

**City of Grant
City Council Agenda
October 6, 2020**

The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday, October 6th, 2020, in a teleconference format 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. September 1, 2020 City Council Meeting Minutes
- B. September 2020 Bill List, \$106,596.45
- C. Kline Bros., Road Work, \$72,899.50

- D. **OMG Midwest, Pay Voucher #2, \$17,760.07**
- E. **Allied Blacktop, Seal Coat Project, \$42,398.50**
- F. **City of Mahtomedi, 3rd Quarter Fire Contract, \$36,407.00**
- G. **City DOES NOT WAIVE Monetary Limits on Municipal Tort Liability**

5. STAFF AGENDA ITEMS

A. City Engineer, Brad Reifsteck

- i. **Consideration of Resolution No. 2020 -39, Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessments, Joliet Ave and Woodland Acres Street Project**
- ii. **Consideration of Resolution No. 2020-40, Calling for and Ratifying an Assessment Hearing, Joliet Avenue and Woodland Acres Street Improvement Project**

B. City Planner, Jennifer Haskamp

- i. **Consideration of Resolution No. 2020-41, Request for Minor Subdivision at 9337 and 9411 Joliet Avenue North**
- ii. **Consideration of Resolution No. 2020-42, Application for Amended CUP to Allow for Building Expansion, American Polywater Corporation Building, 11222 60th Street North**
- iii. **Consideration of Resolution No. 2020-43, Request for Re-Guide Property from A2 to GB, 11298 60th Street North**
- iv. **PUBLIC HEARING, Consideration of Resolution No. 2020-44, Request for Minor Subdivision at XXX 110th Street North**
- v. **Consideration of Resolution No. 2020-38, Conditional Use Permit for Two Silo Farmhouse Resort, 7040 117th Street North**

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

6. NEW BUSINESS

- i. **Telecommunications Grant Fund Program**

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 OCTOBER 7 THROUGH OCTOBER 31, 2020:

Mahtomedi Public Schools Board Meeting, Thursday, October 8th and 22nd, Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, October 8th, Stillwater City Hall, 7:00 p.m.

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

10. ADJOURNMENT

CITY OF GRANT
MINUTES

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DATE : September 1, 2020
TIME STARTED : 7:01 p.m.
TIME ENDED : 9:19 p.m.
MEMBERS PRESENT : Councilmember Carr, Rog, Giefer,
Schafer and Mayor Huber
MEMBERS ABSENT : None

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

CALL TO ORDER

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

PUBLIC INPUT

No one was present for public input.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

Council Member Schafer moved to approve the agenda, as presented. Council Member Rog seconded the motion. Motion carried unanimously with a roll call vote.

CONSENT AGENDA

- August 4, 2020 City Council Meeting Minutes Approved
- August 12, 2020 Special Council Meeting Minutes Approved
- August 2020 Bill List, \$83,556.41 Approved
- Kline Bros. Excavating, Road Work,
\$32,829.50 Approved
- City of Mahtomedi, 2nd Quarter Fire
Contract, \$36,407.00 Approved
- Consideration of City of Grant City Owned/
Issued Portable Devices Policy Approved

1
2 **Council Member Giefer moved to approve the consent agenda, as presented. Council Member**
3 **Rog seconded the motion. Motion carried unanimously with a roll call vote.**

4
5 **STAFF AGENDA ITEMS**

6
7 **City Engineer, Brad Reifsteck**

8
9 **Consideration of Resolution No. 2020-37, Declaring Adequacy of Petition and Ordering**
10 **Preparation of Report** – City Engineer Reifsteck advised a petition was received from property
11 owners living along Knollwood Drive N requesting street improvements.

12
13 The signed petitions account for 62% (5/8) of the property owners within the project limits. The
14 minimum required by state law and the City assessment policy is 35% to authorize the City Engineer
15 to prepare a Feasibility Study

16
17 **Council Member Giefer moved to adopt Resolution No. 2020-37, as presented. Council**
18 **Member Schafer seconded the motion. Motion carried unanimously by a roll call vote.**

19
20 **Consideration of Dellwood Road Court North Subgrade Correction** – City Engineer Reifsteck
21 stated Dellwood Road Ct roadway is experiencing unusual roadway deterioration due to frost boils
22 and requires a subgrade correction.

23
24 The length and width of the patch is approximately 120 x 18 feet.

25
26 Kline Bros estimates a cost to repair the subgrade with geotextile fabric, sand, class 5 aggregate base
27 and paving at \$13,800. The bituminous pavement will be completed by the City’s roadway patching
28 contractor.

29
30 The total improvement is estimated at \$13,800 and its anticipated to be funded by special roadway
31 funds.

32
33 **Council Member Giefer moved to approve the Dellwood Road Court North Subgrade**
34 **Correction, as presented. Council Member Carr seconded the motion. Motion carried**
35 **unanimously by a roll call vote.**

36
37 **Consideration of Kimbro Avenue Road Improvements** – City Engineer Reifsteck stated Kimbro
38 Avenue is under water just north of the intersection at 75th street (CSAH 12) and is currently closed to
39 traffic.

40
41 Neighborhoods to the north along Kimbro Avenue currently have access from the west along 83rd
42 Street and the north and east at 88th Street

43
44 Washington County has already completed road improvements on CSAH 12 due to flooding.

45

1 Minnesota Statute sections 12.29,12.37 and 375.21 provide that emergency contracts are not subject
2 to the normal purchasing and competitive bidding requirements.

3
4 Wetland permitting, if required, will be completed by the City Engineer.

5
6 Kline Bros estimates a cost to install erosion control, and roadway section up to the top of the class 5
7 aggregate base at \$42,000.

8
9 The bituminous pavement will be completed by the City’s roadway patching contractor, ARC, once
10 flooding has resided. The paving is estimated at \$20,000.

11
12 The total improvement is estimated at \$62,000 and its anticipated to be funded by special roadway
13 funds.

14
15 **Council Member Schafer moved to approve the Kimbro Avenue Road Improvements, as**
16 **presented. Council Member Carr seconded the motion. Motion carried unanimously by a roll**
17 **call vote.**

18
19 **Consideration of Resolution No. 2020-39, Issuance and Sale of \$735,000 General Obligation**
20 **Improvement Bond, Pledging Special Assessments and Levying a Tax for Payment Thereof –**
21 **City Engineer Reifsteck stated the following:**

- 22
- 23 1. The bond issuance and sale in the amount of \$735,000 was offered by Bremer Bank, National
24 Association.
 - 25 2. The interest rate is 2.00% with an issuance date of September 29, 2020 and maturity date of
26 February 1, 2036.
 - 27 3. The City Council will take action to adopt the attached approving resolutions as prepared by
28 the City’s Bond counsel.
 - 29 4. The City Council will abide by the governmental bonds post issuance compliance policies and
30 procedures adopted on June 6, 2020. This policy is simply saying that the City will comply
31 with the IRS rules.
- 32

33 **Council Member Carr moved to adopt Resolution No. 2020-39, as presented. Council Member**
34 **Schafer seconded the motion. Motion carried unanimously by a roll call vote.**

35
36 **City Planner, Jennifer Swanson**

37
38 **Consideration of Resolution No. 2020-34, Variance from Tributary Stream Setbacks for**
39 **Replacement Sewage System, 9440 71st Street North –** City Planner Swanson advised the
40 Applicant Jesse Kloepfner, KSD (“Applicant”) on behalf of the Owner Lawrence Tomai, has
41 requested a variance from the tributary stream setbacks for installation of a new septic system on the
42 property located at 9440 71st Street North. The Applicant is the designer of the new septic system for
43 the subject property, and the owner is required to install a new compliant septic system on the subject
44 property. The Applicant has been working with Washington County to acquire a permit for installing
45 the new system, and they were notified by the County that the location of the replacement system is

1 within the City’s required tributary stream setbacks and thus would need to obtain a variance from the
2 city prior to being issued a permit for installation of the new system.

3
4 On August 12, 2020 a duly noticed public hearing was held by the Planning Commission for
5 consideration of the subject application. One member of the public provided public testimony
6 requesting clarification as to why the alternate location identified on the site plan was not selected
7 since it would be located further away from the tributary stream. After public testimony, the Planning
8 Commission discussed the request and asked staff to follow up regarding the identified location for
9 the replacement system. Staff indicated that our understanding is that identified location is the
10 preferred location and is most suitable from a soil and functional perspective. Additionally, the
11 alternate location requires a second variance from the City’s front-yard setback requirements. After
12 discussion, the Planning Commission unanimously recommended approval of the requested setback
13 variance from the tributary stream.

14
15 The following staff report is generally as presented at the Planning Commission meeting and
16 summarizes the requested variance. Draft findings and conditions are found in the draft Resolution
17 which is attached for your review and consideration.

18
19 **Project Summary**

Applicant: Jesse Kloepfner, KSD (Septic Designer) Owner: Lawrence Tomai	Site Size: 0.94 Acres Location: 9440 71 st Street North Existing Home: Constructed in 1969 Zoning & Land Use: R1
Request: Variance from tributary stream septic to install a compliant subsurface sewage treatment system on the subject property.	

20
21
22 As referenced above, the Applicant has requested the following variance:

- 23
24 ▪ Request for variance from required 150-foot setback from a tributary stream to site a new
25 subsurface sewage treatment system. The subject property is a legally non-conforming lot and
26 does not provide enough lot area to site a new system which meets all required setbacks.

27
28 The Applicant has stated that the existing sewage treatment system serving the home is noncompliant
29 and must be replaced prior to selling the property. According to the Applicant’s narrative, as the
30 septic designer, the only location on site that can adequately support a replacement system is the
31 proposed location which encroaches into the required setback from a tributary stream (both the tanks
32 and drainfield will encroach into the required setback).

33
34 City Planner Swansons advised City Code Sections 32-59 and 32-60 establish the criteria to review
35 and approve variance requests. The variance application process requires the Applicant to prepare a
36 statement of reasons why the request is made describing the hardship (or practical difficulty)
37 describing how, “the proposed use of the property and associated structures in question cannot be
38 established under the conditions allowed by this chapter or its amendments and no other reasonable

1 alternate use exists; however, the plight of the landowner must be due to physical conditions unique
2 to the land, structure or building involved and are not applicable to other lands, structures or buildings
3 in the same zoning district...Economic considerations alone shall not constitute a hardship.”
4

5 The Applicant’s statement can be found in Attachment B, which states there are no other locations on
6 the subject property that are available to comply with the City’s required setback. For the subject
7 property to be used for single-family residential purposes a sewage septic system must be located
8 onsite. Further analysis regarding the practical difficulties of the property are provided in the
9 following analysis.
10

11 The subject property is part of the Sunnybrook Lake subdivision which was developed in the 1960’s
12 prior to the current minimum lot size standards. The subject property is approximately 0.96 Acres and
13 is considered a legally non-conforming lot. The existing home was constructed in 1969 at which time
14 a septic system was installed. The lot is slightly irregular in shape but is generally oriented east-west
15 and is approximately 215-feet wide by an average of 210-feet deep. There is a tributary stream which
16 connects with Sunnybrook Lake to the east, and the stream crosses the northern edge of the subject
17 property. Because the lot size is small, the area exclusive of the developed area, stream and setback
18 areas is constrained which leaves few available locations to site a new/replacement septic system.
19

20 The tributary stream setbacks are established in Chapter 12 of the City’s Code, section 12-260 which
21 identifies structural and sewer setbacks. The following description of the variance and standard is
22 provided (See Attachment B for site plan):
23

Standard	Required	Proposed	Variance	Description
Tributary Stream	150’	59’9” tanks; and 94’9” Drainfield	90.3’ for the Septic Tanks, 55.3’ for the drainfield	The proposed septic tanks will be setback behind the existing principal structure but south of stream, and the associated drainfield will be located near the southerly property line and in front of the principal structure.

24
25 Lot Size/Constraints

26 The Applicant’s lot was created in the 1960s when the Sunybrook Lake subdivision was developed,
27 and the existing home was constructed in 1969. At the time, the plat of the Sunybrook Lake
28 subdivision complied with the township and County lot development standards. Since the 1960s lot
29 size and area standards have changed and as a result the lot is now considered a legal non-conforming
30 lot with respect to size, area and dimensions. Given that the existing lot area and dimensions are
31 significantly smaller than those that regulate lots today, it would be nearly impossible to site a
32 replacement septic system on the property and meet all the current setback requirements. The lot is
33 naturally constrained not only by natural features on the property (stream) but also by the non-
34 conforming nature of the lot area and dimensions. Further, due to the location of the existing home
35 and the well which serves the residence the location that a septic system could be sited is further
36 reduced. To that end, the proposed plan requires the drainfield to be located in front of the home
37 (east) and for a 2” supply line extending 75-feet to be installed to the drainfield further demonstrating
38 the constraints associated with the lot. Staff believes the proposed location of the replacement system
39 is reasonable and is properly located based upon topography and other natural site limiting factors,

1 and that the variance requested has been minimized to the extent possible. It is noted that the
2 proposed system complies with all other required setbacks including yard setbacks, right-of-way
3 setbacks and appropriate setback from the well. Finally, the Applicant must remedy the situation to
4 comply with the standards for septic systems as identified by Washington County to sell the property.

5
6 The City Engineer does not have any additional comments regarding the proposed location and
7 system.

8
9 The site is located in the Valley Branch Watershed District (VBWD), and the Applicant has contacted
10 the VBWD to determine whether any permits are required. Depending on the quantity of grading
11 associated with the proposed installation a grading/erosion control permit may be required from the
12 VBWD. As referenced previously, the Applicant must obtain a permit from the Washington County
13 Department of Public Health and Environment prior to installation of the system, as they are the
14 permitting authority for new and replacement septic systems in the City.

15
16 Staff recommends approval of the requested variance with conditions as follows:

- 17
18 1. The Applicant shall be required to obtain the proper permits from the Washington County
19 Department of Public Health and Environment prior to installation of the replacement system.
20 2. The replacement system must be placed outside of all stream and/or wetland areas on the site.
21 3. The Applicant shall be required to obtain any necessary permits and/or approvals from the
22 Valley Branch Watershed District prior to installation. A copy of any correspondence or
23 permits shall be provided to the city prior to installation of the new system.

24
25 **Council Member Schafer moved to adopt Resolution No. 2020-34, as presented. Council**
26 **Member Carr seconded the motion. Motion carried with Council Member Rog and Giefer**
27 **voting nay by a roll call vote.**

28
29 **Consideration of Application for a Conditional Use Permit for Two Silo Farmhouse Resort,**
30 **7040 117th Street North** – City Planner Swanson advised on August 4, 2020 the subject application
31 was considered at the regular City Council meeting. City staff provided a presentation and summary
32 of the application materials submitted by the Applicant, and summarized the analysis completed in
33 the staff report dated July 27, 2020. After presentation and discussion, the City Council provided
34 direction to staff to prepare a Resolution of approval for the subject Conditional Use Permit (“CUP”),
35 and directed staff to prepare a draft CUP for consideration at the regular September 1, 2020 City
36 Council meeting. The following staff memo summarizes information submitted by the Applicant
37 since the August meeting, provides a staff response (if needed), and provides draft findings as
38 presented within the attached resolution. Since most of the information remains the same as
39 presented at the August meeting, staff requests that you reference the staff report dated July 27, 2020
40 for details regarding the proposed operation.

41
42 Supplemental Information

1 City staff communicated with the Applicant to obtain supplemental information that would be helpful
2 to the City Council to complete its review on September 1, 2020. The following summary of the
3 supplemental information, including staff's response, is provided for your review and consideration.
4

- 5 • **Narrative Addendum #2:** The Applicant submitted a narrative addressing the city staff's
6 requested additional information. As noted in the Addendum staff requested: 1) updated site
7 plan to identify bathroom locations, overflow parking, ADA parking stalls, expanded
8 driveway and future septic and holding tank areas; 2) Driveway Expansion; 3) Overflow
9 Parking; 4) Landscape buffer for the parking area(s) and any improvements; and 5) Public
10 Restrooms location, septic drainfield and holding tanks. The following summary and staff
11 response of each items is provided.

- 12 ○ **Updated Site Plan:** Site Plan has been updated to identify location of bathrooms,
13 overflow parking, ADA parking stalls and future drainfield locations.

- 14 ▪ **Staff Response:** The Site Plan now includes the identified elements but does
15 not include the expanded driveway as requested by the city engineer. Staff
16 continues to include a condition within the attached draft CUP that requires an
17 updated Site Plan to reflect the conditions of the City Engineer.

- 18 ○ **Driveway Expansion:** The Applicant restates their desire to maintain the driveway
19 plan as presented on the Site Plan submitted in the August 4, 2020 City Council
20 materials.

- 21 ▪ **Staff Response:** The City Engineer has reviewed the site plan and has indicated
22 that the driveway should be 22-feet of traveled surface, and that the expanded
23 driveway should be extended from the public road right-of-way (117th) to the
24 turnaround near the proposed operations. While city staff understands the
25 desire to maintain as many trees on site as possible, staff believes that the
26 driveway should be expanded to ensure safe ingress and egress on the site.
27 Staff requests discussion by the City Council regarding this item. A condition
28 has been included in the permit that all requirements of the City Engineer must
29 be completed which includes the requested driveway expansion.

- 30 ○ **Overflow Parking:** The Applicant has identified an area onsite for overflow parking
31 to the east of the proposed parking lot. The area designated will remain a grassy area
32 and will have adequate area for approximately 21 additional cars on site.

- 33 ▪ **Staff Response:** The area identified onsite for overflow parking is adequate.
34 Staff recommends including a condition in the Permit that the overflow parking
35 area shall be used on a limited basis only to prevent parking or back-ups on
36 117th Street N., and that the overflow parking is not a means to permit higher
37 occupancy levels onsite.

- 38 ○ **Landscape Buffer for the parking area:** The Applicant indicates that the existing
39 trees on the property line and at the road right-of-way are adequate and no further
40 buffering is needed.

- 1 ▪ **Staff Response:** Staff would suggest that proof of the existing vegetation and
2 screening be provided, and that existing vegetation be included on an updated
3 landscape plan. If it is deemed adequate, Staff recommends including a
4 condition in the CUP that the landscape buffering shall be maintained and
5 replaced (if necessary) provided the operations of the CUP are active.
- 6 ○ **Public Restrooms & Septic Drainfield:** The Applicant has identified the location of
7 the proposed restrooms and has indicated that natural screening exists in this area. The
8 Applicant is proposing to use an, “upscale portable bathroom trailer with a self-
9 contained holding tank, running water, ADA accessible and electricity will be utilized”
10 from 2022 through 2025 (see attachment A for facility type). Future septic drainfield
11 location is identified and is proposed to be installed in Spring of 2026.
- 12 ▪ **Staff Response:** The proposed location of the permanent bathroom facilities
13 meets all setback requirements, but details including size of the facility was not
14 provided. Consistent with staff’s recommendation regarding the landscape plan
15 on the easterly property line, staff recommends that an updated landscape plan
16 be provided to demonstrate adequate screening of the permanent restrooms.
17 Additionally, staff recommends including a condition that the bathroom
18 facilities shall be designed to be architecturally compatible with the existing
19 structures on site and that such design shall be reviewed and approved by the
20 city staff.

21
22 Based on the discussion by the City Council on August 4, 2020, staff does not
23 believe that the “upscale portable bathroom trailer” meets the Council’s request
24 for bathroom facilities to support the operations through 2025. City Staff
25 understands the applicant’s desire to delay the investment in the bathroom
26 facilities until the site is fully operational, but the portable bathroom facilities
27 were not acceptable based on the Council’s discussion. Consistent with the
28 City Council’s discussion on August 4th, staff has included draft conditions
29 within the CUP that require the installation of permanent restrooms onsite. To
30 address the timing issue, staff provides an option that permanent bathrooms
31 must be installed when the tasting room is opened to the general public (i.e.
32 Guests of the farmhouse, or small activities scheduled in the farmhouse would
33 not trigger the construction of the public restrooms. However, any public
34 visiting the site for the winery only – no staying or participation in the
35 farmhouse – would require the installation of the permanent restroom
36 facilities). Lastly, soil borings were not submitted to demonstrate that the
37 drainfield area is adequate to support a septic system. Staff has included a
38 condition within the CUP to require soil borings be submitted prior to
39 commencement of operations.
40

1 City Planner Swanson stated as required in Section 32-146 Standards for issuing a Conditional Use
2 Permit (“Permit”), “...the city council may grant a conditional use permit in any zoning district if the
3 applicant has proven to a reasonable degree of certainty that:”
4

- 5 • The proposed use is designated in section 32-245 as a conditional use for the appropriate
6 zoning district.
 - 7 ○ Finding: The proposed Two Silo Farmhouse Resort is a combination of uses which
8 include agricultural, small-scale rural event facility, resort, and seasonal business. All
9 uses contemplated and proposed as part of the operation are permitted or permitted
10 with a conditional use permit in the A-1 zoning district.
- 11 • The proposed use conforms to the city’s comprehensive plan.
 - 12 ○ Finding: The subject property is guided A-1 and the City’s comprehensive plan
13 identifies Goal #3 regarding land use, “Preserve and protect agricultural land and
14 facilities, agricultural lifestyles, and encourage hobby farms and commercial
15 agricultural uses within the City.” Per Minnesota State Statute, as well as the City’s
16 land use designations a Farm Winery must be located on agricultural property and is a
17 considered an agricultural and/or agritourism business. The proposed use is consistent
18 with the City’s adopted Comprehensive Plan.
- 19 • The proposed use will not be detrimental to or endanger the public health, safety or general
20 welfare of the city, its residents, or the existing neighborhood.
 - 21 ○ Finding: The proposed use will not be detrimental or endanger the public health, safety
22 or general welfare of the residents or existing neighborhood provided the conditions of
23 the Permit are met. Conditions contained in the Permit include mitigation for adequate
24 ingress/egress, hours of operation, maximum occupancy levels and provisions to
25 ensure that adequate utilities (sanitary) are on-site.
- 26 • The proposed use is compatible with the existing neighborhood.
 - 27 ○ Finding: The proposed use is compatible with the existing neighborhood provided the
28 conditions of the Permit are met. The site is greater than 20-acres, allows adequate area
29 for buffering, and limited structural improvements are proposed. The neighborhood is
30 comprised of large-acreage parcels with a mix of agricultural, agritourism, and rural
31 residential use. The proposed use will maintain and preserve the existing farmhouse
32 that has been restored and the existing accessory buildings as part of the operations.
33 The vines (vineyard) is an agricultural use which is consistent with surrounding small
34 hobby farms and agricultural activities. Site improvements such as parking areas must
35 be properly buffered from adjacent neighbors and public right-of-way so that the
36 property remains visually consistent with surrounding properties.
- 37 • The proposed use meets conditions or standards adopted by the city through resolutions or
38 other ordinances.
 - 39 ○ Finding: The proposed use is consistent with conditions and standards adopted by the
40 city through its zoning ordinance, and other ordinances. Rural Event Facilities were

1 added to the City’s table of uses in 2014 to support agritourism types of uses, and the
2 Farm Winery and its operations is consistent with the performance standards identified
3 by the City.

- 4 • The proposed use will not create additional requirements for facilities and services at public
5 cost beyond the city’s normal low-density residential and agricultural uses.
 - 6 ○ Finding: The proposed use will not create additional requirements for facilities or
7 services. The proposed operations shall be required to make all improvements on site
8 to adequately serve the proposed use. Any required improvements to the County
9 roadway shall be completed by the Applicant and at their cost to ensure adequate
10 ingress/egress to the operations and to obtain an access permit from Washington
11 County.
- 12 • The proposed use will not involve uses, activities, processes, materials, equipment or
13 conditions of operations that will be detrimental to people, property, or the general welfare
14 because of production of traffic, noise, smoke, fumes, glare, odors, or any other nuisances.
 - 15 ○ Finding: The proposed use is a permitted and conditionally permitted use per the
16 City’s table of uses. Proper conditions detailing mitigation of potential nuisances are
17 provided for and addressed within the Permit conditions which address parking, noise,
18 glare (lighting) and other operational considerations.
- 19 • The proposed use will not result in the destruction, loss of damage of natural, scenic or
20 historic features of importance.
 - 21 ○ Finding: There are no natural, scenic or historic features of importance on site that are
22 proposed for removal, modification or disturbance.
- 23 • The proposed use will not increase flood potential or create additional water runoff onto
24 surrounding properties.
 - 25 ○ Finding: The proposed operations will not increase flood potential or create additional
26 water runoff onto surrounding properties. The Applicant shall be required to manage
27 stormwater onsite consistent with the City and Rice Creek Watershed District rules
28 and regulations.
- 29 • These standards apply in addition to specific conditions as may be specified through the city’s
30 ordinances.
 - 31 ○ Finding: Specific ordinances and performance standards were applied and evaluated
32 regarding the proposed operations. Details regarding the analysis are documented
33 within the agenda packet materials.

34
35 Mr. Keith Dehnert, Applicant, stated all parking on site does make sense and he is open to widen the
36 driveway and will accept putting full bathrooms – well and septic in as there is plenty of area to do
37 that. He noted he has full intent to work with staff on a landscape and buffering plan for the site.
38

1 After much discussion, the City Council determined a 22 foot driveway would be required, a
2 landscaping plan is required and full well and septic will be installed.

3
4 **Council Member Schafer moved to table Consideration of Application for a Conditional Use**
5 **Permit, Two Silo Farm Resort to the October 2020 City Council meeting. Council Member**
6 **Giefer seconded the motion. Motion carried unanimously by a roll call vote.**

7
8 **City Attorney, Dave Snyder (no action items)**

9
10 **NEW BUSINESS**

11
12 **Consideration of Resolution No. 2020-35, Preliminary City Budget for 2021 – City Treasurer**
13 **Schwarze reviewed the changes to the 2021 budget per the budget work session and advised the**
14 **preliminary budget is set at \$1,634,413.**

15
16 **Council Member Rog moved to adopt Resolution No. 2020-35, as presented. Council Member**
17 **Schafer seconded the motion. Motion carried unanimously by a roll call vote.**

18
19 **Consideration of Resolution No. 2020-36, Preliminary Levy Certification for 2021 – City**
20 **Treasurer Schwarze advised the a 3% levy increase was considered resulting in the average market**
21 **value home an increase of \$11.00 of City portion tax.**

22
23 **Council Member Schafer moved to adopt Resolution No. 2020-36, as presented. Council**
24 **Member Rog seconded the motion. Motion carried unanimously by a roll call vote.**

25
26 **UNFINISHED BUSINESS**

27
28 There was no unfinished business.

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

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

33
34 **City Council Reports/Future Agenda Items**

35
36 No items were placed on a future agenda.

37
38 **COMMUNITY CALENDAR SEPTMBER 2THROUGH SEPTEMBER 30, 2020:**

39
40 **Mahtomedi Public Schools Board Meeting, Thursday, September 10th and 24th, Mahtomedi**
41 **District Education Center, 7:00 p.m.**

42
43 **Stillwater Public Schools Board Meeting, Thursday, September 10th, Stillwater City Hall, 7:00**
44 **p.m.**

45

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

2

3 **ADJOURNMENT**

4

5 **Council Member Giefer moved to adjourn the meeting at 9:19 p.m. Council Member Rog**
6 **seconded the motion. Motion carried unanimously.**

7

8 These minutes were considered and approved at the regular Council Meeting October 6, 2020.

9

10

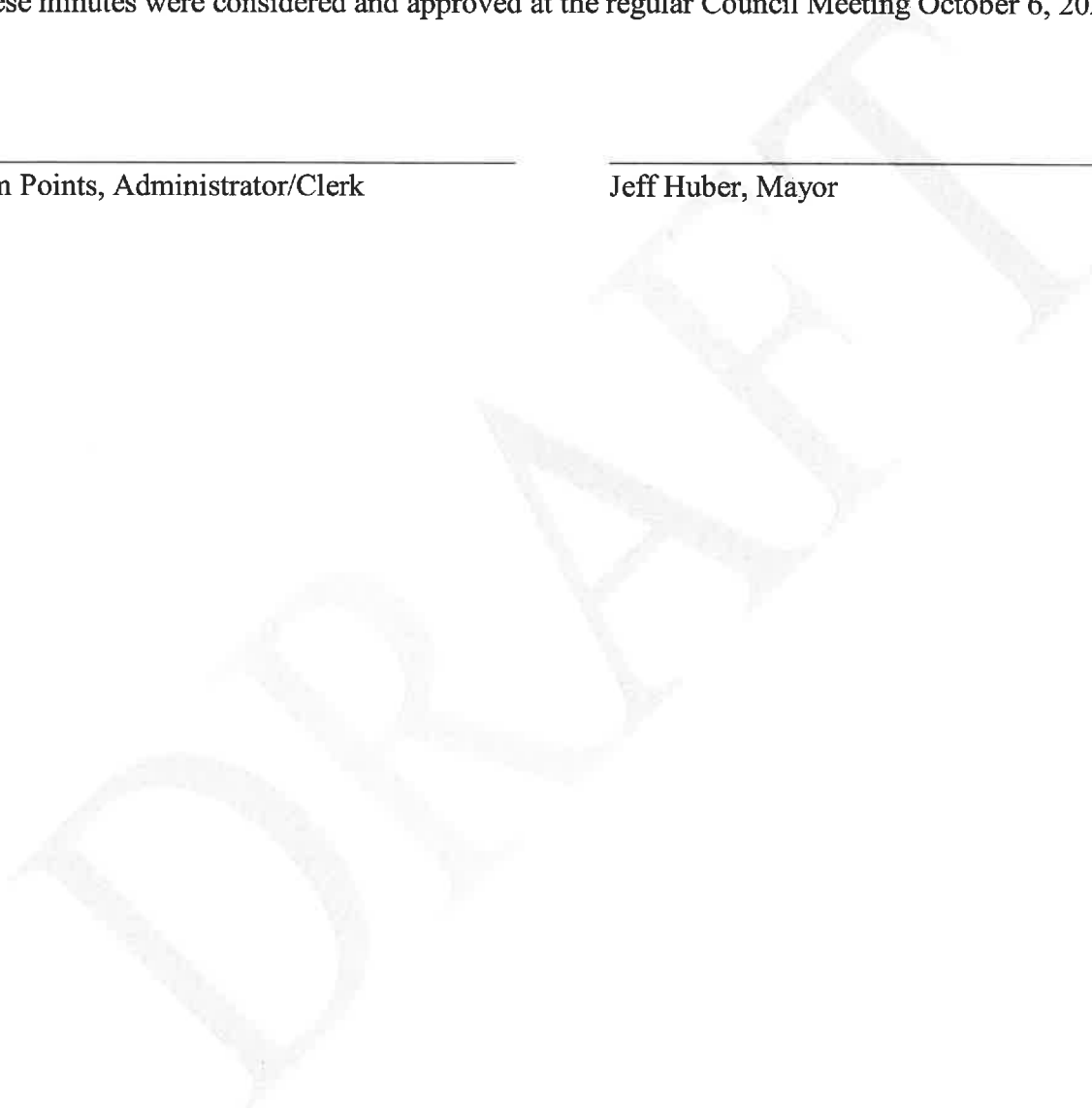
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13 _____
Kim Points, Administrator/Clerk

14

15



Fund Name: 100 - General Fund

Date Range: 09/01/2020 To 09/30/2020

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
09/28/2020	Payroll Period Ending 09/30/2020	14475	Sept20	N	Clerk Salary	100-41101-100-	\$ 3,972.89
	Total For Check	14475					\$ 3,972.89
09/28/2020	Asphalt Restoration Co., Inc	14476	Potholing Inv#1788/1773	N	Pothole Repairs	100-43109-220-	\$ 3,802.50
	Total For Check	14476					\$ 3,802.50
09/28/2020	Dell Technologies	14478	Scanner/Printers	N	COVID Funds CARES	100-41990-210-	\$ 5,044.80
	Total For Check	14478					\$ 5,044.80
09/28/2020	Maroney's	14479	Tires	N	Special Road Projects	100-43128-384-	\$ 177.60
	Total For Check	14479					\$ 177.60
09/28/2020	AirFresh Industries	14480	PortaPot #41275	N	Town Hall Porta Pot	100-43007-210-	\$ 125.00
	Total For Check	14480					\$ 125.00
09/28/2020	CenturyLink	14481	City Phone	N	City Office Telephone	100-41309-321-	\$ 142.91
	Total For Check	14481					\$ 142.91
09/28/2020	Xcel Energy	14482	Utilities	N	Town Hall Electricity	100-43004-381-	\$ 58.51
	Total For Check	14482			Well House Electricity	100-43010-381-	\$ 84.94
					Street Lights	100-43117-381-	\$ 42.81
							\$ 186.26
09/28/2020	Northern Salt	14483	Dust Control	N	Magnesium Chloride	100-43107-200-	\$ 26,059.27
	Total For Check	14483					\$ 26,059.27
09/28/2020	Allied Blacktop Co.	14484	2020 Sealcoating	N	Seal Coating/Crack Filling	100-43112-400-	\$ 42,398.50
	Total For Check	14484					\$ 42,398.50
09/28/2020	Kline Bros Excavating	14485	Road Maintenance	N	Grader Contractor	100-43101-301-	\$ 6,340.00
	Total For Check	14485			Gravel Road Costs	100-43106-301-	\$ 6,952.50
					Road Shouldering	100-43108-301-	\$ 5,955.00
					Special Road Projects	100-43128-301-	\$ 53,652.00
							\$ 72,899.50
09/28/2020	OMG Midwest	14486	Final Pay Voucher #2	N	2019/2020 Road Project	100-43136-224-	\$ 17,760.07
	Total For Check	14486					\$ 17,760.07
09/28/2020	Baker Tilly Municipal Advisors	14487	Joliet Bond Fees	N	2019/2020 Road Project	100-43136-224-	\$ 6,500.00

Fund Name: 100 - General Fund

Date Range: 09/01/2020 To 09/30/2020

<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>
		<u>Total For Check</u>					<u>\$</u>
09/28/2020	Waste Management	14488	Recycling -	N	Recycling	100-43011-384-	\$ 5,015.92
	Total For Check	14488					\$ 5,015.92
09/28/2020	Lisa Senopole	14489	Video Tech	N	Cable Costs	100-41212-100-	\$ 180.00
	Total For Check	14489					\$ 180.00
09/28/2020	Todd Smith	14490	Monthly Assessment Services - September	N	Property Assessor	100-41208-300-	\$ 1,991.92
	Total For Check	14490					\$ 1,991.92
09/28/2020	Miller Excavating	14491	Gravel	N	Gravel Road Costs	100-43106-300-	\$ 11,328.12
	Total For Check	14491					\$ 11,328.12
09/28/2020	Wells Fargo Business Card	14492	Seton - Road Signs	N	Special Road Projects	100-43128-224-	\$ 321.27
	Total For Check	14492					\$ 321.27
09/28/2020	League of Minnesota Cities	14493	membership Dues	N	LMC Dues	100-41304-433-	\$ 4,519.00
	Total For Check	14493					\$ 4,519.00
09/28/2020	KEJ Enterprises	14494	Sept20 Road Contractor	N	Animal Control	100-42006-300-	\$ 83.00
	Total For Check	14494					\$ 83.00
		14494	Town Hall Mowing			100-43006-300-	\$ 125.00
		14494	Ball Field Maintenance			100-43009-300-	\$ 125.00
		14494	Road Engineering Fees			100-43102-300-	\$ 166.14
		14494	Road Garbage Removal			100-43105-300-	\$ 167.00
		14494	Gravel Road Costs			100-43106-300-	\$ 20.84
		14494	Magnesium Chloride			100-43107-300-	\$ 41.67
		14494	Road Sign Replacement			100-43110-300-	\$ 83.84
		14494	Culvert Repair			100-43111-300-	\$ 20.84
		14494	Snow & Ice Removal			100-43113-300-	\$ 5,416.67
		14494	Road Brushing			100-43114-300-	\$ 2,250.00
		14494	Road Side Mowing			100-43115-300-	\$ 500.00
	Total For Check	14494					\$ 9,000.00
09/28/2020	Sprint	14495	City Cell Phone	N	Road Expenses - Other	100-43116-321-	\$ 32.82
	Total For Check	14495					\$ 32.82
09/28/2020	Croix Valley Inspector	14496	Building Inspector	N	Building Inspection	100-42004-300-	\$ 7,432.56
	Total For Check	14496					\$ 7,432.56
09/28/2020	Johnson Turner Legal	14497	August Billing	N	Legal Fees - General	100-41204-301-	\$ 1,381.25

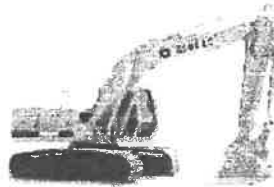
Fund Name: 100 - General Fund

Date Range: 09/01/2020 To 09/30/2020

<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>
		14497			Legal Fees - Complaints	100-41205-301-	\$ 968.75
		14497			Legal Fees - Prosecutions	100-41206-301-	\$ 1,900.00
		14497					\$ 4,250.00
09/28/2020	WSB & Associates	14498	Engineering - August	N	Engineering Fees - General	100-41203-301-	\$ 1,060.00
		14498			Seal Coating/Crack Filling	100-43112-301-	\$ 2,082.50
		14498			Special Road Projects	100-43128-301-	\$ 1,652.00
		14498			Utility/ROW Permits	100-43132-301-	\$ 544.00
		14498			Grading Permit	100-43135-301-	\$ 1,192.00
		14498			2019/2020 Road Project	100-43136-301-	\$ 6,646.50
		14498			2021 Road Project	100-43137-301-	\$ 344.00
		14498					\$ 13,521.00
09/28/2020	PERA	14499	PERA	N	Clerk PERA	100-41102-120-	\$ 399.72
		14499			Clerk PERA Withholding	100-41108-100-	\$ 346.42
		14499					\$ 746.14
09/28/2020	SHC, LLC	15000	Planning	N	City Planner	100-41209-301-	\$ 1,028.00
		15000					\$ 1,028.00
09/28/2020	IRS	EFT133	Payroll Taxes - COVID Funds Care	N	Clerk FICA/Medicare	100-41103-100-	\$ 407.71
		EFT133			Clerk Medicare	100-41105-100-	\$ 77.28
		EFT133			Federal Withholding	100-41107-100-	\$ 403.05
		EFT133			Social Security Expens	100-41109-100-	\$ 330.43
		EFT133					\$ 1,218.47
09/29/2020	City of Mahtomedi	15004	3rd Quarter Fire Contract	N	Fire - Mahtomedi	100-42002-300-	\$ 36,407.00
		15004					\$ 36,407.00
							\$ 276,061.52

Total For Selected Checks

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



Invoice

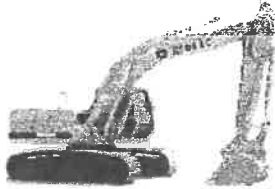
DATE	INVOICE #
9/27/20	2578

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	ROAD GRAVEL 100-43106

DUE DATE
10/7/20

DESCRIPTION	QTY	UNIT COST	AMOUNT
8-24-20 LOADS OF MOD C-5 HAULED TO LAKE ELMO AVE BETWEEN 75TH AND 79TH ST	12	75.00	900.00
8-24-20 770B SPREAD GRAVEL	6.5	80.00	520.00
8-25-20 LOADS OF MOD C-5 HAULED TO LAKE ELMO AVE	13	75.00	975.00
8-25-20 770B SPREAD GRAVEL	6	80.00	480.00
8-26-20 770B SPREAD GRAVEL HAULED BY MILLER ON JAMACA, 69TH ST, IRONWOOD	13	80.00	1,040.00
8-26-20 LOADS OF MOD C-5 HAULED TO LANSING AVE	11	75.00	825.00
8-27-20 LOADS OF MOD C-5 HAULED TO LANSING NORTH OF BIKE TRAIL	9	75.00	675.00
8-27-20 LOADS OF TOPSOIL HAULED TO IRONWOOD TO BUILD UP CURVE WEST OF RR TRACKS	4	160.00	640.00
8-27-20 1845C SPREAD TOPSOIL	3.5	85.00	297.50
8-27-20 T600 & T50	1	150.00	150.00
8-28-20 LOADS OF MOD C-5 HAULED TO 88TH ST	6	75.00	450.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONHTLY SERV CHARGE			
Total			6,952.50

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



Invoice

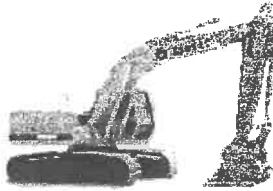
DATE	INVOICE #
9/27/20	2579

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

DUE DATE
10/7/20

DESCRIPTION	QTY	UNIT COST	AMOUNT
8-24-20 740A	5.5	80.00	440.00
8-26-20 740A	8	80.00	640.00
8-27-20 740A	6	80.00	480.00
8-28-20 770B	5	80.00	400.00
8-28-20 740A	5.5	80.00	440.00
8-31-20 770B	8	80.00	640.00
8-31-20 740A	8	80.00	640.00
9-01-20 770B	6	80.00	480.00
9-01-20 740A	8.25	80.00	660.00
9-02-20 770B	2	80.00	160.00
9-15-20 770B	4	80.00	320.00
9-17-80 770B	5	80.00	400.00
9-21-20 770B	3.5	80.00	280.00
9-26-20 770B	4.5	80.00	360.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONHTLY SERV CHARGE	Total		6,340.00

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



Invoice

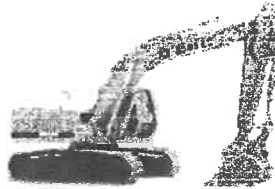
DATE	INVOICE #
9/27/20	2580

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	ROAD SHOULDERING 100-43108

DUE DATE
10/7/20

DESCRIPTION	QTY	UNIT COST	AMOUNT
9-15-20 LOADS OF MOD C-5 HAULED TO 88TH ST	10	180.00	1,800.00
9-17-20 LOADS OF MOD C-5 HAULED TO 114TH ST	16	180.00	2,880.00
9-21-20 LOADS OF RC-5 HAULED TO 64TH ST HILL	6	165.00	990.00
9-25-20 CLEAN ASPHALT WATERWAYS ON DELLWOOD CT AND HAUL AWAY FILL			0.00
9-25-20 9010 EXCAVATOR	1	100.00	100.00
9-25-20 325G COMPACT TRACK LOADER	1	110.00	110.00
9-25-20 MACK DUMP	1	75.00	75.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE	Total		5,955.00

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



Invoice

DATE	INVOICE #
9/27/20	2581

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

DUE DATE
10/7/20

DESCRIPTION	QTY	UNIT COST	AMOUNT
9-8-20 - 9-17-20 BUILD UP SOUTH END OF KIMBRO WHERE ROAD WAS FLOODED			0.00
TONS OF MATERIAL HAULED LEVELED AND COMPACTED	1,612	21.00	33,852.00
ROAD FABRIC USED			1,200.00
LIMEROCK PLACED ON ROAD SHOULDERS			7,000.00
9-21-20 - 9-25-20 DIG FROST BOIL SOFT SPOT OUT OF DELLWOOD CT			9,800.00
EXTRA LOADS OF FILL HAULED OUT	6	120.00	720.00
EXTRA LOADS OF RC-5 HAULED IN	2	165.00	330.00
BUILD BYPASS TO ALLOW ACESS TO HOMES AND REMOVE			600.00
LOAD OF BRUSH AND TREES HAULED AWAY	1	150.00	150.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONHTLY SERV CHARGE	Total		53,652.00



Client: City of Grant 111 Wildwood Road Grant, MN 55090-0487	Contractor: OMG Midwest, Inc. dba MN Paving & Materials 14475 Quiram Drive Rogers, MN 55374
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WSB Project No.: 014035-000
Client Project No.: N/A
State Project No.: N/A
Federal Project No.: N/A

Contract Amount		Funds Encumbered	
Original Contract	\$387,567.00	Original	\$387,567.00
Contract Changes	\$0.00	Additional	N/A
Revised Contract	\$387,567.00	Total	\$387,567.00

Work Certified To Date	
Base Bid Items	\$355,201.47
Contract Changes	\$0.00
Material On Hand	\$0.00
Total	\$355,201.47

Work Certified This Voucher	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Voucher	Total Amount Paid To Date
\$0.00	\$355,201.47	\$0.00	\$337,441.40	\$17,760.07	\$355,201.47
Percent: Retained: 0%			Percent Complete: 91.65%		

FINAL PAY VOUCHER

I hereby certify that a Final Examination has been made of the noted Contract, that the Contract has been completed, that the entire amount of Work Shown in this Final Voucher has been performed and the Total Value of the Work Performed in accordance with, and pursuant to, the terms of the Contract is as shown in this Final Voucher.

Approved By WSB

Approved By OMG Midwest, Inc. dba MN Paving & Materials



City Engineer

Dan LoBello Digitally signed by Dan LoBello
Date: 2020.09.18 10:59:07 -05'00'

Contractor

September 15, 2020

Date

Date

Approved By City of Grant

Name

Date

ALLIED BLACKTOP COMPANY
 10503 89th Avenue North
 Maple Grove, MN 55369

INVOICE



Phone: (763) 425-0575

Fax: (763) 425-1046

Invoice: 5696
 Invoice Date: 9/16/2020

Bill To: CITY OF GRANT WILLERNIE CITY HALL 111 WILDWOOD ROAD WILLERNIE, MN 55090-0487	Project Details: CITY OF GRANT 20423 GRA017
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Payment Terms NET 30	Contract Number	Invoice Due Date 10/16/2020
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Description

2020 PAVEMENT MANAGEMENT PROJECT

NO. 1 MOBILIZATION: 1 LS @ \$3,000.00 = \$3,000.00

NO. 2 ROUT & SEAL BITUMINOUS PAVEMENT CRACKS: 209 RDST @ \$79.00/RDST = \$16,511.00

NO. 3 BITUMINOUS FOG SEAL: 4,825 GAL @ \$3.50/GAL = \$16,887.50

NO. 4 TRAFFIC CONTROL: 1 LS @ \$6,000.00 = \$6,000.00

Description	Invoice Amount	Retainage	Current Due
	42,398.50	0.00	42,398.50
Subtotal Amount	42,398.50	0.00	42,398.50
Tax Amount ('T' Indicates a taxable line)			0.00
Total Invoice Amount Due			42,398.50



City of Mahtomedi
 600 Stillwater Road
 Mahtomedi, MN 55115

651-651-426-3344
 Fax 651-426-1786

Bill To:

City of Grant
 111 Wildwood Road
 PO Box 577
 Willernie MN 55090

Invoice: October 1, 2020

3rd Quarter Billing—Fire Contract

Date	Type	Invoice	Description	Amount	Payment	Balance
10.01.20			2020 Q3 Fire Contract	36,407.00		36,407.00
					Total	36,407.00

<u>CURRENT</u>	<u>30 DAYS</u>	<u>180 DAYS</u>	<u>210 DAYS</u>	<u>240 DAYS</u>
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CONNECTING & INNOVATING
SINCE 1913

LIABILITY COVERAGE – WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before the member's effective date of coverage. Return completed form to your underwriter or email to psstech@lmc.org.

The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.*
- *If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.*
- *If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.*

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name: Grant

Check one:

The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04.

The member **WAIVES** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: 10-6-20

Signature: [Signature] Position: Administrator/Clerk

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: September 28, 2020

Re: Joliet Ave and Woodland Acres Street Improvements Project – Declaring Costs and Set Assessment Hearing.

Actions to be considered:

Resolution declaring costs and set public assessment hearing.

Facts:

- The City Council received the feasibility report at the September 3rd, 2019 regular council meeting.
- The City Council ordered the public improvement for the project following a noticed public hearing at the June 1st, 2020 regular council meeting.
- The City Council approved the Plans and Specifications and Ordered the Advertisement for Bids on July 7, 2020 regular council meeting. Bids were received on August 6th, 2020.
- The project costs to be incurred for the improvement is \$798,028. Project costs includes items, such as, construction, engineering, legal, financing and administrative costs. The City has budgeted and is contributing \$77,458 to the Project. Therefore, the total amount to be assessed is \$720,570.
- Projects funded using special assessments are required by law to follow Minnesota State Statute, Chapter 429. A public hearing is required to consider the adoption of assessments. This hearing is proposed to be held at the November 2nd, 2020 City Council meeting.

Action: Discussion.

Attachments: Resolution Declaring Costs, Resolution Calling for Ratifying an Assessment Hearing

CITY OF GRANT

RESOLUTION NO. 2020-39

**RESOLUTION DECLARING COSTS TO BE ASSESSED AND
ORDERING PREPARATION OF PROPOSED ASSESSMENTS
FOR THE JOLIET AVE AND WOODLAND ACRES STREET IMPROVEMENT
PROJECT**

WHEREAS, the City Council (“Council”) of the City of Grant, Minnesota (“City”) has identified the following Streets as a Capital Improvement Project for Fiscal Year 2020; and

- | | | | |
|---|---------------------------------|---|---------------|
| • | Jody Ave & Ct N | • | Kellman Ct n |
| • | 103 rd Street & Ct N | • | Joliet Ave N |
| • | Juno Ave N | • | Keswick Ave N |
| • | 101 st Street N | | |

WHEREAS, pursuant to Resolution 2020-30 passed by the Council on July 7th, 2020, the consultant City Engineer Brad Reifsteck, WSB & Associates, prepared and published the advertisement for bids and received bids on August 6th, 2020; and,

WHEREAS, the construction cost to be incurred for such improvement is \$700,202.84, and the expenses incurred or to be incurred in the making of such improvement amount is \$97,825.16 so that the total cost of the improvement will be \$798,028; and,

WHEREAS, the City of Grant is contributing \$77,458.00 to the total project cost.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GRANT, MINNESOTA:

1. The total cost of such improvement to be assessed against benefited property owners is declared to be \$720,570.
2. Assessments shall be payable in equal annual installments extending over a period of fifteen (15) years, the first of the installments to be payable on or before the first Monday in January 2021 and shall bear interest at the rate of 4.50% percent.
3. The City Administrator, with the assistance of the City Engineer (consulting engineer), shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he/she shall file a copy of such proposed assessment in his/her office for public inspection.

ADOPTED this 6th day of October 2020.

Jeff Huber, Mayor

Attest: _____
Kim Points, City Clerk

CITY OF GRANT

RESOLUTION NO. 2020-40

**RESOLUTION CALLING FOR AND RATIFYING
AN ASSESSMENT HEARING FOR THE JOLIET AVE AND WOODLAND ACRES
STREET IMPROVEMENT PROJECT**

WHEREAS, the City Council (“Council”) of the City of Grant, Minnesota (“City”) has identified the following Streets as a Capital Improvement Project for Fiscal Year 2020; and

- Jody Ave & Ct N
- 103rd Street & Ct N
- Juno Ave N
- 101st Street N
- Kellman Ct n
- Joliet Ave N
- Keswick Ave N

WHEREAS, the project improvement shall include street reconstruction and reclamation, pursuant to Minnesota Statutes, Sections 429.011 to 429.111; and,

WHEREAS, estimated costs have been calculated for the project and the portion of the cost of such improvement to be assessed against benefited property owners was declared; and,

WHEREAS, by a resolution passed by the council on October 6th, 2020, the city clerk was directed to prepare a proposed assessment of the cost of the project; and,

WHEREAS, the clerk will complete the proposed assessment and file in his/her office for public inspection,

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GRANT, MINNESOTA:

1. A hearing shall be held virtually at 7:00 p.m. on November 2nd, 2020, during the regularly scheduled council meeting to pass upon such proposed assessment. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The city clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and she shall state in the notice the total cost of the improvement. She shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on

such property, with interest accrued to the date of payment, to the Finance Department, except that no interest shall be charged if the entire assessment is paid within thirty (30) days from the adoption of the assessment. An owner may at any time, thereafter, pay to Washington County the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

ADOPTED this 6th day of October 2020.

Jeff Huber, Mayor

Attest:

Kim Points, City Clerk



STAFF REPORT

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

Date: September 28, 2020

CC: David Snyder, City Attorney

RE: Application for Lot Line
Rearrangement (Minor subdivision)
9337 and 9411 Joliet Avenue North

From: Jennifer Haskamp, Consulting City
Planner

Background

The Applicants, Richard and Maureen Bennett, are requesting a lot line rearrangement and lot consolidation (minor subdivision) of the property located at 9337 and 9411 Joliet Avenue North. In 2018 the Applicants went through a minor subdivision process to create the three (3) lots and/or PIDs currently identified in the Washington County GIS records (see attached). Since 2018 a new home was constructed on the property addressed as 9337 Joliet Avenue North which is approximately 5.0 acres, the property identified as PID 15030214100051 remains vacant. The Applicants now wish to rearrange the lot lines resulting in a consolidation of the three (3) existing lots into two (2) remaining lots.

Public Hearing and Planning Commission

A duly noticed public hearing was held on September 22, 2020. No members of the public provided testimony regarding the subject application. After discussion, the Planning Commission unanimously recommended approval of the subject application.

The following staff report is generally as presented at the Planning Commission, except as noted.

Project Summary

Applicant:	Richard and Maureen Bennett
PID:	1503021410004 (5 Acres) 1503021410002 (19.98 Acres) 150302141000 5 (18.06 Acres)
Address:	9337 and 9411 Joliet Avenue North
Zoning & Land Use:	A-2
Request:	Lot Line Rearrangement (Minor Subdivision) to consolidate the existing parcel configuration from 3 lots into 2 lots identified as Proposed Parcel A containing 11.09 acres, and Proposed Parcel B containing 31.95 Acres

The Applicant is proposing a Lot Line Rearrangement, a subsection of Minor Subdivision, to rearrange the lot lines and consolidate the existing parcels into two (2) lots from three (3). The proposed rearrangement will result in Proposed Parcel A containing 11.09 acres and Proposed Parcel B containing 31.95 acres. Both Proposed Parcel A and Proposed Parcel B are developed with existing principal structures. Proposed Parcel B is the original homestead and also includes an existing tennis court, pool, and accessory building.



Review Criteria

The City's subdivision ordinance allows for minor subdivisions and lot line adjustments as defined in Section 30-9 and 30-10. The sections of the code that relate to dimensional standards and other zoning considerations are provided for your reference:

Secs. 32-246

Existing Site Conditions

There are three existing parcels associated with the subject application which are located northeast of the Joliet Avenue North and Dellwood Road North (Hwy 96) intersection. The following summary of each parcel is provided:

PID 1503021410005 is approximately 18.06 acres, is vacant and unaddressed. The parcel is bordered on the south property line by Dellwood Road North (Hwy 96), and the westerly property line is Joliet Avenue North. The parcel in its current configuration has approximately 264-feet of frontage on Joliet Avenue North, and 1,391-feet of frontage on Highway 96. There are no structures or improvements currently on the parcel. Based on the National Wetland Inventory and available GIS data there are two existing wetlands on the subject parcel, one on the north-central portion of the property and one on the south-central portion of the property. The aerial denotes that much of the property is wooded, with extensive woodlands comprising the easterly half of the property, with what appears to be planted trees (primarily conifers) on the western half of the property.

PID 1503021410004 is approximately 5 acres and is bordered by PID 1503021410005 on its southerly and easterly border. A new home was constructed on this parcel after the minor subdivision was approved in 2018. The existing home is setback approximately 111.7' from Joliet Avenue, 129.8' from the northerly property line (side), 94.0' from the southerly property line (side) and 480.1' from the easterly property line (rear). The existing homestead is accessed from a single driveway which connects to Joliet Avenue North on the property's westerly property line. The parcel in existing configuration has approximately 300-feet of frontage along Joliet Avenue North and meets all existing dimensional lot standards. Per the NWI and available GIS there are no existing wetlands on the property.

PID 1503021410002 is approximately 19.98 acres and is bordered on the southern property line by 9337 Joliet Avenue N and PID 1503021410005. There is an existing homestead on the property which is setback approximately 1,025' from the westerly property line (front), 422' from the northerly property line (side), 100' from the southerly property line (side) and 175.7' from the easterly property line (rear). The existing homestead, accessory building, and accessory uses are all accessed from a single driveway which connects to Joliet Avenue North on the property's westerly property line. The existing accessory building is approximately 3,500 square feet and is located northwest of the existing home. The parcel in existing configuration has approximately 660-feet of frontage along Joliet Avenue North. Per the NWI and available GIS there is a wetland area located on the south-central portion of the property which extends onto the southerly parcel. The site is heavily vegetated on the eastern half of the property, as well as vegetated along the northerly property line.



Comprehensive Plan Review

The adopted Comprehensive Plan sets a maximum density of 1 unit per 10 acres in the A-2 land use designation. The proposed minor subdivision/lot line rearrangement of the total 43.04-acres results in no additional lots and reduces the overall density of the subject property by one unit. The minor subdivision/lot line rearrangement meets the established density requirements stated within the adopted comprehensive plan. The intent of the A-2 land use designation is stated to promote and maintain rural residential uses, and the proposed subdivision/rearrangement is consistent with that objective.

Zoning/Site Review

Dimensional Standards

The following site and zoning requirements in the A-2 district are defined as the following for lot standards and structural setbacks:

Dimension	Standard
Lot Area	5 acres
Lot Width (public street)	300'
Lot Depth	300'
FY Setback – County Road (Centerline)	150'
Side Yard Setback (Interior)	20'
Rear Yard Setback	50'
Maximum Height	35'

Lot Area and Lot Width

The proposed subdivision is depicted on Attachment B: Minor Subdivision. As shown the proposed subdivision would result in newly created Proposed Parcel A and Proposed Parcel B. Due to the proposed combination, approximately 5.0 acres are transferred to the existing proposed at 9337 Joliet Avenue N and approximately 11.97 acres are transferred to the property at 9441 Joliet Avenue N. The following summary of each created parcel is identified on the table below:

Lot Tabulation:

Parcel	Size	Frontage/Lot Width	Lot Depth
Parcel A	11.09 Acres	537.05'	726.0'
Parcel B	31.95 Acres	660.0'	1,319.58'

As proposed, both created lots meet the city’s dimensional standards for size, frontage/lot width and lot depth.

Setbacks

The existing homestead and accessory structures located on proposed Parcel B are subject to the city’s setback requirements. The existing principal structure is setback approximately 1,025-feet from the right-of-way line (westerly property line) of Joliet Avenue North; 940-feet from the southerly right-of-way line of Highway 96; 175.7-feet from the easterly property line; and 422-feet from the northerly property line. The accessory building is setback approximately 360-feet from the newly created property line of Parcel A; 252-feet from the northerly property line; and 750-feet from the westerly right-of-way line of Joliet Avenue



North. ***The existing home and accessory building on Parcel B meet or exceed all City setback requirements.***

The existing homestead located on proposed Parcel A is subject to the city's setback requirements. The existing principal structure is setback approximately 111.7-feet from the right-of-way line (westerly property line) of Joliet Avenue North; 359-feet from the southerly right-of-way line of Highway 96; and 480.1-feet from the easterly property line; and 129.8-feet from the northerly property line. ***The existing home and accessory building on Parcel A meet or exceed all City setback requirements.***

Access & Driveways

Both Parcel A and Parcel B are served by existing driveways, and there are no new driveways or access locations proposed as part of this application. ***As depicted, the driveways on Parcel A and B meet the City's driveway standards and setback requirements.***

Accessory Structures

As previously stated, there is one existing accessory building located on Parcel B which is approximately 3,500-square-feet. The rearrangement of the lot will result in Parcel B containing approximately 31.95 acres. Per Section 32-313 of the City's ordinance, parcels greater than 20-acres have no restriction on total size and number of accessory buildings. As such, the existing building, and any future accessory structures on Parcel B, is consistent with the City's ordinances and standards. There are no accessory buildings denoted on Parcel A as part of this application. The Applicant should be aware that accessory buildings on parcels between 9.6 and 14.99-acres are limited to a total square footage not to exceed 3,500 square-feet, and a maximum of four (4) accessory structures are permitted. ***Staff would recommend including a condition that any future proposed accessory building(s) shall be subject to size and permitted number as stated within section 32-313 of the City's Zoning ordinance.***

Utilities

Septic Systems (Soil Borings) and Wells – Soil Borings

The existing homes on both Parcel A and Parcel B are served by existing individual well and septic systems. There are no new lots created as a result of this application and therefore no additional soil borings or information regarding well locations is required.

Other Agency Review

Given that the proposed lot line rearrangement will consolidate three (3) existing lots into two (2) and no new structures are proposed as part of this application there is no additional review needed from the watershed district or MnDOT. Any future rearrangement or subdivision may require additional review from the watershed district and MnDOT if any new access is proposed onto Highway 96.

Requested Action

A draft resolution of approval with conditions is attached for your review and consideration.

Attachments:

Attachment A: Application

Attachment B: Minor Subdivision exhibit, dated August 11, 2020

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2020-41**

**RESOLUTION APPROVING A REQUEST FOR MINOR SUBDIVISION AT
9337 AND 9411 JOLIET AVENUE NORTH**

WHEREAS, Richard and Maureen Bennett (“Applicant”) submitted an application for a Lot Line Rearrangement – Minor Subdivision of the property located at 9337 and 9411 Joliet Avenue North (“Property”), which is legally described in Exhibit A, in the City of Grant, Minnesota; and

WHEREAS, the proposed subdivision consolidates three existing parcels into two parcels shown as Parcel A and Parcel B on the submitted survey dated August 11, 2020; and

WHEREAS, proposed Parcel A is approximately 11.09 acres and is developed with a principal structure; and

WHEREAS, proposed Parcel B is approximately 31.95 acres and contains an existing principal structure and one accessory structure; and

WHEREAS, the Planning Commission has considered the Applicant’s request at a duly noticed Public Hearing which took place on September 22, 2020; and

WHEREAS, on September 22, 2020 the Planning Commission unanimously recommended approval of the Minor Subdivision subject to certain conditions; and

WHEREAS, the City Council has considered the recommendation of the Planning Commission and the Applicant’s request at a regular City Council meeting which took place on October 6, 2020.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby approve the request Richard and Maureen Bennett for a Minor Subdivision as described in

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on _____, 2020 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this _____ day of _____, 2020.

Kim Points
Clerk
City of Grant

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



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

Application Date:	8/29/20
Fee: \$400	Estrow: \$4,000

pd Check # 5263 - \$4,000.00
5262 - \$400.00

MINOR SUBDIVISIONS

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

PARCEL IDENTIFICATION NO (PIN): 15,030-21,41,0004		ZONING DISTRICT & COMP PLAN LAND USE:
LEGAL DESCRIPTION: See Attached		LOT SIZE: 11 acres
PROJECT ADDRESS: 9337 Joliet Ave Stillwater, MN 55082	OWNER: Name: 9411 LLC Address: 119 Dakota Ave S City, State: Tampa, FL 33606 Phone: 618 619 6324 Email: gregfretag@gmail.com	APPLICANT (IF DIFFERENT THAN OWNER): Dick & Maureen Bennett
DESCRIPTION OF REQUEST: Move 6 acres at SW corner of 15,030-21,41,0004 to 9337 Joliet 150,302-14,0004. This will increase 9337 Joliet from 5 acres to 11 acres		
EXISTING SITE CONDITIONS: Bare land		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code section for a detailed description of required submittal documents, and subsequent process. 1. Chapter 30; Section 30-9		

Submittal Materials

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

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

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

Application for: **MINOR SUBDIVISION**
City of Grant

		<ul style="list-style-type: none"> ▪ Septic system and well location ▪ Building locations and dimensions with setbacks ▪ Vegetation and landscaping ▪ Wetland Delineation ▪ Shoreland classifications: waterbodies, Ordinance High Water Level, 100 year flood elevation, and bluff line ▪ Name of subdivision with lot and block numbers of property, if platted <p>COPIES: 20 copies (4 sets at 22" x 34" and 16 at 11" x 17" format)</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A <u>certificate of survey</u> , by a registered land surveyor for each parcel will be required. The survey must show newly created lots and the original lot, limits of any wetland, one acre of buildable area, and elevation of the building site above any lake, stream, wetland, etc.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County departments, State agencies, or others that may have authority over your property for approvals and necessary permits.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and address of property owners within 1,320 feet, contact Washington County Surveyor's Office: (651) 430-6875
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Minor Subdivision submittal form completed and signed by all necessary parties
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$400
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Escrow Paid: \$4,000

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

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

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

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



Signature of Applicant

8/21/2020

Date



Signature of Owner

9/21/2020

Date

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



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

Application Date:	8/13/20
Fee: \$400	Escrow: \$3,000

Pd \$3.400 Check # 157976

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): 36,030.21.33.0005		ZONING DISTRICT & COMP PLAN LAND USE:
LEGAL DESCRIPTION:		LOT SIZE: 2.67 Acres
PROJECT ADDRESS: 11222 60th St. N Stillwater, MN 55082	OWNER: Name: American Polywater Corp. Address: City, State: Phone: 651-430-2270 Email: mike.fee@polywater.com	APPLICANT (IF DIFFERENT THAN OWNER): Mike Fee, Operations Manager American Polywater Corp.
BRIEF DESCRIPTION OF REQUEST: Building addition at 11222 60th St. N		
EXISTING SITE CONDITIONS: 24,030 sq. ft office + warehouse building		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code section for a detailed description of required submittal documents, and subsequent process. 1. Division 5. Conditional Use Permits 32-141 through 157		

Submittal Materials

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

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


AP	CS	MATERIALS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Site 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"> ▪ 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 <p>COPIES: 4 plans at 22"x34", 20 plans at 11"x17"</p>

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

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County departments, State agencies, or others that may have authority over your property for approvals and necessary permits.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and address of property owners within ¼ mile (1,320 feet).
<input 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

8/12/2020
Date

Operations Manager
at American Polywater Corp.
100% Employee Owned

Signature of Owner (if different than applicant)

Date

8/12/2020

Conditional Use Permit Description of Request—11222 60th Street North (Bldg. 1)

Background

American Polywater Corporation (APC) has owned property and operated a manufacturing facility at 11222 60th Street North (Bldg. 1) since 1983. We have received CUPs from Grant Township for our operation at this address and expanded the building twice, most recently in 2000. APC purchased an office and storage warehouse at 11170 60th St N (Bldg. 2) in 2008 and received a CUP for the facility.

APC facilities at Bldg. 1 consist of 24,000 24,030 total square feet: Office and staff support (2,842), Laboratory (820), Manufacturing and Warehouse (20,368).

At Bldg. 2 there is 14,320 total square feet: office (3,900) and warehouse/manufacturing (7,420). An additional 2,400 square foot pole building is used for storage in the rear of Bldg. 2. Additional warehousing space is leased for storage space in Hudson, WI and St Michael, MN.

Building 1 Addition

With substantial growth over the last five years, APC seeks to add an addition to the North side of the building at the 11222 60th St property (Bldg. 1). The 9,000 square foot building addition footprint with approximately 3,000 square feet of mezzanine will be used for office, laboratory, staff support, warehousing, and manufacturing space. The expansion will add 2 additional loading dock doors and will provide APC with the necessary space to grow manufacturing operations in the City of Grant. The nature of APC's chemical manufacturing continues to be the same. We will provide a fire suppression sprinkler system to the new building addition, connecting to the existing 78,000-gallon water reservoir at Bldg. 1. We understand we will need a state licensed sprinkler contractor to design and get approval from the State Fire Marshall for this to happen.

Grant Zoning ordinance section 32-181(g) states "Start of work after issuance. The work for which a building permit is issued shall commence within 60 days after the date thereof unless an application for an extension of 90 days has been submitted to the building official and approved by him. The work shall be completed within one year of the date of issuance." APC asks the city to grant us a minimum of 24 months to finish construction of the addition because of the uncertainty and material shortages created by the Covid-19 pandemic.

The current CUP (Attachment 1) for Bldg. 1 issued on May 2, 2000 contains Clause II. D which states, "The Applicant will be allowed to expand its septic system into the A-2 Zoned property, if necessary, upon approval by Washington County." APC will be expanding its septic system into the A-2 zoned property to allow the building expansion

to take place. KSD Company performed a site evaluation and designed a septic system for the A-2 Zoned property. The new septic system will be a Type I Mound dispersal bed utilizing existing Septic Tanks with a new dual pumping system with alternating time-dosing. Alternatively, new tanks will replace the old ones if required by Washington County. APC is in the process of seeking Washington County's approval for the new septic system. Initially we expect to have 34 persons working in Bldg. 1. There will be 24 manufacturing/warehouse employees and 10 office/lab employees. Over the last five years an average of 450 gallons/day of effluent has been discharged to our existing septic system. The new septic system is designed for 750 gallons/day of effluent from a total of 50 employees providing for a roughly 50% growth in future head count at Bldg. 1. We project this to be at least 10 years of future growth. The A-2 zoned property will also contain an infiltration basin that was designed to conform with Valley Branch Watershed District's requirements. The hours of operation for the building addition will be the same as the rest of the building M-F 6:45 AM – 5:00 PM.

Parking Ordinance 32-374 requires one parking space per 200 square feet of office, and one parking space for each two workers on a shift in Warehousing, Storage and handling of bulk goods. The proposed building addition will create 5590 sq. ft of additional office, Lab and staff support, 6560 sq. ft of additional Warehouse and storage area creating a requirement for 62 parking spaces on the site. There are currently 32 parking spaces along the West wall of the building. Due to the addition and more loading dock space, 2 of those existing space will be lost, leaving 30 existing spaces. An additional parking lot will be added to the North of the building addition providing 32 additional parking spaces and generating 62 parking spaces total. Should extra spaces be required in the future, the existing parking area can be expanded to the South toward Highway 36.

A Survey was performed on the 11222 60th St N (Bldg. 1) property by Landmark Surveying and completed in December 2019 and is included with the application.

The proposed expansion plan meets the goals of the City's Comprehensive Plan in many ways, especially with regard to the City's desire to preserve the rural character of Grant. Rural character is promoted by minimizing the view of the new buildings from existing roadways; working within the existing features of the site, designed with consideration of soils, hydrology and geology. APC will plant a tree line along the Northern border of the A-2 Zoned property as part of the expansion to maintain the rural views.

American Polywater Corporation has enjoyed thirty-seven-years of compatibility with the City of Grant. Our business is compatible because most of the traffic that visits enters directly onto the service road (60th Street) and then onto Highway 36, never traveling within the borders of the City. Of course, some of our employees who live in Grant and others who live to the north use county or city roads. Our factory-operating environment is relatively quiet, with very little if any noise heard outside the plant. All industrial effluent is collected within the plant and transported to St. Paul under permit from the Metropolitan Council.

Attachment 1

**CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

**AMENDED CONDITIONAL USE PERMIT
FOR
AMERICAN POLYWATER CORPORATION**

Date: May 2, 2000

Washington County Plat/Parcel No.:

1. General Business Property: 83036-2530
2. A-2 Property:

Street Address of Subject Property: 11222 North 60th Street
P.O. Box 53
Stillwater, Minnesota 55082

Legal Descriptions:

1. General Business Property: See attached Exhibit "A"
2. A-2 Property: See Attached Exhibit "B"

Owner: American Polywater Corporation
11222 North 60th Street
P.O. Box 53
Stillwater, MN 55082
(651) 430-2270

Present Zoning District: Commercial/General Business and A-2

Permitted Uses Set Forth in Ordinance 50, Section 6.

I. **CONDITIONAL USE PERMIT FOR: American Polywater Corporation**

All uses shall be subject to the following conditions and/or restrictions imposed by the City Council of the City of Grant.

- A. General Description. American Polywater Corporation wishes to build additional space for warehousing and office space. Some existing office space will be converted to laboratory space. This is a request to change the building plans or building configuration, but not the use of the property.

II. ADDITIONAL RESTRICTIONS AND PROVISIONS:

In addition to all of the requirements of Grant City Ordinances and any applicable County, regional or State requirements, the property is also subject to the additional restrictions and provisions specified herein:

- A. This Amended Conditional Use Permit is subject to all of the terms and conditions of the original Conditional Use Permit issued for this property on February 14, 1983 and subject to the terms of the Amended Conditional Use Permit issued on June 26, 1996. The terms of those Conditional Use Permits are incorporated herein by reference.
- B. Improvements shall be constructed in accordance with the site plan dated April 20, 2000.
- C. The Applicant will be allowed to construct non-handicapped parking stalls 9' x 20' dimensions. Handicapped stalls shall be 12' x 20' as required by City Code.
- D. The Applicant will be allowed to expand its septic system into the A-2 Zoned property, if necessary, upon approval by Washington County.
- E. As it relates to the A-2 property which is located directly to the north of the Commercial/General business property. It is agreed that the owner may maintain, repair, and replace existing drainage or septic systems that are installed as a part of this approval, but that the owner may not use that property for any other purpose including but not limited to parking, outdoor storage or the construction of any other building or structure.
- F. The Applicant will be allowed to construct an infiltration basin within the A-2 zoned property. The Applicant must receive a permit from The Valley Branch Watershed District for this purpose.
- G. Applicant agrees that it's A-2 and General Business properties will from this day forward be legally treated as a single parcel of land. Accordingly, neither parcel may be sold independently of the other.
- H. The Applicant must receive final approval for the modifications to the septic systems from Washington County.
- I. Construction of the office phase must begin within three (3) years. The remaining improvements must be constructed within one (1) year.
- J. The Applicant must deposit sufficient funds with the City Treasurer to cover the cost of staff review time.

- K. The exterior of the additions must be of similar materials and colors as the existing building.
- L. Skimmers or other similar devices shall be installed to capture contaminants that may run off from this property from its parking lot. A detail for the skimmers must be submitted to the City Engineer for review and approval.
- M. The construction of the buildings shall include the installation of sprinklers in compliance with the current fire code.

III. IMPROVEMENT REQUIRED.

Not Applicable.

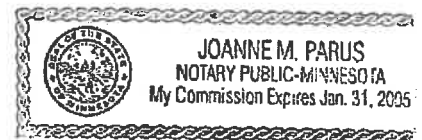
IV. REVIEW.

Pursuant to Section 505.08 of the Zoning Code of the City of Grant, periodic review of this Conditional Use Permit is imposed as a condition of its grant. This Conditional Use Permit shall be reviewed annually at the direction of the Planning Commission, which shall notify the permit holder of the date of the annual review at least ten (10) days prior to the review hearing.

IN WITNESS WHEREOF, the parties have set forth their hands and seals.

City of Grant

By Gary Erichson By Stephanie Marty
 Gary Erichson, Mayor Stephanie Marty, City Clerk



STATE OF MINNESOTA)
) ss.
 COUNTY OF WASHINGTON)

On this 5th day of September, 2000, before me, a Notary Public, personally appeared GARY ERICHSON and STEPHANIE MARTY, the Mayor and City Clerk of the City of

Grant, a Minnesota municipality 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 of the City of Grant, and GARY ERICHSON and STEPHANIE MARTY acknowledge said instrument to be the free act and deed of said City of Grant.

Joanne M. Parus
Notary Public

Applicant

American Polywater Corporation

By Win Miller
Win Miller, Manager

STATE OF MINNESOTA)

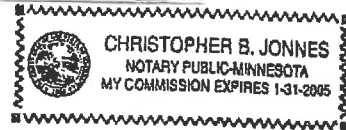
) ss.

(Corporate Notary)

COUNTY OF WASHINGTON)

On this 8th day of August, 2000, before me, a Notary Public, within and for said County and State, personally appeared WIN MILLER, to me personally known, who, being by me duly sworn did say that he is the Manager of AMERICAN POLYWATER CORPORATION, a Minnesota corporation, named in the foregoing instrument, and that said instrument was signed on behalf of AMERICAN POLYWATER CORPORATION by authority of its Board of Directors and said WIN MILLER acknowledged said instrument to be the free act and deed of said corporation.

Christopher B. Jonnes
Notary Public



DRAFTED BY:
Gregory G. Galler
ECKBERG, LAMMERS, BRIGGS, WOLFF
& VIERLING, P.L.L.P.
1835 Northwestern Avenue
Stillwater, MN 55082
(651) 439-2878



STAFF REPORT

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

Date: September 28, 2020

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

RE: Application to Amend Conditional Use Permit for the American Polywater manufacturing facility located at 11222 60th Street North

From: Jennifer Haskamp
Consulting City Planner

Background

The Applicant, Mike Fee, on behalf of American Polywater Corporation (“APC”) has requested an amendment to their Conditional Use Permit for the subject property. The CUP was first issued in 1983 and was later amended in 1996 and 2000 respectively. The existing facility includes approximately 2,842 SF of office, 820 SF of Laboratory space and approximately 20,368 SF of manufacturing and warehouse space. As indicated in the Applicant’s narrative, APC has experienced substantial growth over the last five years and needs additional space to accommodate its operations. The proposed amendment will allow for the expansion of the existing facility on the site to provide additional office, laboratory, staff support, warehousing, and manufacturing space. The proposed amendment is to allow for the expansion of the facility and there are no changes to the use of the property.

Public Hearing and Planning Commission

A duly noticed public hearing was held on September 22, 2020. The Applicant provided some testimony, and no other members of the public commented. After discussion, the Planning Commission unanimously recommended approval of the subject application with the conditions as drafted by staff.

The following staff report is generally as presented at the Planning Commission meeting.

Project Summary

Applicant: Mike Fee, Operations Manager	Site Size: 2.68 Acres (PID 3603021330005)
Owner: American Polywater Corporation (APC)	1.5 Acres (PID 3603021330013)
Zoning & Land Use: GB	Request: Amended Conditional Use Permit (CUP) to allow for a 12,150 SF addition (9,000 SF footprint)



Location Description and PIDs:

The subject application includes PID 3603021330005 and PID 3603021330013 which are contiguous and oriented north-south. Both parcels are owned by APC and will be used to support the proposed expansion of the existing building.

The Applicant is requesting an amendment to the existing CUP to allow for the expansion of the existing building located on site. The existing building is located at 11222 60th Street N., PID 3603021330005, and is setback approximately 66-feet from the right-of-way line. As currently configured, the existing facility and all associated improvements are located on the subject parcel. The proposed expansion is on the northerly side of the existing facility and proposed improvements including additional parking and septic system drainfield expansion will be constructed on the adjacent vacant parcel (PID 3603021330013). The proposed facility expansion includes a 9,000 SF footprint expansion and is designed with approximately 3,150 SF of mezzanine space. The total square footage of the expansion area is 12,150 SF which will be used for office, manufacturing, and warehousing space. To support the facility addition some site improvements including additional on-site parking, drive aisle improvements and septic system expansion are proposed. There are no significant changes proposed to APC's operations such as hours of operation, business activities, etc., and therefore there are no changes to the existing CUP regarding business use. While the business operations will remain the same the substantial business growth over the last five years has necessitated this request to expand the facility.

Review Criteria

According to the approved Amended CUP, the proposed changes to the operation and the facility requires an amendment to the permit. 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."



Existing Site Conditions

The site is located on 60th Street North which is the highway frontage (service) road to Highway 36. There are two parcels that are subject of the proposed application, PID 3603021330005 is approximately 2.68 acres and is the current location of the APC facility and all site improvements. PID 3603021330013 is contiguous to the subject property and is approximately 1.5 acres. The following summary of each site is provided:

11222 60th Street North (PID 3603021330005)

The existing APC building and all site improvements are located on the parcel. The existing building contains approximately 24,000 square feet and is accessed from a shared driveway on the western edge of the site. The site and building are oriented north-south, with the main entrance and existing parking area located on the eastern façade of the building. There are 30 existing parking stalls on site including 2 handicap accessible stalls. The current parking lot area is split by a truck loading dock area. There are additional site improvements including sidewalks which connect the parking areas to the facility's entrances as well as landscaping at entrances and within medians. Based on GIS and NWI records there are no existing wetlands on site.

Unaddressed (PID 3603021330013)

The subject parcel is approximately 1.5 acres and is currently vacant. Per the existing CUP, the parcel is considered collectively with the existing parcel located at 11222 60th Street North. The parcel's southerly boundary is contiguous to the northerly boundary of 11222 60th Street North. As currently configured, there are no driveways or other access to the subject parcel. The site is sparsely vegetated with some trees along the westerly and southerly border of the property. Based on GIS and NWI records there are no existing wetlands on site.

Comprehensive Plan Review

The site is guided GB in the City's adopted Comprehensive Plan. Land within the GB land use designation is generally described as providing a general mix of commercial businesses. APC has operated on the subject site for several years and is one of the City's long-term existing businesses. This land use designation was created to allow for the continued use of the smaller parcels along the 60th Street N frontage road and Highway 36 corridor for business uses in the City.

Zoning/Site Review

For purposes of the following dimensional review both the southerly parcel (PID 3603021330005) and the northerly parcel (PID 3603021330013) are considered collectively. This is consistent with condition G of the existing CUP that requires both parcels to be considered collectively with respect to APC's operations, facilities and any site improvements.



Dimensional Standards

The following site and zoning requirements in the GB district apply to the subject application:

Dimension	Standard
Lot Size	2.5
Lot Width (frontage on public street)	300'
Lot Depth	150'
Front Yard Setback	65'
Side Yard Setback	20' interior, 65' from street
Rear Yard Setback	30'
Height of Structure	35'
Driveway Setback	5'
Floor Area Ratio	40%
Parking Surfaces or Structures of any type	80%

Lot Area, Frontage, Lot Depth

There are two parcels associated with the subject application, the southerly parcel is approximately 2.68 acres and the northerly parcel is 1.5 acres. Collectively the total site area is approximately 4.18 acres. *Parcels zoned and guided GB require a minimum of 2.5 acres and the combined lot acreage meets the minimum lot size requirements.*

The southerly parcel abuts the 60th Street N right-of-way and serves as primary frontage for both parcels. The parcel has approximately 240-feet of frontage/lot width and does not meet the minimum lot frontage requirements. The existing configuration predates the City's ordinance and is therefore considered a legal nonconforming lot with respect to lot frontage. The northerly parcel does not have frontage on a public street and is considered collectively with the southerly parcel. *As configured the southerly and northerly parcel are considered legal nonconforming lots regarding frontage on a public road.* Additionally, APC owns the adjacent westerly parcel and facility and both 11170 and 11222 60th Street N share an access driveway from the right-of-way. It is unclear whether the access driveway includes a permanent access easement, but such area is approximately 33-feet wide which is consistent with historical cartway widths and is assumed to be a permanent access for the APC properties. *While the property at 11170 is not included in this application, it should be noted that when considered collectively with the subject property that a "campus" of the buildings is created and the total frontage of the campus is approximately 444-feet which exceeds the minimum lot frontage requirements.*

The southerly parcel is approximately 483' long oriented north-south, and the



	<p>northerly parcel approximately 271' long. <i>Both parcels are considered collectively and include approximately 754' of lot depth which exceeds the minimum lot depth requirements.</i></p>
<p>Floor Area and Parking Coverage</p>	<p>Per Section 32-1 Definitions, the Floor area ration of commercial or business buildings is calculated by determining the sum or the gross area of all floors of a building and dividing by the net area of the lot or parcel of land. For purposes of the calculation the total parcel area was used. There is approximately 24,000 square feet of existing building area, and 12,150 square feet of expanded building area for a total of 36,150 square feet. Therefore, the FAR calculation is as follows:</p> <p>36,150 SF gross building area/ 182,081 SF of land area = 19.9% FAR.</p> <p><i>In the GB zoning district, a maximum of 40% FAR is permitted. As proposed, the total FAR is 19.9% and is within the allowed FAR.</i></p> <p>As stated in Section 32-246 the maximum parking surface or structure of any type permitted within the GB zoning district is 80%. As identified on sheet AS101 of the Applicant's submittal there is approximately 35,063 square feet of parking area on site. The calculation is as follows:</p> <p>35,063 square feet of parking area/182,081 SF of land area =19.3%</p> <p><i>As proposed, there is 19.3% of the site dedicated to parking area which is within the permitted parking area percentage.</i></p>
<p>Setbacks</p>	<p>The existing building is located on the southern half of the subject property setback approximately 66-feet from the right-of-way of 60th Street north (front), 30-feet from the easterly property line (side), 110' from the west property line (side) and 420' from the northerly property line of PID 3603021330013. The proposed addition will be constructed on the north façade of the existing building and extends approximately 90' north. As proposed, the addition will maintain the east, west and south yard setbacks and will be setback approximately 330' from the northerly property line. <i>The existing building configuration and the addition meets the City's ordinance requirements.</i></p>
<p>Architectural/Building Plans</p>	<p>The Applicant's architectural plans for the addition are shown on Sheets A-101 through A-201. As shown on the plans, the addition will be constructed and attached to the existing north façade of the structure. The existing building architecture is a simple flat paneled concrete building with minimal articulation. The proposed addition will be consistent and compatible with the character and design of the existing building. <i>As proposed, the architectural design meets the intent of the ordinance and the existing CUP condition K which requires expansions to be of similar materials and colors.</i></p>



	<p><u>Height</u></p> <p>The height of the proposed expansion is approximately 28-feet, which is approximately 5-feet taller than the existing building portion when calculated at grade. The proposed increase in height is associated with a mezzanine floor that will be dedicated to office and support staff functions, while the main floor will remain dedicated to manufacturing and warehousing operations. <i>As proposed, the height of the expansion meets the City's ordinance requirement for height which permits a maximum height of 35' for all structures.</i></p>
<p>Driveway/Circulation:</p>	<p>Sheet AS101 of the Applicant's submitted materials identifies the proposed driveway and circulation improvements. There is an existing shared driveway that provides access to the current operations at 11222 and at 11170 60th Street N. The existing driveway is located on a 33-foot wide strip of land which is consistent with a standard historical cartway width, and no changes are proposed as part of this application. It should be noted that this strip of land is owned by the property located at 6185 Lake Elmo Ave N., and it is assumed that there is a shared access easement. An additional 32 parking stalls are required to support the 12,150 square foot addition, and the new parking area is located north of the proposed addition. To access the new parking area the existing driveway must be extended approximately 95-feet to provide access. As shown on sheet AS101, the proposed parking lot and expanded driveway will be constructed with bituminous surface. <i>The City Engineer is reviewing the proposed configuration and staff will provide an update at the Planning Commission regarding his comments and recommendations, if any.</i></p>
<p>Parking:</p>	<p>There is an existing parking lot onsite that serves the existing building and its operation. There are 30 spaces in the lot which is located to the west of the existing building, and all parking spaces are proposed to remain onsite. To support the facility expansion an addition 32 parking spaces are required. Section 32-374 of the ordinance addresses required spaces. The parking ratios are as follows:</p> <ul style="list-style-type: none">• Office/Support staff: 1 space per 200 SF• Warehousing/Manufacturing: 1 space per 2000 SF <p>Sheet AS101 of the Applicant's submittal provides a summary of the required parking stalls and identifies 32 additional stalls to support the expansion. <i>The site plan identifies 30 standard stalls and 2 ADA accessible stalls. As designed, the number of stalls meets the City's requirements.</i></p> <p>Section 32-372 (c) of the City Code addresses parking space dimensions and requires all standard spaces to be a minimum of 10 feet by 20 feet and all</p>



	<p>handicap accessible spaces must be dimensioned at 12 feet by 20 feet. The standards were applied to the expanded parking area which identifies an addition 32 parking spaces with two ADA accessible stalls. All standard parking spaces meet the minimum parking stall requirements. The ADA stalls are dimensioned at 10'6" but are designed with a 6' space between the stalls. While such stalls do not meet the 12-foot width, the 6' spacing provides adequate width for the stalls. As designed, the spaces will provide more area than required per the City's ordinance. <i>The expanded parking area design meets the City's ordinance and requirements.</i></p>
<p>Lighting</p>	<p>The Applicant did not submit a lighting plan as part of their application. Staff assumes that some lighting will be necessary and provided in the expansion area and may include wall lights (potentially) and lighting in the parking lot. Section 32-321 of the City's ordinance addresses lighting and requires all lighting to be downcast and/or hooded. All parking lot fixtures may not exceed 25-feet tall. Since the expansion area is surrounded by vacant land and/or other general business uses staff is comfortable that any lighting plan will meet the City's ordinance requirements for footcandles at property lines, however, if needed staff may request a photometric plan to verify that the lighting plan meets the City's ordinance requirements. <i>Staff recommends including a condition that all exterior lighting must meet the City's ordinance regarding fixture style and footcandles at property line and at the right-of-way. Staff would recommend including a condition that a lighting plan be submitted for review and approval by the City staff prior to the commencement of site work.</i></p>
<p>Noise</p>	<p>As stated in the Applicant's narrative there is little to no noise generated as a result of APC's operations. It should be noted that staff is unaware of any complaints regarding noise since APC began operations and would agree that noise is not a major concern of the operations. <i>Staff would note that all operations must comply with the MPCA noise regulations for general business users which is consistent with the City's ordinances and regulations.</i></p>
<p>Landscape Plan</p>	<p>The Landscape Plan is shown on sheet L-101 of the Applicant's plan set. The landscape plan shows attention to buffering along the northerly property line of PID 3603021330013. The proposed planting includes 11 8-foot Scotch Pines, 2- Red Oaks, 2- River Birch, and 2 Autumn Blaze Maple. As proposed staff believes that the proposed northerly buffer planting plan is adequate and meets the City's ordinance requirements of buffering between General Business properties and adjacent rural residential uses. In addition to the buffer planting plan, the Landscape Plan identifies landscaping in the medians and around sidewalks near the addition. The existing landscaping around and near the existing improvements will remain as part of the project. Additionally, the remaining</p>



	<p>vacant areas of the site will be seeded and planted, including revegetation of the new mound for the septic system located on PID 3603021330013.</p> <p>As proposed, the Landscape Plan as depicted on L-101 meets the requirements of the City’s ordinances. <i>Staff would recommend including a condition that the landscaping plan shall be installed within 6-months of completion of the addition. Staff also recommends including a 2-year landscape guarantee be provided for the buffer plantings along the northerly property line.</i></p>
Hours of Operations and Employees	<p>No changes to the hours of operation are proposed as a result of the expansion. The current facility currently operates Monday through Friday from 6:45 AM to 5:00 PM. The additional space will allow for additional staff onsite. Including the expansion area, APC’s initial staff projections at the facility is a total of 34 employees. A breakdown of the staff includes 24 employees dedicated to manufacturing/warehouse 10 office/lab employees. To support the expansion and additional staff the applicant is seeking a permit from Washington County for a new septic system that can handle an additional 300 gallons/day of effluent. With the new septic system, the applicant is predicting they will have approximately 50% headcount growth (50 persons) over the next 10 years. <i>No changes to the hours of operation are proposed, and therefore the existing conditions of the CUP remain unchanged. Staff recommends including a condition that a septic permit must be obtained from Washington County prior to any site work or grading activity commences.</i></p>
Utilities, Septic System & Industrial Effluent	<p>The Applicant indicates in their submittal that the adjacent “A-2” property will be used for the expanded septic system and drainfield area. Sheets AS101 and L101 identify the relocated mound system area north of the expanded parking lot. While the narrative, as well as existing CUP, identify this property as A-2, the adopted Comprehensive Plan identifies the subject parcel (PID 3603021330013) as zoned and guided GB. Condition E of the CUP dated 06/01/00 states that the subject property is A-2 and may be used for future expansion of the APC operations and may including septic improvements, and/or parking, outdoor storage or any other building or structure.</p> <p>As proposed, the location of the relocated septic system meets the conditions of the governing CUP from 2000. Further, staff believes that this site was subsequently reguided GB consistent with the needs of APC in the 2010 Comprehensive Plan. <i>Staff recommends including a condition that the proper permits must be obtained from Washington County for the expansion and relocation of the septic system.</i> It should be noted that the proposed mound system is near the on-site stormwater retention pond based on the plan set. Since</p>



	<p>the borings and specific site location of the mound system are not identified (only general area) <i>staff recommends including a condition that the City Engineer must review a final site plan identifying the location of both the pond and the drainfield to ensure proper functioning of both systems on site.</i></p> <p>In addition to the wastewater generated from the facility, due to the type of work APC performs industrial effluent is collected. As stated within the Applicant's narrative all industrial effluent is collected within the plant and transported to St. Paul for proper disposal, which APC must perform consistent with the permit issued by Metropolitan Council. <i>Staff would recommend including a condition in the amended permit that all industrial effluent must be disposed of consistent with the permit, and that any amendments or adjustments to the permit due to the expansion of the facility shall be obtained and maintained by the Applicant.</i></p>
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Engineering Standards

The City Engineer is reviewing the subject application and his memo will be provided in advance of the meeting. *Staff recommends including a condition that the Applicant must address all recommendations and comments contained within the City's Engineer's memo prior to the commencement of site work.*

Other Agency Review

As stated in the Applicant's narrative, they have contacted the Valley Branch Watershed District and have begun their permitting process. Staff recommends including a condition that the Applicant shall be responsible for obtaining all necessary permits from the VBWD prior to commencing work on site. As noted, the Applicant is working with Washington County to obtain the necessary septic system permits to allow for the enlargement and relocation of the drainfield and septic system to accommodate the expansion.

Action requested:

Staff has prepared a draft Amended Conditional Use Permit (Permit) and Resolution of Approval for your review and consideration.

Attachments

Applicant's Narrative (August 12, 2020)

Conditional Use Permit with Draft Conditions for Consideration – American Polywater Corporation

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2020-42**

**RESOLUTION APPROVING AN AMENDED CONDITIONAL USE PERMIT FOR
11222 60TH STREET NORTH**

WHEREAS, American Polywater Corporation (“Applicant”) has submitted an application for an Amended Conditional Use Permit to allow for the expansion of the current facility located at 11222 60th Street North (“Subject Property”) in the City of Grant, Minnesota which is legally described in Attachment A; and

WHEREAS, the proposed expansion will allow for the continuation of the Applicant’s business operations on the subject property; and

WHEREAS, the Applicant shall continue operations consistent with the 1996 and 2000 Conditional Use Permit, except as amended in the Conditional Use Permit dated October 6, 2020; and

WHEREAS, on September 22, 2020 a duly noticed public hearing was held at the regular Planning Commission meeting; and

WHEREAS, on September 22, 2020 the Planning Commission unanimously recommended approval of the application subject to certain conditions; and

WHEREAS, the City Council considered the recommendation of the Planning Commission and the Applicant’s request at a regular City Council meeting which took place on October 6, 2020.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby approve the request of American Polywater Corporation for an Amended Conditional Use Permit, based upon the following findings pursuant to Section 32-147 of the City’s Zoning Ordinance which provides that a Conditional Use Permit may be granted “if the applicant has

proven to a reasonable degree of certainty” that specific standards are met. The City Council’s Findings relating to the standards are as follows:

- The proposed building expansion conforms to the City’s Comprehensive Plan for general business uses in the City.
- The proposed building expansion will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood provided the conditions of the permit are met.
- The proposed building expansion meets the conditions or standards adopted by the city through resolutions or other ordinances, including the governing CUP on the associated property.
- The proposed building expansion will not create additional requirements for facilities and services at public cost beyond the city’s normal general business uses.

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

1. The Applicant shall meet and comply with all the conditions stated within the Amended Conditional Use Permit dated October 6, 2020 (the “Permit”).
2. The Permit shall be reviewed in compliance with the City’s CUP review process, which may be on an annual basis.
3. Any violation of the conditions of the Permit may result in the revocation of said Permit.
4. All escrow amounts shall be brought up to date and kept current.
5. The Owner shall obtain any necessary permits from Washington County, Minnesota Department of Health, Valley Branch Watershed District, Washington Conservation District, the MPCA or any other regulatory agency having jurisdiction over the proposed use, which are necessary in carrying out its operations on the premises.

Adopted by the Grant City Council this 6th day of October 2020.

Jeff Huber, Mayor

State of Minnesota)
) ss.
County of Washington)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on _____, 2020 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this _____ day of _____, 2020.

Kim Points
Clerk
City of Grant

**AMERICAN POLYWATER CORPORATION
AMENDED CONDITIONAL USE PERMIT
CITY OF GRANT**

APPLICANT: American Polywater Corporation

LEGAL DESCRIPTION: Exhibit A

PID: 3603021330005, 3603021330013

ZONING: General Business (GB)

ADDRESS: 11222 60th Street North
Grant, MN

DATE: October 6, 2020

This is an Amended Conditional Use Permit (Permit) to allow for the expansion of the existing building on the subject property. American Polywater Corporation operates the current facility consistent with the Amended Conditional Use Permit dated May 2, 2000. This Permit shall address only the expansion of the facility, and the terms and conditions of the Amended Permit dated May 2, 2000 and any preceding permits shall continue to govern the property. Any changes, modifications or intensification to the facility shall require an amendment to this Permits.

All uses shall be subject to the following conditions and/or restrictions imposed by the City Council, City of Grant, Washington County, Minnesota, and applicable ordinances, statutes, or other laws in force within the City:

1. The Permit is subject to all of the terms and conditions of the original CUPs issued for the property in 1983, 1986, 1996 and 2000 except as amended herein.
2. Improvements shall be constructed in accordance with the plans dated August 13, 2020.
3. All requirements and conditions of the City Engineer shall be met and addressed. The City Engineer shall review all updated plans prior to the commencement of any site work.
4. The Applicant shall obtain a building permit prior to construction.
5. The Applicant shall submit a lighting plan demonstrating compliance with Section 32-321 of the City's ordinance regarding lighting and glare.
6. The landscape improvements as shown on plan sheet L101 shall be installed within 6-months of the completion of the expansion of the facility and site improvements, including driveway and parking lot.
7. The Applicant shall provide a 2-year landscape guarantee for the plantings along the northerly property line of PID 3603021330013.

8. The Applicant shall obtain all necessary permits from Washington County for the installation of the relocated septic system including drainfield.
9. The Applicant shall be responsible for obtaining all necessary permits and approval from the Valley Branch Watershed District (VBWD) prior to the commencement of any site work.
10. The Applicant shall be responsible for obtaining any other permits from VBWD, Metropolitan Council, MDH, or any other regulatory agency having jurisdiction over the proposed project.
11. It shall be the responsibility of the Applicant to obtain any necessary permits from Washington County, MPCA, Metropolitan Council, Washington County Soil and Water Conservation District, or any other agency having jurisdiction over the subject use.
12. All escrow amounts shall be brought up to date and kept current.
13. This permit shall be reviewed in compliance with the City's CUP review process, which may be on an annual basis.
14. Any violation of the conditions of this permit may result in the revocation of said permit.

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

CITY OF GRANT:

Date: _____

Jeff Huber, Mayor

Date: _____

Kim Points, City Clerk

State of Minnesota)
)ss.
County of Washington)

On this _____ day of _____, 2020, before me, a Notary Public, personally appeared Jeff Huber 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 Jeff Huber and Kim Points acknowledge said instrument to be the free act and deed of said City of Grant.

Notary Public

APPLICANT/OWNER:
American Polywater Corporation

Date: _____

By: _____

Its: _____

Date: _____

Kim Points, City Clerk

State of Minnesota)
)ss.
County of Washington)

On this _____ day of _____, 2020, before me, a Notary Public, personally appeared _
_____ the Owner who acknowledged that said instrument was authorized and
executed on behalf of said Applicant.

Notary Public

EXHIBIT A

Legal Description here



STAFF REPORT

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

Date: September 28, 2020

CC: David Snyder, City Attorney

RE: Application for a Comprehensive Plan Amendment to re-guide approximately 5.3 acres of land at 11298 60th Street N.

From: Jennifer Haskamp, Consulting City Planner

Background

The Applicant, American Polywater Corporation (APC), in coordination with the Owner, Stillwater West, LLC, is requesting a Comprehensive Plan Amendment to re-guide approximately 5.3 acres from Agricultural Small Scale (A2) to General Business (GB). The subject property is located at 11298 60th Street North and on the south is bordered by 60th Street North which is the frontage road to Highway 36.

In March and April 2020 the City of Grant considered a similar application for the subject property from a different applicant. The application heard earlier in 2020 requested that the subject property be re-guided to GB and contemplated the potential use of the property for a mini-storage use. After deliberations both the Planning Commission and City Council denied the applicant’s request to re-guide the property and adopted Resolution 2020-21.

APC acknowledges in its submittal materials that the City recently considered a similar application but states that their request is substantively different than that considered earlier this year. APC is the owner of the adjacent properties to the west of the subject property at 11222 and 11170 60th Street N., and their stated purpose for re-guiding the subject property is to allow for the future expansion of their business operations.

While a similar application to re-guide was denied in April of this year, there are no restrictions regarding timing between the denial and the consideration of a new application.

Public Hearing and Planning Commission Recommendation

A duly noticed public hearing was held on September 22, 2020. No members of the public provided public testimony. After discussion, the Planning Commission unanimously recommended denial of the request to re-guide the subject property.

The following staff report is generally as presented at the Planning Commission meeting, with exceptions noted.

Project Summary

Applicant:	American Polywater Corporation
Owner:	Stillwater West, LLC
PID:	3603021340002
Total Acres:	5.3



Address:	11298 60 th Street North
Zoning & Land Use:	A2
Request:	Comprehensive Plan Amendment to re-guide subject property from A2 to GB

APC is requesting a Comprehensive Plan Amendment (CPA) to re-guide the subject property from A2 to GB to allow for the potential to expand their business in the future. APC states the purpose of the re-guiding is for their business operations, however, there are no specific plans for the subject property currently. It should be noted that the proposed GB land use designation would allow the property to be used for a variety of principal business uses that would not be permitted in the current A2 land use designation. n and there is no guarantee that a different business use could be developed on the site than APC expansion if the re-guiding is approved

Review Criteria

The City’s official controls, including the Zoning Ordinance (Chapter 32) and Subdivision Ordinance (Chapter 30) do not explicitly define the criteria for review of a CPA. State Statute 462.355, and various associated statutory sections, enable Cities and property owners to request an amendment to the City’s Comprehensive Plan. For purposes of this request, language in Chapter 30 and Chapter 32 regarding Zoning Amendments can be referenced for guidance in considering this application.

Generally, the most important consideration when reviewing a CPA is to determine whether re-guiding the property is consistent with the City’s overall vision and goals as stated within the adopted Comprehensive Plan. If the request is determined to be consistent then re-guiding is reasonable.

Existing Site Conditions

The existing parcel is approximately 5.3 acres and is currently vacant. The subject parcel was subdivided from the adjacent larger 74.92 acre parcel that surrounds the subject property on the north and east. The timing of the subdivision is unknown, and currently both parcels are owned by different parties. The site is bordered by 60th Street on the southern property line, the APC properties and business operations to the west, vacant/agricultural land to the north and east. The property is accessed from an existing gravel driveway located approximately 200-feet from the westerly property line, and 215-feet from the easterly property line.

As shown on the materials submitted by APC (Attachment B), the property is heavily vegetated on the northern and eastern portions of the property with a small clearing on southwestern quarter of the property. There appears to be a wetland/ponding area along the eastern half of the road frontage (likely stormwater runoff from the roadways), and no other significant wetland areas appear per the National Wetland Inventory (NWI). A wetland delineation has not been completed for the subject property.

Comprehensive Plan Review

The 2040 Comprehensive Plan is in draft form and the current draft does not expand the General Business (GB) land area from the adopted 2030 Plan. Both the 2030 and 2040 plans deliberately limit the amount of land guided as GB, and generally guide only existing businesses along the Highway 36 frontage (60th Street N. frontage road) as GB. The City’s overall policy direction has been focused on protection of the City’s rural



residential and agricultural uses. One strategy to support that objective is to limit the amount of land guided for any type of business use. While the City's rural residential and agricultural land uses conditionally permit businesses, most of the permitted business uses are required to be accessory to a principal residential use. The GB designation is different than the City's A1, A2 and RR designations in that it permits a wider variety of businesses to be permitted and conditionally permitted as principal uses.

APC states in their narrative that the purpose for re-guiding the property is to allow for the potential future expansion of their business uses on the adjacent westerly properties. The subject parcel is contiguous to their property at 11222 and the subject parcel would allow for long-term expansion possibilities. A summary of APC's reasons for the request are provided and staff's response is provided in *italics*:

- The parcel is adjacent to the current APC business operations. APC has been operational since the 1980's and they have long-term plans to remain in the City as long as possible.

Staff Response: *Staff agrees with APC's assessment that the subject parcel would provide opportunities for future business expansion. APC has been a long-term commercial user in the City, and we have had few-to-no objections, complaints, or concerns regarding their operations. Concurrently to this application, APC has requested an amendment to the existing CUP for their operations at 11222 60th Street to allow for the expansion of their facility and operations. This is an indicator that APC is committed to remaining in the community and suggests that there may be future expansions contemplated. However, the challenge from staff's perspective, is that there are no immediate plans for the subject property and there is no way to condition the re-guiding to only permit APC to expand their current operations onto the subject parcel. As a result, the Planning Commission and City Council must consider that re-guiding the property would allow for a variety of uses as identified within the City's Table of Uses 32-243.*

- If re-guiding is approved, APC is willing to protect existing vegetation along the northerly and easterly borders to buffer any future business use from adjacent agricultural and rural residential uses.

Staff Response: *While staff acknowledges APC's offer to maintain the buffer, the proposed re-guiding does not address a specific project or site development plan. The re-guiding will affect the parcel in its entirety and cannot include conditions regarding specific site development standards – essentially, they are two separate issues, and the site development including conditions would be reviewed during a CUP review process or similar.*

- APC acknowledges future Highway 36 expansion plans and will reasonably accommodate needed right-of-way at such time expansion of the highway in this area is initiated.

Staff Response: *Similar to the buffer area, the Highway 36 expansion plans and right-of-way is a future development condition. However, it is somewhat different in that MnDOT has issued preliminary design plans that clearly show right-of-way needs on the subject parcel. Staff concurs that if this parcel is needed for right-of-way that access to the existing APC operations, as well as a future expansion, will be an essential consideration of the Highway 36 expansion. As a result, staff agrees that ensuring access to the City's existing businesses is critical and that if APC owns the subject parcel it is easier to coordinate and work with MnDOT on the final right-of-way needs in this area.*

- Re-guiding the property to GB will increase the tax capacity of the property.

Staff Response: *The existing site is vacant and does not generate significant taxes for the City. The proposed re-guiding of the subject property to GB does not guarantee a specific commercial/business use or timeline for development, and therefore it will likely remain taxed in a similar capacity as it is today until developed. Staff agrees that the taxes generated from the existing APC operations far exceed the current taxes collected on the subject property, however, the act of re-guiding the property is not likely to change the taxes collected in the short term as no development is proposed. Staff agrees with APC that from a market perspective the site is well suited to potential future APC expansion, however, it is unclear if there is a planned timeline for such expansion.*



Other Considerations

Since the City's ordinances do not specifically identify a criterion from which to review a Comprehensive Plan Amendment staff provides the following additional background:

- Re-guiding does NOT approve a specific project. Any council member, planning commissioner, property owner or person with real estate interest in the City may request an amendment to the City's Comprehensive Plan. Such amendment can be either a map amendment or an amendment to language within the Plan. If the City agrees that the land use designation of the subject property should be changed and re-guided, it only approves that action (the map amendment, for example) it does not approve or deny a specific development project.
- The decision to re-guide is legislative which allows the City Council more discretion to approve or deny the request. An application to amend the comprehensive plan is legislative because it establishes policies for future decision-making. Since the decision to re-guide a property is policy oriented, the Planning Commission and City Council have more discretion to determine if a map change is warranted and consistent with your goals. If the Planning Commission and City Council determine that the adopted land use plan is representative of your policies and you determine no map change is warranted, that is acceptable, and you may deny the request. However, if you determine a map change is warranted then all future decisions regarding the specific development of the site must be consistent with the GB land use designation. Approving the map change will subsequently require you to rezone the property to GB to be consistent with the land use designation (rezoning will occur at time of application for a specific development).
- Use the "vision" for the Highway 36 Corridor in your analysis. Similar to your consideration of the application earlier this year, staff suggests considering the merits of expanding the City's GB land use designation to this site and evaluating whether the types of uses contained within the GB zoning district would be consistent with your vision for this area of the City. While APC is the applicant, it is important to consider all types of business uses that could occur onsite based on the City's Table of Uses since there is no guarantee that the property will be used for future APC operations and expansion.

Other Agency Review

All Comprehensive Plan Amendments require review and approval by the Metropolitan Council. Because the City's 2040 Comprehensive Plan update is in draft form and under review with the Metropolitan Council, this amendment could be incorporated as part of the update process. Since no specific development plans would be approved as part of this action no other agency review is required at this time.

Requested Action

A draft resolution of denial is provided for the review and consideration of the City Council.

Attachments:

Attachment A: Application and Narrative

Attachment B: Aerial, Highway 36 Plans

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2020-43**

**RESOLUTION DENYING A REQUEST TO RE-GUIDE PROPERTY FROM
AGRICULTURAL SMALL SCALE (A2) TO GENERAL BUSINESS (GB)**

WHEREAS, American Polywater Corporation (“Applicant”) in coordination with Stillwater West, LLC (“Owner”) has submitted an application for a Comprehensive Plan Amendment for property generally located at 11298 60th Street North (“Subject Property”) in the City of Grant, Minnesota which is legally described in Attachment A; and

WHEREAS, the proposed Comprehensive Plan Amendment included a map amendment to re-guide approximately 5.3 acres of land from A2 to GB; and

WHEREAS, the Planning Commission has considered the Applicant’s request at a duly noticed Public Hearing which took place on September 22, 2020; and

WHEREAS, on September 22, 2020 the Planning Commission recommended denial of the application with findings; and

WHEREAS, the City Council has considered the recommendation of the Planning Commission and the Applicant’s request at a regular City Council meeting which took place on October 6, 2020.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby deny the request of American Polywater Corporation and Stillwater West, LLC, based upon the following findings pursuant to the 2030 Comprehensive Plan and Chapter 32 Zoning. The City Council’s Findings relating to the standards are as follows:

- The City recently prepared its 2040 Comprehensive Plan and carefully considered, evaluated and prepared the Future Land Use plan which guided the property for A2.

- The adopted 2030 Plan and the draft 2040 Plan specifically limits the acreage of General Business land use designation to align with existing uses and development.
- The vision, goals and strategies contained in the Comprehensive Plan focus on supporting and expanding rural residential uses and do not promote the expansion of General Business uses.
- The parcels guided for General Business are uses and business that have existed, in most cases, since the 1970's and no further expansion has been contemplated since.
- The General Business land use designation reflects the current and historical use of the properties and is not a designation used to guide new land for future business uses.
- The City acknowledges that American Polywater Corporation is an existing adjacent business owner, and that the subject parcel may be considered for future expansion of the use. However, since no specific development plans are known at this time, re-guiding the property is premature.
- Further, before any expansion of the General Business should be considered, a more detailed study of the full Highway 36 corridor should be undertaken.

Adopted by the Grant City Council this 6th day of October 2020.

Jeff Huber, Mayor

State of Minnesota)
) ss.
 County of Washington)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on _____, 2020 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this ____ day of _____, 2020.

Kim Points
Clerk
City of Grant

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



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

Application Date:	8/13/20
Fee: \$100	Escrow: \$1000

Pd \$1,100 Check # 157977

COMPREHENSIVE PLAN OR ZONING AMENDMENT – (MAP OR TEXT)

It is the policy of the City of Grant that the enforcement, amendment, and administration of any components of the Zoning Ordinance be accomplished with due consideration of the recommendations contained in the City's Comprehensive Plan. Therefore, any Comprehensive Plan Amendment, or Zoning Amendment shall be considered for consistency among both documents.

LEGAL DESCRIPTION: 11298 60th St N 36.030.21.34.0002 Stillwater, MN 55082	ZONING DISTRICT & COMP PLAN LAND USE: LOT SIZE: 5.3 acres
OWNER: Name: Stillwater West LLC Address: 11910 Otchipwe Ave. N City, State: Stillwater, MN Phone: Email:	APPLICANT (IF DIFFERENT THAN OWNER): American Polywater Corp. 11222 60th St. N Stillwater, MN 55082
REQUESTED ACTION: <input checked="" type="checkbox"/> Map Amendment <input type="checkbox"/> Text Amendment <input type="checkbox"/> Map & Text Amendment	
IF, MAP AMENDMENT, REQUEST TO REGUIDE LAND USE AND/OR ZONING FROM: <u>A2</u> TO: <u>GB</u>	
<i>*Please note that you will need to amend both the zoning and land use if a map change is requested</i>	
APPLICABLE ZONING CODE SECTION(S): Please review the following documents to assist with your request. <ol style="list-style-type: none"> Grant Minnesota City Code City Comprehensive Plan 	

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"/>	<u>Current Text or Map in Comprehensive Plan and/or Zoning Ordinance.</u> The following must be included in your submittal: <ul style="list-style-type: none"> Chapter and Section Number Existing Text of the Section
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Proposed Text and/or Map Changes:</u> Submit your proposed changes to the text or Map, or both. Please make sure to consider how your changes affects different chapters in the plan or ordinance, and consider this when you submit your application. Make sure to address all areas that might be affected by your changes. (For example, a land use change might impact the traffic and transportation section, so make sure to address both chapters).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Written Narrative.</u> Your description should include how you intend to use and/or benefit by the Comprehensive Plan of Zoning Ordinance Amendment and should include the following: <ul style="list-style-type: none"> Address how the proposed CPA or Zoning Amendment will affect adjacent properties. Does your proposed language affect any other section the Comp Plan or Zoning Ordinance? Does your proposed language affect density? Increase or decrease?

Application for: **COMPREHENSIVE PLAN OR ZONING AMENDMENT**
City of Grant

<input checked="" type="checkbox"/>	<input type="checkbox"/>	Any graphic representations of how the amendment(s) will benefit your property (if applicable)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County departments, State agencies, or others that may have authority over your request.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and addresses of property owners within 1,250 feet.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$100
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paid Escrow: \$1000

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

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

***Please note that if your request is granted, it does not represent any specific project approvals related to your property. Additional applications and processes may be required to obtain your approvals if your amendment is approved.*

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.

Michael Fee



Signature of Applicant

8/13/20

Date

Operations Manager
at American Polywater Corp.
100% Employee Owned

Signature of Applicant

Date

Signature of Owner

Date

Application for Comprehensive Plan Amendment to Re-guide 5.3 Acres, 11298 60th St N

American Polywater in coordination with the property owner, Stillwater West, LLC, is requesting a Comprehensive Plan Amendment to re-guide approximately 5.3 acres from Agricultural Small Scale (A2) to General Business (GB). The subject property is located at 11298 60th Street North and is bordered on the Western property line by the American Polywater property at 11222 60th Street North. We realize that this is the second request to re-guide the property at 11298 60th St N, but we believe this application is substantially different from the previous one and offers significant benefits to Grant.

Polywater's current building expansion plans are focused on the property at 11222 60th St N. The expansion plans are designed to allow for 10 to 15 years of projected growth. Polywater wishes to purchase the property at 11298 60th Street North to allow for future growth well beyond the next 10 to 15 years. Polywater's business operations have been in the City of Grant for 37 years. Polywater wants to continue operations at this location for as long as possible. Additional general business property will assure Polywater of the long-term viability of its business operations in Grant. The property at 11298 60th Street North would likely generate future tax growth for the city's tax base when it is developed. Property taxes for 2020 are \$26,162 for 11222 60th St N and \$2,318 for 11298 60th St N.

Polywater is an effective buffer between Grant's primarily rural residential area and Highway 36. Polywater wants the property at 11298 60th St N to remain as a buffer. We propose in the future to leave a minimum of 50 feet from the Northern and Eastern property borders as existing forested vegetation to provide a visual barrier from large buildings and Highway 36 (Appendix 1).

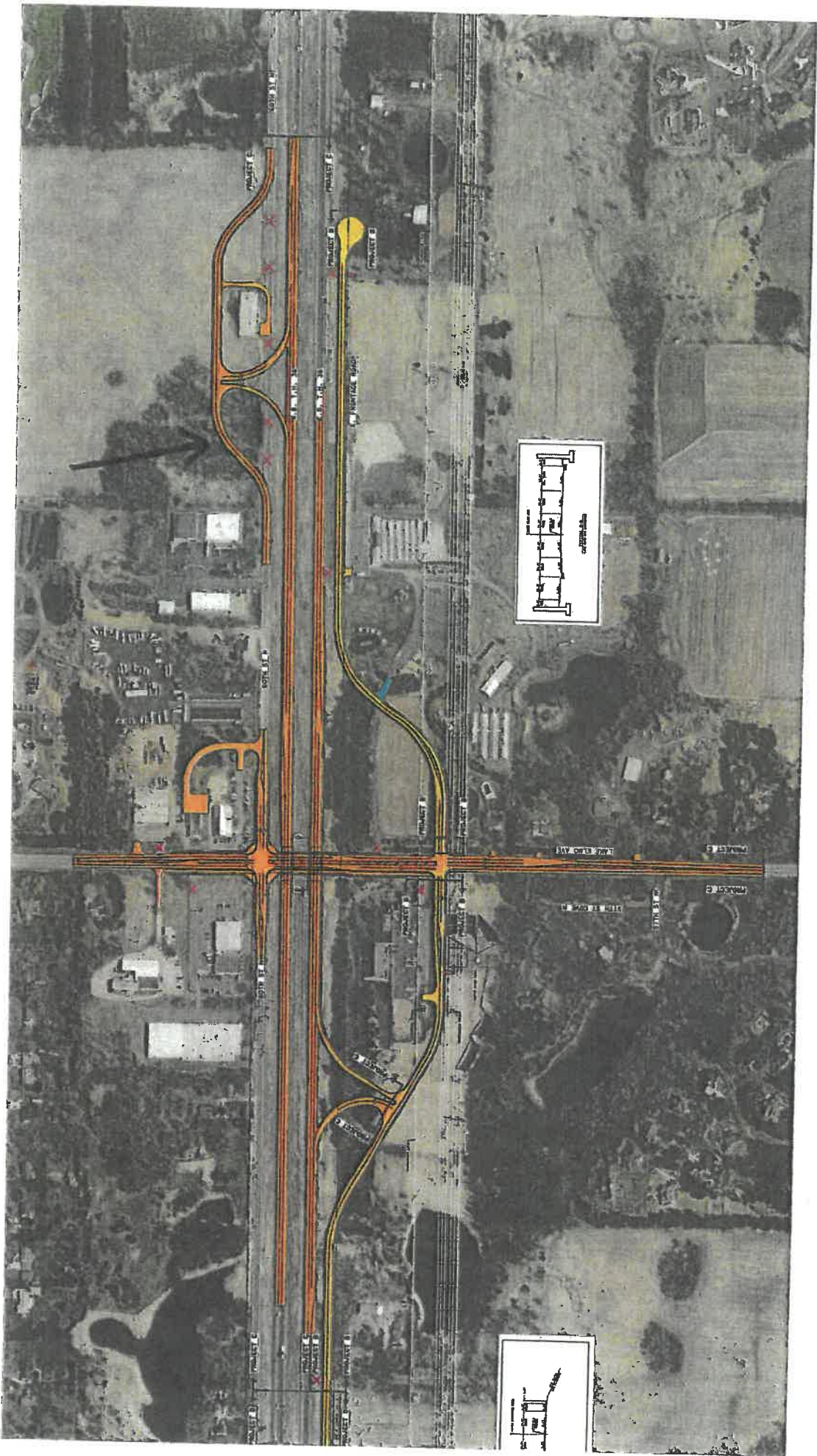
Further, Polywater has an interest in the future of the Highway 36 corridor. Several unapproved proposals have shown the property at 11298 60th Street North to be part a part of the future intersection of Lake Elmo Ave and Highway 36 (Appendix 2). Access to Highway 36 is vital to the business operations of American Polywater in Grant. Polywater proposes to provide an easement over a portion of the Southeastern part of the property to allow for future Highway 36 access roads. Preliminary analysis of the preferred layout from Lake Elmo (Appendix 2) shows that the access road might require an easement of up to 1.5 acres or roughly 25% of the property's acreage. Details of the design may change but Polywater agrees in principal to an easement over the Southern edge of the property at 11298 60th St N.

In summary, Polywater is a company focused on remaining a good corporate citizen in Grant and is committed to the best interests of the City. Rezoning the property allows future viability of Polywater's business and many years of growth and will increase property taxes for the City. Polywater offers to maintain a buffer around the property to preserve the rural residential character of Grant. Polywater further offers an easement for transit improvements to the Highway 36 corridor.

Appendix I



Appendix 2





STAFF REPORT

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

Date: September 28, 2020

CC: David Snyder, City Attorney

RE: Application for Lot Line
Rearrangement (Minor Subdivision)
XXXX 110th Street N

From: Jennifer Haskamp, Consulting City
Planner

Background

The Applicant, Joseph Ingebrand Real Estate, LLC., is requesting approval of a lot line rearrangement (minor subdivision) of the property generally located northwest of the 110th Street North and Kelvin Avenue North intersection. This property was the subject of an application for minor subdivision in January/February earlier this year and the lots as currently configured were approved at that time. The Applicant is now proposing to rearrange/reconfigure the lot lines adjusting the size of both parcels slightly resulting in Parcel (5.85 Acres) and Parcel B (14.39 acres).

Public Hearing

Since the proposed minor subdivision is a lot line configuration only, and no new lots (density) are created as a result of the rearrangement, the Application can be heard directly by the City Council. A duly noticed public hearing was published for the regular City Council meeting on October 6, 2020 at 7:00 PM. Letters were sent to individual property owners located within ¼-mile (1,320 feet) of the proposed subdivision.

The following staff report is provided for your review and consideration of the subject application

Project Summary

Applicant	Joseph Ingebrand Real Estate, LLC.
PIDs:	0203021330004
Total Acres:	20.24
Address:	XXX 110 th Street N
Zoning & Land Use:	A1
Request:	Lot Line Rearrangement resulting in Parcel A (5.85 Acres) and Parcel B (14.39 Acres)

The Applicant is requesting approval of a lot line rearrangement to transfer approximately 4.4 acres from Parcel A to Parcel B. No new lots are created as a part of the proposed lot line rearrangement. Both parcels are vacant and there are no improvements on either lot with the exception of a farm road that provides access to the current parcel(s).

Review Criteria



The City’s subdivision ordinance allows for minor subdivisions and rearrangements as defined in Section 30-9 and 30-10. The sections of the code that relate to dimensional standards and other zoning considerations are provided for your reference:

Secs. 32-246

Secs. 12-261

Existing Site Conditions

In February of this year a minor subdivision of the subject property was approved and two lots of approximately equal size were approved. Both parcels were oriented north-south and were anticipated to have access from 110th Street N. Since the time of the approval no improvements have been made, and the lot split is not reflected on Washington County’s online GIS.

The subject parcels are bordered by 110th Street North on the southerly property line. The applicant submitted a wetland delineation, dated December 7th, 2019. Because of the date of the delineation, the delineation was not formally reviewed during the February application because it was outside of the growing season, and the approved subdivision was conditioned on the completion of the delineation. Per the submitted wetland delineation and survey, there are 10 wetlands on the existing parcel(s) which are generally clustered near the center of the site. The site has rolling topography and is heavily vegetated except for a small clearing on the northwestern corner of the property. Based on correspondence with the Browns Creek Watershed District the site contains significant environmental and natural features particularly around the wetland complex.

Comprehensive Plan Review

The adopted Comprehensive Plan sets a maximum density of 1 unit per 10 acres in the A1 land use designation. Two lots were approved as part of the February minor subdivision, and no new lots will be created as a result of the lot line rearrangement. There is a total 20.24-acres, and Parcel A will be 5.85 acres and Parcel B will be 14.39 acres which results in a density of 1 lot per 10.12 acres. The lot line rearrangement as proposed meets the density requirements as established in the comprehensive plan. Further, the intent of the A1 land use designation is to promote rural lot density housing, and the proposed subdivision is consistent with that objective.

Zoning/Site Review

Dimensional Standards

The following site and zoning requirements in the A1 district are defined as the following for lot standards and structural setbacks:

Dimension	Standard
Lot Area	5 acres
Lot Width (public street)	300'
Lot Depth	300'
FY Setback – County Road (Centerline)	150'



Side Yard Setback (Interior)	20'
Rear Yard Setback	50'
Maximum Height	35'

Lot Area and Lot Width

The proposed lot line rearrangement is depicted on Attachment B: Lot Line Adjustment. As shown the proposed rearrangement will transfer approximately 4.38 acres from Parcel A to Parcel B. The following summary of each created parcel is identified on the table below (existing lot sizes as depicted on February 2020 minor subdivision are provided for reference):

Lot Tabulation:

Parcel	Existing Size (February 20200)	Proposed Size	Frontage/Lot Width	Lot Depth
Parcel A	10.23 Acres	5.85	510.03'	500.08'
Parcel B	10.01 Acres	14.39	330.02'	1,322.19'

As proposed, both created lots meet the city’s dimensional standards for size, frontage/lot width and lot depth.

Setbacks

As shown on the attached survey, Proposed Parcel A is vacant and includes a potential building site. The potential building site is subject to the city’s setback requirements. The proposed building pad is setback approximately 102.5’ from the west property line (side), 180’ from the north property line (rear), 327’ from the east property line (side), and 236.3’ from the south property line (front). The building pad is setback approximately 50’ from a wetland to the north and is setback 50’ from the septic area. As denoted in the attached survey, *the proposed building site meets the City’s setback requirements, but the building edge must be setback an additional 10-feet per the City Ordinances. The wetland delineation must be completed to establish the edge of the wetland and setbacks must be adjusted accordingly (if needed). Additionally, it should be noted that Browns Creek Watershed District (BCWD) may have additional setback standards, and the Applicant shall be responsible for working with the watershed district on siting of the structure. Staff recommends including a condition that evidence of BCWD approval of the location be provided to the City prior to issuing a building permit for any new structure.*

As shown on the attached survey, Proposed Parcel B is vacant and includes a potential building site. The potential building site is subject to the city’s setback requirements. The proposed building pad is 50’ from the west, 720’ from the north, 176’ from the east, and 514.2’ from the southerly border of the parcel. As denoted in the attached survey, *the proposed building site meets the City’s setback requirements. Similar to Parcel A, since the wetland delineation has not been formally adopted if the edge shifts south then the building pad must be moved to ensure compliance with the City’s setback requirements. The wetland delineation must be completed to establish the edge of the wetland and setbacks must be adjusted accordingly (if needed). Additionally, it should be noted that Browns Creek Watershed District (BCWD) may have additional setback standards, and the Applicant shall be responsible for working with the watershed district on siting of the structure. Staff recommends including a condition that evidence of BCWD approval of the location be provided to the City prior to issuing a building permit for any new structure.*



Wetland - Dimensional Standards

The following buffer widths shall be maintained:

	Minimum Buffer Width (feet)	Parcel A Building Pad Setback	Parcel B Building Pad Setback
Type 3,4,5 wetland	50'	50'	51'
Building setback from outer edge of buffer	10'	0'	0'
Unclassified Water Bodies (Septic System)	75'	50'	70'

As shown in the submitted survey, there are three wetlands on Parcel A and three wetlands on Parcel B that are near the proposed building pad locations. Given the proximity of the wetlands to the building areas it is essential for the wetland delineation to be completed to ensure building pad locations meet the setback requirements. Further, the BCWD has indicated that their buffer requirements must be followed which are more stringent than those identified in the above table. *As a result, staff recommends including a condition that the Applicant must work with the BCWD and obtain approval for all improvements on site associated with the proposed lot line rearrangement. This includes, but is not limited to, construction of new principal structures, accessory structures, and access/driveways.*

Access & Driveways

There are no driveways identified on the proposed lot line rearrangement exhibit. Staff understands that there is an existing field road that may need to be used for access to one, or both properties, due to the wetland buffers and setback requirements of BCWD. If a shared access is needed, the Applicant shall work with staff to establish appropriate access for both parcels. *Staff recommends including a condition that if shared access is needed to meet the BCWD requirements, that the Applicant shall work with the City Staff on a shared access easement/agreement acceptable to the City Attorney prior to recording of the deeds.*

Utilities (Septic & Well)

Septic System – Soil Borings

To demonstrate the buildability of Parcel A and B, the Applicant submitted septic/soil borings which were submitted to Washington County for their preliminary review. Based on the preliminary results it appears that there is adequate area on both parcels to install a septic system to support new homes, if and when, proposed. *Staff would recommend including a condition of approval that a septic permit must be acquired from Washington County prior to the city issuing a building permit for the principal structures on Parcel A or B. Additionally, staff would recommend including a condition regarding protection of the septic area on each Parcel during construction.*

Wells

There are no existing wells on the subject property. At the time of development, a well will be installed to support each home. *Staff would recommend including a condition that when a new home is proposed on Parcel A or B that the appropriate permits to install a well be obtained prior to the city issuing a building permit.*



Other Agency Review

The subject parcel is located in the Brown's Creek Watershed District (BCWD). The Applicant shall be required to contact the BCWD and obtain any required permits. Since the two lots are vacant, the Applicant must obtain a septic permit from Washington County Environmental Services prior to obtaining a building permit for Parcel A or B.

Requested Action

Staff has prepared a draft resolution of approval for the proposed lot line rearrangement for your review and consideration.

Attachments:

Attachment A: Application

Attachment B: Lot Line Adjustment Exhibit dated August 24, 2020

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2020-45**

**RESOLUTION APPROVING A REQUEST FOR MINOR SUBDIVISION AT
XXX 110TH STREET NORTH**

WHEREAS, Joseph Ingebrand Real Estate, LLC (“Applicant submitted an application for a lot line rearrangement (Minor Subdivision) of the property generally located northwest of the 110th Street N and Kelvin Avenue N intersection with property identification number 0203021330004 (“Subject Property”) in the City of Grant, Minnesota; and

WHEREAS, the Subject Property is currently vacant and the proposed lot line rearrangement will not create any additional lots; and

WHEREAS, the proposed subdivision will result in Parcel A containing 5.85 acres and Parcel B containing 14.39 acres;

WHEREAS, the City Council held a duly noticed public hearing on October 6, 2020; and

WHEREAS, the City Council has considered the Applicant’s request at their regular City Council meeting on October 6, 2020.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby approve the request of Joseph Ingebrand Real Estate, LLC for a Lot Line Rearrangement as described in Chapter 30, based upon the following findings pursuant to Section 30-4 of the City’s Subdivision Ordinance. The City Council’s Findings relating to the standards are as follows:

- The minor subdivision and rearrangement will not negatively affect the physical characteristics of the lots or the neighborhood.
- The proposed minor subdivision and rearrangement conforms to the city’s comprehensive plan.

- The lot line rearrangement results in two residential lots, each greater than 5-acres in size and meets the City's minimum lot size requirement.
- The creation of two residential lots is consistent with the City's zoning regulations for properties zoned A1.
- The minor subdivision will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood.

FURTHER BE IT RESOLVED that the following conditions of approval of the Minor Subdivision shall be met:

1. All future structures and improvements will be subject to the applicable setback rules and regulations in effect at the time of application.
2. Any proposed driveway on Parcel A or B shall be setback a minimum of 5-feet from any septic system including the drainfield and shall meet applicable wetland and wetland buffer setback requirements.
3. Once the drainfield location is identified it shall be protected during any grading or construction on site.
4. All future improvements and structures shall be sited outside all wetland and wetland buffer setback areas, including those rules and regulations established by the Browns Creek Watershed District.
5. No building permit shall be issued for Parcel A or Parcel B until the wetland delineation is complete and a Notice of Decision has been issued.
6. A driveway access permit shall be obtained from the City's Building Official if, and when, a new principal structure is proposed on Parcel A or B.
7. If a shared access is needed due to the wetland and wetland buffer setback requirements of the BCWD, a shared access agreement shall be provided. Such easement agreement shall be reviewed and approved by the City Attorney prior to the deeds being recorded.
8. Any proposed accessory buildings on Parcel A or B shall be subject to the City's requirements for size and quantity as stated in Section 32-313, or successor sections.
9. A septic permit must be acquired from Washington County prior to the city issuing a building permit for a principal structure on Parcel A or B.
10. If, and when, a new home is proposed on Parcel A or B the appropriate permits to install a well must be obtained prior to the city issuing a building permit.
11. If, and when, a new home is proposed on Parcel A or B, the septic area shall be protected during any construction of structures or driveways.
12. The Applicant shall obtain all necessary and required permits from the BCWD, or any other regulatory agency having jurisdiction over the proposed lot line rearrangement. Such permits shall be obtained prior to the City issuing any building permit.

13. The City Attorney shall review and stamp the deeds associated with the created parcels.

14. All escrow amounts shall be brought up to date and kept current.

Adopted by the Grant City Council this 6th day of October 2020.

Jeff Huber, Mayor

State of Minnesota)
) ss.
County of Washington)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on _____, 2020 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this ____ day of _____, 2020.

Kim Points
Clerk
City of Grant

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



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

Application Date:

Fee: \$400

Escrow: \$4,000

MINOR SUBDIVISIONS

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

PARCEL IDENTIFICATION NO (PIN): 0203021330004

ZONING DISTRICT & COMP PLAN LAND USE:

LEGAL DESCRIPTION: See attached

A9 Residential
LOT SIZE: 20.247 acres

PROJECT ADDRESS:

9980 1/2 10000
110th St N
Grant, Mn
55082

OWNER: Joseph Ingebrand

Name: Real Estate, LLC

Address: 3210 39th Ave NE

City, State: St. Anthony, MN

Phone: 612-396-0925

Email: ingebrandjo@hotmail.com

APPLICANT (IF DIFFERENT THAN OWNER):

DESCRIPTION OF REQUEST:

Lot Line adjustment

EXISTING SITE CONDITIONS:

wooded vacant land

APPLICABLE ZONING CODE SECTION(S):

Please review the referenced code section for a detailed description of required submittal documents, and subsequent process.

1 Chapter 30; Section 30-9

Submittal Materials

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

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

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

Application for: **MINOR SUBDIVISION**
City of Grant

		<ul style="list-style-type: none"> • Septic system and well location • Building locations and dimensions with setbacks • Vegetation and landscaping • Wetland Delineation • Shoreland classifications: waterbodies, Ordinance High Water Level, 100 year flood elevation, and bluff line • Name of subdivision with lot and block numbers of property, if platted <p>COPIES: 20 copies (4 sets at 22" x 34" and 16 at 11" x 17" format)</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A certificate of survey, by a registered land surveyor for each parcel will be required. The survey must show newly created lots and the original lot, limits of any wetland, one acre of buildable area, and elevation of the building site above any lake, stream, wetland, etc.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County departments, State agencies, or others that may have authority over your property for approvals and necessary permits.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and address of property owners within 1,320 feet, contact Washington County Surveyor's Office: (651) 430-6875
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Minor Subdivision submittal form completed and signed by all necessary parties
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$400
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Escrow Paid: \$4,000

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

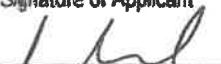
Review and Decision by the City Council. The City Council shall review the application after the Planning Commission has made its recommendation. The City Council is the only body with the authority to make a final determination and either approve or deny the application for minor subdivision.

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

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


Signature of Applicant

8/27/20
Date


Signature of Owner

8/27/20
Date

, MN

Tax

Owner Information

			Data Currency Report
Owner Name:	Joseph Ingebrand Real Est Lic	Tax Billing City & State:	Woodbury Mn
Mailing Address:	6869 Macbeth Ct	Tax Billing Zip:	55125
		Tax Billing Zip+4:	2409

Location Information

Municipality:	Grant	Census Tract:	070403
School District:	Mahtomedi	Section #:	2
County:	Washington		

Estimated Value

Value As Of: **08/16/2020**

- (1) RealAVM™ is a CoreLogic® derived value and should not be used in lieu of an appraisal.
- (2) The Confidence Score is a measure of the extent to which sales data, property information, and comparable sales support the property valuation analysis process. The confidence score range is 60 - 100. Clear and consistent quality and quantity of data drive higher confidence scores while lower confidence scores indicate diversity in data, lower quality and quantity of data, and/or limited similarity of the subject property to comparable sales.
- (3) The FSD denotes confidence in an AVM estimate and uses a consistent scale and meaning to generate a standardized confidence metric. The FSD is a statistic that measures the likely range or dispersion an AVM estimate will fall within, based on the consistency of the information available to the AVM at the time of estimation. The FSD can be used to create confidence that the true value has a statistical degree of certainty.

Tax Information

Parcel ID:	0203021330004	Tax District:	2801
Tax District:	2801		
Legal Description:	THE EAST 180.00 FEET OF THE SOUTH 500.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 30 NORTH, RANGE 21 WEST, WASHINGTON COUNTY, MINNESOTA, AND THE WEST 660.00 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 30 NORTH, RANGE 21 WEST, WASHINGTON COUNTY, MINNESOTA, EXCEPT THE NORTH 522.20 FEET OF THE WEST 154.38 FEET THEREOF SECTION 02 TOWNSHIP 30 RANGE 21		

Assessment & Taxes

Assessment Year	2019	2018
Assessed Value - Total	\$414,500	\$247,000
Assessed Value - Land	\$414,500	\$247,000
YOY Assessed Change (\$)	\$167,500	
YOY Assessed Change (%)	68%	%
Tax Year	2020	2019
Total Tax	\$2,930.00	\$938.00
Change (\$)	\$1,992	
Change (%)	212%	%

Characteristics

Land Use - County:	Rural Vacant Land	Lot Acres:	20.247
Land Use - CoreLogic:	Vacant Land (Nec)	Lot Sq Ft:	881,966



STAFF REPORT

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

Date: September 28, 2020

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

RE: Application for a Conditional Use Permit for Two Silo Farmhouse Resort located at 7040 117th Street N

From: Jennifer Haskamp
Consulting City Planner

Background

The subject application was considered at the August 4, 2020 and September 1, 2020 City Council meetings. The first presentation at the August 4th meeting summarized the full application and provided a draft list of conditions for consideration by the City Council. After presentation and discussion, the City Council provided direction to staff to prepare a Resolution of approval for the subject Conditional Use Permit (“CUP”), and directed staff to prepare a draft CUP for consideration at the regular September 1, 2020 City Council meeting. Supplemental information was also requested from the Applicant to assist in the review at the September meeting. At the September meeting the City Council concluded that additional information was needed from the Applicant, or the request would be denied. In response, the Applicant waived the 15.99 review period and provided supplemental information for consideration by the City Council at the regular October 6, 2020 meeting.

The following staff memo summarizes information submitted by the Applicant since the September meeting and provides a staff response (if needed). A resolution of approval with findings and draft Conditional Use Permit are provided as attachments to this Staff Report for your review and consideration. Please note that your August and September staff reports should be references for information regarding operations, etc., not covered within this memo.

Supplemental Information submitted after 9/1/2020 City Council Meeting

The following summary of the supplemental information, including staff’s response, is provided for your review and consideration.

- **Narrative Addendum #3 (Title: Addendum Grant Council Meeting October 2020):** The narrative provides a summary of the updated site plan, the timing of certain improvements including installation of the septic system, driveway expansion and parking lot areas.



- **Updated Site Plan:** Site Plan has been updated to identify location of bathrooms, overflow parking, ADA parking stalls and future drainfield locations. The driveway has been expanded to meet the City Engineer’s recommendation of 22-feet of traveled surface.
 - *Staff Response:* The Site Plan has been updated to reflect the recommendations of the City Engineer.
- **Parking Lot and ADA Parking:** The parking lot and ADA stalls are identified on the Site Plan. The Applicant proposed to construct the parking lot in either 2021 or 2022, based on when the Wine Tasting room opens. The Applicant proposes to use crushed rock, or a similar dustless surface, for construction of the parking lot and driveway. The Applicant will work with the City Engineer on the specification of the surface to ensure it complies with the City’s ordinances and regulations.
- **Landscape Buffer:** The Applicant has submitted a landscape plan (see attached) that identifies 3 10-foot spruce trees located east of the parking lot and overflow parking lot area. Existing vegetation is also noted on the Landscape Plan that demonstrates a mix of deciduous and conifers along the easterly property line.
 - *Staff Response:* Staff believes that the proposed spruce trees are a step in the right direction but would recommend extending the row of spruce to run the length of the parking lot area. Depending on the specie of spruce, this would result in approximately 10-14 trees. Staff would recommend including a condition that the landscape plan be updated to show a row of spruce trees along the easterly edge of the parking area.
- **Public Restrooms & Septic Drainfield:** SP Testing performed a site evaluation, including soil borings, to locate the mound system.
 - *Staff Response:* The information provided is consistent with the type of information that is generally provided at this stage in the review process. As typical, staff recommends including a condition that a septic permit must be obtained from Washington County. Additionally, since a structure for the restrooms will be constructed, staff recommends including a condition that the architectural style of the restroom must be consistent with the architectural character of the existing structures and such design shall be submitted for review and approval by the City Staff.

Draft Findings & Conclusions

The following draft findings are as presented at the September 1, 2020 City Council meeting:

As required in Section 32-146 Standards for issuing a Conditional Use Permit (“Permit”), “...the city council may grant a conditional use permit in any zoning district if the applicant has proven to a reasonable degree of certainty that:”



- The proposed use is designated in section 32-245 as a conditional use for the appropriate zoning district.
 - Finding: The proposed Two Silo Farmhouse Resort is a combination of uses which include agricultural, small-scale rural event facility, resort, and seasonal business. All uses contemplated and proposed as part of the operation are permitted or permitted with a conditional use permit in the A-1 zoning district.
- The proposed use conforms to the city's comprehensive plan.
 - Finding: The subject property is guided A-1 and the City's comprehensive plan identifies Goal #3 regarding land use, "Preserve and protect agricultural land and facilities, agricultural lifestyles, and encourage hobby farms and commercial agricultural uses within the City." Per Minnesota State Statute, as well as the City's land use designations, a Farm Winery must be located on agricultural property and is a considered an agricultural and/or agritourism business. The proposed use is consistent with the City's adopted Comprehensive Plan.
- The proposed use will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood.
 - Finding: The proposed use will not be detrimental or endanger the public health, safety or general welfare of the residents or existing neighborhood provided the conditions of the Permit are met. Conditions contained in the Permit include mitigation for adequate ingress/egress, hours of operation, maximum occupancy levels and provisions to ensure that adequate utilities (sanitary) are on-site.
- The proposed use is compatible with the existing neighborhood.
 - Finding: The proposed use is compatible with the existing neighborhood provided the conditions of the Permit are met. The site is greater than 20-acres, allows adequate area for buffering, and limited structural improvements are proposed. The neighborhood is comprised of large-acreage parcels with a mix of agricultural, agritourism, and rural residential use. The proposed use will maintain and preserve the existing farmhouse that has been restored and the existing accessory buildings as part of the operations. The vines (vineyard) is an agricultural use which is consistent with surrounding small hobby farms and agricultural activities. Site improvements such as parking areas must be properly buffered from adjacent neighbors and public right-of-way so that the property remains visually consistent with surrounding properties.
- The proposed use meets conditions or standards adopted by the city through resolutions or other ordinances.
 - Finding: The proposed use is consistent with conditions and standards adopted by the city through its zoning ordinance, and other ordinances. Rural Event Facilities were added to the City's table of uses in 2014 to support agritourism types of uses, and the Farm Winery and its operations is consistent with the performance standards identified by the City.
- The proposed use will not create additional requirements for facilities and services at public cost beyond the city's normal low-density residential and agricultural uses.



- Finding: The proposed use will not create additional requirements for facilities or services. The proposed operations shall be required to make all improvements on site to adequately serve the proposed use. Any required improvements to the County roadway shall be completed by the Applicant and at their cost to ensure adequate ingress/egress to the operations and to obtain an access permit from Washington County.
- The proposed use will not involve uses, activities, processes, materials, equipment or conditions of operations that will be detrimental to people, property, or the general welfare because of production of traffic, noise, smoke, fumes, glare, odors, or any other nuisances.
 - Finding: The proposed use is a permitted and conditionally permitted use per the City's table of uses. Proper conditions detailing mitigation of potential nuisances are provided for and addressed within the Permit conditions which address parking, noise, glare (lighting) and other operational considerations.
- The proposed use will not result in destruction, loss or damage of natural, scenic or historic features of importance.
 - Finding: There are no natural, scenic or historic features of importance on site that are proposed for removal, modification or disturbance.
- The proposed use will not increase flood potential or create additional water runoff onto surrounding properties.
 - Finding: The proposed operations will not increase flood potential or create additional water runoff onto surrounding properties. The Applicant shall be required to manage stormwater onsite consistent with the City and Rice Creek Watershed District rules and regulations.
- These standards apply in addition to specific conditions as may be specified through the city's ordinances.
 - Finding: Specific ordinances and performance standards were applied and evaluated regarding the proposed operations. Details regarding the analysis are documented within the agenda packet materials.

Requested Action

A draft Resolution of Approval and Conditional Use Permit are provided for your review and consideration.

Attachments

Attachment A: Applicant's Addendum #3, Updated Site Plan and Landscape Plan

Attachment B: Draft Conditional Use Permit

Attachment C: Resolution

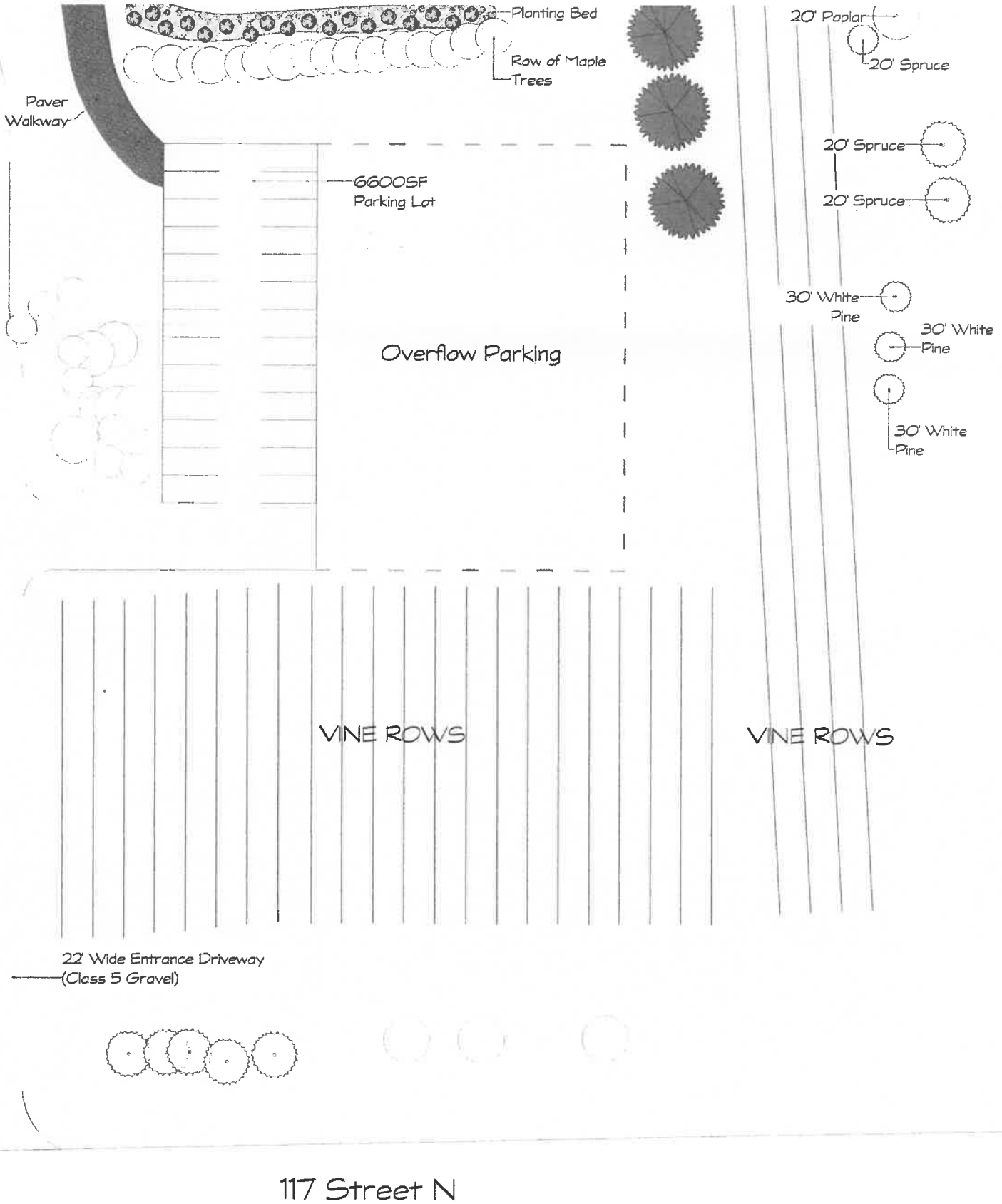


Two Silo Farmhouse Resort

7040 117th Street N, Grant, MN - An incredibly unique property with a prime location
Experience - Eat - Drink - Stay – Partake

Addendum Grant Council Meeting October 2020

1. Attached
 - a. Site Plan for Parking, Building Uses, Septic, Restrooms
 - b. Site Plan for Screening, Driveway, Restrooms and Outdoor Seating Area
2. Parking Lot Screening
 - a. Three Spruce trees to be planted (2021) and maintained to provide screening for the immediate neighbor to the East (Brown's).
 - b. Additional screening will be accomplished by the grapes as they mature.
3. Restroom and Septic Mound
 - a. Public restrooms to be located within the cowyard and to the north of the silo.
 - b. Septic mound has been located by SP Testing, Inc. Location to be to the West of the maintenance garage
 - c. Planned construction of the Septic System and public restrooms is 2021
4. Driveway Expansion
 - a. Driveway will be expanded to 22' from entry off of the county road to the circle drive area.
 - b. In an effort to save trees there is a slight curve in the driveway approximately halfway from the county road to the circle drive area.
 - c. Expansion of driveway to take place either 2021 or 2022 prior to the opening of the wine tasting room.
 - d. To preserve the look and feel of a farmstead, the material to expand the driveway is proposed to be a crushed rock, or similar dustless surface to be reviewed and approved by City Engineer.
5. ADA parking
 - a. Two ADA parking stalls are identified on the existing driveway near the maintenance garage and the small garage.
6. Parking Area East of Driveway
 - a. To preserve the look and feel of a farmstead, the material to expand the driveway is proposed to be a crushed rock, or similar dustless surface to be reviewed and approved by City Engineer.
 - b. Overflow parking is shown to the east of the proposed parking area. This area is to remain a level grass surface.
 - c. Planned construction is for 2021 or 2022 prior to the opening of the wine tasting room.



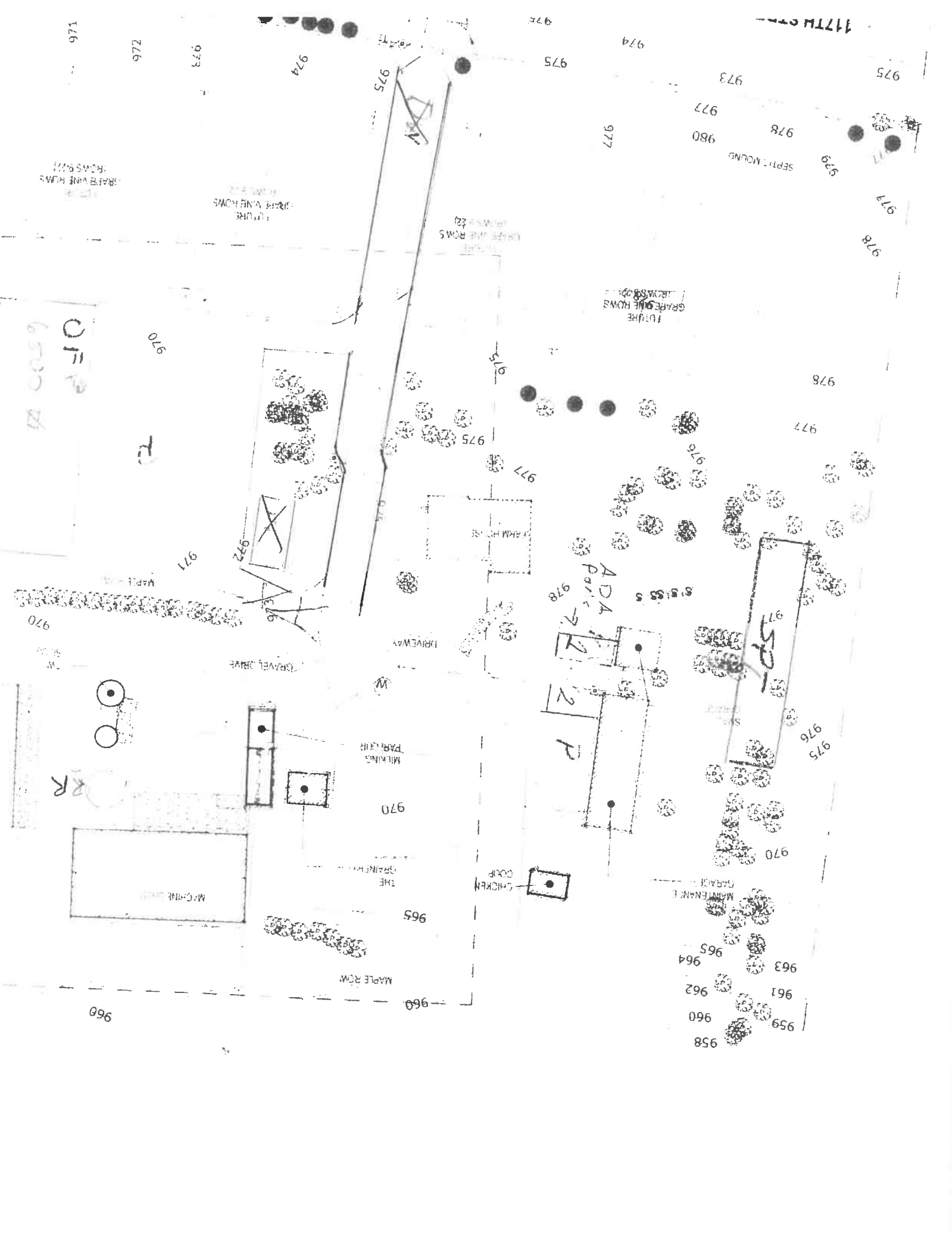
Two Silo Farm House
Landscape Plan
 7040 117th St N
 Grant, MN

Designer:	Taylor Wald
Design Associate:	Sarah Kickert
Print Date:	File Name: 2020_06_21_Two Silos.vrx
This drawing contains proprietary information which belongs to Southview Design Inc. Any unauthorized duplication or use is strictly prohibited.	
Released By:	Date Released: / /

NO.	Date	Revision Notes	NO.	Date	Issue Notes

2383 Pilot Knob Rd
 Mendota Heights, MN 55120
 Phone: 651-203-3000
 Fax: 651-455-1734
 SouthviewDesign.com





**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2020-38**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR
7040 117TH STREET NORTH
(TWO SILO FARMHOUSE RESORT)**

WHEREAS, Keith and Jan Dehnert (“Applicant”) have submitted an application for a Conditional Use Permit to operate the Two Silo Farmhouse Resort at the property located at 7040 117th Street North (“Subject Property”) in the City of Grant, Minnesota; and

WHEREAS, the Applicant intends to use the existing accessory buildings and principal structure on the site for its operations; and

WHEREAS, the Applicant’s narrative, site plan and supplemental information indicate that the proposed operations are generally described as a Farm Winery which is identified on the City’s Table of Uses as a combination of agricultural, small scale rural event facility and resort uses; and

WHEREAS, the Planning Commission has considered the Applicant’s request at a duly noticed Public Hearing which took place on July 21, 2020; and

WHEREAS, on July 21, 2020 the Planning Commission recommended approval of the application subject to certain conditions; and

WHEREAS, the City Council has considered the recommendation of the Planning Commission and the Applicant’s request at regular City Council meetings which took place on August 4, 2020, September 1, 2020 and October 6, 2020.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby approve the request of the Two Silo Farmhouse Resort for a Conditional Use Permit, based upon the following findings pursuant to Section 32-147 of the City’s Zoning Ordinance which provides that a Conditional Use Permit may be granted “if the applicant has proven to a

reasonable degree of certainty” that specific standards are met. The City Council’s Findings relating to the standards are as follows:

- The Two Silo Farmhouse Resort is a combination of uses that includes agricultural, small-scale rural event facility, resort and seasonal business which are permitted and conditionally permitted uses in the A-1 zoning district.
- The Two Silo Farmhouse Resort use conforms to the City’s Comprehensive Plan for rural residential and agricultural uses, which allows for commercial agricultural uses.
- The Two Silo Farmhouse Resort will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood provided the conditions stated within the Conditional Use Permit are met.
- The Two Silo Farmhouse Resort is compatible with the existing large-lot rural residential and agritourism neighborhood setting provided the conditions of the Conditional Use Permit are met.
- The Two Silo Farmhouse Resort operations meet the conditions or standards adopted by the city through resolutions or other ordinances.
- The Two Silo Farmhouse Resort operations will not create additional requirements for facilities and services at public cost beyond the city’s normal low-density residential and agricultural uses provided the conditions stated within the Conditional Use Permit are met.
- The Two Silo Farmhouse Resort activities are not detrimental to people, property or the general welfare provided the conditions stated within the Conditional Use Permit are met.
- The Two Silo Farmhouse Resort will not destroy or damage any natural, scenic or historic features of importance.
- The Two Silo Farmhouse Resort will not increase flood potential or create additional water runoff onto surrounding properties provide the conditions of the Conditional Use Permit are met.

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

1. The Applicant shall meet and comply with all of the conditions stated within the Conditional Use Permit dated October 6, 2020 (the “Permit”).
2. The Permit shall be reviewed in compliance with the City’s CUP review process, which may be on an annual basis.
3. Any violation of the conditions of the Permit may result in the revocation of said Permit.

4. All escrow amounts shall be brought up to date and kept current.
5. The Owner shall obtain any necessary permits from Washington County, Minnesota Department of Health, State of Minnesota, Rice Creek Watershed District, Washington Conservation District, the MPCA or any other regulatory agency having jurisdiction over the proposed use, which are necessary in carrying out its operations on the premises.

Adopted by the Grant City Council this 6th day of October 2020.

Jeff Huber, Mayor

State of Minnesota)
) ss.
County of Washington)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on _____, 2020 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this ____ day of _____, 2020.

Kim Points
Clerk
City of Grant

**TWO SILO FARMHOUSE RESORT
CONDITIONAL USE PERMIT
CITY OF GRANT**

APPLICANT: Keith and Jan Dehnert

OWNER: Arthur F Schaefer Family Living Trust

LEGAL DESCRIPTION: Attachment A

PID: 0503021220001

ZONING: A-1 Agricultural Large Scale

ADDRESS: 7040 117th Street North
Grant, MN

DATE: October 6, 2020

This is a Conditional Use Permit to allow for the operation of the Two Silo Farmhouse Resort and farm winery as described in the Application materials dated July 26, 2020, August 21, 2020 and September 21, 2020. Any expansion of the Two Silo Farmhouse Resort facilities, or intensification of the operations, shall require an amendment to this Conditional Use Permit ("Permit").

All uses shall be subject to the following conditions and/or restrictions imposed by the City Council, City of Grant, Washington County, Minnesota, and applicable ordinances, statutes or other laws in force within the City:

1. This Permit shall be recorded against the subject property.
2. The occupancy of the site shall be restricted to no more than 75 guests at any one time. Such occupancy shall include the number of guests staying in the overnight accommodations at the Farmhouse.
3. The Farmhouse occupancy, which shall be described as the overnight accommodations, shall be limited to no more than 12 guests.
4. The improvements identified on the Site Plan, shall be constructed prior to the commencement of any activities onsite for the proposed operations.
5. Soil borings shall be submitted that demonstrate adequate area to site a septic system to support the intended operations. Soil borings and soil report shall be submitted prior to commencing any activities outside the existing farmhouse.
6. All improvements, including all parking areas and any public gathering spaces shall be set back a minimum of 100-feet from all property lines

7. Overflow parking shall be reserved onsite as shown on the Site Plan and shall remain unobstructed. The overflow parking shall be used on a limited basis and is intended to ensure adequate parking onsite, not to allow for additional guests or patrons in excess of the maximum occupancy identified.
8. All parking shall be accommodated onsite, and no visitor parking shall be permitted on 117th Street North.
9. The hours of operations shall be limited to the following:
 - a. Farmhouse resort (overnight accommodations): 24-hours a day.
 - i. Quiet times at the Farmhouse for all overnight guests shall be from 10 PM to 7 AM. Such times shall be clearly communicated to all guests staying at the Farmhouse, and it shall be the responsibility of the Applicant to manage and monitor all overnight guests.
 - b. Wine Tastings: Monday through Saturday 10 AM to 9 PM, Sunday 11 AM to 6 PM
 - c. Winery Activities: Monday through Saturday 10 AM to 9 PM, Sunday 11 AM to 6 PM
 - i. Winery Tours: Monday through Saturday 10 AM to 9 PM, no tours permitted on Sundays
 - d. Retail Operations: Monday through Saturday 10 AM to 9 PM, Sunday 11 AM to 6 PM
 - e. Wholesale Operations: Monday through Sunday 8 AM to 6 PM, by appointment only
10. The Farmhouse resort overnight accommodations shall be rented to one party at a time and all reservations must be for the whole house. No individual room rental is permitted.
11. Winery Activities, excluding tastings, shall be limited to a maximum of 20 participants per activity or timeslot.
12. The permanent bathroom facilities shall be designed to be architecturally consistent with the principal and accessory buildings located onsite. A minimum of one ADA accessible restroom shall be required, and the number of bathrooms confirmed with the City Building Official. Plans for the bathroom facilities shall be submitted for review and approval by the city staff.
13. The Applicant shall construct, and install, bathroom facilities onsite to support the Wine Tastings and Winery Activities prior to hosting any guests onsite. Such improvements shall not be required for guests staying overnight at the Farmhouse, or for small activities contained within the Farmhouse (see condition #3 for participant maximum).
14. No bottle washing shall be permitted onsite.
15. No food preparation shall be permitted onsite.
16. Retail sales shall be limited to the sale of wine produced onsite, wine accessories, knickknacks and trinkets and Two Silo Farmhouse branded merchandise.
17. The Applicant shall design the ingress/egress driveway with 22-feet of traveled surface. The driveway design shall include proposed materials (which shall be dustless), grading and full specifications for review and approval by the City Engineer.
18. The Applicant shall fully design a parking lot to support a minimum of 22-vehicles to supplement existing parking areas on the subject site. The parking lot design shall include proposed materials

(which shall be dustless), grading, and full specifications for review and approval by the City Engineer.

19. Two (2) ADA compliant parking stalls are provided on the Site Plan, and such stalls shall be properly marked, designated, and constructed of a solid surface. Such plans shall be submitted for review and approval by the City Staff including engineer, planner and building official.
20. Any expansion of the indoor space uses as part of public/guest accommodations beyond that identified in the Applicant's narrative addendum, the staff report, and this Permit shall require an amendment to the Permit.
21. The landscape plan shall be updated to provide a minimum of 10 spruce trees along the easterly border of the overflow parking area.
22. Once updated to reflect condition #21, the Landscape Plan shall be attached to this permit. The landscaping as shown, including existing vegetation, shall be maintained, and replaced as necessary, for as long as the operations of the Permit are active.
23. A 2-year landscape guarantee shall be provided for all vegetation planted and shown on the Landscape Plan. (This guarantee excludes existing vegetation).
24. Proposed lighting shall be submitted for review by City Staff and shall comply with the City's Ordinances. All lighting shall be downcast and for purposes of safety and security of patrons/guests on site. If it is determined that there are any fixture locations that may exceed the City's ordinance standards a Photometric plan must be submitted to demonstrate compliance with the ordinance.
25. No amplification of music shall be permitted outdoors, including within the outdoor gathering spaces. Amplification of music shall be permitted inside the facilities only. All sound and noise shall be regulated by the MPCA's noise standards for decibels and use.
26. No large-scale events shall be permitted on site. Examples of such events including weddings, or similar parties, where guests generally arrive or depart at the same time. Review of this type of event was not conducted as part of this Permit process. Any request to hold such large-scale events shall require an amendment to this Permit.
27. A grading plan shall be submitted to the City Engineer at the time of any improvements on the site, and it shall be the determination of the City Engineer as to whether a stormwater management plan is required due to the full-build out of the site for the proposed use.
28. All requirements and conditions of the City Engineer shall be met and addressed. The City Engineer shall review all updated plans.
29. The Applicant shall comply with all restrictions and permit requirements of the Rice Creek Watershed District, if any.
30. The Applicant shall obtain an access permit from Washington County. Evidence of such permit shall be provided to the City.
31. The Applicant shall monitor traffic internal to the site to ensure the access driveways are passable, and that parking occurs only in designated spaces.
32. Any future expansion or intensification of the Two Silo Farmhouse Resort operations shall require an amendment to the Permit. Intensification shall include, but not be limited to: additional facilities/accessory buildings (not sheds) beyond those identified on the site plan, expansion of

the parking lot beyond 22 stalls, substantial increase to the number of guests identified in the addendum to the narrative, etc.

- 33. All future improvements or structures shall be sited outside of all required setbacks, and all structures and outdoor gathering spaces shall be set back a minimum of 100-feet from any property line. Such future improvements shall require an amendment to this permit.
- 34. No signage is approved as part of this permit. Any future signage shall be subject to the sign ordinance in place at time of application and may require an amendment to the CUP.
- 35. All operations on site shall meet the MPCA's noise standards and regulations.
- 36. It shall be the responsibility of the Applicant to obtain all necessary permits from Washington County, MPCA, MDH, Rice Creek Watershed District, or any other agency having jurisdiction over the subject use.
- 37. This permit shall be reviewed in compliance with the City's CUP review process, which may be on an annual basis.
- 38. Any violation of the conditions of this permit may result in the revocation of said permit.

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

CITY OF GRANT:

Date: _____

Jeff Huber, Mayor

Date: _____

Kim Points, City Clerk

State of Minnesota)
)ss.
County of Washington)

On this _____ day of _____, 2020, before me, a Notary Public, personally appeared Jeff Huber 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 Jeff Huber and Kim Points acknowledge said instrument to be the free act and deed of said City of Grant.

Notary Public

APPLICANT/OWNER:
Keith and Jan Dehnert
Arthur F Schaefer Family Living Trust

Date: _____

By: _____

Its: _____

Date: _____

Kim Points, City Clerk

State of Minnesota)

)ss.

County of Washington)

On this _____ day of _____, 2020, before me, a Notary Public, personally appeared _____ the Owner who acknowledged that said instrument was authorized and executed on behalf of said Applicant.

Notary Public

EXHIBIT A

DRAFT

TELECOMMUNICATION GRANT FUNDS

Many residents have not connected high speed cable from the Right Of Way (ROW) to their homes because of high installation costs. The City of Grant has received Federal CARES Act funding in part to expedite and facilitate access to high speed internet to assist in education, telehealth and business.

1. Using Federal CARES Act provided Covid19 funds the City will reimburse one half (50%) the cost for a property owners construction costs to access high speed cable internet. Construction from the ROW to the home is covered, up to \$4,000 with a minimum cost share of \$500. These Grant dollars are available on a first come first serve basis and the City reserves the right to modify the program to serve more residents if possible.

2. The program reimburses half (50%) of the cost to bring high speed cable onto the property when existing cable is in the ROW closest to the home.

3. No cost sharing will occur to bring cable infrastructure to the property through extension to the cable system in the public right of way. Applicant can have it extended at own expense to property line, this grant will reimburse 50% of the construction extension cost from ROW to home.

4. Grant dollars are available for installations retroactive to March 1, 2020 and installations completed prior to December 1, 2020. The application and paid invoice must be submitted to the City prior to December 1st, 2020.

5. The bill must be submitted to the City with proof of payment to the utility company.

Name _____
Address _____
City, State, Zip _____
Email _____
Phone _____

Acknowledgement Section

Grant award determinations will be made by staff following the close of the application period. If an applicant is determined to be eligible for the grant, the amount awarded will be determined based on:

- The amount of eligible expenses submitted in the application process and verified through sufficient supporting documentation accepted by staff as satisfactory to prove grant eligibility
- The amount of funding available in relation to the number of eligible applicants and/or
- A lottery system if more applications are received than are able to be meaningfully supported by available funds

By signing below and submitting this application, you attest to:

- your authority to submit this application, and
- the accuracy of the information you provided on this application, and
- acknowledging the data in this application will be used to determine grant eligibility and the information contained in this application shall be deemed public unless classified as private by state law.

Signature _____ Date _____

City Council Report for September 2020

To: Honorable Mayor & City Council Members

From: Jack Kramer Building & Code Enforcement Official

City Code Enforcement:

1. Robert & Elisabeth Parr 19527-118th. St. Violation of City Code Section 320332 Noise Control 9b) Noise Limits and Section 32-245 Table of Uses.

a. The City received a formal complaint regarding the operation of a trucking operation at the property.

This violation was addressed in July of 2019. The property owner was advised that a trucking operation was not allowed in the district where he resides. The operation was terminated and resolved until September 6, 2020.

The complaint indicated the operation has been re-established and semi-trucks were beginning to leave the property around 5:30 am.

I sent a letter advising the property owner of the violation and the requirement to cease the use of the operation.

Building Permit Activity:

Twenty-Nine (29) Building Permits have been issued with a valuation of \$ 196,076.03.

Respectfully submitted,



Jack Kramer

Building & Code Enforcement Official

2020-182	Re-Roof	Gvehler	7735-100th. St. N.	8/9/2020	\$	44,000.00	\$	583.65	\$	437.73	\$	-
2020-183	Plumbing	Miklelsen	10833-119th. St. N.	8/9/2020	N/A		\$	80.00	\$	60.00	\$	-
2020-184	Garage	Thein	11696 Irish Ave	8/9/2020	N/A		\$	811.75	\$	608.81	\$	527.63
2020-185	Egress Window	Stellmach	9909-Joliet Ave. N.	8/11/2020	\$	2,000.00	\$	69.25	\$	51.93	\$	-
2020-186	HVAC	Magnusson	10440-114th. St.N.	8/12/2020	N/A		\$	80.00	\$	60.00	\$	-
2020-187	HVAC	Tagioli	10524-118th. St. N.	8/12/2020	N/A		\$	80.00	\$	60.00	\$	9.00
2020-188	Re-Roof	Frans	6264 Keats Ave.N.	8/13/2020	\$	10,000.00	\$	181.25	\$	135.93	\$	-
2020-189	HVAC	Brunell	7770 Leeward Ave. N.	8/14/2020	N/A		\$	80.00	\$	60.00	\$	-
2020-190	HVAC	Brust	7700 Field Ridge Rd.	8/14/2020	N/A		\$	80.00	\$	60.00	\$	-
2020-191	HVAC	Pelfrey	10503 -117th. St N	8/14/2020	N/A		\$	80.00	\$	60.00	\$	-
2020-192	Deck	Johnson	9975 Dellwood Rd.N.	8/17/2020	\$	26,000.00	\$	401.85	\$	301.38	\$	261.20
2020-193	Re-Roof	Mioltor	10120-101st. N.	8/18/2020	\$	9,500.00	\$	181.25	\$	135.93	\$	-
2020-194	Windows	Kocian	8582 Kimbro Ave.	8/19/2020		\$13,940.00		\$237.25		\$177.93		-
2020-195	Windows	Gutknecht	6929 Jocelyn Rd. N.	8/20/2020	\$	5,000.00	\$	111.25	\$	83.43	\$	-
2020-196	Pole Barn Add.	Hillman	10901 -66th. St. N.	8/20/2020	\$	10,000.00	\$	181.25	\$	135.93	\$	117.81
2020-197	HVAC	Lorentz	10025 Indigo Trl.N.	8/22/2020	N/A		\$	80.00	\$	60.00	\$	9.00
2020-197	Plumbing	Buller	8635-80th. St. N.	8/23/2020	N/A		\$	80.00	\$	60.00	\$	-
2020-198	Plumbing	Daniels	10555-114th. St.N.	8/22/2020	N/A		\$	80.00	\$	60.00	\$	-
2020-199	HVAC	Daniels	10555-114th. St.N.	8/22/2020	N/A		\$	80.00	\$	60.00	\$	-
2020-200	Re-Roof	Ament	10096-67th. St. N.	8/26/2020	\$	24,136.03	\$	391.75	\$	293.81	\$	-
2020-201	Deck	Bjurstrom	7030 Jocelyn Rd. N.	8/26/2020	\$	20,000.00	\$	321.25	\$	240.93	\$	208.81
2020-202	HVAC	Erlandson	11750-97th. St. N.	8/26/2020	N/A		\$	80.00	\$	60.00	\$	-
2020-203	Re-Roof	Meron	7460 jocelyn Rd. N.	8/26/2020	\$	10,500.00	\$	195.25	\$	146.43	\$	-
2020-204	HVAC	Moser	8551 Lake Elmo Ave.	8/27/2020	N/A		\$	80.00	\$	60.00	\$	-
2020-205	Plumbing	Donohoo	10370 Leiman Ct. N.	8/27/2020	N/A		\$	80.00	\$	60.00	\$	-
2020-206	Re-Roof	Sapinski	7390 Jamaca Ln.	8/27/2020	\$	11,000.00	\$	195.25	\$	146.43	\$	-
2020-207	Fireplace	Berwald	10121-103rd. St.	8/28/2020	N/A		\$	80.00	\$	60.00	\$	-
2020-208	Re-Roof	Lucke	7395 Ideal Ave	8/29/2020	\$	10,000.00	\$	181.25	\$	135.93	\$	-
2020-209	Fireplace	Kootenia	7470-73rd. St.	9/1/2020	N/A		\$	80.00	\$	60.00	\$	-
Monthly total					\$	196,076.03	\$	5,243.50	\$	3,932.53	\$	1,133.45