

**City of Grant
City Council Agenda
March 5, 2019**

The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday March 5, 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. APPROVAL OF REGULAR AGENDA

4. APPROVAL OF CONSENT AGENDA

- A. February 5, 2019 City Council Meeting Minutes
- B. February 2019 Bill List, \$39,141.46
- C. Washington County Sheriff, Jan-Dec 2018 Police Services, \$64,678.44

5. STAFF AGENDA ITEMS

A. City Engineer, Brad Reifsteck

i. Consideration of Resolution No. 2019-06, Revised Assessment Policy

B. City Planner, Jennifer Haskamp

i. Consideration of Application for Amended CUP, Dellwood Wedding Barns, 7373 120th Street North

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

6. NEW BUSINESS

A. Reappointment of Incumbent Planning Commissioners Jerry Helander and Jeff Schafer

7. UNFINISHED BUSINESS

8. DISCUSSION ITEMS (no action taken)

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

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

9. COMMUNITY CALENDAR MARCH 6 THROUGH MARCH 30 , 2019:

Mahtomedi Public Schools Board Meeting, Thursday, March 14th and 28th , Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, March 14th , Stillwater City Hall, 7:00 p.m.

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

10. ADJOURNMENT

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**CITY OF GRANT
MINUTES**

DATE : February 5, 2019
TIME STARTED : 7:00 p.m.
TIME ENDED : 9:26 p.m.
MEMBERS PRESENT : Councilmember Carr, Kaup Giefer,
Rog and Mayor Huber
MEMBERS ABSENT : None

Staff members present: City Attorney, Dave Snyder; City Engineer, Brad Reifsteck; City Planner, Jennifer Swanson; and Administrator/Clerk, Kim Points

CALL TO ORDER

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

PUBLIC INPUT

(1) Mr. Gary Baumann, 10600 Joliet Avenue, came forward and commented on screening issues brought up at the last Planning Commission meeting noting the Washington Conservation District is a great resource that does site visits at no costs and does cost shares for the actual purchase of trees.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

Council Member Kaup moved to approve the agenda, as presented, Council Member Rog seconded the motion. Motion carried unanimously.

CONSENT AGENDA

January 2019 Bill List, \$85,952.52	Approved
Amendment to City of Grant Policy and Procedures	Approved

Council Member Giefer moved to approve the consent agenda, as presented. Council Member Kaup seconded the motion. Motion carried unanimously.

CONCEPT PLAN REVIEW, 21 ROOTS FARM, 10361 110TH STREET

Mr. Dan Tebow, Property Owner, came forward and provided his personal background as well as an outline of future plans for the property. He commented on the future capital improvements and indicated he would apply for a CUP if it is determined one is required.

STAFF AGENDA ITEMS

City Engineer, Brad Reifsteck (no action items)

City Planner, Jennifer Swanson

Consideration of Resolution No. 2019-05, Consideration of the Gateway Final Plat Submission – City Planner Swanson advised the Applicant TEGLF Gateway, LLC is applying for a Final Plat of the major subdivision known as The Gateway. Prior to filing the application, the Applicant TEGLF Gateway, LLC an entity associated with The Excelsior Group closed on the property from Premier Bank after obtaining preliminary plat approval. As a The Applicant was granted preliminary plat and a variance from maximum length of a cul-de-sac with conditions as noted within Resolution 2018-26.

Several of the conditions noted in the preliminary plat were required to be completed prior to granting of the Final Plat. The following staff report summarizes the conditions as noted in the Resolution, and identifies any outstanding items needed from the Applicant prior to 1) being able to record the Final Plat; or 2) commencing site work.

Per the City’s ordinances, the Final Plat does not require a public hearing or review by the planning commission. The Final Plat is subject to a 60-day review period. Since the proposed subdivision has received Preliminary Plat approval the purpose of the Final Plat review is to 1) review and evaluate the Final Plat for consistency with he Preliminary Plat and 2) to evaluate whether the applicable conditions of preliminary plat have be met, and 3) to identify any outstanding conditions that must be met prior to work commencing on site.

The following summary regarding the Final Plat, and the conditions of Preliminary Plat and Variance are provided for consideration:

Applicant: TEGLF Gateway, LLC	Site Size: 165.12 Acres
Zoning & Land Use: A-2	Request: Final Plat of Major Subdivision
Proposed Plat Name: The Gateway	16-Lots, 5.0 to approximately 29-acres
	PIDs: 2803021420003 (Parcel A) 3303021210002 (Parcel B) 2803021310003 (Parcel C) 2803021310002 (Parcel D) 2803021340001 (Parcel E)

TEGLF Gateway, LLC is requesting Final Plat approval of the subject properties to create a rural residential single-family subdivision. A summary of the proposed project is as follows:

- The proposed Project will create 16 new lots ranging in size between 5.00 and 29 acres. The lots lot sizes and general configuration is consistent with the approved preliminary plat.

- 1 • The rural residential lots will be a part of a homeowner’s association (“HOA”) that will
2 govern the proposed subdivision. Draft covenants, bylaws and declarations have been
3 reviewed by City Staff for consistency with the City’s ordinances.

- 4 • The proposed subdivision will be platted in one phase, and subsequent phases are not
5 contemplated or reviewed as part of this Project.

- 6 • The Applicant will dedicate Outlot A as part of the Final Plat to the HOA to provide trail
7 access to the Gateway Trail. The trail corridor connects the southern terminus of the cul-de-
8 sac to the Gateway Trail between Lot 10 and Lot 11 in the proposed subdivision. The
9 proposed trail is private and will be maintained by the HOA.

- 10 • All 16 lots will be served with individual wells and individual septic systems. The
11 Preliminary Plat identified primary and secondary drainfields associated with each lot, and
12 septic reports/boring logs for each lot. There is an existing septic system and well located on
13 existing Parcel C. As stated during the preliminary plat process, a demolition plan for the
14 existing structures on site, including a plan to address the existing well and septic system will
15 be required prior to any site work commencing. Due to the time of year (winter) a full review
16 of the septic sites could not be performed. As such, staff has included a draft condition within
17 the Resolution, and has carried this item over to the Development Agreement for review and
18 consideration.

- 19 • The existing property is irregular in shape and is bordered by 75th Street North (CSAH 12) on
20 the northern property line, the Gateway Trail along the east-southeast property line, and
21 existing rural-residential lots along the westerly property line. CSAH 12 is a County Road
22 and the proposed access requires an access permit. The Applicant, in coordination with the
23 City, will obtain all necessary access permit approvals from Washington County prior to any
24 site work commencing.

- 25 • The lots in the proposed Project will be accessed from two cul-de-sacs with one access
26 proposed onto CSAH 12. The cul-de-sac length of both cul-de-sacs exceed the City’s
27 standards and were granted a variance from the City’s ordinance standards during the
28 preliminary plat process.

- 29 • The rural residential lot sizes can accommodate a variety of housing styles and plans. As such
30 the Applicant anticipates all homes in the subdivision will be custom built, and that lots will
31 be custom graded once house plans are developed.

32 As summarized above, there are three objectives related to the Final Plat review 1) to determine if the
33 proposed Final Plat is substantially consistent with the Preliminary Plat; 2) to determine if the

1 applicable conditions of preliminary plat have been met; and 3) to identify any required conditions of
2 Final Plat approval prior to recording or site work commencing.

3
4 Final Plat Consistency with Preliminary Plat:

- 5
6 • As presented the Final Plat lot and block configuration, lot sizes, road layout and access
7 locations are consistent with the Preliminary Plat and there are no significant changes. Minor
8 adjustments have been completed to meet the conditions of preliminary plat.

9
10 The following conditions of preliminary plat are identified, and comments and/or response regarding
11 the condition are provided in italics.

- 12
13 1. An updated Preliminary Plat, if necessary, and revised Grading and Erosion Control Plans
14 depicting any necessary changes and/or modification shall be submitted for review and
15 approval of city staff within 12-months of Preliminary Plat approval.

16
17 *Lot line configurations and other conditions of the preliminary plat have been revised as*
18 *shown on the Final Plat. The City Engineer has reviewed the submitted plans and has issued*
19 *a grading permit (January 25, 2019).*

20
21 *Washington County requested that a driveway easement be provided to the adjacent easterly*
22 *property. This was not shown on an updated preliminary plat, and no easement is shown on*
23 *the Final Plat. Staff would request that the driveway easement be granted and shown on the*
24 *Final Plat to comply with the County's request. Staff has included this as a condition in the*
25 *draft Resolution attached for your review and consideration.*

- 26
27 2. The Applicant shall obtain all necessary stormwater permits from the VBWD and such
28 permits shall be acquired prior to the City granting any Final Plat of the Project.

29
30 *The Applicant received approval from the VBWD and was issued a permit on November 16,*
31 *2018 identified as permit number 2018-36.*

- 32
33 3. The Applicant shall obtain an approved wetland delineation prior to any Final Plat of the
34 Project being granted.

35
36 *The Applicant prepared a wetland delineation in September 2018 which was submitted to the*
37 *VBWD and City of Grant for review. A Notice of Decision (NOD) approving the wetland*
38 *delineation was issued on November 21, 2018,*

- 39
40 4. If necessary, a wetland mitigation and replacement plan shall be approved prior to any Final
41 Plat of the Project being granted.

1 *The Applicant shall be aware that a wetland mitigation and replacement plan may be*
 2 *required, particularly as lots are developed and final placement of homes and/or accessory*
 3 *building are designed. It is the Applicant's responsibility to ensure future homeowners and/or*
 4 *builders are aware of the wetlands on site and that appropriate permits and approvals are*
 5 *obtained in the future, if applicable.*

- 6
 7 5. A letter from Washington County Environmental Services shall be provided indicating that
 8 the proposed primary and secondary septic sites meet their standards and requirements, and
 9 that adequate area exists on each lot to accommodate a septic system. Such letter shall be
 10 provided prior to granting any Final Plat of the Project.

11
 12 *Staff exchanged emails with Washington County Environmental Services and was informed*
 13 *that their process for subdivision review has changed in the last two years with staff changes.*
 14 *Based on their correspondence, the Applicant is required to apply for a subdivision review*
 15 *application with the County at which time they will go out to the property and inspect the*
 16 *proposed septic locations. Unfortunately, given the time of year this cannot be completed*
 17 *easily until spring. Staff has reviewed the septic reports that are consistent with previous*
 18 *results for standard systems, but the onsite inspection cannot be completed and therefore a*
 19 *final determination cannot be made. Staff suggests that this be addressed both in the Final*
 20 *Plat and in the Development Agreement to state that if it is determined that a primary and*
 21 *secondary site cannot be located on an individual lot, that such lot must be combined with an*
 22 *adjacent lot and may not be sold separately as a buildable lot.*

- 23
 24 6. The Applicant will be required to enter into a Development Agreement prior to the City
 25 granting any Final Plat of the Project to ensure that the requirements and conditions as set
 26 forth herein are complied with and ensure the installation of the subdivision infrastructure.

27
 28 *Staff is working on the draft Development Agreement that will be submitted to the City*
 29 *Council and the Applicant under separate cover prior to the City Council meeting. Staff will*
 30 *work with the Applicant to determine appropriate cost and fee estimates to install in the*
 31 *public improvements. The estimates may not be available prior to the City Council meeting*
 32 *but must be estimated and included in the Development Agreement prior to its execution.*

- 33
 34 7. The Applicant shall obtain all necessary permits for installation of individual wells serving
 35 each lot, and such permits shall be obtained prior to the City issuing any Building Permit for
 36 such lot.

37
 38 *This condition is included as a condition of Final Plat approval and will also be included*
 39 *within the Development Agreement.*

- 40
 41 8. The full public right-of-way of both cul-de-sacs shall be dedicated at time of Phase I Final
 42 Plat.

1 *The Final Plat shows the full right-of-way of both cul-de-sacs as required. Washington*
2 *County requested additional right-of-way be dedicated along CSAH 12 which has been*
3 *provided and is shown on the Final Plat.*
4

- 5 9. The Applicant shall obtain access permits from Washington County prior to the City granting
6 any Final Plat of the Project.

7
8 *The Applicant is working with City to apply for the access permit from Washington County.*
9 *This condition is carried forward as a condition to be met prior to recording of the Final Plat*
10 *and is also included in the draft Development Agreement.*
11

- 12 10. The Applicant shall be required to install all necessary improvements to CSAH 12 as agreed
13 to, and conditioned by, Washington County. Such improvements shall be included and
14 addressed within the Development Agreement.

15
16 *This requirement is addressed within the Development Agreement, and staff recommends*
17 *including this requirement as a condition of Final Plat.*
18

- 19 11. Site improvements as described within Section 30-194 shall be agreed to and identified within
20 a Development Agreement.

21
22 *This condition is addressed in the draft Development Agreement.*
23

- 24 12. A street name for the proposed cul-de-sac shall be provided prior to granting any Final Plat of
25 the Project.

26
27 *The Applicant has identified the north-south cul-de-sac as Inwood Way, and the east-west cul-*
28 *de-sac as 73rd Court. Both proposed road names are consistent with the Washington County*
29 *road naming policy.*
30

- 31 13. The Applicant shall identify and rope off all septic drainfield areas on the site prior to the City
32 issuing any grading permits on the subject property.

33
34 *This condition is addressed in the draft Development Agreement, and staff recommends*
35 *revising the condition slightly to state that the septic drainfield areas shall be roped off prior*
36 *to any site work commencing.*
37

- 38 14. The Applicant shall be required to obtain all septic permits, based on actual design of a
39 principal structure, prior to the city issuing a building permit.

40
41 *This condition is addressed in the draft Development Agreement and is also a draft condition*
42 *included within the Final Plat resolution.*
43

1 15. Review of the cul-de-sac length from the Fire Chief shall be obtained to ensure that there are
2 no issues regarding access to each of the created lots.

3
4 *The Applicant submitted the cul-de-sac design to the Fire Chief who has stated that provided*
5 *that the cul-de-sac design meets the City’s specifications (adequate right-of-way, terminus,*
6 *etc.) that the length of the cul-de-sac is acceptable. An email correspondence from the Fire*
7 *Chief was submitted to meet this condition.*

8
9 16. The Applicant shall pay all fees and delinquent escrow balances.

10 *The Applicant’s fees and escrow balances are current. Staff has also included estimated fees*
11 *to cover administrative costs including planning, engineering and attorney’s fees within the*
12 *Development Agreement.*

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17 **City Attorney, Dave Snyder (no action items)**

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19 **NEW BUSINESS**

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21 **Consideration of Planning Commission Appointments** – Staff advised two seats are vacant on the
22 Planning Commission. Four applications were received and interviews were held prior to the Council
23 meeting.

24
25 **Council Member Carr moved to appoint Mr. David Tronrud to the Planning Commission.**
26 **Council Member Kaup seconded the motion. Motion carried unanimously.**

27
28 **Council Member Giefer moved to appoint Mr. Gary Baumann to the Planning Commission.**
29 **Council Member Kaup seconded the motion. Motion carried unanimously.**

30
31 **Consideration of January 2, 2019 City Council Meeting Minutes (Council Member Giefer and**
32 **Rog Abstain)** – Staff advised draft meeting minutes were included in the Council packets.

33
34 **Council Member Kaup moved to approve the January 2, 2019 City Council Meeting Minutes,**
35 **as presented. Council Member Carr seconded the motion. Motion carried with Council**
36 **Member Giefer and Rog abstaining.**

37
38 **UNFINISHED BUSINESS**

39
40 **Consideration of Resolution No. 2018-25, US Solar Text Amendment Application** – City Planner
41 Swanson stated the City has been reviewing an application to allow solar gardening in the A1 and A2
42 Zoning District. A special meeting was held last week resulting in no staff presentation this evening.
43 A draft resolution was distributed earlier today that hopefully reflects the discussion that was held at
44 the meeting last week.

1
2 Mr. David Watts, US Solar, came forward and stated Grant is the only City he is aware of that opposes
3 solar and he does not know why. He explained why denying the application would damage the
4 community and entered into the record a formal study showing there is no impact on property values.
5 He encouraged the Council to approve the application.
6

7 City Attorney Snyder referenced the document that was sent to the City this afternoon dated through
8 year 2017 from an appraiser in North Carolina that there was no impact on property values. The
9 Council had more recent data at the last meeting on values that suggested local values were heavily
10 impacted and also provided other materials of reference at that meeting.
11

12 **Council Member Giefer moved to adopt Resolution 2018-25, as presented. Council Member**
13 **Rog seconded the motion. Motion carried unanimously.**
14

15 **Consideration of Resolution No. 2019-01, Amended CUP Application for Construction and**
16 **Operation of Ice Arena, Mahtomedi School Campus, 8678 75th Street North, City Planner**
17 **Swanson** – City Planner Swanson advised a full presentation was provided at the last meeting and the
18 item was tabled. She provided the background of the application and noted the applicant has
19 provided the supplemental information that was requested at the last meeting.
20

21 Mr. Alex Rogeshesky came forward and stated he provided an Event Management Plan using both the
22 entrance with a signal and un signaled entrance with 114 additional parking spaces. Sidewalks and
23 lighting have been added. He reviewed portions of the lease noting the traffic constrictions and times
24 in terms of ice times that are available.
25

26 **Council Member Giefer moved to adopt Resolution No. 2019-01, as presented. Council**
27 **Member Kaup seconded the motion. Motion carried unanimously.**

28 **DISCUSSION ITEMS (no action taken)**
29

30 **Staff Updates (updates from Staff, no action taken)**
31

32 **Consideration of Amending Policy for Special Assessments, City Engineer Reifsteck** – This item
33 will appear on a future Council agenda for consideration.
34

35 **City Council Reports/Future Agenda Items**
36

37 No items were discussed to be placed on a future agenda.
38

39 **COMMUNITY CALENDAR FEBRUARY 6 THROUGH FEBRUARY 28, 2019:**
40

41 **Mahtomedi Public Schools Board Meeting, Thursday, February 14th and 28th , Mahtomedi**
42 **District Education Center, 7:00 p.m.**

43 **Stillwater Public Schools Board Meeting, Thursday, February 14th, Stillwater City Hall, 7:00**
44 **p.m.**

1 **Washington County Commissioners Meeting, Tuesdays, Government Center, 9:00 a.m.**
2 **City Office Closed, Presidents' Day, Monday, February 18, 2019**

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4 **ADJOURNMENT**

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6 **Council Member kAUP moved to adjourn the meeting at 9:26 p.m. Council Member rOG**
7 **seconded the motion. Motion carried unanimously.**

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15 **These minutes were considered and approved at the regular Council Meeting March 5, 2019.**

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20 _____
21 **Kim Points, Administrator/Clerk**

20 _____
21 **Jeff Huber, Mayor**

22

Fund Name: All Funds

Date Range: 02/01/2019 To 02/26/2019

<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>
02/05/2019	US Postal Service	13997	PO Box	N	PO Box Rental	100-41311-210-	\$ 120.00
		Total For Check					\$ 120.00
02/05/2019	Hisdahl's	13998	Council Plaques/Name Plates	N	Miscellaneous Expenses	100-41306-200-	\$ 135.20
		Total For Check					\$ 135.20
02/25/2019	Payroll Period Ending 02/25/2019	13999	Feb19	N	Clerk Salary	100-41101-100-	\$ 3,845.86
		Total For Check					\$ 3,845.86
02/25/2019	Croix Valley Inspector	14000	Building Inspector	N	Building Inspection	100-42004-300-	\$ 6,182.72
		Total For Check					\$ 6,182.72
02/25/2019	AirFresh Industries	14001	PortaPot #33285	N	Town Hall Porta Pot	100-43007-210-	\$ 125.00
		Total For Check					\$ 125.00
02/25/2019	Washington County Property Records	14002	TaxLevyBook2018	N	Audit Fees	100-41201-304-	\$ 35.00
		Total For Check					\$ 35.00
02/25/2019	CenturyLink	14003	City Phone	N	City Office Telephone	100-41309-321-	\$ 138.64
		Total For Check					\$ 138.64
02/25/2019	Todd Smith	14004	Monthly Assessment Services - February	N	Property Assessor	100-41208-300-	\$ 1,991.92
		Total For Check					\$ 1,991.92
02/25/2019	Lisa Senopole	14005	Video Tech	N	Cable Costs	100-41212-100-	\$ 276.25
		Total For Check					\$ 276.25
02/25/2019	Waste Management	14006	Recycling	N	Recycling	100-43011-384-	\$ 4,867.52
		Total For Check					\$ 4,867.52
02/25/2019	Washington County Sheriff	14007	July-Dec 2018 Police Services	N	Police	100-42001-301-	\$ 64,678.44
		Total For Check					\$ 64,678.44
02/25/2019	KEJ Enterprises	14008	Feb 2019 Road Contractor	N	Animal Control	100-42006-300-	\$ 83.00
					Town Hall Mowing	100-43006-300-	\$ 125.00
					Ball Field Maintenance	100-43009-300-	\$ 125.00
					Road Engineering Fees	100-43102-300-	\$ 166.14

Fund Name: All Funds

Date Range: 02/01/2019 To 02/26/2019

<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>
		14008			Road Garbage Removal	100-43105-300-	\$ 167.00
		14008			Gravel Road Costs	100-43106-300-	\$ 20.84
		14008			Magnesium Choride	100-43107-300-	\$ 41.67
		14008			Road Sign Replacement	100-43110-300-	\$ 83.84
		14008			Culvert Repair	100-43111-300-	\$ 20.84
		14008			Snow & Ice Removal	100-43113-300-	\$ 5,416.67
		14008			Road Brushing	100-43114-300-	\$ 2,250.00
		14008			Road Side Mowing	100-43115-300-	\$ 500.00
		14008					\$ 9,000.00
02/25/2019	Sprint	14009	City Cell Phone	N	Road Expenses - Other	100-43116-321-	\$ 32.00
		14009					\$ 32.00
02/25/2019	Johnson Turner Legal	14010	January Billing	N	Legal Fees - General	100-41204-301-	\$ 1,760.25
		14010			Legal Fees - Complaints	100-41205-301-	\$ 41.25
		14010			Legal Fees - Prosecutions	100-41206-301-	\$ 1,800.00
		14010			Escrow	956-49320-301-	\$ 1,700.00
		14010					\$ 5,301.50
02/25/2019	SHC, LLC	14011	Planning	N	City Planner	100-41209-301-	\$ 1,047.50
		14011			Comprehensive Plan	100-43173-301-	\$ 1,893.00
		14011			Escrow	916-49320-301-	\$ 412.75
		14011				955-49320-301-	\$ 603.25
		14011				956-49320-301-	\$ 635.00
		14011					\$ 4,591.50
02/25/2019	PERA	14012	PERA	N	Clerk PERA	100-41102-120-	\$ 388.07
		14012			Clerk PERA Withholding	100-41108-100-	\$ 336.33
		14012					\$ 724.40
02/25/2019	IRS	EFT112	Payroll Taxes	N	Clerk FICA/Medicare	100-41103-100-	\$ 395.83
		EFT112			Clerk Medicare	100-41105-100-	\$ 75.03
		EFT112			Federal Withholding	100-41107-100-	\$ 388.22
		EFT112			Social Security Expens	100-41109-100-	\$ 320.80
		EFT112					\$ 1,179.88
02/26/2019	Computer Wrangler	14013	Computer Maintenance	N	Equipment Repair	100-41317-224-	\$ 150.00
		14013					\$ 150.00
02/26/2019	AirFresh Industries	14014	PortaPot #33486	N	Town Hall Porta Pot	100-43007-210-	\$ 125.00
		14014					\$ 125.00

Fund Name: All Funds

Date Range: 02/01/2019 To 02/26/2019

<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>
02/26/2019	Xcel Energy	14015	Utilities	N	Town Hall Electricity	100-43004-381-	\$ 262.24
		14015			Well House Electricity	100-43010-381-	\$ 11.37
		14015			Street Lights	100-43117-381-	\$ 45.46
Total For Check							\$ 319.07
Total For Selected Checks							\$ 103,819.90



WASHINGTON CTY SHERIFF
 15015 62ND ST N
 PO BOX 3801
 STILLWATER, MN 55082

<i>Invoice</i>	
Invoice Number:	166008
Account Number:	
Due Date	2/15/2019
Amount Enclosed:	
Federal Tax Id: 41-6005919	

To: CITY OF GRANT

Please return top portion with payment. Thank You.

Invoice					
Date	Number	Type	Due Date	Remark	Amount
2/1/2019	166008	Invoice	2/15/2019	July - December 2018 Police Services	\$64,678.44
I declare under the penalties of law that this account claim or demand, is just and correct and no part of it has been paid. Please make check payable to Washington County and mail to the address above.					Invoice Total \$64,678.44 Sales Tax Balance Due \$64,678.44

Memorandum

To: Honorable Mayor and City Council, City of Grant
Kim Points, Administrator, City of Grant

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

Date: February 25, 2019

Re: Amended Policy for Special Assessments

Actions to be considered:

Council adopting resolution amending Special Assessment Policy.

Facts:

The current special assessment policy was adopted as resolution 2010-11.

The new special assessment policy will provide more detailed guidelines for addressing special assessments in the City as follows:

- The city may contribute budgeted roadway maintenance dollars to the project.
- No special assessments will be levied against the City of Grant unless the owned property meets the definition of a buildable lot.
- Defines the term “reconstruct” for all roadways in terms of improving its section or surface.
- Defines the term “project” to encompass all roadway segments ordered by Council into a single project.
- Assessments are allocated on a per project basis
- Includes paved roads as part of the procedures
- The City agrees to initially pay for the cost of the feasibility report.

Action: Adopt Resolution 2019-__.

Attachments: Resolution 2019-__, Resolution 2010-11

**RESOLUTION 2019-06
CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

**AMENDED POLICY FOR SPECIAL ASSESSMENTS
FOR ROAD IMPROVEMENTS**

WHEREAS, the City Council of the City of Grant desires to amend its policy for determining the allocation of special assessments road improvements so all residents are treated, and improvements assessed, in a fair manner consistent with state law.

NOW, THEREFORE, be it resolved by the City Council of the City of Grant that the following special assessment policy be adopted.

**I.
BASIC PHILOSOPHY**

- A. The project costs associated with completion of the improvement shall be assessed against properties benefited by the improvement as defined by this policy.
- B. In carrying out this policy, the City Council shall act in the best interest of the citizens of the City of Grant.
- C. The City may contribute roadway maintenance dollars together with the special assessments to pay for the improvements of the existing roadway.
- D. No special assessments will be levied against City of Grant unless the property owned meets the definition of a buildable lot as described below.

**II.
DEFINITIONS**

The following definitions shall have the following meanings:

- A. "Buildable lot" means the number of lots that exist, or could be created per city code, on a piece of property. "Buildable lots" shall include consideration of whether a parcel of land is dividable.
- B. "Improvement" means any type of improvement granted by Minnesota Statutes §429.021.
- C. "Project" means any single roadway segment or any combination of several roadway segments together representing a single project ordered by Council.
- D. "Reconstruct" means removal, reclaiming, replacement, or overlay of the existing roadway surface or section and may include aggregate base, subgrade, and drainage.

III. ALLOCATION OF SPECIAL ASSESSMENTS

- A. **Assessment Method.** Lots to be assessed are those with either 1.) an address on the road to be improved or 2.) road frontage on the road to be improved. The assessment shall be allocated as follows:
1. On a per project basis.
 2. Each buildable lot with road frontage and an address or potential address on the road to be improved shall be assessed as one unit.
 3. Each buildable lot with road frontage on the road to be improved, but with an address for that parcel on a different street, shall be assessed as one quarter ($\frac{1}{4}$) unit. A buildable lot shall not be charged more than one unit per project or assessable event.
 4. A buildable lot with no frontage on the road to be improved, but the address for that buildable lot is on the road to be improved shall be assessed as one quarter ($\frac{1}{4}$) unit.
 5. A buildable lot that generates additional traffic may be assessed based upon the traffic generated.
- B. **Alternate Assessment Methods.** When the Assessment Method does not fairly apportion the proposed assessments, the City Council may adopt an alternate method of assessment, including but not limited to front foot, buildable lot, a combination of front foot and buildable lot, or any other methodology that fairly and equitably apportioning the assessments.
- C. In no event shall the amount of any special assessment exceed the benefit to the property being assessed.

IV. PROCEDURES

Petitions to reconstruct existing paved roads or pave gravel roads.

- A. **Petition by one hundred percent (100%) owners.** Whenever all owners of frontage abutting any street or with access to any street named as the location of an improvement petition the City Council to construct the improvement and to assess the entire cost against their properties, the Council may, without a public hearing, adopt a resolution determining such fact and ordering the improvement.

- B. **Petition by at least thirty-five percent (35%) of owners.** When the improvement has been petitioned for by the owners representing at least thirty-five percent (35%) of the units proposed to be assessed, the City Council shall authorize the City Engineer to prepare a Feasibility Report. The cost to prepare the report will initially be paid for by the City. If a project is ordered, the cost to prepare the report will be included with the total project cost to be assessed. If the project is not ordered, the cost of the report will remain the responsibility of the City.
- C. **Approval of Projects.** After receiving the Feasibility Report, if property owners representing at least seventy-five percent (75%) of the units proposed to be assessed approve the project, the project shall be ordered. If less than seventy-five percent (75%) of the units to be assessed approve the project, the project may be partially or fully rejected by Council.
- D. The City Council reserves the right to approve or disapprove of any project in accordance with the best interest of the citizens of the City of Grant.

EFFECTIVE DATE. This policy is effective on the date of adoption.

Whereupon a vote being taken upon the motion, the following members voted in favor:

Whereupon a vote being taken upon the motion, the following members voted against:

Whereupon said motion was duly passed this ___ day of _____, 2019.

Jeff Huber, Mayor

ATTEST:

Kim Points, City Clerk



STAFF REPORT

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

Date: February 25, 2019

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

RE: Application to Amend Conditional
Use Permit for the Dellwood Barn
Wedding Rural Event Facility
located at 7373 120th Street North

From: Jennifer Haskamp
Consulting City Planner

Background

The Applicant, Scott Jordan, on behalf of the Dellwood Barn Weddings is requesting an amendment to their current Conditional Use Permit on the subject property. In 2014 the Applicant obtained a Conditional Use Permit which permitted the conversion of an existing barn on the property to operate a rural event facility. The events held at the facility are primarily weddings and operations are seasonal and limited to May 1st through October 31st of each year. The approved CUP includes 34 conditions that addressed conversion of the facility, parking, traffic control, outdoor activities, and hours and operations (See Attached CUP obtained in 2014).

The Applicant's first events were held in 2014 after being granted the CUP and completing the construction related to the site conversion activities stated within the permit. The facility's first full season of operations was 2015 and the facility has been operational for four (4) full seasons. The Applicant has requested an amendment to specific conditions of their existing permit, specifically those conditions related to hours of operation and the Site Plan to permit the construction of an outdoor deck on the south side of the barn.

Process Summary regarding Subject Request

The following staff report is generally as presented to the Planning Commission with some exceptions. A summary of the Planning Commission and public testimony is provided for your review and consideration. Subsequent to the Public Hearing the Applicant has also amended and revised their application request in an effort to address some of the concerns brought forward during public testimony. The following sections summarize the testimony provided at the public hearing, the Planning Commission's discussion, and the Applicant's revised request.

Public Hearing



A duly noticed public hearing was held on January 15, 2019 at the Planning Commission's regular meeting for the purpose of considering the subject request. The Applicant's request to amend their CUP included the following (see Attachment Applicant's Narrative dated November 26, 2018):

- Extended hours of operation
 - Monday through Thursday 11AM to 10PM
 - Friday and Saturday 1PM to 11:30PM
 - Allow for events on Sundays, from 11 AM to 10 PM; up to six (6) events per season
- Permit up to four (4) events per week
- Construct a commercial deck on the south side of the building (16' x 40' Approximately 640 SF)

Staff provided a brief presentation of the request and the Applicant answered a few questions prior to the Planning Commission opening the public hearing. Most testimony was provided by immediate neighbors to the subject property in both the City's of Grant and Hugo. The following summary of public testimony is provided (full testimony is available on video):

- Immediate neighbors to the north in Hugo provided testimony against any expansion of the use. They stated that they believe the noise is too much and is overwhelming at times (particularly when the doors on the north are open) and that they do not believe the conditions in the permit are being met consistently.
- Several neighbors requested that Sundays be protected and that no events be permitted. This is their one day of respite from the event related activity on the site.
- Some neighbors voiced concern over how the deck would be monitored/affect the number of people congregating outdoors. This concern was brought up by both Hugo and Grant residents.
- One neighbor expressed that there may be some compromise, including hours on weekdays that were more reasonable as long as they did not interfere with kid's school hours, etc., but that there should be no events on Sundays or more events permitted.
- Concern over the deck plan – how big, location, etc. – were stated. There was acknowledgement by all parties that guests do go outside and that there are already outdoor informal congregating areas on the site such as near the fire pit and on the south side of the Barn.

Planning Commission Summary

After the public hearing was closed, the Planning Commission held discussion regarding the requested amendments. Generally, Planning Commission members were struggling with permitting the intensification of the use given the testimony of the residents. A couple members of the commission expressed willingness to amend the permit, if there were ways that the operations could be improved to benefit all parties (Applicants and Neighbors). However, after deliberation, the Planning Commission could not come to a solution that seemed to accomplish that objective and ultimately recommended denial of all of the requested amendments to the CUP to the City Council.



Applicant's Response

After the Planning Commission meeting the Applicant requested that the Application be tabled until the March 5, 2019 City Council meeting so that both Scott and Julie Jordan could be in attendance for the discussion. In addition, the Applicant's have decided to modify their request to try and address some of the concerns of the neighbors. Their revised request is contained in the letter dated February 16, 2019 which is provided (and Attached) for consideration by the City Council.

A summary of the Applicant's revised request is summarized in the following:

- Extended hours of Operation on **Weekdays** – As stated in the Applicant's narrative, when they made their initial request for weekday events, they did not know that a lunch event was not marketable and that corporate events would only be interested if larger blocks of time were available. As a result, even though the Applicant's current CUP permits up to three (3) events per week, the current weekday hours of operation do not reasonably allow for an event. Initially the Applicant had requested hours on weekdays be permitted to 10 PM, they have now **modified their request to 8 PM**.
- Extended hours of Operation on **Fridays and Saturdays** – The Applicant has **REVISED** their request to extend hours until 11 PM. This is an extension of ½-hour from the current permit conditions.
- The Applicant has **WITHDRAWN** their request for Sunday Events.
- The Applicant has **WITHDRAWN** their request for four (4) events per week.
- The Applicant has **not modified their request to construct a deck** on the south side of the Barn. They have supplemented their request with a copy of the Sound Study completed as part of their initial application (Attachment). The Applicant does acknowledge, and did acknowledge at the Planning Commission meeting, that a full deck plan meeting commercial building code (at a minimum) would be a required condition of any approval.
- Finally, in addition to the Applicant's modified request, a written correspondence from the Washington County Sheriff's Office regarding their experience assisting with security during events has also been submitted for consideration.

Since the Applicant has revised their original application, staff has updated the following staff report to address the proposed changes.

Project Summary

Applicant and Owner: Scott Jordan, Dellwood Barn Weddings	Site Size: 37.14 Acres
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Zoning & Land Use: A-1	Request: Amended Conditional Use Permit (CUP)
Location Description and PIDs: (PID 0503021210005) The Dellwood Wedding Barn (Rural Event Facility), parking, Informal Gathering space, etc., are located the approximately 23.72-acre parcel. The proposed deck expansion is located on this parcel and located on the south side of the facility. (PID 0503021210004) The Outdoor Ceremony space, and septic drainfield that supports the facility are located on the 13.42-acre parcel and no changes are proposed on this portion of the property.	

The Applicant is proposing to amend the existing CUP for the subject operations to allow for the construction of an outdoor deck and revise and extend the permitted hours of operations. Consistent with condition #34 in their permit, “Any change in use, building, outdoor gathering areas, lighting, parking, storage, screening, traffic circulation shall require an amendment to the Conditional Use Permit.” A summary of their requested amendments is provided:

- Condition #2 States, “The Dellwood Wedding Barn shall be permitted to conduct no more than three (3) events per week.”

The Applicant has WITHDRAWN their request to amend this permit condition.

- Condition #4 establishes the hours of operation for the facility. The Applicant is proposing to amend the permitted hours of operation as follows (modifications from Planning Commission are denoted with ~~strike through~~ and underline):

2014 CUP Conditions	Proposed 2019 CUP Conditions (<u>REVISED</u>)
Monday – Thursday 11:00 AM – 2:00 PM	Monday – Thursday 11:00 AM – 10:00 <u>8:00</u> PM
Friday and Saturday 1:00 PM to 11:00 PM (where 11PM is stipulated as vacated and dark)	Friday and Saturday 1:00 PM to 11:30 <u>11:00PM</u> (<u>where 11:30 PM is stipulated as vacated and dark</u>)
No events permitted on Sunday	No events permitted on Sunday <u>Sunday 11:00 AM – 10:00 PM, Max 6 Events/Season</u>

- Condition #34 States, “Any change in use, building, outdoor gather areas...shall require an amendment to the Condition Use Permit.” The Applicant is proposing to construct an outdoor commercial deck 16-feet x 40-feet on the south side of the existing facility to allow for an organized outdoor gathering space.

Review Criteria



According to the existing Conditional Use Permit, the proposed changes to the operation and the facility require an Amendment to their CUP. The City Code addresses amendments to existing CUPs in Section 32-152 that states, “An amended conditional use permit application may be administered in a manner similar to that required for a new conditional use permit...” As such, the Application to amend the CUP is processed accordingly, and the requested amendment is to consider only those portions of the operations and/or facility that are proposed to change. The City Code states the following for consideration when reviewing a Conditional Use Permit (32-141):

“(d) In determining whether or not a conditional use may be allowed, the City will consider the nature of the nearby lands or buildings, the effect upon traffic into and from the premises and on adjoining roads, and all other relevant factors as the City shall deem reasonable prerequisite of consideration in determining the effect of the use on the general welfare, public health and safety.”

(e) If a use is deemed suitable, reasonable conditions may be applied to issuance of a conditional use permit, and a periodic review of said permit may be required.”

Section 32-352 identifies specific performance standards for Rural Event Facilities which must be addressed in the application and analysis of the proposed amendments.

In order to determine the appropriateness of the proposed amendments to the CUP, the proposal will be reviewed for compliance and consistency with adjacent uses, the zoning district regulations, the performance standards, and other supplemental regulations. Additionally, since there is an existing CUP that addresses the on-site operations, a summary of current compliance should also be considered when evaluating the proposed amendments.

Existing Site Conditions

The site is located in the far northwestern corner of the community and the parcel is bordered by the City of Hugo to the north, and the City of Dellwood to the south. The following existing site conditions are present on each of the PIDs as referenced above. (See site Plan for Details):

0503021210005 – The parcel is described as Lot 5 of the Meadowlark Subdivision and is the northwestern most parcel of the Subdivision. The parcel is approximately 23.72 acres, is irregular in shape, and located southeast of 120th Street North which forms a curvilinear border on the north and west property line. The parcel includes an existing house (principal structure); the existing Dellwood Wedding Barn which is approximately 3,800 square feet; three existing out buildings that total approximately 7,200 square feet; and an existing corn crib which is approximately 820 square feet and is located directly south of the Barn. The Applicant indicated during the Planning Commission meeting that outdoor happy hours associated with the events are held on the graveled area between the Barn and the Corn Crib, and that additional outdoor gathering occurs near the firepit near the parking lot. The home and buildings are accessed from an existing gravel driveway that is connected to 120th Street North in two locations and is approximately 12-feet wide.



As required by the conditions of the CUP, the Applicant constructed a graveled parking lot directly west of the Dellwood Wedding Barn facility which is connected by footpaths to the facility.

0503021210004 – The parcel is described as Lot 4 of the Meadowlark Subdivision and is adjacent, and to the east, of Lot 5 described above. The parcel is approximately 13.42 Acres, is slightly irregular in shape, but generally runs north-south with its northern property line bordered by 120th Street North. The parcel does not have a principal structure and for purposes of this review is considered in combination with Lot 5. The parcel has three existing outbuildings that total approximately 3,425 square feet and are located in the northwest corner of the property. There is an existing wood fence that extends from the Barn located on Lot 5 and encompasses the outbuildings on Lot 4. The majority of the site is generally open, with some sparse vegetation and a wetland area near the southwestern property line. This site includes supporting infrastructure to the Dellwood Wedding Barn and is used for outdoor ceremonies as permitted within the existing CUP.

Comprehensive Plan Review

The site is guided A-1 in the City's adopted Comprehensive Plan. Land within the A-1 land use designation is generally described as supporting rural, agricultural and rural residential uses with limited accessory commercial uses as identified and allowed within the City's zoning ordinance. The City's ordinances conditionally permit Rural Event Facilities provided certain performance standards can be met. The existing Dellwood Wedding Barn was permitted with a CUP in 2014 and deemed consistent with the City's Comprehensive Plan.

Summary of Current Compliance

Since the Applicant is requesting an Amendment to their current CUP it is reasonable to review current operations for compliance with the approved permit. After the permit was approved the Applicant was required to meet the conditions as stated within the approved CUP, which included conditions for construction and conversion of the site to support the proposed Dellwood Barn Wedding facility. In 2014 the Applicant worked through the conditions as stated performing site work and construction. After meeting the conditions of both the City Engineer and Building Inspector the facility was permitted to open and become operational.

In the first season of operation the facility was working through issues and compliance with CUP conditions. The City received several complaints that were promptly addressed with the Applicants. Since working through initial issues there has been only one (1) formal complaint filed regarding condition #7 that requires the barn doors on the north façade to be secured and closed at all times when amplified music is playing. Again, the City worked with the Applicant who promptly addressed the issue, and no additional complaints or issues have been noted. Staff notes that during the Public Hearing, some neighbors provided testimony that they believe the barn doors on the north have been open far more than what has been reported, and that they have simply stopped making formal complaints. This is difficult for staff to verify since complaints have



not been received at the City, and the City does not have code enforcement officers that patrol the City. However, Staff brings it to your attention for consideration when evaluating this request.

The Applicant and Owner/operator have complied with the conditions of their CUP and have been responsive to the City when issues have been brought to their attention. Staff expects the positive relationship to continue and concludes that the site in compliance with the CUP.

Zoning/Site Review

Rural Event Facilities were added as a permitted conditional use in 2014 with specific performance standards. The following dimensional review is provided as background, and the subsequent evaluation completed for the proposed outdoor commercial deck expansion.

Dimensional Standards

The following site and zoning requirements in the A-1 district regulate the site and proposed project:

Dimension	Standard
Lot Size	20 acres
Frontage – Per Sections 32-245 & 32-352)	County/State Road and 300'
Front yard - centerline of County Road (Principal Structure)	150'
Front Yard Setback	65'
Side Yard Setback (Per Section 32-352)	100'
Rear Yard Setback	25'
Height of Structure	35'
Fence	May be on property line, but not within any ROW
Driveway Setback	5'
Parking Lot setback	10' from ROW
Wetland Setback Structure (Buffer)	75' (50')
Impervious surface coverage	50%
Floor Area Ratio	30%

Wedding Barn Facility (Setbacks & Frontage): The existing barn is located approximately 140-feet from the centerline of 120th Street North, and 65-feet from the front yard property line. The Barn is approximately 480-feet from the eastern property line of Lot 4, 425-feet from the west property line, and more than 1000-feet from the rear (south) property line. Per the performance standards for Rural Event Facilities, the facility shall be located at least 100-feet from any side-yard lot line. The proposed deck expansion is located on the south side of the facility and is setback further away from the centerline of 120th Street North than the facility. The proposed deck is setback



from the eastern edge of the facility by approximately 20-feet and therefore is setback more than 500-feet from the eastern property line. *The proposed deck addition as shown on the submitted site plan meets and exceeds the setback requirements identified in the City's adopted ordinances.*

Parking: The Applicant constructed the parking lot consistent with the conditions of the existing CUP. There are no proposed changes to the parking lot, its configuration or number of stalls as part of this application. The deck expansion does not change Condition #3 of the existing permit which sets the maximum occupancy of the facility at 253 persons with subsequent parking calculations derived from the occupancy. *As proposed, the deck expansion does not alter or affect the number of parking spaces or permitted occupancy of the facility.*

Driveway/Circulation: The proposed deck addition is on the south side of the facility and there is no impact to drive aisles, parking lots or other circulation of the site. *As proposed, no changes to driveway, circulation or access is reviewed or approved as part of this application process.*

Lighting Section 32-321 Lighting, Light Fixtures and Glare addresses lighting standards of off-street parking areas and indicates that no more than 1 footcandle may be emitted on a public street, and no more than 0.4 footcandles on adjacent residential property. The lighting plan of the facility was reviewed and approved as part of the existing CUP process. ~~No information was provided as to whether additional lighting of the outdoor deck area is contemplated.~~ During the Applicant's presentation to the Planning Commission they indicated that no additional lighting would be installed on the deck, and that the deck would be 'closed' at dark and the door to the deck from the barn secured. Even if the deck is 'closed', if the Council considers permitting the construction of the deck, staff would still recommend adding a condition to the amended permit to address any proposed lighting as a result of constructing the outdoor deck gathering space. The Applicant should be aware that any proposed lighting of the outdoor deck space must be compliant with the City' adopted ordinances.

Hours of Operation The Applicant has revised their original request in this Application. The following revised hours of operation are denoted:

- The CUP permits hours of operation as follows:

Monday through Thursday 11 AM to 8 PM.

The Applicant proposes to extend the permitted hours of event operations to 11 AM to 8 PM.

Friday and Saturday 1:00 PM to 11:00 PM, site fully dark at 11:30 PM.



The Applicant proposes to extend the permitted hours of event operations to 1:00 PM to 11:00 PM.

The Applicant has submitted a revised plan for extended hours of operation to respond to Planning Commission discussion and testimony provided by the public. The request to permit more events per week (up to four) and to have Sunday events as been WITHDRAWN. Staff believes that the Applicant has made a sincere attempt to respond to the neighbor's concerns and to the concerns expressed by the Planning Commission. Staff understands the Applicant's request, particularly related to weekday hours since the current permit only allows for events between 11 AM and 2 PM, which is a very limited window. Some public testimony was provided that indicated some willingness to consider hours on weekdays that would not interfere with school and work hours. Staff requests discussion by the City Council regarding this item, and also offers the following discussion items:

- A potential solution could consider extended hours in fewer months than the current permit season? For example, in the months of June – August so as not to conflict with the school year?
- If sound is a primary consideration, could amplification be limited on weekdays? Or weekdays after a certain hour?

Noise/Amplification

There are no changes proposed to the conditions related to amplification as part of this request. That is, the Applicant is not proposing additional activities on the north lawn, etc.; however, the extended hours of operation during the weekdays until 8 PM could be significantly different than the current condition and the extended weekend hours would permit an additional ½-hour of amplification during events. Regardless of permitted hours of operation, as discussed during the 2014 application review process, all amplification and noise must meet the MPCA's noise standards, which would apply to weekday hours which have earlier cut-off times than weekends.

In addition to the extended hours of operation the deck on the south façade also has the potential to increase outdoor noise during events. The Applicant's materials were not clear as to how the deck would be accessed, the height of the deck off the ground, whether there would be a new door, etc. Current drawings suggest that there would be no door to the deck 'cut' into the barn, and that access to the deck would be from the outside. However, at the Planning Commission meeting the Applicant referenced a door to the deck. While these details may have no significance from a noise perspective, depending on the size of the door, whether it would be open, etc., then the same issues for neighbors to the south may



be introduced as on the north.

Staff understands the Applicant's hesitancy to prepare full-scale architectural drawings for the deck, but there are some additional details that would be helpful to evaluate the potential impact. Staff suggests that if the City Council is open to consideration of the deck, that additional, accurate details regarding the deck, access, etc., be provided so that staff can prepare a reasonable review.

Engineering Standards

There are no changes to the site that require engineering review at this time. If any significant grading or site alterations are needed to construct the deck, the City Engineer will be involved and review any needing grading permits. *Staff would recommend adding a condition to the amended permit that the Applicant shall be required to obtain any necessary grading permits from the City Engineer at time of building permit application.*

Other Agency Review

The property is located within the Rice Creek Watershed District, and the Applicant is responsible for contacting them to determine whether any permitting is required to construct the proposed deck.

Action requested:

The Planning Commission recommended denial of the request to Amend the existing Conditional Use Permit for the Dellwood Barn Weddings Rural Event Facility based on the original Application narrative. However, the Applicant has since revised their request to respond to public testimony and the Planning Commission discussion. Given the revised request, staff requests discussion, and direction from the City Council so that a Resolution can be brought forward for consideration at the regular April meeting. Staff requests the following direction from the City Council to:

- Prepare a Resolution of Approval and an Amended CUP; or
- Prepare a Resolution of Denial with Findings; or
- Prepare a Resolution of Approval of certain amended conditions and Denial of certain conditions, and prepare a corresponding amended CUP for consideration.

Attachments

Applicant's Amended CUP Narrative and Application (December 5, 2018)

Conditional Use Permit – Dellwood Wedding Bard (2014)

Applicant's Revised Request Letter (February 16, 2019)



Email from L. VanKiel (January 14, 2019)
Sound Study

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



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

Application Date:	12/5/18
Fee: \$400	Escrow: \$3,000

pd check # 1395 \$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.

PARCEL IDENTIFICATION NO (PIN): 0503021210005 LEGAL DESCRIPTION: LOT 4 & 5 Meadowlark Preserve Washington County, MN		ZONING DISTRICT & COMP PLAN LAND USE: A1 Rural Event Facility LOT SIZE: 23.72 ACRES
PROJECT ADDRESS: 1373-120th St No. Grant, MN 55110	OWNER: Name: Scott Jordan Address: 1373-120th St No City, State: Grant, MN 55110 Phone: 612-282-2723 Email: info@dellwoodbarnweddings.com	APPLICANT (IF DIFFERENT THAN OWNER):
BRIEF DESCRIPTION OF REQUEST: See Attached ① ADD DECK TO SOUTH SIDE OF BARN AND CHANGES OF VENUE HOURLS		
EXISTING SITE CONDITIONS: Dellwood Barn Weddings		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code section for a detailed description of required submittal documents, and subsequent process. 1. Division 5. Conditional Use Permits 32-141 through 157		

Submittal Materials

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

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

AP	CS	MATERIALS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan: 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"> ▪ Property dimensions ▪ Area in acres and square feet ▪ Setbacks ▪ Location of existing and proposed buildings (including footprint, and dimensions to lot lines) ▪ Location of utilities ▪ Location of well and septic systems on adjacent properties ▪ Location of current and proposed curb cuts, driveways and access roads ▪ Existing and proposed parking (if applicable) ▪ Off-street loading areas (if applicable) ▪ Existing and proposed sidewalks and trails ▪ Sanitary sewer and water utility plans
COPIES: 4 plans at 22"x34", 20 plans at 11"x17"		

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

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

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

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


Signature of Applicant

11.26.2018
Date

Signature of Owner (if different than applicant)

Date

November 26, 2018

To: City of Grant

From: Scott Jordan
7373 120th St. North
Grant, MN 55110

RE: Conditional Use Permit

1. We are proposing to add a commercial deck to the South of the Barn. See attached plans.

Guests will enjoy the view while relaxing on the deck. We are hoping this will minimize our guests on the front lawn. Another plus will be additional air flow through the new doors to the deck. All improvements will meet city and state codes/ordinances.

2. New Hours of Operations:

Monday through Thursday: 11 am to 10:00 pm. Site shall be fully vacated and dark by 10:00 pm.

Friday and Saturday: 1:00 pm to 11:30 pm. Site shall be fully vacated and dark by 11:30pm
(only asking for additional ½ hour).

Sundays: 11:00 am to 10:00 pm. Site shall be fully vacated and dark by 10:00 pm.
Maximum (6) events per season

3. The Dellwood Barn shall be permitted to conduct no more than 4 events per week.

February 16, 2019

City of Grant
111 Wildwood Road
Willernie, MN 55090

Dear City Council,

After hearing some of the concerns from a few, that live in the neighboring cities to the City of Grant. We would like to reduce the requests we are making to the amendments to our C.U.P.

Initially we did not realize that weekday events being cut off or ending by 2:00 pm would mean that there would actually not be any weekday events, nobody is willing to spend money on an event center for an event that has to end by 2:00 pm. It is difficult for any business to be lucrative when they are only allowed to operate two days a week.

We would request one weekday event be allowed until 8:00 p.m. In respect to the concerns we heard from those living in outside neighboring communities we are willing to reduce our request for having four events a week down to three events a week.

In regards to the additional 1 hour of operation. We lose the opportunity to host a fair amount of wedding events because the people think 10:30 pm is too early to stop the party. Rather than an additional hour we are willing to reduce our request to a half hour. Ending music and closing bar at 11:00 pm vs 10:30 pm and guests off the property by 11:30 pm.

We are also willing to withdraw our request for having any events on Sunday's in respect to the response we heard from neighbors at the first meeting.

Regarding our request for adding a deck to the south side of the barn. In the five years we have been in operation we are not aware of any complaints to the city from any resident of Grant. The only complaints we have been made aware of have come from Hugo residents who reside to the north of our barn venue. A deck on the South side of the barn would be nothing but beneficial to those that have made complaints. It would keep more people on the south side of the barn with the structure of the barn helping to block sound from traveling across the road to the Hugo side. In respect to our neighbors to the South their houses are over a quarter of a mile away from the proposed deck which is already screened by other out buildings and trees that are growing in our wetlands. I do not believe they would encounter any additional noise. The barn structure on the North side of the proposed deck would also block any breeze that would help noise travel in that direction.

I will also note that all conditions outlined in the original C.U.P. in terms of screening, plantings, trees, etc. have been met.

In conclusion to my letter, I would like to state that I don't think it would matter what kind of changes were being proposed, there will always be opposition from certain neighbors. Some people just seem to have fear of any kind of change. The fact of the matter is that there is so much ambient noise in our area with the railroad tracks, a gun club and a road that attracts many motorcycles, trucks, etc....even the lawn mowers and new home construction in the area all exceed the local noise ordinance. Our engineered sound testing has shown that our event center is compliant with the local and state noise ordinance. We are constantly checking with our own decibel meter to assure that we stay within the limits.

Unfortunately for us the voices of those in opposition to any change is always heard much louder than those that are not opposed. I have approached several close neighbors who live in Grant regarding the changes we are proposing including Carl Swanson, Steve Cossack and Ken Kramer as well as others who have no objection to the changes we are requesting and haven't had any negative experiences due to the operation of the wedding barn in the last five years. They tell me the minimum noise they've heard from music or people is rarely ever heard and is nothing compared to the motorcycles, trains, lawn mowers, etc.

We have included a copy of a letter from Sergeant Lonnie Van Klei who has supervised many of our events and has had only positive experiences at the Dellwood Barn Weddings. Also, a copy from SDA Consulting whom did the Sound Study requested by the City of Grant as part of the permit approval process.

Thank you for your time and consideration. We look forward to the meeting with the City Council on Tuesday, March 5th.

Sincerely,

Scott and Julie Jordan
7373 120th St North
Grant, MN
55110

Ph: 612 282 2723 Scott Jordan



Julie Jordan <info@dellwoodbarnweddings.com>

Dellwood Barn Weddings - Security Overview

4 messages

Lonnie VanKlei <Lonnie.VanKlei@co.washington.mn.us>
To: Dellwood Barn Weddings <info@dellwoodbarnweddings.com>

Mon, Jan 14, 2019 at 3:27 PM

Good Afternoon Julie & Scott,

I have reviewed the past five years of our security relationship and found the following number of events:

2014	2015	2016	2017	2018
N/A	May: 4	May: 3	May: 5	May: 4
June: 1	June: 7	June: 5	June: 9	June: 8
July: 1	July: 8	July: 10	July: 9	July: 7
Aug: 5	Aug: 9	Aug: 8	Aug: 8	Aug: 6
Sept.: 5	Sept.: 9	Sept.: 9	Sept.: 10	Sept.: 9
Oct.: 6	Oct.: 10	Oct.: 9	Oct.: 8	Oct.: 6
Total: 18	Total: 46	Total: 44	Total: 49	Total: 42

I have supervised your security detail and those deputies that have worked the event. I have also worked some of the events personally. During this five year period we have had no significant events, problems, or issues at your venue.

The number of events have remained consistent the past four years and our deputies working the events have reported no issues. I compliment you on your operational expertise for no significant issues as this assists our deputies greatly with doing their job.

The expectations of the clients and guests are clearly outlined in their contract and through communication from you, your staff and the deputies on duty so that no problems arise during events. I'm very proud of this working relationship.

I've had several deputies advise me that guests engage them in conversation and have thanked them for being there to be part of the wedding experience. These are the kind of venues that the Washington County Sheriff's Office appreciates representing and I hope we are able to continue this relationship in the upcoming years.

Respectfully,

Lonnie Van Klei

Lonnie Van Klei

Sergeant - Patrol Division

Washington County Sheriff's Office

18015 62nd St. N., Box 9801

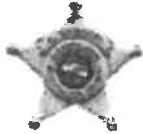
Stukwater, MN 55022

Phone: 651-430-7867

Fax: 651-430-7878

Communication Center: 651-430-8061

Email: lonnie.vanklei@co.washington.mn.us



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Noise Study Report

Dellwood Barn Weddings

Dellwood, Minnesota



SPECIALIZING IN AUDIO, VIDEO, AND ROOM ACOUSTICS



Consulting, Inc.

SPECIALIZING IN AUDIO, VIDEO, AND ROOM ACOUSTICS

April 16, 2014

Dellwood Barn Weddings
7373 120th Street
Dellwood, Minnesota 55110
Attn: Scott Jordan

Re: Dellwood Barn Weddings Noise Study

At your request on 15 April 2014, SDA-Consulting performed a noise study at the Dellwood Barn Weddings site in Dellwood Minnesota. The purpose of the study was to evaluate site conditions and determine operating parameters for amplified music program which would be consistent with City of Grant noise ordinances and MPCA regulations.

The results are summarized in the following pages including practical recommendations for modifications of the barn structure to improve sound isolation

SDA Consulting is an independent consulting firm specializing in room acoustics and the design of audio and video systems. We do not sell or install any products or equipment. We work entirely on your behalf.

Sincerely,

Robert Oswood
Principal Consultant
SDA-Consulting, Inc.

Scope of testing

In order to meet the goal of compliance with City of Grant noise ordinances and MPCA noise regulations it was necessary to undertake three specific tests.

The first test was needed to determine the sound transmission loss between the Dance Floor Sound System location and the closest receiving location on the property line. This included the sound isolation provided by the Barn walls and roof in combination with the distance loss provided by air absorption. (This information would be used to determine the level at which music can be played on the Dance Floor).

The second test measured the ambient noise blanket provided by road traffic and other activities adjacent to the Dellwood Barn Weddings site.

The final test incorporated the use of a Dance Music loop played at a level of 85dBA on the Dance Floor. Corresponding sound level readings are taken at locations A,B,C,D.

Site Conditions

Time of testing: 7PM to 10PM

Location: Dellwood Barn Weddings Site

Noise sources: Swept Sine Wave Loop, Dance Music loop

Wind speed: 7 MPH

Temperature: 30 degrees F

Relative Humidity: 46%

Test Equipment

Type II Sound level meter: Studio Six Digital model SD2010

Serial Number: GD10247 (Factory Calibrated 2/26/14)

Field Calibrator: Extech Model 407766

Field calibration results: 93.9 dB @ 1000Hz re: 94 dB

Test Procedures

Determination of Sound transmission loss

All barn doors were secured closed. A special repeating test signal consisting of a 20Hz to 20KHz swept sign wave with an interval of .5 seconds was input to the DJ sound system serving the Dance Floor. (This test signal is significantly more audible than a music source). The Level was adjusted to 95 dBA in order to assure a signal at least 10dBA higher than ambient noise at the closest receiving location. Measurements were taken on the dance floor and at Location (A) which is closest to the north property line.

Subtracting the reading at Location (A) from 95dBA on the Dance Floor yields the effective transmission loss. In this case 37dBA.

The process above is repeated with the main barn doors open. Effective transmission loss is 34 dBA.

Ambient Noise Level

The noise level of traffic on the adjacent highway (which is the dominant source of ambient noise) varies between 60dBA and 85dBA. In order to determine the Equivalent Continuous Noise Level (LEQ) a measurement is averaged over a fixed time period. During a two hour period of testing LEQ measured 52.5dBA (Slightly higher than the 50 dBA ambient noise level which is allowed in the Grant City noise ordinance). It is very likely that the ambient noise blanket will be several dB higher in the summer due to increased road traffic and wind noise through trees with leaves. This should provide additional beneficial masking for activities in the barn.

Effective Outside Music Level

All Barn Doors were secured closed. A looped selection of dance music was repeatedly played at a level of 85dBA on the Dance Floor. Measurements were taken at location A,B,C,D. during periods when traffic noise did not completely mask the music. In all cases levels were below 50dBA. (see plot on satellite photo) It was not possible to measure Dance Music Noise at the closest southern residence.

Recommendations

1. Large Barn Doors should be closed when amplified music is playing. Smaller egress doors should be installed to reduce the escape of sound when patrons are entering or leaving the building.
2. Dance music should not be played at a level which exceeds 90 dBA on the Dance Floor. The majority of music should be played at 85 dBA or lower.
3. A TYPE II sound level meter should be purchased to monitor levels on the Dance Floor and at Receiver Location A which represents a worst case noise sample.



Sound Level Meter with Backlit Display



Two range meter
With backlit LCD display

Features:

- High accuracy meets ANSI and IEC 651 Type 2 standards
- High and Low measuring ranges
- Data Hold and Max Hold functions
- Backlit display to view in dimly lit area
- Complete with microphone wind screen and 9V battery

Applications:

- Enforcing community noise ordinances
- Meeting government safety issues (OSHA)
- Installing audio systems
- Product noise certification and reduction



Specifications	
Display Counts	2000 count LCD
Range	Low: 35 to 100dB High: 65 to 130dB
Basic Accuracy	±1.5dB
Weighting (A & C)	Yes
Response Time (Fast/Slow)	Yes
Condenser Microphone	0.5" (12.7mm)
Dimensions	8.2x2.1x1.25"(210x55x32mm)
Weight	8.1oz (230g)

Ordering Information:

407732.....Sound Level Meter with Backlit Display
407732-NISTSound Level Meter with Backlit Display with NIST



Design Id: Design Not Saved
Estimate Id: 19402
Store Number: 3059
(Menards - Maplewood)



Page 1 of 4
11/26/18

The Design ID can be used for recalling your design from Menards.com or one of our in-store Design-It kiosks. The Estimate ID can be used to purchase your items from the Menards location above.

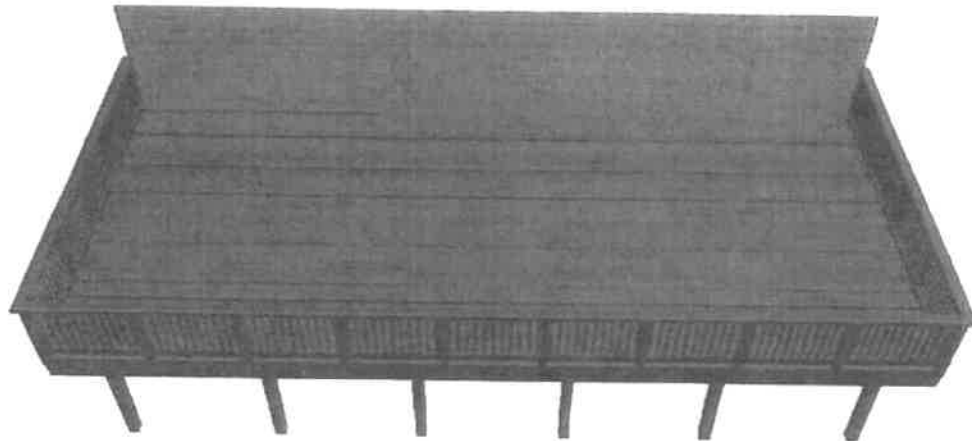


Illustration intended to show general deck size and shape. Some options selected may not be shown for picture clarity.

Estimated Price:

*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

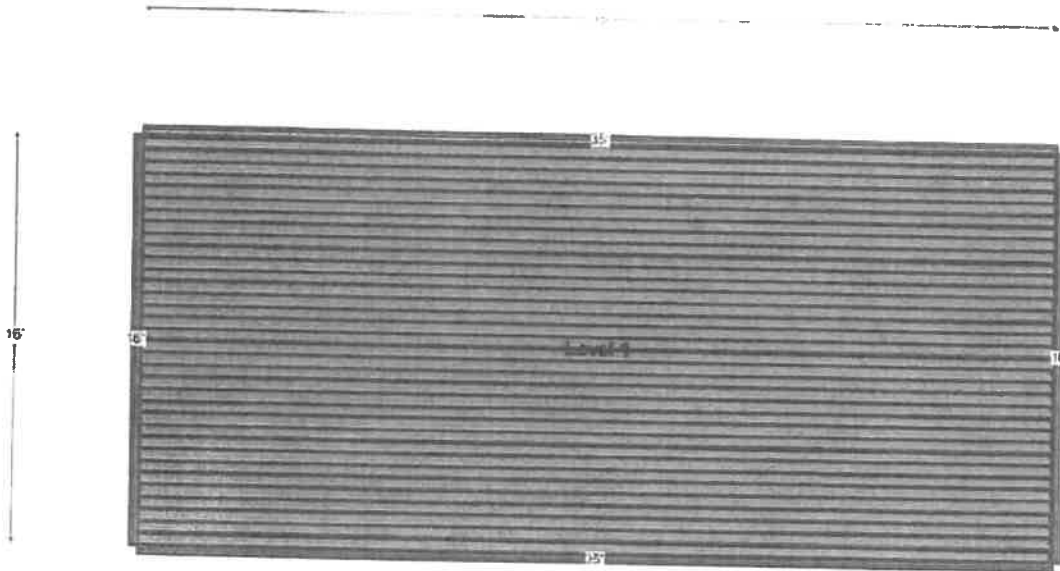
Final design should be performed by a registered professional engineer to ensure all applicable building codes and regulations are met.

This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF THE WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS.

Design Id: Design Not Saved
Estimate Id: 19402
Store Number: 3059
(Menards - Maplewood)



Page 2 of 4
11/26/18



Wall Attached	Railing
---------------	---------

Estimated Price:

*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

Final design should be performed by a registered professional engineer to ensure all applicable building codes and regulations are met.

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no page 4
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Level Information

Level 1 - 35' 0" Length X 16' 0" Width X 8' 0" Height, Standard Deck, 40 PSF Load Rating, Horizontal Decking Direction
16" Joist Spacing

Framing Information

6x6 CedarTone Premium Framing Posts
Poured Footings 12" Tube (includes concrete) with 4' 0" Depth
2x12 CedarTone Premium Joists
2x12 CedarTone Premium Beams
Solid Placement for Beam Positioning on Framing Posts
Beam and Joist Cantilever - 2 Feet



Deck Board Information

5/4x8 CedarTone Premium



Railing Information

CedarTone Premium Railing Type
3/8" Continuous T Handrail
2x2x3/8 Square End Spindles
4" x 4" x 54" AC2 CedarTone Premium Pressure Treated
U-Top-It Deck Post Railing Post, Joist Mounted
2x6 CedarTone Premium Hand Rail



Other Material Information

Galvanized Joist Hangers
Galvanized Framing Fasteners
Ledger Deck Ties are included for all Ledger Joists
Joist / Beam Deck Ties are included for all Joists and Beams
Lok bolts are included for all Ledger Joists and Railing Posts



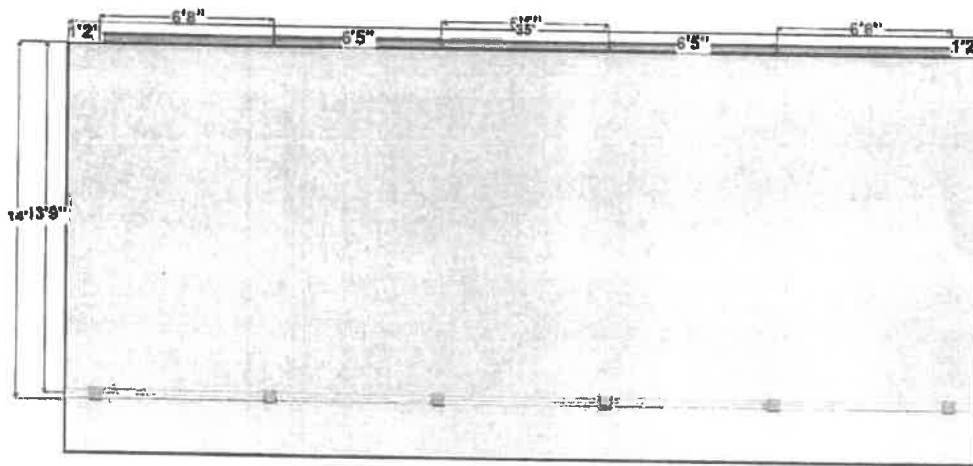
Estimated Price:

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Post and Beam Dimension Sheet for Level 1



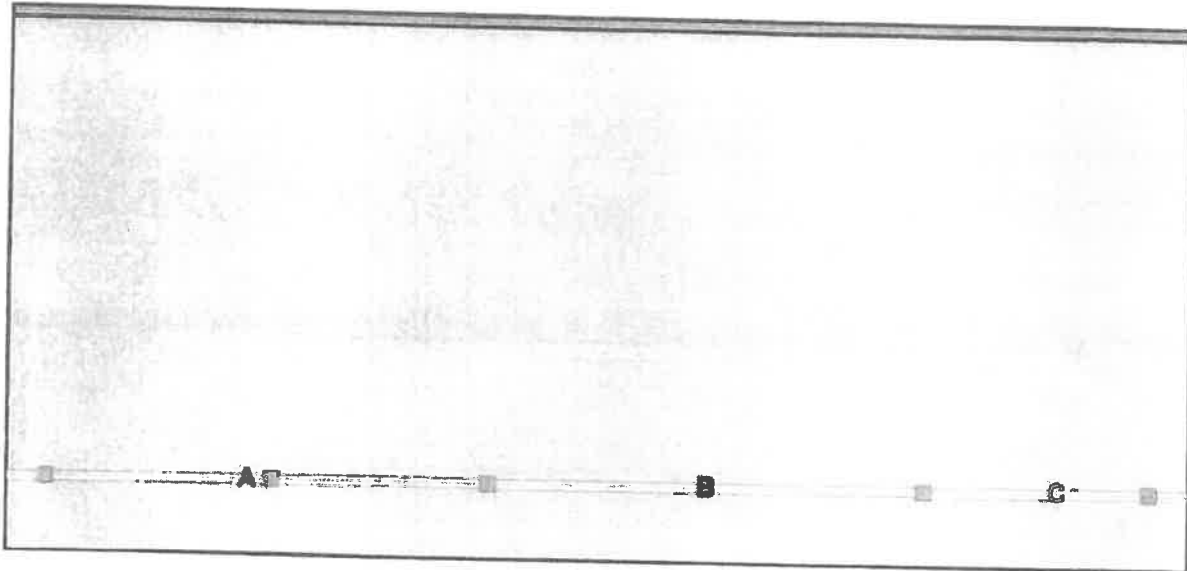
Layout dimension sheets are intended as a construction aid. Not all options selected are shown.

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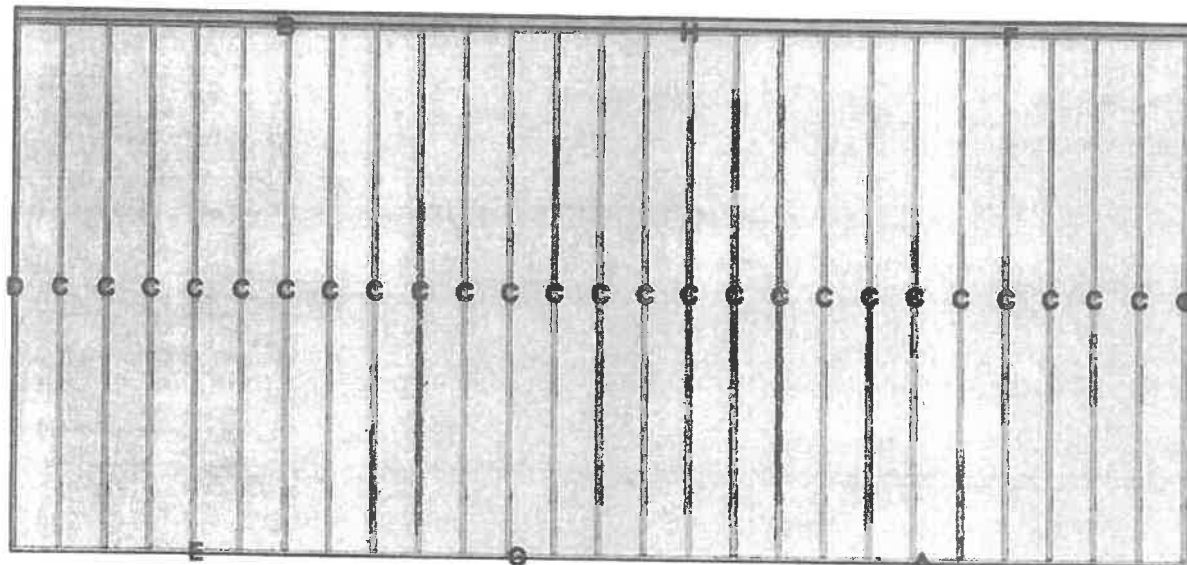
Beam Layout for Level 1



Mark	Length	Description
A	14' 4"	2-2x12 Cedartone Premium
B	12' 11"	2-2x12 Cedartone Premium
C	7' 11"	2-2x12 Cedartone Premium

Layout dimension sheets are intended as a construction aid. Not all options selected are shown.

Joist Layout for Level 1



Mark	Length	Description	Usage
A	16' 0"	1-2x12 Cedartone Premium	Rim Joist
B	16' 0"	1-2x12 Cedartone Premium	Ledger Joist
C	15' 10"	26-2x12 Cedartone Premium	Internal Joist
D	15' 9"	2-2x12 Cedartone Premium	Rim Joist
E	11' 0"	1-2x12 Cedartone Premium	Rim Joist
F	11' 0"	1-2x12 Cedartone Premium	Ledger Joist
G	8' 0"	1-2x12 Cedartone Premium	Rim Joist
H	8' 0"	1-2x12 Cedartone Premium	Ledger Joist

The lengths noted are provided as a layout guide. Field check dimensions prior to cutting.
 Joist to be on 16".

Joist to be toe-nailed to beams with 3-1/2" fasteners.

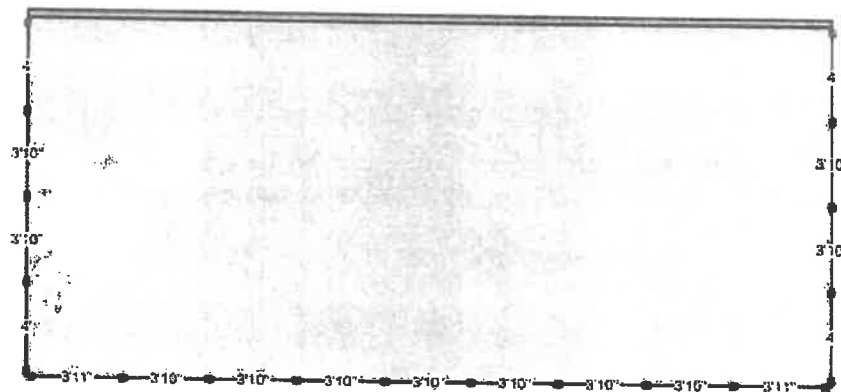
Rim Joists to be face-nailed to joist and ledgers with 3-1/2" fasteners.

Y bracing is estimated, but not shown.

Blocking and bridging may be required by your local code.

Layout dimension sheets are intended as a construction aid. Not all options selected are shown.

Railing Post Dimension Sheet for Level 1



Dimensions are measured from the center of each railing post.

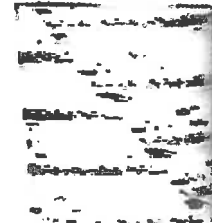
Layout dimension sheets are intended as a construction aid. Not all options selected are shown.

Level Information

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Solid Placement for Beam Positioning on Framing Posts
Beam and Joist Cantilever - 2 Feet



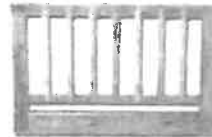
Deck Board Information

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Lok bolts are included for all Ledger Joists and Railing Posts



Estimated Price:

*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

**DELLWOOD BARN WEDDINGS
CONDITIONAL USE PERMIT
CITY OF GRANT**

PROPERTY OWNER/APPLICANT: Scott Jordan

GENERAL LEGAL DESCRIPTION: See Attached Site Plan
PID 0503021210005
PID 0503021210004

ADDRESS: 7373 120th Street North
Grant, MN 55110

This is a Conditional Use Permit to allow for the development of a Rural Event Facility hereafter named "Dellwood Wedding Barn." The Dellwood Wedding Barn will operate from an existing barn on the subject site that will be renovated for compliance with commercial building code standards. Any additional product lines or expansions of the business shall require an amendment to this Conditional Use Permit.

All uses 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:

1. The Dellwood Wedding Barn shall be permitted to operate seasonally from May 1st through October 31st of each year.
2. The Dellwood Wedding Barn shall be permitted to conduct no more than three (3) events per week.
3. The maximum occupancy of the facility shall be limited to 253 persons, to include all event staff, caterers, musicians, etc., or anyone onsite for the duration of an event.
4. The Hours of Operation, defined as actual event time, shall be limited to the following:
 - a. Monday through Thursday: 11 AM to 2 PM
 - b. Friday and Saturday: 1:00 PM to 11:00 PM, where the site shall be fully vacated and dark by 11:00 PM.
 - c. No events shall be permitted on Sundays
 - d. Staff, caterers, deliveries, musician setup and other support activities shall not be subject to the hours of operations, but may not begin prior to 9:00 AM, and must cease by 12:00 AM daily.

5. All events shall be in compliance with the Minnesota Pollution Control Agency's (MPCA) noise standards and regulations at all times. The Applicant shall obtain a Decibel Meter, acceptable to the City, and shall keep the device on the premise during all events.
6. All recorded music (i.e. DJ, iPod mix, etc.) shall only be permitted within the barn and may not exceed 85 decibels.
7. The barn doors on the north façade shall be secured and closed at all times when amplified music is playing.
8. No amplification of live music shall be permitted; unless the Applicant submits a Sound Study and Plan that accounts for the maximum anticipated site conditions that includes crowd noise, and which demonstrates compliance with MPCA standards. The Study shall be provided for review and approval by the City staff, and if necessary City Council.
9. No amplification of outdoor services shall be allowed after 7:00 PM, and all outdoor activities must be performed in compliance with MPCA noise standards.
10. A landscape plan, which may include a row of evergreen trees, or arborvitae, or some combination, shall be provided for review and approval by the City Engineer and Planner. The vegetation shall be planted on the north side of the barn to offer additional sound and light mitigation for times when the barn doors are open.
11. No outdoor gathering shall occur on the north side of the building.
12. A sign shall be posted at each door of the facility indicating patrons should be considerate of the neighbors and to go to their cars expeditiously and quietly.
13. An updated lighting plan including specification sheet of proposed fixture (which must be downward facing and hooded), locations, and if necessary a photometric plan shall be submitted for review and approval by the City Engineer and Planner.
14. Revisions to the parking lot design must be completed and submitted to the City Engineer for review and approval prior to any construction occurring.
15. The parking lot shall be surfaced with crushed limestone which shall require dust control in order to be deemed a dustless surface per the City's Ordinance. Dust control shall be applied a minimum of two (2) times per year, or as many times as required to maintain a dustless surface, and shall be applied to the parking lot and driveways at the facility. Evidence of such treatment shall be provided annually to the City in a form acceptable to the City Engineer.
16. A Grading Permit shall be obtained from the City Engineer prior to beginning any site work, including but not limited to, installation of the parking lot, widening of the driveways and ponding areas.
17. The City Engineer's recommendations and conditions shall be addressed, and updated plans reflecting necessary changes submitted for review and approval prior to any site grading or improvements.
18. A parking attendant shall be required to be present beginning an hour prior to any events and must remain on the premise throughout the event.

19. All access and driveway permits shall be obtained from Washington County prior to commencing operations.
20. All necessary permits and approvals from RCWD shall be obtained prior to issuance of a grading or building permit for construction of the parking lot.
21. Installation of the septic system shall be completed in compliance Washington County standards and the permit dated 4/14/2014 prior to hosting any events.
22. The Parking lot, including installation of the ADA parking stalls shall be constructed prior to hosting any events.
23. Any future signage onsite may not be illuminated and shall meet the City's ordinances and regulations in place at time of proposal.
24. A building permit shall be obtained prior to commencing any renovations on the proposed facility (Wedding Barn).
25. All proposed renovations, as depicted in the submitted plan set and any revisions stated within these conditions, shall be completed prior to hosting any events at the facility.
26. All vendors, including food and beverage, shall be licensed within Washington County prior to serving at any event.
27. An off-duty officer shall be onsite during all events from 8 PM until 12 AM
28. All work 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.
29. No structures or improvements shall be constructed in areas identified with an easement.
30. All escrow amounts shall be brought up to date and kept current. The Applicant shall maintain an escrow balance of \$2,500 at the City through the duration of site work and implementation of the proposed plan. Once the conditions related to construction have been completed and approvals obtained, any remaining escrow will be returned to the Applicant.
31. This permit shall be reviewed after the first year of facility operations (2014) for compliance with the conditions and to implement any necessary modifications. After such time the permit will be reviewed according to the City's adopted CUP review process, and may result in annual review.
32. Any violation of the conditions of this permit may result in the revocation of said permit.
33. The Owner shall obtain all necessary permits from Washington County, Minnesota Department of Health, MPCA, and the United States Government which are necessary in carrying out its operations on the premises including a building permit.
34. Any change in use, building, outdoor gathering areas, lighting, parking, storage, screening, 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: 6/3/14

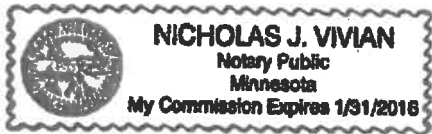

Tom Carr, Mayor

Date: 6/3/14


Kim Points, City Clerk

State of Minnesota)
)ss.
County of Washington)

On this 3rd day of June, 2014, 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/OWNER:
DELLWOOD WEDDING BARN/ SCOTT
JORDAN

Date: 6-4-14

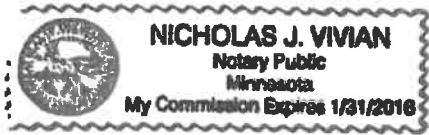
By: *Scott Jordan*
Its: owner

Date: 6-4-14

Kim Points
Kim Points, City Clerk

State of Minnesota)
)ss.
County of Washington)

On this 4th day of June, 2014, before me, a Notary Public, personally appeared Scott Jordan the owner of Dellwood Wedding Barn who acknowledged that said instrument was authorized and executed on behalf of said Company.



N. J. Vivian
Notary Public

LEGAL DESCRIPTION

Lots 4 and 5, Meadowlark Preserve, Washington County, Minnesota.

City Council Report for February 2019

To: Honorable Mayor & City Council Members

From: Jack Kramer Building Official

Zoning Enforcement:

1. No new violations to report.

Building Permit Activity:

1. Ten (10) Building Permits were issued for a valuation of \$ 34,000.00.

Respectfully submitted,

A handwritten signature in black ink that reads "Jack Kramer". The signature is written in a cursive, slightly slanted style.

Jack Kramer Building & Code Enforcement Official

Grant Master Form		Name	Project Address	Date Issued	Valuation:	City Fee:	75% Plan CK Fee:	Surcharge
Permit	Permit Type							
2019-7	HVAC	Linner	9810-83rd. St. N.	1/24/2019	N/A	\$ 80.00	\$ 60.00	\$ 1.00
2019-8	HVAC	Olson	11958 Isleton Ave. N	1/25/2019	N/A	\$ 80.00	\$ 60.00	\$ 1.00
2019-9	HVAC	Stillwater Oaks	11177 McKusick Rd.	1/26/2019	N/A	\$ 80.00	\$ 60.00	\$ 1.00
2019-10	HVAC	Coan	6616 jarvis Ave. N	1/26/2019	N/A	\$ 80.00	\$ 60.00	\$ 1.00
2019-11	HVAC	Lewis	9360-84th. St.N.	1/30/2019	N/A	\$ 80.00	\$ 60.00	\$ 1.00
2019-12	HVAC	Hedberg Supply	8400-60th. St. N	1/31/2019	N/A	\$ 80.00	\$ 60.00	\$ 1.00
2019-13	Plumbing	McNeil	9390 Joliet Ave. N.	2/1/2019	N/A	\$ 80.00	\$ 60.00	\$ 1.00
2019-14	HVAC	Mueller	7076-115th. St.N.	2/1/2019	N/A	\$ 80.00	\$ 60.00	\$ 1.00
2019-15	Kitchen	Kelly	7955 Kimbro Ave. N.	2/6/2019	\$ 34,000.00	\$ 593.75	\$ 445.31	\$ 22.50
2019-16	HVAC	Smith	11920 July Ave.N.	2/11/2019	N/a	\$ 80.00	\$ 60.00	\$ 1.00
Monthly total					\$ 34,000.00	\$ 1,313.75	\$ 985.31	\$ 31.50
Monthly total					\$	\$	\$	\$