

CITY OF GRANT
MINUTES

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DATE : May 7, 2024
TIME STARTED : 6:34 p.m.
TIME ENDED : 8:29 p.m.
MEMBERS PRESENT : Councilmember Carr, Rog, Giefer, Tufty and Mayor Huber
MEMBERS ABSENT : None

Staff members present: City Attorney, Nick Vivian; City Engineer, Brad Reifsteck; City Planner, Jennifer Haskamp; City Treasurer, Sharon Schwarze; and Administrator/Clerk

CALL TO ORDER

The meeting was called to order at 6:34 p.m.

PUBLIC INPUT

No one was present for public input.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

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

CONSENT AGENDA

April 2, 2024 City Council Meeting Minutes	Approved
April 2024 Bill List, \$70,978.59	Approved
Kline Bros., Road Maintenance, \$37,511.25	Approved
Croix Valley Inspector, \$61,476.74	Approved
ARC Potholing Contract	Approved

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

CONCEPT PLAN REVIEW FOR VARIANCE REQUEST, XXX 89TH STREET

1 City Planner Haskamp advised the applicant contract the City regarding a one-acre lot buildability.
2 He went though the Land Use Application process and was informed that although the lot pre-dates
3 the ordinance it is not a building lot. She referred to the letter provided to the applicant that indicated
4 in the current configuration, the lot is not buildable. The applicant would like feedback regarding the
5 possibility of applying for a variance.

6
7 It was the consensus of the Council that they would not necessarily be supportive for a variance to
8 build on a one-acre lot.

9
10 **STAFF AGENDA ITEMS**

11 **City Engineer, Brad Reifsteck**

12
13 **Consideration of Resolution No. 2024-06, Call for Assessment Hearing, Knollwood Drive Street**
14 **Improvement Project** – City Engineer Reifsteck advised this project was initiated by petition by the
15 adjacent parcel owners and is following Minn State Statue 429 procedures on special assessments.
16 The following procedures have been completed:

- 17 • The City Council adopted the feasibility report at the June 27, 2023 regular meeting.
- 18 • A public hearing was conducted on August 1, 2023, following the public hearing, the
19 Council ordered the public improvements and authorized the preparation of the plans and
20 specifications.
- 21 • The Council accepted the plans and specifications and ordered the advertisement for bids
22 at the January 2, 2024, regular meeting. Bids were received on May 2, 2024.

23
24 The improvements are anticipated to be partially funded by special assessments to benefitting
25 properties, in accordance with the City’s Assessment Policy. The total benefit amount to be assessed
26 is estimated at \$219,836. There are 8 total buildable units. The assessment per buildable unit is
27 estimated at \$25,426. The City of Grant is contributing street maintenance dollars in the amount of
28 \$16,431 to the cost of the project.

29
30 Assessments are proposed to be paid in equal annual installments over 15 years at 4.5% per annum
31 for each parcel, beginning in January 2025. The assessment may be paid in whole with no interest
32 charged if the entire assessment is paid prior to October 31, 2024.

33
34 City staff recommends scheduling a public hearing on assessments and declaring costs for the
35 Knollwood Drive Street Improvement Project at the June 4, 2024 regular Council meeting.

36 **Council Member Rog moved to adopt Resolution No. 2024-06, as presented. Council Member**
37 **Giefer seconded the motion. Motion carried unanimously.**

38
39 **Consideration of Resolution No. 2024-07, Municipal Support for Highway 36/County Road 17**
40 **Project** – City Engineer Reifsteck advised Washington County has, through its Capital Improvement
41 Plan (CIP) recommended an improvement project to the intersection of County State Aid Highway
42 (CSAH) No. 17, also known as Lake Elmo Avenue and Trunk Highway (TH) 36, to improve vehicle
43 safety, vehicle mobility, and bikeability/walkability in this area.

1 Washington County, in consultation with the MnDOT, the City of Grant, and the City of Lake Elmo,
2 engaged in an intersection study process, beginning in 2021 to identify and evaluate potential
3 improvements to this intersection.

4
5 Washington County, together with MnDOT and the Cities of Grant and Lake Elmo, have engaged in
6 community engagement as part of the study and preliminary design efforts intended to gather and
7 consider public feedback for the proposed improvements.

8
9 A preferred concept project layout, also known as the Overpass with Buttonhook Ramps alternative,
10 showing the proposed improvements, dated April 25, 2024, has been prepared and provided to both
11 the City of Grant and the City of Lake Elmo.

12
13 City staff recommends supporting the County's preferred concept and continuing the development of
14 final plans and right-of-way acquisition.

15
16 **Council Member Rog moved to adopt Resolution No. 2024-07, as presented. Council Member**
17 **Giefer seconded the motion. Motion carried unanimously.**

18
19 **Consideration of Washington County Cooperative Agreement, Trail Connection from Ideal**
20 **Ave to Middle School, County Road 12** – Mr. Kevin Peterson, Washington County advised in
21 February of 2017 Washington County began a cooperative study of the County Highway 12 corridor
22 within the Cities of Willernie, Mahtomedi, and Grant. Public engagement, environmental and
23 technical analysis, and design culminated in the completion of a study report identifying
24 improvements to County Highway 12 between MnDOT Highway 244 and County Highway 9
25 (Jamaca Avenue N). Implementation of these improvements began with the closure of the Mahtomedi
26 High School entrance and installation of the traffic signal (stop light) at the Mahtomedi Middle
27 School entrance. Subsequent public feedback indicated support for pedestrian connections to the
28 Mahtomedi Middle School Entrance on the south side of County Highway 12. The project currently
29 under construction will build an off-road pedestrian facility from County Highway 29 (Hilton Trail) to
30 Ideal Avenue under the Washington County Cost Participation Policy via agreement with the City of
31 Mahtomedi.

32
33 On May 12, 2020, Washington County applied for federal funding through the Metropolitan
34 Council's Regional Solicitation Program to construct an off-road trail along the south side of
35 County Highway 12 between Ideal Avenue and the stoplight at the Mahtomedi Middle School
36 entrance within the City of Grant. The Engineer's estimate of cost for this trail segment is
37 \$316,800.

38
39 On February 17, 2021, Washington County was notified that it was successful in this grant
40 application and was awarded \$256,800 to construct a trail between Ideal Avenue and the Mahtomedi
41 Middle School Entrance. After applying these federal grant funds to the project, the City of Grant
42 would be required to contribute \$30,000 to complete this trail. The City of Mahtomedi has agreed to
43 remove snow from the trail segment between Ideal Avenue and the Mahtomedi Middle School
44 Entrance.

1 Washington County looks forward to formal direction from the City of Grant on potential
 2 construction of an off- road pedestrian facility from Ideal Avenue to the Mahtomedi Middle School
 3 Entrance. If the City of Grant decides to contribute their share of this trail project, Washington
 4 County will construct it in 2025. If not, the Federal funds will be returned and the City’s cost share
 5 for construction of this trail in the future will be at least \$159,300.

6
 7 **Council Member Giefer moved to approve Washington County Cooperative Agreement, as**
 8 **presented. Council Member Rog seconded the motion. Motion carried unanimously.**

9
 10 Mayor Huber called for a five-minute recess at 7:10 p.m.

11
 12 Mayor Huber called the meeting back to order at 7:18 p.m.

13 **City Planner, Jennifer Haskamp**

14
 15 **PUBLIC HEARING, Consideration of Preliminary Plat, Elliot Crossing** – City Planner Swanson
 16 advised the Applicant and Owner Mike Regan of MOR Development, LLC (“Owner”), is requesting
 17 a Preliminary Plat and variances from the maximum length of a cul-de-sac to subdivide the subject
 18 properties into 18 rural residential lots and two Outlots. The subject property is comprised of four
 19 existing parcels and is generally situated south of 75 Street North (CSAH 12) and west of Lake Elmo
 20 Ave N (CSAH 17). The subject property is zoned A2 and borders Indian Hills Golf Course to the
 21 south. Outlot A contains three relocated golf holes that were approved as part of a CUP Amendment
 22 process in 2020 and 2021 respectively.

23
 24 A duly noticed public hearing was published for May 7, 2024 at 6:30 PM to be held at the City
 25 Council’s regular meeting. Letters were mailed to property owners within 1,250-feet of the subject
 26 Project informing them of the application request and public hearing.

27
 28 The following summary information is provided to assist in your review and consideration:

29
 30 **Project Summary:**

Applicant/Owner	Michael Regan, on behalf of MOR Development, LLC
Address	XXX 75th Street N (CSAH 12), XX Lake Elmo Ave N (CSAH 17)
Site Size	~194 Acres
Zoning & Land Use	A2
Proposed Plat Name	Elliot Crossing
PIDs	2603021330001 (101.5 acres), 3503021210002 (4.9 acres), 2603021440001 (15.0 acres), 2603021430001 (39.6 acres)

31
 32 The Applicant and Developer is proposing to develop the proposed subdivision with the following
 33 characteristics:

- 34
 35 • The subject properties will be divided into 18 rural residential lots and two Outlots, Outlot A and
 36 Outlot B. Outlot A contains three (3) recently relocated golf holes, and as configured, Block 1 is

1 located west of Outlot A, and Block 2 is located east of Outlot A. The two Blocks are not
2 proposed to connect via roadways due to the presence of wetlands and the golf holes.

- 3 • The proposed subdivision name is Elliott Crossing as a nod to the historical streetcar line that
4 traversed the site in the early 1900s.
- 5 • Each Block will contain newly subdivided rural residential lots that will be accessed from two
6 new cul-de-sacs. Block 1 contains 12 lots and Block 2 contains 6 lots.
- 7 • The rural residential lots will be custom graded and custom homes will be constructed. Lot sizes
8 range from 5.0 and 18.76 acres.
- 9 • The subdivision will be subject to architectural design standards through the Homeowners
10 Association (HOA). Outlot B is proposed to be open space which will be landscaped and
11 managed by the HOA. Outlot B lies south of the proposed cul-de-sac identified as Street A on the
12 attached plan set. A landscape plan for this area was not provided with the submission. The Outlot
13 is irregular in shape with existing groundcover and areas of tree/woodland.
- 14 • Outlot A contains three golf holes that were relocated in 2020/2021 through an amended CUP
15 process, and the holes were placed in an easement as part of the CUP process. As proposed, the
16 easement will be converted to an Outlot through the platting process and the Outlot will become
17 part of the amended CUP and all associated conditions of approval.
- 18 • Each lot is proposed to be served by a private well and septic system. Preliminary septic borings
19 and drainfield locations are provided on the plan set.
- 20 • The proposed cul-de-sac in Block 1 (Street B on the plan set) is approximately 1,998.3 feet long
21 which exceeds the maximum permitted length of 1,320 feet. A variance from this standard is
22 requested by the Applicant.
- 23 • The proposed cul-de-sac in Block 2 (Street A on the plan set) is approximately 1,482.9 feet long,
24 which exceeds the maximum permitted length of 1,320 feet. A variance from this standard is
25 requested by the Applicant.
- 26 • Both new cul-de-sacs connect to County roads and a County access permit is required. The
27 Applicant is in communication with the County, and the County has required new turn lanes on
28 CSAH 12. The plan set submitted includes plans for the inclusion of the turn lanes as requested
29 by the County.

30
31 The following City Code regulations are relevant to the application:

- 32 • Chapter 30 - Subdivisions
 - 33 ○ Division 2 – Preliminary Plat
 - 34 ○ Article III - Minimum Design Standards
 - 35 ■ Sec. 30-129. Cul-de-sac streets
 - 36 ■ Sec. 30-130. Street design
- 37 • Chapter 32 – Zoning
 - 38 ○ Sec. 32-1. Definitions
 - 39 ○ Sec. 32-246. Minimum area, maximum height, and other dimensional requirements
 - 40 ○ 32-60. Variances

1 The following review is provided for your review and consideration.

2
 3 The project site contains approximately
 4 194 acres and is located south of 75th Ave
 5 N (CSAH 12) and west of Lake Elmo
 6 Street N (CSAH 17). The subject parcels
 7 have been used for a mix of uses including
 8 agricultural production, golf holes and
 9 natural areas. The two easterly parcels
 10 have extensive woodland areas, rolling
 11 topography and the wetland FEN is
 12 located on the easterly quarter of PID
 13 2603021330001. The FEN is a protected
 14 wetland complex that the Browns Creek
 15 Watershed District has classified as
 16 preserve due to the natural resource value.
 17 The two westerly parcels include three (3)
 18 newly constructed golf holes and natural
 19 vegetation.

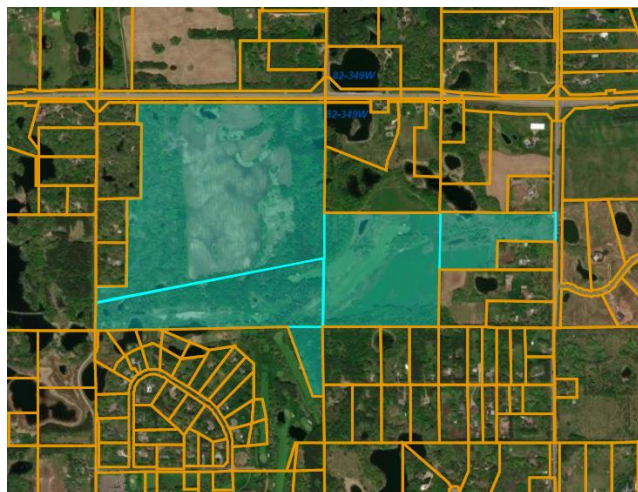


Figure 1. Subject property
 Source: Washington County GIS

20
 21 A historic street carline and station were present in this area in the early 1900s, and the station was
 22 named Elliott Crossing. The Applicant proposes to keep the old streetcar line to the extent possible,
 23 and proposes to name the new subdivision after the historic line.

24
 25 In 2020 and 2021 the Owner amended the Conditional Use Permit granted for the Indian Hills Golf
 26 Club and relocated three (3) holes from the southerly most parcel (PID 2603021340001) and shifted
 27 them to include portions of the easterly 40-acre parcel (PID 2603021430001). The three relocated
 28 holes were placed in an easement for temporary description and are proposed to be incorporated into
 29 a platted Outlot as part of the subdivision.

30
 31 City Planner Swanson noted per the 2040 Comprehensive Plan, the subject properties designated
 32 Rural Residential/Agricultural (RR-AG), which “guides land for principal rural residential and
 33 agricultural uses.” Commercial farming or agricultural activities are permitted, along with large-lot
 34 single-family residential units of no more than 4 dwelling units for every 40 acres.

35
 36 The proposed development is comprised of 18 rural-residential lots on approximately 194 acres. The
 37 proposed density is approximately 10.8 acres per lot, which is consistent with the land use
 38 designation. The Proposed development will contain rural residential uses and will be subject to a
 39 homeowner’s association that will include use restrictions and architectural covenants. As proposed,
 40 the development plan is consistent with the adopted 2040 Comprehensive Plan and the RR/AG land
 41 use designation.

42
 43 The subject parcels are zoned A2, and Section 32-243 defines the intent and primary use of such
 44 properties as, “...provide rural low-density housing in agricultural districts on lands not capable of
 45 supporting long-term, permanent commercial food production. A-2 district lot sizes will provide for
 46 marginal agriculture and hobby farming.”

1 The proposed Project will subdivide approximately 194 acres into 18 lots and two Outlots. The
 2 subdivision is subject to Chapter 30 Subdivisions and is specifically reviewed for compliance with
 3 Sections contained within Article II Platting and Article III Minimum Design Standards. Chapter 30
 4 requires all subdivisions with newly created lots to comply with the underlying zoning district, and as
 5 such each lot was reviewed for compliance with Section 32-246 Dimensional Standards and other
 6 applicable sections of Chapter 32. Subsequent sections of this report will provide a review of the
 7 dimensional standards and will make the appropriate cross reference to the subdivision code, where
 8 applicable.

9 City Planner Swanson stated the subdivision ordinance requires all newly created lots to conform to
 10 the applicable zoning dimensional standards as identified within Chapter 32 Zoning. The following
 11 review relates specifically to the subdivision and/or preliminary plat requirements.

12
 13 Easements

14 City Code Section 30-105 requires newly created lots and roadways to provide easements for utilities
 15 and drainageways, as necessary. The applicable ordinance requirements are as follows:

- 16
- 17 (a) *Required for Utilities.* Easements of at least 20 feet wide, centered on rear and other lot lines
 18 as required, shall be provided for utilities where necessary...”
- 19 (b) *Required for drainage.* Easements shall be provided along each side of the centerline of any
 20 watercourse or drainage channel, whether or not shown on the comprehensive plan, to a
 21 sufficient width to provide property maintenance and protection and to provide for stormwater
 22 runoff and installation and maintenance of storm sewers.
- 23 (c) *Dedication.* Utility and drainage easements shall be dedicated for the required use.

24
 25 As shown on sheets 4 through 6 of the submitted preliminary plat, drainage and utility easements are
 26 shown on each lot line and around all features associated with the drainage plan of the property and
 27 all wetland areas. The City Engineer has reviewed the stormwater management plan, and his review
 28 can be found in Exhibit C. ***The Applicant will be required to dedicate the easements to the benefit
 29 of the City at time of Final Plat; however, staff recommends including a condition that the
 30 maintenance, specifically of all drainage easements associated with stormwater management will
 31 be provided for and the responsibility of the HOA and must be detailed in any Covenants and
 32 Development Agreement.***

33
 34 Lot Requirements

35 City Code Section 30-107 governs lot design and requirements. The following subsections apply to
 36 the proposed subdivision:

- 37
- 38 (a) *Side Lots.* Side lot lines shall be substantially at right angles to straight street lines or radial to
 39 curved street lines or radial to lake or stream shores unless topographic conditions necessitate
 40 a different arrangement.

41
 42 The general configuration is consistent with this provision; however, there are small
 43 deviations from the standard that are largely created by existing wetland areas, septic
 44 drainfield locations and Outlot location that contains the golf holes. The side-yard lot line
 45 between Lot 3 and Lot 4 in Block 2 jogs at the rear which appears to be likely driven by the

1 location of the golf holes in Outlot A. However, as noted in subsequent sections, this lot is
 2 also slightly undersized and does not meet the 5.0 acre minimum requirement. *Staff*
 3 *recommends that the Applicant reconfigure this lot line to straighten the side yard and*
 4 *comply with the minimum lot size requirement.*

5
 6 (b) *Frontage.* Each lot shall front upon a public street.

7
 8 The proposed subdivision includes the construction and development of two cul-de-sacs to
 9 access the new lots. The cul-de-sacs will be built to city specifications and will be dedicated
 10 as public streets once constructed. *All created lots will have direct access to the new cul-de-*
 11 *sacs and will comply with this standard.*

12
 13 (c) *Minimum area and width.* No lot shall have less area or width than is required by zoning
 14 regulations applying to the area in which it is located, except as herein provided. Irregular-
 15 shaped lots designed for the sole purpose of attempting to meet a subdivision design or zoning
 16 regulation shall be prohibited.

17
 18 The proposed subdivision will be developed with two new cul-de-sacs, cul-de-sac A and cul-
 19 de-sac B. Cul-de-sac A will provide access to Lots 1 through 5, Block 2; and cul-de-sac B will
 20 provide access to Lots 1 through 12. Lot 6, Block 2 is proposed to be accessed from a private
 21 driveway that extends to the 69th Street N., right-of-way.

22
 23 The proposed lots in Block 1 have a range of lot widths along the cul-de-sac street of
 24 approximately 330 feet to 492 feet, with frontage on the terminus exceeding 100 feet. Lot area
 25 in Block 1 range from approximately 7.5 to 18.4 acres. As proposed, all lots in Block 1 meet
 26 or exceed the minimum lot area and lot width requirements.

27
 28 Lots 1 through 5, Block 2 have a range of lot widths along the cul-de-sac street of
 29 approximately 299.8 to 1,467 feet, with frontage on the terminus exceeding 80 feet. Lot 2,
 30 Block 2 has approximately 299.8 feet of frontage, and the lot lines should be adjusted to
 31 comply with a minimum of 300-feet of frontage as required. Lot areas in Block 2 range from
 32 approximately 4.99 acres to 8.18 acres. Lot 3 is shown with 217,751 square feet of area,
 33 which is just shy of 5.00 acres. Both of these lots, Lot 2 and Lot 3, share the irregular lot line
 34 and Lot 2 has substandard frontage, which if the shared lot line is reconfigured it will correct
 35 the lot line, lot area and frontage issues. *Staff recommends including a condition that Lot 2*
 36 *must be adjusted to comply with the minimum lot frontage, and Lot 3 must be slightly*
 37 *reconfigured to comply with the lot line and lot area standards.*

38
 39 Lot 6 is unique as it was originally a part of the Indian Hills subdivision plat and was subject
 40 to the CUP and PUD from the 1970s. The Applicant provided evidence that the subject parcel
 41 was released from the CUP/PUD in the 1980s and is therefore a lot of record that qualifies for
 42 the exception under Section 32-246(b) from lot frontage or area if it can be demonstrated that
 43 other dimensional standards can be met. The subject parcel is 5.35 acres, and therefore meets
 44 the minimum lot area standard and qualifies for the exception. As proposed, Lot 6 Block 2
 45 complies with this standard.

46

1 (e) *Corner lots.* Corner lots shall be platted at least 20 feet wider than interior lots.
 2
 3 Lots 1 and 12, Block 1 are 358 feet and 492 feet wide respectively and meet this requirement.
 4 Lot 1, Block 2 has 1,467 feet of frontage and meets this requirement.
 5

6 (j) *Natural features.* In the subdividing of any land, regard shall be shown for all natural features,
 7 such as tree growth, watercourses, historic spots, or similar conditions, which if preserved will
 8 add attractiveness and stability to the proposed development.
 9

10 The subject parcels contain extensive wetlands and rolling topography. A FEN is located on
 11 the southeastern side of the Project Area designated as Block 1 which requires increased
 12 protection and a 100-foot setback. As planned, the proposed project protects and preserves the
 13 wetlands on site and all proposed structures will be located outside of any wetland or wetland
 14 buffer area. Any potential wetland impact is subject to WCA replacement rules and mitigation
 15 requirements. The existing tree stands on site will be preserved to the extent possible through
 16 initial site development activities to allow for future homeowners to incorporate the existing
 17 vegetation into their site development plans.
 18

19 (k) *Lot Remnants.* All remnants of lots below minimum size left over after subdividing of a larger
 20 tract must be added to adjacent lots, or a plan acceptable to the city shown as to future use,
 21 rather than allowed to remain as unusable parcels.
 22

23 The proposed subdivision identifies two Outlots (A and B). Outlot A contains three relocated
 24 golf holes, and is managed and operated by the Indian Hills Golf Club. Outlot B is
 25 approximately 4.32 acres and lies south of proposed Street A, the new cul-de-sac providing
 26 access to Block 2. This Outlot is irregular in shape and a formal plan for its management,
 27 landscaping, and vegetation was not provided. The lot is contiguous to Lot 5, Block 2 and
 28 shares an approximately 40-foot side yard line. As proposed, this configuration does not
 29 comply with this standard as the Outlot is substandard and formal plan was not identified.
 30 ***Staff recommends discussion by the City Council regarding this Outlot, and either 1) it***
 31 ***should be combined with the adjacent lot and/or the road could be shifted slightly and lot***
 32 ***lines reconfigured so that another lot could be developed south of the road; 2) the Outlot***
 33 ***could be combined with Lot 5; or 3) a formal plan acceptable to the City Council is***
 34 ***submitted.***
 35

36 Cul-de-sac Streets

37 City Code Section 30-129 guides standards for cul-de-sacs. The Project includes the
 38 construction/extension of two local cul-de-sacs to serve all the proposed residential lots. The
 39 applicable ordinance requirements are as follows:
 40

41 (a) Cul-de-sac streets, temporarily or permanently designed as such, shall not exceed 1,320 feet in
 42 length.
 43

44 The Applicant is proposing to construct two new cul-de-sacs for the purpose of subdivision
 45 and both cul-de-sacs exceed the maximum permitted length as stated in (a). As a result, both

cul-de-sacs as designed require a variance from the standard. The following table shows the lineal footage associated with the variance request:

Street	Maximum Permitted	Proposed Length	Requested Variance
Street A (Cul-de-sac serving Block 2)	1,320'	1,998.3'	678.3'
Street B (Cul-de-sac serving Block 1)	1,320'	1,876.2'	556.2'

The following variance summary is provided for your discussion:

Variance Request – Street A (Cul-de-sac serving lots in Block 2)

The Applicant’s narrative describes that PID 2603021440001, which contains Lot 1, Block 2 and Outlot B cannot be further subdivided because of a prior subdivision, and that to traverse this lot and gain access to Lots 2 through 5 is over 1,500 feet thereby exceed the maximum cul-de-sac length. The documentation regarding this condition was not submitted or provided by the Applicant, so subdivision restriction cannot be confirmed. However, if the subdivision restriction is verified, staff agrees that to cross the land and gain access to the area proposed for Lots 2 through 5 would require a cul-de-sac that would exceed the minimum requirements. Further, the development area cannot be connected with Street B (the cul-de-sac serving proposed Block 1) because Outlot A contains the relocated golf holes and wetland areas. While these conditions exist, the golf hole relocation is a self-created condition that was completed recently in 2020/2021. Aside from the golf holes, there is extensive wetland area adjacent to Outlot A on that portion of the property associated with Block 1, however, had the holes not been realigned a connection may have been possible. Staff agrees that the wetlands in this central portion of the site are sensitive and are associated with the FEN and therefore the lack of connection may be beneficial in protecting this area, however, it is difficult to ascertain since the holes have already been constructed and relocated. ***Staff requests additional discussion and direction from the City Council regarding the practical difficulties and unique circumstances as described by the Applicant.***

Variance Review – Street B (Cul-de-sac serving lots in Block 1)

The Applicant’s narrative describes the existing wetlands on the site and the presence of the sensitive FEN in the southeasterly portion of Block 1 as the primary justification to exceed the maximum permitted cul-de-sac length. Staff agrees that the FEN is a sensitive natural resource, and that the Brown’s Creek Watershed District (BCWD) has extensive rules and standards, including a 100-foot setback requirement that constrains the buildable area on the site. However, the length of the road is associated with maximizing the number of lots, which is understandable, but not necessarily directly related to the wetland area. Similar to the analysis in Block 2, had the golf holes not been relocated there may have been a road connection between the Blocks that would have been outside of the required setbacks and would have eliminated the need for the cul-de-sacs. Again, this condition is partially self created because the holes were recently relocated. ***Staff requests additional discussion and direction from the City Council regarding the practical difficulties and unique circumstances as described by the Applicant.***

1
 2 (c) Unless future extension is clearly impractical or undesirable, the turnaround right-of-way shall
 3 be
 4 placed adjacent to a property line and a right-of-way of the same width as . . .
 5

6 As shown, Outlot A contains three golf holes and crossing this Outlot is not practical if the
 7 preliminary plat as proposed is approved. However, like the previous hole location, the holes
 8 could become undesirable for some reason in the future. Depending on the outcome of the
 9 variance discussion, a compromise could be to require this right-of-way be shown so that if
 10 the golf holes are removed there would be a potential connection that could be constructed.
 11 **Staff requests additional discussion and direction from the City Council regarding this**
 12 **option.**
 13

14 Street Design

15 30-130 Street design

16 (a) *Minimum width*

17 *Local Streets - ROW roadway width 66 feet, 28 feet including shoulders*

18 *Cul-de-sacs – ROW roadway width 66 feet, 48-foot turnaround radius*
 19

20 The street and cul-de-sac right-of-way and design meets the City’s ordinance requirements.
 21

22 (l) The city roadway standard is a rural section 28 feet wide with 22 feet of bituminous pavement
 23 surface.
 24

25 Sheet 7 of 10 identifies the Typical Street Section that the Applicant is proposing to construct for the
 26 new roadway. As shown, the roadway would include 22-feet of paved surface with 3-foot shoulders
 27 and typical ditch section. All driveways serving the new homes will connect directly to the local
 28 roadway, and will cross the ditch section to connect to the paved surface. The pavement profile was
 29 included within the plan set and the City Engineer has provided his preliminary review findings in the
 30 attached memo. **As proposed, the new local roadway/cul-de-sac dimensions meet the City’s**
 31 **standard minimum design standards. Any additional requirements or standards will be included**
 32 **within the City Engineer’s memo.**
 33

34 City Planner Swanson advised City Code Section 32-246 governs minimum area, maximum height,
 35 and other dimensional requirements for each zoning district. The following A2 district requirements
 36 regulate the site and proposed project:
 37

Dimension	Standard
Maximum Density	1 DU/10 AC
Minimum Lot Size	5 acres
Minimum Lot Depth (ROW to rear lot line)	300’
Minimum Lot Width (measured at front	300’

yard setback)	
Minimum Lot Width on a cul-de-sac	160'
Minimum Frontage – public road	300'
Minimum Frontage – cul-de-sac	60'
Front Yard Setback	65'
Side Yard Setback – corner lot	65'
Side Yard Setback - interior	20'
Rear Yard Setback	50'

1
2

Density/ Lot Size /
Buildable Area

Density

The proposed subdivision will create 18 new lots on approximately 194 acres. The A2 zoning district permits a maximum of 4 units per 40 acres, and the Comprehensive Plan guides the subject properties for a maximum density of 1 Unit per 10 Acres.

As proposed, the density calculation is as follows:

$$194 \text{ Acres} / 18 \text{ Units} = 10.8 \text{ Acre average lot size}$$

As proposed, the project meets the City’s Comprehensive Plan and zoning ordinance regulations. ***Staff would recommend including a condition that the Development Agreement and the HOA covenants clearly state that no further subdivision is permitted of the subject properties.***

Lot Size

Lots in the A2 zoning district have a minimum lot size of 5.0 Acres. The proposed development is comprised of lots that range in size between 4.99 acres and 19 acres. As previously noted, Lot 3, Block 2 is slightly undersized and should be adjusted to meet the minimum required lot size. ***Staff recommends including a condition that this lot must be adjusted to comply with the A2 minimum lot size standards.***

Buildable Area

Section 32-246 subsection (b)(4) Subdivision of Lots states, “...All new lots created must have at least one (1) acre of accessible buildable land. Buildable land is defined as land with a slope of less than twenty-five (25) percent, and outside of any required setbacks, above any floodway, drainage way, or drainage easement. Property situated within shorelands or floodplains are also subject to the requirements set forth in those respective ordinances.”

The Livability Plan on Sheets 7, 8, 9, and 10 of the attached Plan Set

show the identified Buildable Area on each lot. *As proposed, all lots have a minimum of 1.0 acres of Buildable Area and comply with this standard.*

Frontage Any newly created lot must provide a minimum of 300-feet of frontage on a public street, or a minimum of 60-feet on the terminus of a cul-de-sac. As noted in the Subdivision Review, Lot X, Block 2 has approximately 299’ of frontage and must be adjusted to comply with this standard. All other lots comply with this standard. *Staff recommends including a condition that Lot X, Block 2 must be adjusted to provide the minimum required frontage.*

Septic Section 30-58 (9) requires that “in areas where public sewer is not available, four soil borings shall be completed on each lot with results being submitted to the city building inspector...” Sheets 4 through 8 show the soil borings that were completed on each lot for purposes of determining where a primary and secondary drainfield could be located on each lot. As submitted, there are four (4) borings identified on each lot.

The Applicant also submitted a septic report that was prepared by a licensed septic installer/designer which corresponds to the completed borings, and has indicated that all lots can support a standard individual septic system. Washington County is the permitting authority for septic design and installation in the City of Grant. The Applicant must submit their septic/boring results for preliminary County Review. *At the time of this report, the results of the preliminary review have not been provided. Staff recommends that the applicant must obtain a preliminary review letter from the County prior to final action on the preliminary plat is taken.*

Driveways: As described in the subdivision review section of this report, Lot 6 Block 2 was created with the Indian Hills subdivision plat in the 1970s. The lot was later released from the CUP and PUD in the 1980s. Per Section 32-246(b) the lot meets the exception criteria from lot frontage, and therefore can be considered buildable. The Applicant is proposing to access the lot via a long driveway that connects to the existing cul-de-sac on 69th Ave N. The City Engineer recommends that instead of the log driveway as proposed that the right-of-way of the cul-de-sac should be extended and that the driveway should come from the extended area. Further description is provided in the attached Engineer’s Memo. *Staff recommends including a condition that the Applicant must update the plans to comply with the conditions and recommendations stated within the Engineer’s memo.*

Stormwater/Erosion Control The City’s Zoning and Subdivision Ordinance both require that the Applicant submit a stormwater management plan and erosion control plan. The Applicant is proposing to management stormwater on-site

through a series of ponds and infiltration basins. The Applicant is required to meet the City’s standards, and is also subject to the rules of the Browns Creek Watershed District (BCWD). The Applicant is working through the BCWD requirements. Their recommendations may change and/or alter some of the configuration of the basins and/or ponds, and if so, revised plans should be submitted to the City Engineer for additional review. The Stormwater Management Plan for the Project as currently designed was submitted and reviewed by the City Engineer. His comments and concerns are stated in Exhibit C.

1
2 The City Engineer’s review memo is provided as Exhibit C. Staff recommends including a condition
3 that the Applicant must comply with the recommendations and conditions identified in the Engineer’s
4 memo.

5
6 The proposed Project is subject to the City’s and the BCWD’s stormwater rules and regulations. The
7 Applicant is working through the permitting process with the BCWD, and if any substantive changes
8 to the preliminary plat are required to comply with the BCWD rules, the Project may be subject to
9 additional review by the City. Staff recommends including this as a condition of Preliminary Plat
10 approval.

11
12 Washington County has reviewed the proposed access locations and it is staff’s understanding that
13 they have requested turn lane improvements on CSAH 12 and no improvements to CSAH 17. A
14 review letter was not received. City Staff will follow up with Washington County to obtain written
15 documentation of the requested improvements for the City’s records.

16
17 Additionally, the Applicant must submit an application to Washington County for preliminary review
18 of the soil sampling conducted for the septic drainfields. At the time of this report the County had not
19 responded. Staff will provide a verbal update, if available, at the City Council meeting and
20 recommends including a condition that Final Plat will not be granted without preliminary review
21 from Washington County.

22
23 Staff is requesting City Council discussion regarding the proposed subdivision and requested
24 variances. Specifically, staff is seeking direction from the City Council regarding:

- 25
- 26 • The request for a variance from the maximum cul-de-sac length of Street A.
- 27 • The request for a variance from the maximum cul-de-sac length of Street B.
- 28 • The configuration of Outlot B and Lot 1, Block 2.
- 29 • The configuration and access of Lot 6, Block 2 from 69th St. N.

30
31 After discussion, staff requests direction to prepare a resolution to approve, deny or table the request.
32 If a recommendation of approval is made, staff provides the following draft conditions for your
33 consideration:

- 34 1. An updated Preliminary Plat incorporating the City Engineer’s recommendations and
- 35 incorporating any changes of the BCWD, must be submitted for review and approval by City
- 36 Staff within 12-months of Preliminary Plat approval.

- 1 2. The Applicant shall comply with all recommendations and standards of the City Engineer.
- 2 3. The Applicant shall provide evidence that PID containing Lot 1, Block 2 and Outlot B cannot
3 be subdivided, and that the current design configuration is not in conflict with any provisions
4 of the original subdivision.
- 5 4. The Applicant shall adjust the lot line between Lots 2 and 3, Block 2 to comply with the
6 subdivision design standards.
- 7 5. The Lot area of Lot 2, Block 2 must be adjustment to comply with the minimum lot size
8 requirements.
- 9 6. Lot frontage of Lot 2, Block 2 must be adjusted to comply with the minimum lot frontage
10 requirements.
- 11 7. Additional ROW must be granted to provide a connection for Lot 6 Block 2 to comply with
12 the City Engineer’s recommendations.
- 13 8. The Applicant must establish an HOA or similar to manage the stormwater management
14 systems on site. Such entity shall be appropriately established and identified within the
15 Development Agreement.
- 16 9. The Applicant shall obtain all necessary stormwater permits from the BCWD and such
17 permits shall be obtained prior to the City granting any Final Plat of the Project.
- 18 10. If the Project is proposed to be phased, the phasing plan must be submitted prior to approval
19 of the Development agreement and Final Plat.
- 20 11. The Applicant will be required to enter into a Development Agreement prior to the City
21 Granting any Final Plat of the Project to ensure that the requirements and conditions as set
22 forth herein are complied with to ensure the installation of all subdivision infrastructure.
- 23 12. The Applicant, or assigns, shall obtain all necessary permits for the installation of individual
24 wells serving each lot, and such permits shall be obtained prior to the City issuing any
25 Building Permit for such lot.
- 26 13. The full public right-of-way of both cul-de-sacs shall be dedicated on the Final Plat.
- 27 14. Site improvements as described within Section 30-194 shall be agreed to and identified within
28 the Development Agreement.
- 29 15. The Preliminary Septic review must be completed by Washington County and the preliminary
30 findings transmitted to the City prior to Preliminary Plat approval.
- 31 16. The Applicant shall identify and rope off all septic drainfield areas on the site prior to the City
32 issuing any grading permits on the subject property.
- 33 17. The Applicant shall obtain all necessary permits and approvals from any agency having
34 jurisdiction over the project including, but not limited to, Washinton County and the Browns
35 Creek Watershed District.
- 36 18. The Applicant, or assigns, shall be required to obtain all septic permits, based on the actual
37 design of a principal structure prior to the City issuing a Building Permit.
- 38 19. Final Plat shall be applied for within 12 months of preliminary plat approval.
- 39 20. The Applicant shall pay all fees and delinquent escrow balances.

1 21. Must comply with all recommendations of City Engineer.

2
3 **Council Member Giefer moved to open the public hearing at 7:54 p.m. Council Member Rog**
4 **seconded the motion. Motion carried unanimously.**

5
6 Mr. Mathew Eddy, 7060 Lake Elmo Avenue, came forward and stated the proposed cul-de-sac would
7 be in his back yard. He asked if cluster developments are allowed in the City as the proposed
8 subdivision is a cluster development. He noted White Oaks Savannah is also and cluster
9 development and they are not allowed in Grant. He stated the entrance into that development is
10 treacherous and he is very concerned about adding another roadway.

11
12 Mr. Greg Freitag, 9411 Joliet Avenue, stated he does not understand part of the golf course being
13 brought into the property being proposed for a major subdivision. There are several different pieces
14 to the project that are very interesting.

15
16 City Planner Swanson advised the entire property being developed is owned by the same person and
17 when the holes were previously moved that was done by means of an easement.

18
19 **Council Member Giefer moved to close the public hearing at 8:07 p.m. Council Member Tufty**
20 **seconded the motion. Motion carried unanimously.**

21
22 Council discussion determined a condition of approval should be added relating to the Fire Chief and
23 the length of the cul-de-sacs; Outlot B could be handled with a Management Plan but that plan must
24 be submitted; All permitting needs to be completed with Brown's Creek; and information provided
25 from the County regarding access.

26
27 **Council Member Carr moved to direct staff to prepare resolution for approval of preliminary**
28 **plat, Elliot's Crossing, based on conditions. Council Member Rog seconded the motion.**
29 **Motion carried unanimously.**

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

31
32 **NEW BUSINESS**

33
34 **UNFINISHED BUSINESS**

35 There was no unfinished business.

36 **DISCUSSION ITEMS (no action taken)**

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

38 **City Council Reports/Future Agenda Items**

39
40 One-acre lot buildability was added to the next agenda.

41
42 Council Member Tufty advised he was leaving the City of Grant and thanked each Council Member
43 for their time, effort and friendship.

1 **COMMUNITY CALENDAR MAY 8 THROUGH MAY 31, 2024:**

2 **Mahtomedi Public Schools Board Meeting, Thursday, May 9th and May 23rd, Mahtomedi**
3 **District Education Center, 7:00 p.m.**

4 **Stillwater Public Schools Board Meeting, Thursday, May 9th, Stillwater City Hall, 7:00 p.m.**

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

6
7 **ADJOURNMENT**

8 **Council Member Tufty moved to adjourn at 8:29 p.m. Council Member Giefer seconded the**
9 **motion. Motion carried unanimously.**

10

11

12 These minutes were considered and approved at the regular Council Meeting June 4, 2024.

13

14

15

16

17

Kim Points, Administrator/Clerk

Jeff Huber, Mayor

18

19