

CITY OF GRANT  
MINUTES

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- DATE** : March 4, 2024
- TIME STARTED** : 6:40 p.m.
- TIME ENDED** : 7:21 p.m.
- MEMBERS PRESENT** : Councilmember Carr, Rog, Giefer, Tufty and Mayor Huber
- MEMBERS ABSENT** : None

Staff members present: City Attorney, Nick Vivian; City Planner, Jennifer Haskamp; and Administrator/Clerk, Kim Points

**CALL TO ORDER**

The meeting was called to order at 6:40 p.m.

**PUBLIC INPUT**

Mr. Jeff Schafer, Jamaca Avenue N, came forward and stated some agenda items do not have all the information. The City Council needs to know all options to make informed decisions.

**PLEDGE OF ALLEGIANCE**

**SETTING THE AGENDA**

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

**CONSENT AGENDA**

- February 6, 2024 City Council Meeting Minutes Approved
- February 2024 Bill List, \$134,977.18 Approved

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

**STAFF AGENDA ITEMS**

**City Planner, Jennifer Swanson**  
**Consideration of Resolution No. 2024-05, Stillwater Oaks Final Plat** – City Planner Swanson advised Fairway Estates of Grant, LLC (“Applicant”) is applying for a Final Plat of the major subdivision approved by preliminary plat known as Stillwater Oaks. The Applicant received preliminary plat approval on November 1, 2022 as documented by Resolution 2022-21 which was set

1 to expire one year (12 months) from the approval, which is consistent with the City’s ordinances. The  
2 Applicant requested two extensions to the preliminary plat approval and has subsequently applied for  
3 this Final Plat of the major subdivision to be completed in two phases.

4  
5 Several of the conditions noted in the preliminary plat were required to be completed prior to granting  
6 of the Final Plat. The following staff report summarizes the conditions as noted in the Resolution,  
7 and identifies any outstanding items needed from the Applicant prior to 1) being able to record the  
8 Final Plat; or 2) commencing site work.

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10 **Final Plat Review Process**

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

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18 **Project Summary**

19  
20 The following summary regarding the Final Plat, and the conditions of Preliminary Plat and Variance  
21 are provided for consideration:  
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Applicant: Fairway Estates of Grant, LLC	Site Size: 148.9 Acres
Zoning & Land Use: A-2 Proposed Plat Name: Stillwater Oaks	Request: Final Plat of Major Subdivision 15-Lots, 5.15 to approximately 13.6-acres
	PIDs: 2403021220004 (Parcel A) 2303021110002 (Parcel B)

26  
27 Fairway Estates of Grant, LLC is requesting Final Plat approval of the subject properties to create a  
28 rural residential single-family subdivision. A summary of the proposed project is as follows:  
29

- 30 • The proposed Project will create 15 new lots ranging in size between 5.15 and 16.6 acres. The  
31 general subdivision configuration and lot sizes are consistent with the approved preliminary  
32 plat.
- 33 • The rural residential lots will be a part of a homeowner’s association (“HOA”) that will  
34 govern the proposed subdivision. Draft covenants, bylaws and declarations have been  
35 submitted and City Staff will review for consistency with the City’s ordinances.

- 1 • The existing property was most recently used for a golf course and is bisected by 88<sup>th</sup> Street  
2 North. The property is irregular in shape with the northern half abutting the Brown’s Creek  
3 State Trail and McKusick Road and the southern half abutting 88<sup>th</sup> Street North eventually  
4 connecting with McKusick on the east edge of the property. As noted in the preliminary plat  
5 review, it is the applicant’s responsibility to secure permission to cross the Brown’s Creek  
6 State Trail with a new road connection.
- 7 • The lots in the proposed Project will be accessed from two new cul-de-sacs, the northerly half  
8 of the project accessing McKusick Road and crossing the Brown’s Creek State Trail; and the  
9 southerly half of the project accessing 88<sup>th</sup> Street North.
- 10 • The subdivision will be developed in two phases. Phase I will develop seven (7) lots south of  
11 88<sup>th</sup> Street North, and Phase II will develop the remaining eight (8) lots north of 88<sup>th</sup> Street  
12 North and south of McKusick Road N.
- 13 • The lots associated with Phase II will be platted as Outlot A as part of this Final Plat.
- 14 • All 15 lots will be served with individual wells and individual septic systems. The  
15 Preliminary Plat identified primary and secondary drainfields associated with each lot, and  
16 septic reports/boring logs for each lot. As stated during the preliminary plat process, a  
17 demolition plan for the existing structures on site, including a plan to address the existing well  
18 and septic system will be required prior to any site work commencing. This condition is  
19 carried over to the Development Agreement.
- 20 • The rural residential lot sizes can accommodate a variety of housing styles and plans. As such  
21 the Applicant anticipates all homes in the subdivision will be custom built, and that lots will  
22 be custom graded once house plans are developed. Initial rough site grading of some lots  
23 abutting the road right-of-way is anticipated, but adjustment and accommodation for custom  
24 homes is anticipated.

25 **Final Plat Summary:**

26  
27 As summarized above, there are three objectives related to the Final Plat review 1) to determine if the  
28 proposed Final Plat is substantially consistent with the Preliminary Plat; 2) to determine if the  
29 applicable conditions of preliminary plat have been met; and 3) to identify any required conditions of  
30 Final Plat approval prior to recording or site work commencing.

31  
32 Final Plat Consistency with Preliminary Plat

- 33  
34 • As presented the preliminary construction plans, Final Plat lot and block configuration, lot  
35 sizes, road layout and access locations are consistent with the Preliminary Plat and there are  
36 no significant changes. Minor adjustments have been completed to meet the conditions of the  
37 preliminary plat.

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

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

*As noted, the Preliminary Plat was approved on November 1, 2022 and would have expired on November 1, 2023. The Applicant made two requests to extend the approval period to allow for additional time to prepare this Final Plat submission. The City Council granted the requested extensions, and this Final Plat submission complies with the extensions granted.*

*Construction drawings have been submitted for Phase I and the City Engineer is reviewing the drawings. Any comments and/or modifications requested by the City Engineer must be addressed by the Applicant prior to any site work commencing on the project. This is included as a condition in the Development Agreement.*

- 2. The Applicant must improve that portion of McKusick and 88<sup>th</sup> Street N., identified by the City Engineer to provide adequate access to the proposed subdivision.

*The Applicant has submitted a plan for improvements to McKusick and 88<sup>th</sup> Street North as identified by the City Engineer. The improvements are included in the project documentation and within the Development Agreement required Letter of Credit (LOC). This condition is met provided the Development Agreement is executed.*

- 3. The Applicant shall submit their remediation/mitigation efforts completed on the site for the review of the City Engineer.

*No additional materials were submitted regarding environmental remediation/mitigation efforts on the site. However, it is understood that the applicant has performed the necessary mitigation. Documentation of the work completed should be submitted for review by the City Engineer and a copy placed on file at the City. A condition is included in the Resolution that no site work may commence until the mediation or mitigation documentation, satisfactory to the City Engineer, is reviewed and approved.*

- 4. The Applicant shall comply with all recommendations and standards of the City Engineer.

*The Applicant is working with the City Engineer to ensure that all recommendation and standards are met. This condition is carried over to the Development Agreement.*

- 5. The Applicant shall adjust the lot lines of 9, 10 and 11 to comply with the subdivision design standards.

*The stated lots correlate to Lots 1, 2 and 3 Block 1 on the Final Plat. The lot lines have been adjusted and comply with the subdivision design standards. This condition is met.*

- 1 6. The Applicant must establish an HOA or similar to manage the stormwater management  
2 systems on site. Such entity shall be appropriately established and identified within the  
3 Development Agreement.

4 *The Applicant has submitted an HOA document that establishes responsibilities of the*  
5 *association including management of the stormwater management systems. This condition is*  
6 *met.*

- 7  
8 7. The Applicant shall obtain all necessary stormwater permits from the BCWD and such  
9 permits shall be obtained prior to the City granting any Final Plat of the Project.

10 *The Applicant has received their preliminary permit approval from the BCWD. The City*  
11 *Engineer will review and confirm that no other outstanding items regarding the BCWD are*  
12 *required prior to the commencement of any site work.*

- 13  
14 8. The Applicant will be required to enter into a Development Agreement prior to the City  
15 Granting any Final Plat of the Project to ensure that the requirements and conditions as set  
16 forth herein are complied with to ensure the installation of all subdivision infrastructure.

17 *A draft of the Development Agreement has been prepared and is included in the City*  
18 *Council's packet for review and consideration. The Development Agreement requires that all*  
19 *subdivision improvements be constructed, and that the agreement must be recorded at*  
20 *Washington County.*

- 21  
22 9. The Applicant, or assigns, shall obtain all necessary permits for the installation of individual  
23 wells serving each lot, and such permits shall be obtained prior to the City issuing any  
24 Building Permit for such lot.

25 *This condition is carried over to the Development Agreement.*

- 26  
27 10. The full public right-of-way of both cul-de-sacs shall be dedicated on the Final Plat.

28 *The subdivision will be developed in two phases. The cul-de-sac right-of-way in Phase I is*  
29 *shown on the Final Plat and is dedicated as a public street. The cul-de-sac to serve Phase II*  
30 *will be dedicated at the time the lots are created. This condition is met in Phase I.*

- 31  
32 11. Site improvements as described within Section 30-194 shall be agreed to and identified within  
33 the Development Agreement.

34 *The Site Improvements and subdivision improvements are noted in the Development*  
35 *Agreement. This condition is met.*

- 36  
37 12. The Applicant must work with the MNDNR to secure a crossing easement of the Browns  
38 Creek State Trail, and such easement must establish the use as a public right-of-way.

39 *The Brown's Creek State Trail crossing is required in order to plat Phase II of the subdivision*  
40 *and install a new cul-de-sac. This condition is carried over to the Resolution to ensure that at*  
41 *the time Phase II is platted that a crossing easement is secured prior to granting the Final*  
42 *Plat. This condition must be met as part of Phase II requirements.*

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13. The Applicant is responsible for all costs associated with the road crossing and any improvements required by the MNDNR for such access.

*This condition is carried over to the Resolution to ensure that at the time Phase II is platted that a crossing easement is secured prior to approval. This condition must be met as part of Phase II requirements.*

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

*This condition is carried over to the Resolution and Development Agreement and must be met to ensure that septic drainfields are protected for each lot. It is the Applicant’s responsibility to ensure that the drainfield locations identified in Phase II remain available.*

15. The Applicant, or assigns, shall be required to obtain all septic permits, based on the actual design of a principal structure prior to the City issuing a Building Permit.

*This condition is carried over to the Development Agreement.*

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

*This condition is carried over to the Resolution.*

**Council Member Giefer moved to adopt Resolution No. 2024-05, as presented. Council Member Tufty seconded the motion. Motion carried unanimously.**

**Consideration of Stillwater Oaks Development Agreement** – City Planner Swanson advised a draft Development Agreement was included in the packets for the Stillwater Oaks Final Plat. The City Attorney did review and comment on the Agreement.

**Council Member Tufty moved to approve Stillwater Oaks Development Agreement, as presented. Council Member Rog seconded the motion. Motion carried unanimously.**

**City Attorney, Nick Vivian (no action items)**

**NEW BUSINESS**

**UNFINISHED BUSINESS**

There was no unfinished business.

**DISCUSSION ITEMS (no action taken)**

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

**City Council Reports/Future Agenda Items**

**COMMUNITY CALENDAR MARCH 5 THROUGH MARCH 31, 2024:**

1 **Presidential Nomination Primary Election, Woodbury Lutheran Church, Oakhill Campus, 7:00**  
2 **a.m. to 8:00 p.m.**

3 **Mahtomedi Public Schools Board Meeting, Thursday, March 14<sup>th</sup> and March 28<sup>th</sup>, Mahtomedi**  
4 **District Education Center, 7:00 p.m.**

5 **Stillwater Public Schools Board Meeting, Thursday, March 14<sup>th</sup>, Stillwater City Hall, 7:00 p.m.**

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

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8 **ADJOURNMENT**

9 **Council Member Rog moved to adjourn at 7:21 p.m. Council Member Giefer seconded the**  
10 **motion. Motion carried unanimously.**

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13 These minutes were considered and approved at the regular Council Meeting April 2, 2024.

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19 Kim Points, Administrator/Clerk

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19 Jeff Huber, Mayor

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