th Street N Grant, MN 55002	<b>OWNER:</b> Name: ISD 831 Address: 1520 Mahtomedi Ave City, State: Mahtomedi, MN 55115 Phone: (651) 407-2000 Email:	<b>APPLICANT (IF DIFFERENT THAN OWNER):</b> Rinc 2 c/o Alex Rogosheske, Esq. 105 Hardman Ct. South St. Paul, MN 55075 (651) 253-3127
<b>BRIEF DESCRIPTION OF REQUEST:</b> Rinc 2, Corp. and ISD 832 are seeking an amendment to the current conditional use permit for construction and operation of a single sheet ice arena on a portion of the Mahtomedi Public School campus.		
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Application for: CONDITIONAL USE PERMIT  
City of Grant

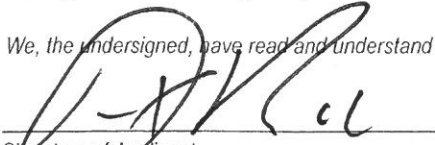
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Grading/Landscape Plan:</u></b> All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow</p> <ul style="list-style-type: none"> <li>▪ Grading Plan</li> <li>▪ Vegetation, landscaping, and screening 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> <p>COPIES: 4 plan sets 22"x34", 20 plan sets 11"x17"</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Architectural/Building Plan (if Applicable):</u></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>▪ 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> <p>COPIES: 4 plan sets 22"x34", 20 plan sets 11"x17"</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Written Narrative Describing your request:</u></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:</p> <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> <p>COPIES: 20</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>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.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and address of property owners within ¼ mile (1,320 feet).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$400
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Escrow Paid: \$3,000

MATERIALS THAT MAY BE REQUIRED UPON THE REQUEST OF THE CITY PLANNER

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Survey of the property:</u></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.</p>
<input checked="" 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.

  
Signature of Applicant

10/11/18  
Date

Signature of Owner (if different than applicant)

Date



## LEGAL DESCRIPTION

That part of the South Half of the Northeast Quarter of Section 28, Township 30 North, Range 21 West, Grant Township, Washington County, Minnesota, which lies Westerly and Northwesterly of the Northwesterly line of Minnesota Department of Natural Resources Trail (formerly known as the Soo Line Railroad right-of-way) and which lies Northerly of the Northerly line of Washington County Highway Right of Way Plat No. 19, according to the plat thereof on file and of record in the office of the County Recorder, Washington County, Minnesota, Excepting from said South Half of the Northeast Quarter that parcel described as follows: Commencing at a point 1113.2 feet West and 33 feet North of the East Quarter of said Section 28, which point is on the North right-of-way of County Road #2 for the point of beginning; thence North a distance of 100 feet; thence East a distance of 177.95 feet to the Westerly right of way line of the Minneapolis, St. Paul & Sault St. Marie Railroad; thence Southwesterly with an inside angle of 52 degrees 11 minutes and along the Westerly right-of-way line of said Railroad a distance of 127 feet to the North right-of-way line of said County Road #2; thence West along the North right-of-way line of said County Road #2 a distance of 100 feet to the point of beginning.

That part of the Southeast Quarter of the Northwest Quarter of Section 28, Township 30 North, Range 21 West, which lies Easterly of the West 995.31 feet of said Southeast Quarter of the Northwest Quarter. (This parcel is subject to C.S.A.H. No. 12)

The Westerly 30 Acres of the Southeast Quarter of the Northwest Quarter of Section 28, Township 30 North, Range 21 West. (This parcel is subject to C.S.A.H. No. 12)

The Southwest Quarter of the Northwest Quarter of Section 28, Township 30 North, Range 21 West. (Parcel subject to C.S.A.H. No. 12)

The Westerly Twelve (W'y 12) feet of the Northwest Quarter of the Northwest Quarter (NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ ) of Section Twenty-Eight (28), Township 30 North (T30N), Range 21 West (R21W), of the Fourth Principal Meridian, Washington County, Minnesota. Doc. No. 295925

The East 303.1 feet of the Southeast Quarter of the Northeast Quarter of Section 29, Township 30 North, Range 21 West; and that part of the Northeast Quarter of the Southeast Quarter lying north of a 100 foot strip of land formerly owned by Mpls. & St. Paul Suburban Railway and that part of said railway all lying Easterly of a line 303.1 feet West (measured at right angles to the southerly prolongation of the eastline of the Northeast Quarter of said Section 29) of Section 29, Township 30 North, Range 21 West, Washington County, Minnesota. (Subject to ingress and egress per Doc. No. 616515) Doc. No. 299316

That part of the West Half (W1/2) of the Southwest Quarter (SW1/4) of Section 28, Township 30 North, Range 21 West, Washington County, Minnesota, lying north of a one hundred (100') strip of land formerly owned by Minneapolis and St. Paul Suburban Railroad. Doc. No. 303464

That part of the Northeast 1/4 of the Northwest 1/4 of the Southwest  $\frac{1}{4}$  of Section 28, Township 30 North, Range 21 West, Washington County, Minnesota, lying North of a 100 foot strip formerly owned by Minneapolis and St. Paul Suburban Railway, Subject to County Road No. 12. Doc. No. 332970

A strip, 100 feet wide, for right of way of Interurban Railroad, lying within the Northwest 1/4 of the Southwest 1/4 of Section 28, Township 30 North, Range 21 West, Subject to County Road 12. Doc. No. 286451

That part of the East lying North of the 100' strip of land formerly owned by the Minneapolis and St. Paul Suburban Railway in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 28, Township 30 North, Range 21 West, Washington County, Minnesota. Doc. No. 350233 vague description.

That part of the East Half lying North of the 100 foot strip of land formerly owned by the Minneapolis and St. Paul Suburban Railway in the Southwest (SW $\frac{1}{4}$ ) of Section 28, Township 30 North, Range 21 West, Washington County, Minnesota. Doc. No. 303463 vague description.

Note: Above parcels are subject to C.S.A.H. No. 12, Washington County Highway Right of Way Plats Nos. 19 and 79, and Highway Right of Way Easements 297806 and 297807

## Mahtomedi Ice Arena: Narrative Describing CUP Request

Rinc 2, Corp. and ISD 832 are seeking an amendment to the current Conditional Use Permit for construction and operation of a single sheet ice arena on a portion of the Mahtomedi Public School campus. The arena includes an NHL-size rink; team rooms for high-school boys and girls varsity and leagues; public use spaces such as concessions, skate changing, ticketing, and restrooms; seating for potentially 1,200 spectators; and ice mechanical and equipment spaces for refrigeration and resurfacing. Arena seating would be accommodated in phases; the first phase would provide seating for 600 spectators.

Rinc 2, Corp. has a signed lease with the school district for the building site.

### Operation and Use:

The building would be operated primarily as a hockey arena, although it may be used as a multi-purpose space for activities such as graduation, baseball, soccer, lacrosse practice, school classes, meetings, etc.

### Number of Employees:

The Pro-Forma has an average of 2.5 FTE's.

### Sewer and Water Flow/User Rates:

Based on the following the anticipated sewer and water flow rates are as follows for a 1,200 seat arena:

1. Ice making twice a year =  $16,000 \text{ SF} \times 1.5'' / 12'' / \text{ft} \times 7.48 \text{ gal/ft}^3 = 29,920 \text{ GPY}$  (Gallons per year)
2. Resurfacing 12 times per day, 100 gallons per use, 365 days per year = 438,000 GPY
3. Normal people use
  - a. 30 people, 12 hours per day, 25% use toilet, 1.6 GPF = 144 GPD (Gallons per day)
  - b. 30 people, 12 hours per day, 50% use urinal, 1.0 GPF = 180 GPD
  - c. 30 people, 12 hours per day, 100% wash hands for one minute @ 0.5 GPM (Gallons per minute)= 180 GPD
  - d. Total gallons per year = 182,500 GPY
4. Showers
  - a. 4 uses per hour, 12 hours per day, 2.5 GPM, 10 minutes/shower, 365 days/yr = 438,000 GPY
5. Events at 1200 people, 10 times per year.
  - a. 600 women use toilet, once per event, 10 times per year, 1.6 GPF = 9,600 GPY
  - b. 300 men use toilet, once per event, 10 times per year, 1.6 GPF = 4,800 GPY
  - c. 300 men use urinal, once per event, 10 times per year, 1.0 GPF = 3,000 GPY
  - d. 1,200 users wash hands, one minute, 0.5 GPM, 6,000 GPY
  - e. Total Large Event use = 23,400 GPY
6. Events at 600 people, 20 times per year = same as above = 23,400 GPY
7. **Total yearly water flow estimated at 1,135,220 gallons per year = 3,110 gallons per day = 2.15 gallons/minute**
8. **All water goes into sewer system 1,135,220 gallons per year = 3,110 gallons per day = 2.15 gallons/minute**

### Soil Limitations for The Intended Use & Plan Indicating Conservation/BMPs:

Limited soil remediation will be required. See the attached feasibility report for detail regarding the soil analysis and findings.

### Hours of Operation:

The exact hours of operations has yet to be determined, but the expectation is that the facility would be open from 5:00 am to 12:00 am (19 hours per day)

### Relationship to City's Comprehensive Plan:

The proposed ice arena supports the City's comprehensive plan through it approach to land use, sustainability and community facilities.



## Mahtomedi Ice Arena: Narrative Describing CUP Request

The building would be located adjacent to existing schools which allows it to take advantage of shared parking opportunities with existing facilities. Large events at the arena would be held at times of day and during seasons of the year in which conflict between the facilities would be minimal. The spaces and potential multi-purpose uses of the building also build upon the existing educational, recreational and athletic uses of the area. The proposed arena would provide space that could be used by the schools and surrounding community, such as such as school physical education classes and community meetings. The potential athletic, recreational and multi-purpose use facility enhances and promotes a high quality of life for residents.

In addition, the choice of this site as the location for the proposed arena highlights a commitment to sustainability and the natural environment. The arena would be located at the former disposal site of municipal and industrial waste and demolition debris. The contaminated soils require remediation and the use of non-standard structural and mechanical system to mitigate the potential hazards. However, these drawbacks are offset by the opportunities with shared facilities and the use of a site that would be difficult to redevelop – in a sense, preserving open space elsewhere in the community.

## **Mahtomedi Ice Arena: Governmental Agencies**

Rinc 2, Corp. and ISD have contacted the other governmental agencies that have authority over the property for approvals and necessary permits. They include:

- Watershed District
- County Departments
- State Agencies, specifically the MPCA
- ISD 832

To whom it may concern:

Emmy is seen in the pediatric neurosurgery clinic status post complete resection of a juvenile pilocytic astrocytoma from the vermis of the cerebellum. Although they are usually slow-growing, these tumors can become very large. Like many tumor types, the exact cause of astrocytoma is not known. These grade I astrocytomas typically stay in the area where they started and do not spread. They are considered the "most benign" (noncancerous) of all the astrocytomas. We do not believe that environmental factors played a role in the growth of this tumor that has affected Emmy Veenis.

Sincerely;

  
Dr. Patrick Graupman

Department of Neurosurgery

8/22/16