

MINUTES
CITY OF DELANO
City Council/Economic Development Authority
Tuesday, February 20, 2018
7:00 PM

1. Call to Order

Mayor Graunke called the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, February 20, 2018, to order at 7:00pm.

2. Roll Call and Approval of Agenda

Members Present: Dale Graunke, Mayor; Councilmembers Betsy Stolfa, Jason Franzen, Holly Schrupp and Jon Sutherland

Also Present: Phil Kern, City Administrator; Shawn Louwagie, City Engineer; Alan Brixius, City Planner; Scott Dornfeld, Building Official; Justin Markon, Administrative Intern; Paula Bauman, Recorder

Motion by Holly Schrupp, seconded by Jason Franzen to approve the agenda as submitted; motion carried.

3. Minutes

Motion by Jon Sutherland, seconded by Betsy Stolfa to approve the minutes of the Delano City Council/ Economic Development Authority meeting of Tuesday, February 6, 2018, as submitted; motion carried.

- A. Minutes of the regular City Council/Economic Development Authority meeting of Tuesday, February 5, 2018

4. Speaker, Presentations & Awards

- A. Mark Bauman, Delano Sportsmans Club

5. Consent Items

Motion by Jon Sutherland, seconded by Betsy Stolfa to approve the consent items as submitted; motion carried.

- A. City

- 1. Consider Public Facilities Lease Agreement for Riverside Commons Rental on Saturday, May 5, 2018
- 2. Approve gambling application exempt permit for St. Maximillian Kolbe for March 17, 2018

3. Authorize rental of the Community Meeting Room on Saturday, March 24, 2018

4. Approve worksession computers/tablet purchases

6. CITY STRATEGY No. 1: Provide and proactively facilitate the delivery of quality public and community services in a planned, fiscally responsible manner.

7. CITY STRATEGY No. 2: Ensure the City's continued sustainability and financial stability.

8. CITY STRATEGY No. 3: Plan for the maintenance, replacement and efficient operations of the City's equipment, buildings, and infrastructure, energy and utility systems.

A. Delano West Metro Business Park Site Development

Prior to the construction of the Delano Business Park, the City was required to permit through WCA (Wetland Conservation Act) and ACOE (Army Corp of Engineers) for the placement of fill proposed within the boundary of impacted wetlands. Wetland impacts from construction of McKinley Parkway and the preparation of the buildable lots for the future users were identified in the permit application submitted in 2013. City Engineer, Shawn Louwagie, discussed the wetlands present on the site, and the proposed wetland impacts submitted in the 2013 application. The 1st and 2nd wetland impacts have been approved by both WCA and the ACOE, and the wetland fill completed with the construction work in 2014. The 3rd and 4th wetland impacts have been approved by WCA, but the ACOE would not grant approval without an identified user for this area requiring the proposed impacts.

In January 2018, a user has proposed to develop the area of the 3rd and 4th wetland impacts. Staff has since submitted an application with the ACOE to fill the WCA permitted area in order to create a feasible site for the user. This permit is under ACOE review, and has not been granted yet. Staff has solicited quotes to perform the work of placing fill in the 3rd and 4th impact areas. Work cannot commence until receipt of the permit from the ACOE. Structural fill was stockpiled at this site as part of the 2014 construction.

Staff has received two quotes, Doboszinski and Sons, Inc - \$99,535 and WM Mueller & Sons, Inc - \$202,165. Staff is recommending moving forward with the low bidder, Doboszinski and Sons, Inc. Council questioned the difference in the quotes between Doboszinski and Mueller. Shawn Louwagie stated they did follow up with the contractors to review their quotes.

Motion by Betsy Stolfa, seconded by Jason Franzen to award the site grading quote work to Doboszinski & Sons contingent on obtaining the permit through the Army Corp of Engineers; motion carried.

9. CITY STRATEGY No. 4: Manage the City's growth so that it is high quality and consistent with the city's Comprehensive Plan while maintaining the City's historical culture, characteristics and features.

A. Consider request from 321 River Street North for a variance application for front porch on residential home Attachments: Exhibits

Timothy Bauman, a residential property owner at 321 River Street North has submitted a variance application for a front porch that would encroach into the minimum front setback of his property. The porch would be approximately 232 square feet and create a front setback of approximately 10.8 feet. The required setback in this residential district is 25 feet. The site is zoned R-5, Single and Two Family Residential District. The site is currently occupied by a detached home with a footprint of 989 square feet. The site is adjacent to R-5 zoning to the north, south, east and west.

In reviewing this application, staff has maintained the points of examination to the considerations outlined in Minnesota State Statute 462.357, requiring that a property exhibit "practical difficulties" in order for a variance to be granted. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. The following findings are offered in analysis of the variance request: 1. The variance allows reasonable use of the property. 2. Practical difficulties due to physical circumstance not created by landowner. 3. Practical difficulty is not due to economic consideration alone. 4. The variance would not be granting special privileges. 5. The variance would not alter the essential character of the locality.

Staff is recommending approval of the request for a variance from the rear yard setback requirement to build to a distance of 10.8 feet from the front lot line. This approval is contingent on the following conditions for the front porch additions:

1. The porch addition will be built to the currently designed specifications, with no changes being made to increase the structure's dimensions, or to add any type of additional railing, siding or other screening.
2. In the future, this structure will not be converted in any way to diminish existing sightlines; this porch area will not become enclosed living space.

Jon Sutherland stated he likes the proposed porch on the front and feels its welcoming when walking down the street. In addition, Councilmember Sutherland stated he agrees with the proposed conditions.

Holly Schrupp stated it has taken the homeowner a long time to complete the improvements and requested a completion date. Mr. Bauman stated he plans to have the porch completed by July 1st.

Mayor Graunke discussed the outside storage on this property. Staff has received complaints and have notified the homeowner to clean up the property, which has not been done. This doesn't affect the variance but would like to see the property cleaned up. Mr. Bauman stated the items stored outside will be used to complete the inside of the house and assured Council it will be cleaned up and suggested a date of October 1. Council agreed to this date.

1. Adopt Resolution approving the variance for the addition of a front porch to a residential structure at 321 River Street North, within the City of Delano

Motion by Jon Sutherland, seconded by Betsy Stolfa to adopt resolution approving the variance for the addition of a front porch to a residential

structure at 321 River Street North, within the City of Delano; motion carried 5-0 by roll call vote.

- B. Consider request from Industrial Louvers for a preliminary and final plat review for 511 7th Street South Attachments: Exhibits

Industrial Louvers has submitted an application for a preliminary and final plat review for their property located along 511 7th Street South in the city of Delano. This subdivision was a condition of the site and building plan review that was approved by the city in the Spring of 2017. The proposed plat will be combining nine parcels into two lots on two blocks. This replatting allows for a building expansion to their existing building, which would add: 41,999 square feet of manufacturing space; 16,332 square feet of warehousing space; and 6,987 square feet of office space. The site and all parcels within it are zoned I-2 General Industrial.

Subdivision The current site plan consists of 9 different parcels. In order to create buildable sites these parcels will need to be platted as a new subdivision. The result will be two lots and two blocks. Lot 1 Block 1 combines the parcels west of 7th Street S into a single buildable lot that will contain Industrial Louvers and its expansion. Lot 1 Block 2 consists of the Industrial Louvers' parking lot on the east of 7th Street

Easements. The site plan review last Spring recommended that the plat show proposed easements around the perimeter of the plat, and an easement for a new watermain connection. Staff and city engineers have reviewed the preliminary and final plat for easement consistency and have recommendations The plat will require a ten-foot utility and drainage easement around the property perimeter of both blocks. This easement is missing from the final plat. An existing waterline that services the property directly west of the site will be removed during expansion, however a new watermain will replace this line with a new connection point. A 20-foot easement will be required over the in-place watermain. City engineers also recommended that a ten-foot easement be added over the electric primary wire that would connect to the transformer on the north side of the building

Based on our review of the preliminary plat and final plat submitted on behalf of Industrial Louvers dated January 12, 2018, we recommend approval of said plats with the following conditions:

1. The 10-foot drainage and utility easement must be shown around the perimeter of the plat.
2. The 10-foot drainage and utility easement over the electric primary wire must be shown.
3. The 20-foot drainage and utility easement must be shown over the proposed in-place watermain to be installed on the site.
4. Compliance with the City Engineer's report dated January 31, 2018.
 1. Adopt resolution approving the preliminary plat and final plat for the LBJ Enterprises addition within the City of Delano

Motion by Holly Schrupp, seconded by Jon Sutherland to adopt resolution approving the preliminary plat and final plat for the LBJ Enterprises addition, within the City of Delano; motion carried 5-0 by roll call vote.

- C. Consider request from Lennar Homes for a final plat review for Highland Ridge 6th Addition
Attachment: Exhibits | Engineer Report

Lennar Corporation has submitted an application for a final plat review for the Highland Ridge Sixth Addition. This property located at the northeast quadrant of the County Road 30 / McKinley Parkway. The proposed plat is for a new residential development. The proposal includes ten lots, nine of which are single family lots and the tenth lot is a twenty-acre lot intended for church development. In November the Delano City Council approved a rezoning of the plat parcel from PUD to R-3 Single Family and the Highland Ridge 6th Addition preliminary plat. This report evaluates the final plat documents for their consistency with the R-3 zoning district, the approved preliminary plan and the conditions of Delano City Council's Resolution R-17-32. As stated in the City's subdivision code concerning final plat applications, "The final plat application shall have incorporated all the conditions of City Council approval of the preliminary plat. In all other respects, the final plat shall substantially conform to the preliminary plat."

The final plat design is consistent with the layout of the lots, blocks and streets design approved with the preliminary plat. The City Council approved a variance for the cul-de-sac length with the November preliminary plat approval. Lot 4, Block 1 contains a large wetland along its eastern boundary. We recommend that the plat be amended to plat the Wetland with its required wetland buffer as an outlot and dedicate this area to the City. This wetland is unbuildable and is a critical component of the area's storm water management system. The outlot designation will insure appropriate protections to preserve this wetland.

Based on our review of the final plat submitted on behalf of Lennar Corporation we find that the final plat is in compliance with City's conditions from the preliminary plat approval, staff recommends approval of said plat with the following conditions:

1. The final plat be revised to plat the wetland and its required buffer at the east side of Lot 4, Block 1 as a outlot and dedicate this to the city.
2. The eastern segment of the bituminous trail be shifted south to dead-end at the wetland buffer within Lot 4 to avoid trespass onto the neighboring property.
3. The final plat illustrate the location of the sanitary and water utility Corridor through lot 4, Block 1 and provide the appropriate utility easements for the extension of these utilities to the plat's southern boundary.
4. The City engineer review and approve the location, size and configuration of all easements to ensure that they are sufficiently sized for their intended purpose.
5. The applicant provides a trail easement through Lot 4, Block 1 to allow a public trail. Said easement shall be recorded with the final plat.
6. Compliance with City Engineer comments.
7. Enter into a development agreement that outlines all the terms for the development and

financing of the required improvements.

Council further discussed the trail along the wetland within the development. Councilmember Sutherland requested when the trail is installed to look at the soils otherwise it could require a lot of maintenance in the future.

1. Adopt resolution approving the final plat for Highland Ridge 6th Addition within the City of Delano

Motion by Jason Franzen, seconded by Jon Sutherland to adopt the resolution approving the final plat for Highland Ridge 6th Addition with the City of Delano; motion carried 5-0 by roll call vote.

2. Approve Development Agreement for Highland Ridge 6th Addition

Motion by Holly Schrupp, seconded by Jon Sutherland to approve the Development Agreement for Highland Ridge 6th Addition as submitted; motion carried.

10. **CITY STRATEGY No. 5 Encourage and improve the communication of information and ideas with residents and business owners.**
11. **CITY STRATEGY No. 6: Ensure communication and positive relationships between the Council, City Staff, Employees and Commission members.**
 - A. Minutes of the Delano Planning Commission meeting of Monday, January 8, 2018
12. **CITY STRATEGY No. 7: Ensure the City has a well-trained, productive and accountable workforce to meet the changing needs of the community.**
13. **CITY STRATEGY No. 8: To ensure the public's safety from crime and manmade or natural disasters.**
14. **CITY STRATEGY No. 9: To ensure the overall aesthetic appeal of the City.**
15. **Other Business**
16. **Communications & Announcements**
17. **Claims**

- A. City Claims | By Account

Motion by Betsy Stolfa, seconded by Holly Schrupp to approve City Claims as submitted; motion carried.

18. Adjournment

There being no further business to discuss the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, February 20, 2018, was adjourned at 8:00pm.

Signed:

Dale Graunke, Mayor

Brian Bloch, Finance Director/Clerk

Attest: Paula Bauman, Administrative Services Coordinator