

# PLANNING COMMISSION MEETING MINUTES

## CITY OF GRANT

September 13, 2022

**Present:** Greg Anderson, Jerry Helander, Jim Huttemier, Robert Tufty, Dan Gagliardi and David Tronrud

**Absent:** Matt Fritze

**Staff Present:** City Planner, Jennifer Swanson; City Clerk, Kim Points

### 1. CALL TO ORDER

The meeting was called to order at 6:32 p.m.

### 2. PLEDGE OF ALLEGIANCE

### 3. APPROVAL OF AGENDA

MOTION by Commissioner Tronrud to approve the agenda, as presented. Commissioner Gagliardi seconded the motion. MOTION carried unanimously.

### 4. APPROVAL OF MINUTES, AUGUST 10, 2022

MOTION by Commissioner Helander to approve the August 10, 2022 Minutes, as presented. Commissioner Tronrud seconded the motion. MOTION carried unanimously.

### 5. NEW BUSINESS

**PUBLIC HEARING, Consideration of Application for Major Subdivision-Stillwater Oaks Preliminary Plat** – City Planner Swanson advised the Applicant, Jason Palmby, on behalf of Magellan Land Development is proposing to subdivide the former Stillwater Golf Course into 15 rural residential single-family lots. In 2021 the Applicant met with staff for a preapplication meeting to discuss the proposed subdivision, preliminary concept and the process to complete the subdivision. Since the preapplication meeting the Applicant has prepared the subject submission that includes the proposed preliminary plat and drainage, grading and erosion control plans.

A duly noticed public hearing is published for September 13 at 6:30 PM to be held at the Planning Commission's regular meeting. Letters were mailed to property owners within 1,250-foot of the subject Project, as required in Section 30-58 of the Subdivision ordinance, informing them of the application request and public hearing.

Applicant: Magellan Land Development	Site Size: 148.9 Acres (WCGIS records)
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Owners: Fairway Estates of Grant	Request: Major Subdivision, Preliminary Plat of 15 Lots
Zoning & Land Use: A-2 Proposed Plat Name: Stillwater Oaks	PIDs: 2403021220004 and 2303021110002

The proposed project will convert the existing Stillwater Oaks Golf Course into 15 rural residential single-family lots. The proposed subdivision is located south of McKusick Rd. N., and north of 88<sup>th</sup> Street N., and Browns Creek State Trail borders the entire northly border of the proposed subdivision. The following summary is provided with respect to the proposed project:

- The Proposed Project will create 15 new lots ranging in size between 5.15 and 13.6 acres.
- The Applicant stated that the proposed subdivision will not be governed by a homeowner’s association. However, an entity or other special covenant will be required to manage all required stormwater features.
- The Applicant did not state whether the proposed subdivision would be phased or if it is anticipated that all lots would be platted at once. This should be clarified during this process.
- All 15 lots will be served with individual wells and individual septic systems. The Preliminary Plat has identified septic drainfields locations on each lot, but septic reports/boring logs for each lot were not submitted with this Application. A correspondence from Washington County regarding this issue is attached to this staff report.
- Since the site was developed as a golf course it is assumed that there was likely a septic system and possibly a couple wells that may be present on the site associated with the previous operation. The Application did not indicate on the demolition and removal plan that these utilities are present. Staff assumes based on the plans that the existing septic system will be abandoned, and that all structures will be removed. The Applicant should verify the plan for any removals of the existing well and septic on site.
- The existing property is irregular in shape and access to the proposed subdivision is from two new cul-de-sacs (identified as Street A and Street B on the attached preliminary plat) and from the existing 88<sup>th</sup> Street N. A summary of the access is provided:
  - Lots 1, 2, 3, 4, 5, 6, and 8 are proposed to be accessed from Street A, which is a cul-de-sac. Street A connects to McKusick Rd. N. and must cross the Browns Creek State Trail. The Browns Creek State Trail is owned and managed by the MnDNR and the access crossing the trail must be reviewed and approved by the MnDNR and proper access easements established.

- Lots 7 and 10 are proposed to be accessed directly from existing 88<sup>th</sup> Street N.
- Lots 9, 11, 12, 13, 14, and 15 are proposed to be accessed from Street B, which is a cul-de-sac that connects to 88<sup>th</sup> Street N.
- The rural residential lot sizes can accommodate a variety of housing styles and plans. As such the Applicant anticipates all homes in the subdivision will be custom built, and that lots will be custom graded once house plans are developed.
- The grading and stormwater management plans for the installation and construction of the two new cul-de-sacs is addressed as part of this application, but it should be noted that individual stormwater permits from the BCWD will likely be required in the future when each lot is constructed if the impervious surfaces exceed 10,000 SF.

City Planner Swanson stated the proposed Project is classified as a Major Subdivision per the City of Grant's subdivision ordinance which is Chapter 30 of the City Code. The specific regulations related to the Preliminary Plat process are contained within Article II Platting Division 2 Preliminary Plat. Also relevant with respect to design standards is Article III Minimum Design Standards.

As referenced within the Preliminary Plat requirements all created and/or new lots must comply with the current regulations which apply to the zoning district in which the Property is located. The following sections are most applicable to this request and are considered, at a minimum, in the following sections:

32-1 Definitions

32-246 Minimum area, maximum height and other dimensional requirements.

The site is comprised of two PIDs and the parcels are irregular in shape. The subject parcels were most recently used for the Stillwater Oaks Golf Course and were developed with greens, fairways, and intermittent water features and vegetative tree stands between holes and fairways. The site generally lies south of McKusick Rd. N. and east of Kimbro Ave. N. and is bisected east-west by 88<sup>th</sup> Street N. The primary entrance into the golf course is from McKusick Rd. N., on the northwest corner of the site which is accessed by a private driveway that crosses the Browns Creek State Trail. The access driveway is permitted through an easement that was granted between the previous property owner and the MNDNR for the golf course use. The driveway connects to an existing parking lot that served the golf course, which encroaches into the MNDNR's trail corridor (see correspondence from MNDNR attached). The existing clubhouse is south of the parking lot, and there is one accessory building adjacent and north of 88<sup>th</sup> Street N.

City Planner Swanson advised the 2040 Comprehensive Plan land use designation of the subject properties designates the property as RR/AG Rural Residential Agricultural. Properties guided

RR/AG are intended to be used for rural residential and small agricultural uses at densities no less than 1 Dwelling Unit per 10 Acres. The Stillwater Oaks development will include 15 rural residential sized lots on approximately 149 acres (~157 acres with ROW) and the intended use of each property is for single-family residential uses. The proposed project is consistent with the intent and guided density as identified within the adopted Comprehensive Plan.

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

The proposed Project requests subdivision of approximately 149 acres into 15 lots and is subject to Chapter 30 Subdivisions and is specifically reviewed for compliance with Sections contained within Article II Platting and Article III Minimum Design Standards. Chapter 30 requires all subdivisions with newly created lots to comply with the underlying zoning district, and as such each lot was reviewed for compliance with Section 32-246 Dimensional Standards, and other applicable sections of Chapter 32.

The subdivision ordinance requires all newly created lots to conform to the dimensional standards as identified within Chapter 32 of the zoning code. Subsequent sections of this report will provide a review of the dimensional standards and will make the appropriate cross reference to the subdivision code, where applicable. The following review relates specifically to the subdivision and/or preliminary plat requirements that are not addressed within the zoning review.

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

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

As shown on sheets C1.1, C1.2 and C1.3 drainage and utility easements are dedicated on each lot line providing 10-feet on center to each lot line. Drainage and utility easements are also provided on each stormwater feature and all wetland areas. The City Engineer must review these areas to determine if adequate easement area has been provided. In addition, the Browns Creek Watershed District (BCWD) must review the wetland and easement areas to determine if the plans meet their standards for permitting. The City Engineer is reviewing the subject project and will provide a review memo that will be emailed to the Planning Commission prior to the meeting. ***The Applicant will be required to dedicate the easements to the benefit of the City at***

*time of final plat; however, staff would recommend including a condition that the maintenance, specifically of all drainage easements, will be provided for and the responsibility of the development by HOA or other formal private Covenant, which must be detailed in the Development Agreement.*

Various subsections of 30-107 apply to the proposed subdivision including the following:

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

Staff has reviewed the design and layout of all lots contained within the subdivision, and the majority of the proposed lots comply with this standard. There is a jog in the lot line between Lots 11 and 12 that does not meet this standard. It is unknown based on the materials submitted the purpose of this jog, as it appears there is adequate area for septic systems on each lot if the lot line were to be straightened out to meet this standard. Staff recommends discussion from the Planning Commission regarding this item, since it is a slight variance from the strict application of the code.

- (e) *Corner Lots. Corner lots shall be platted at least 20 feet wider than interior lots.*

All corner lots within the proposed subdivision meet this requirement except Lot 8 that is currently designed with approximately 300-feet of frontage on the new Street A. **Staff recommends a condition that the Applicant adjust this lot width to comply with the standard that requires 320-feet of frontage on Street A.**

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

As shown on the Survey and the Preliminary Plat there is an area identified as “Tract N” and it is unclear what the intent is for this parcel. It appears to remain as a separate parcel, but clarification should be provided as to whether it is intended to be added to Lot 11. Generally, staff recommends that this parcel should be added to Lot 11.

- (l) *Access to major arterials. In the case where a proposed plat is adjacent to a major or minor arterial, there shall be no direct vehicular access from individual lots to such streets and roads....”*

The proposed subdivision includes the construction of a new local street/cul-de-sac that will connect to McKusick Rd. N. The new roadway will cross the Browns Creek Trail and the intersection with McKusick is approximately 800-feet from Hwy 96 (Dellwood Rd. N.) **No new lots are proposed to directly access McKusick or Dellwood Rd. N., and as proposed meets this requirement. However, the City Engineer and the MNDNR must review and approve of the access crossing Browns Creek Trail and the intersection spacing guidelines should be reviewed prior to the approval of a final plat.**

City Planner Swanson advised the Project includes the development and construction of two new cul-de-sacs, Street A will provide access to the northwest portion of the property and Street B will provide access to the southeast portion of the property. Lots 7 and 10 are proposed to be directly accessed from 88<sup>th</sup> Street N., which is a local city roadway. The cul-de-sac design will serve all but two of the new homes in the neighborhood. The following standards regarding cul-de-sac streets and street design are as follows:

30-129 Cul-de-sac streets

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

There are two proposed cul-de-sac streets within the subdivision, identified as Street A and Street B. Street A is the northwesterly cul-de-sac that provides access to proposed Lots 1 through 6 and 8. Street A is approximately 1,280-feet long from cul-de-sac terminus to the intersection with McKusick Rd. N. Street B is the southeasterly cul-de-sac that provides access to proposed Lots 9, and 11 through 15. Street B is approximately 1,300 feet long from cul-de-sac terminus to the intersection with 88<sup>th</sup> Street N.

- (b) *Lots with frontage at the end of the cul-de-sac shall have a minimum of 60 feet of road frontage and meet the lot width requirement at the building setback line for the zoning district in which the property is located.*

Section 32-246 identifies the lot dimensional standards for lots zone A2. Lots on a cul-de-sac are required to have a minimum lot width of 160-feet at the building setback line. As shown on the preliminary plat, Lot 3 and Lot 4 meet the minimum road frontage requirements but do NOT meet the minimum lot width standards at the front yard building setback line. ***Staff recommends that the configuration of these lots be reviewed by the Applicant and brought into compliance with this standard, or a variance must be request from the lot width standard. Lot 12 meets the lot frontage standard but verification regarding the lot width must be provided.***

- (c) *Unless future extension is clearly impractical or undesirable, the turnaround right-of-way shall be placed adjacent to a property line and a right-of-way of the same width as the street shall be carried to said property line in such a way as to permit future extension of the street into the adjoining tract. At such time as such a street is extended, the acreage covered by the turnaround outside the boundaries of the extended street shall revert in ownership to the owner fronting on the temporary turnaround. To ensure such streets can be constructed according to this code, the street shall be rough graded or typical sections shall be submitted and approved by the City engineer.*

Based on the lot configurations proposed future extension of the cul-de-sacs as through roads seems unlikely. The City Engineer will review this item and address it within his review memo.

30-130 Street design

(a) *Minimum width*

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

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

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

(l) The city roadway standard is a rural section 28 feet wide with 22 feet of bituminous pavement surface. The typical road section is identified on Sheet C7.1 and the street profiles were provided on Sheet C6.1 of the submission. All driveways serving the new homes will connect directly to the local roadway, and will cross the ditch section to connect to the paved surface. A pavement profile is shown on Sheet C7.1 and must be reviewed and approved by the City Engineer for compliance with the City’s road specifications.

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

<b>Dimension</b>	<b>Standard</b>
Lot Size	5 acres
Lot Depth (ROW to rear lot line)	300’
Lot Width (measured at front yard setback)	300’
Lot Width on a Cul-de-sac at the setback line	160’
Frontage – public road	300’
Front Yard Setback	65’
Side Yard Setback	20’
Rear Yard Setback	50’
Height of Structure	35’
Fence	May be on property line, but not within any ROW
Driveway Setback	5’
Parking Lot setback	10’ from ROW
Wetland Setback Structure (Buffer)	75’ (50’)
Maximum Floor Area	30%

Density/ Lot Size / Density  
Buildable Area

The proposed subdivision is located on a parcel that is irregular in shape

and includes right-of-way for purposes of the Browns Creek State Trail and 88<sup>th</sup> Street N. Per Section 32-246 Subsection(c)(4) “For the purpose of computing the total area of any lot or parcel of land, road and railroad rights-of-way which are held either in fee title or easement which pass through any lot or parcel of land, may be included in the total area calculation for density purposes.” As previously noted, the Browns Creek State Trail corridor is the historic railroad and accounts for an additional approximately 8.5 acres. Both calculations are provided for reference.

As proposed, excluding the Browns Creek Trail corridor, the density calculation is as follows:

$$148.9 \text{ Acres} / 15 \text{ Units} = 9.92 \text{ Acre average lot size}$$

Proposed density if Browns Creek Trail corridor is included, as permitted by the ordinance, the density calculation is as follows:

$$157.4 \text{ Acres} / 15 \text{ Units} = 10.49 \text{ Acre average lot size}$$

***As proposed, the proposed density in the Stillwater Oaks project meets the City’s Comprehensive Plan and zoning ordinance regulations.*** However, it should be noted that all available density has been used, and no further subdivision is permitted. ***Staff recommends including a condition that the Development Agreement and the development covenants clearly state that no further subdivision is permitted of the subject properties, and that this restriction must be recorded against all properties.***

#### Lot Size

Section 30-107 Lot Requirements, subsection (c ) Minimum area and width, states, “No lot shall have less area or width than is required by zoning regulations applying to the area in which it is located, except as here provided. Irregular-shaped lots designed for the sole purpose of attempting to meet a subdivision design or zoning regulation shall be prohibited.”

As identified on the previous table, Lots in the A-2 zoning district have a minimum lot size of 5.0 Acres (Lot Width will be discussed in subsequent sections of this report). While the zoning code does not specifically define ‘rural residential lots’ the term is explanatory of what the Applicant has proposed for most of the lots. The proposed lots range in size between 5.15 and 13.6 acres. ***All of the lots meet the 5.0 acre minimum lot size as defined within the zoning ordinance.***

#### Buildable Area

All lots within the A-2 zoning district must have a minimum of 1.0 acres



of “Buildable Area” to ensure that there is adequate area on a lot to support the principal structure and septic system. This requirement can be found in Section 32-246 subsection (b)(4) Subdivision of Lots which 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.” Also, while not explicitly stated, it should be noted that the wetlands are also removed from the Buildable Area calculation.

The Applicant has not provided an analysis that demonstrates the buildable area on each created lot. Based on the information provided, it appears that each lot will have adequate area; however, it must be verified using the definition as provided in this staff report. ***Staff recommends including a condition that the Applicant must submit an exhibit that clearly identifies the buildable area on each lot that demonstrates that all lots comply with this standard.***

Frontage

Section 30-107 subsection (b) requires each lot to front on a public street, and Chapter 30 further states that all created lots must meet the standards of the underlying zoning. The Dimensional Requirements and corresponding frontage requirements are shown on the table found in Section 32-246 which requires a minimum of 300-feet of Frontage on “an Improved Public Road” for properties zoned A-2, and a minimum of 60-feet of frontage for lots abutting a cul-de-sac. Per Section 32-1, Frontage is defined as, “that boundary of a lot which abuts a public street or private road.” ***All lots as shown on the Plan Set meet the minimum frontage.***

Lot Width & Lot Depth

All created lots must meet the standard for Lot Width and Lot Depth in the A-2 zoning district. The ordinance requires a minimum lot width of 300-feet for standard lots and 160-feet for lots abutting a cul-de-sac. The minimum Lot Depth of all A2 lots is 300-feet.

Section 32-1 defines Lot Width as, “the horizontal distance between the side lot lines of a lot measured at the setback line.” And Lot Depth as, “the mean horizontal distance between the front and rear lines of a lot.”

As previously noted Lots 3 and 4 do not comply with the minimum lot width standard on a cul-de-sac, and Lot 12 must be verified.

All lots meet lot depth requirements.

***The Applicant must revise and reconfigure Lots 3 and 4 to comply with the minimum lot width standards and verification that Lot 12 contains***

***160-feet at the front yard setback line must be provided.***

Coverage (Floor Area)

Coverage calculations were not provided in the submission materials, and therefore cannot be verified. Given the size of the lots, and the improvements shown on the Preliminary Plat figures C1.1 through C1.3, all lots will comply with the maximum coverage requirements of 30% and 50% respectively. ***Staff recommends including a condition that all future improvements on each lot must submit the coverage calculations as part of any building permit process.***

Roadways & Access

Section 30-58 (c )(1) requires the layout of proposed streets, showing right-of-way widths and proposed names of streets. The name of any street shall conform to the provisions of chapter 24, article III. The proposed roadways contain 66-feet of dedicated right-of-way, and per sheet C7.1 contains a 24-foot traveled bituminous surface with 2-foot gravel surfaces. As shown on the plans, the cul-de-sac terminus contains a 50-foot diameter traveled surface and 132-foot right-of-way. The City Engineer will provide additional comments in his memo which will be emailed under separate cover. The preliminary plat does not show a proposed road name for either cul-de-sac, and a proposed road name for each cul-de-sac should be provided with the revised drawings.

As noted throughout this staff report Street A, the northerly cul-de-sac that connects to McKusick Rd. N., must cross the Browns Creek State Trail to provide access to the proposed lots. There is an existing private driveway that connects the existing parking lot that served the Stillwater Oaks Golf Course that was secured by a private driveway easement from the MNDNR. The proposed configuration will require a public roadway to cross the trail and this access must be secured by an easement that is agreed to between the City, developer and MNDNR. Staff has communicated with the MNDNR and they have provided a preliminary letter regarding their interests. Per discussion with the MNDNR, the crossing of the trail must be secured by an appropriate easement, and may include additional improvements beyond paving such as stop signs, etc. ***Staff recommends that a condition be included that the access must be secured prior to any site work commencing regarding the project and that all required improvements and its costs associated with the crossing shall be the sole responsibility of the Applicant.***

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 C1.1 through C1.3 show the location of the “proposed septic drainfield” but the soil boring locations are not identified. The Applicant submitted a letter from Washington County dated July 6, 2022 that is attached to this Staff report. Based on the letter, Washington County has indicated that “the

proposed lots appear to have suitable soil for individual sewage treatment systems...” The letter further states that the “soil observations conducted for these lots were preliminary and only for the purpose of determining suitability to support long-term sewage treatment...Before an installation permit can be issued by the Department for a specific subsurface sewage treatment system, at least four additional soil borings and at least one percolation test must be conducted by a designer licensed by the Minnesota Pollution Control Agency.”

Based on the information submitted, it appears that the soil borings for each lot were not completed, but that some type of analysis was performed that generally satisfied Washington County to determine that the site is suitable for individual septic systems. While Washington County Department of Public Health & Environment has indicated that the site is adequate for “long-term sewage treatment” the information provided to the City does not meet our ordinance standards. ***Staff requests discussion by the Planning Commission regarding this item since the submitted materials do not fully comply with our ordinance requirements.***

Driveways:

The proposed roadway will serve the new homes in the subdivision, and each home will be connected with a single driveway as shown on sheets C1.1 through C1.3 of the Plan set. As designed, one driveway will be constructed to provide access to the principal and any accessory structures on each lot. ***As designed, a single access/driveway complies with the City’s driveway standards, however, it should be noted that each lot will be required to acquire a driveway permit prior to a building permit being issued for a new home (Section 32-184).***

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 manage stormwater on-site through a series of ponds and infiltration basins as shown on Sheets C2.1 through C2.3 Grading and Drainage, Sheets 3.1 through C3.3 Storm Sewer Plan and Sheets C4.1 through C4.4 SWPPP. The Applicant is required to meet the City’s standards, but is also subject to the rules of the Browns Creek Watershed District (BCWD). A wetland delineation is required for the subject property, and the City Engineer will provide comment regarding the status of this request in his memo. Staff has communicated with BCWD and understands that a complete application to the watershed has not been made, and several outstanding issues remain. The Applicant is responsible for obtaining all necessary permits from BCWD. Their recommendations may change and/or alter some of the configuration of the basins and/or infiltration areas, and if so, revised

plans should be submitted to the City Engineer for additional review. It should be noted that if changes are significant and impact the design of any lots or roadways significantly, that a new preliminary plat review may be required. The Stormwater Management Plan for the Project as currently designed was submitted and under reviewed by the City Engineer.

The City Engineer is in the process of reviewing the submitted plan set and will provide a memo to the Planning Commission for their review prior to the meeting. The City Engineer is reviewing the submittal regarding Stormwater and Erosion Control, specifically addressing Sections 30-172 and 30-173 and also the Street Design Standards.

As background for the Planning Commission, it is standard for a conceptual/preliminary grading plan to be prepared for projects of this type, particularly given that the lots will be constructed with custom houses. So, for purposes of stormwater calculations, erosion control, and other engineering items it is important to have a 'conceptual' plan of how the improvements can be accommodated on the lots while ensuring that those improvements would meet stormwater and erosion control standards.

Staff recommends including a condition in the Preliminary Plat approval that the Applicant/Owner must meet all conditions as stated within the City Engineer's memo.

As noted, the proposed Project is located within the Browns Creek Watershed District and is subject to their rules and regulations. The Applicant has submitted an application to the BCWD and continues to work with them through their permitting/review process.

Street A is proposed to cross the Browns Creek Trail which is the jurisdiction of the MNDNR. The Applicant must continue to work with the City and the MNDNR regarding the crossing to ensure that access to the proposed northwesterly lots is provided.

City Planner Swanson stated that while the Plan set is generally complete, there are some minor issues that staff recommends resolving. Preliminarily staff would request the following updates and/or information. Depending on the comments at the public hearing and Planning Commission discussion, additional items may be requested of the Applicant and can be added to this list:

- Update the Plan set to include a proposed roadway name
- Revise the configuration of Lot 8 to include 320-feet of frontage since it is a corner lot.
- Revise the configuration of Lots 3, 4 and potentially 12 for compliance with the lot design standards.
- If not already planned, Tract N should be added to Lot 11.
- Provide a buildable area analysis to demonstrate that each created lot contains 1.0 acre of buildable area per the City's definition.

- Provide any additional information, or plan changes regarding the stormwater system as required by BCWD for review and consideration of the City Engineer.
- Depending on the Planning Commission's discussion add all soil boring locations to the Preliminary Plat, if it is determined that this is required to comply with the City's ordinance standards.

MOTION by Commissioner Tronrud moved to open the public hearing at 7:04 p.m. Commissioner Helander seconded the motion. MOTION carried unanimously.

Mr. Ken Hanson, 8765 Kimbro Ave. N, came forward and inquired about how many of the lots are affected by the pipeline as well as how many soil borings and depth of the borings were taken in the "shop" area of the golf course. He suggested the developer be required to create public space for the development. He asked about any special covenants and suggested solar panels be required. He asked who would be responsible for the plowing and maintenance of the cul-de-sacs and expressed concern regarding aquifers and traffic patterns.

Mr. John Harvey, 8845 Lansing Ave., came forward and asked how he can get the packet that the Planning Commission is looking at. He asked if written responses would be received and asked how an upgrade on McKusick can be done.

Mr. Robert Bielenberg, 11360 88<sup>th</sup> Street, came forward and stated an upgrade is needed on McKusick as well as 88<sup>th</sup> Street due to the cul-de-sacs.

Mr. David Kramlich, 8355 Lake Elmo Ave. N, came forward and expressed concern regarding construction traffic as gravel roads are already in rough condition.

Mr. Tom Lund, 11540 McKusick, provided an email stating he is interested in the plan for the entrance to cul-de-sac B. He expressed a safety concern regarding the 50 mph speed limit on McKusick in relation to those using the trail and at the intersection.

MOTION by Commissioner Gagliardi to close the public hearing at 7:22 p.m. Commissioner Tronrud seconded the motion. MOTION carried unanimously.

City Planner Swanson advised the City does not have a park dedication ordinance so public space is not required. The City does not regulate or enforce private covenants such as architectural standards or solar panel requirements. The City would be responsible for road maintenance and plowing as private roads are not allowed in Grant. The permitting authority for wells is the DNR. The City Engineer will provide an analysis of the traffic patterns and will also include traffic counts in terms of a golf course vs. homes. A remediation of the soils was done last year.

Mr. Jason Palmby, Developer, came forward and noted the three pages of front elevations should not have been in the submitted materials as the homes will be larger and custom built. There is only one phase to the development and soil boring locations will be provided.

Mr. Scott Dahlke, Engineer, pointed out the pipeline easement noting it goes through both the north and south plans and will remain in place. Lot 8 will be modified and Lot 12 has 169 feet of width to provided as uniform lots as possible. Lots 3 and 4 do not have enough width but another option for the cul-de-sac can be considered or a variance could be submitted. Tract N can be made a part of Lot 11 and a HOA will be created.

City Planner Swanson advised the City has been very consistent with lot lines and straightening those lot lines. It is not the City's job to design the project. If the project does not meet current ordinances on the lot width and length a variance would have to be applied for. The City Council is less stringent on being perfectly perpendicular. There is a removal plan for all the wells along with the current septic. Street A is in the same location and the easement area will have to be wider. The City Engineer will be reviewing that and providing a report to the City Council. He also indicated the cul-de-sacs do meet current City ordinance. The applicant did not submit anything on the soil remediation but that can be a condition of approval.

Chair Huttemier stated most of the issues raised have been addressed except for the concern relating to Lot 3 and 4.

City Planner Swanson noted any approval this evening does not include housing plans. Those will have to be approved as well. It is up to the Applicant to solve the problem and meet the standards for Lots 3 and 4.

MOTION by Commissioner Tronrud to recommend approval of Application for Major Subdivision-Stillwater Oaks, based on all conditions and to include additional conditions relating to 1) Lot lines on Lot 11 and 12; 2) Remediation information submitted; 3) Existing wells and septic removal; and 4) providing for 20 more feet of frontage on Lot 8. Commissioner Gagliardi seconded the motion. MOTION carried unanimously.

## **6. OLD BUSINESS**

There was no old business.

## **7. ADJOURNMENT**

MOTION by Commissioner Tronrud to adjourn at 8:10 p.m. Commissioner Tufty seconded the motion. MOTION carried unanimously.

Respectfully submitted,

Kim Points  
City Clerk

APPROVED