

MINUTES
CITY OF DELANO
City Council/Economic Development Authority
Tuesday, September 25, 2018
7:00 PM

1. Call to Order

Mayor Graunke called the special meeting of the Delano City Council/Economic Development Authority of Tuesday, September 25, 2018, to order at 7:00pm.

2. Roll Call

Members Present: Mayor Dale Graunke; Councilmembers Betsy Moran, Holly Schrupp and Jon Sutherland

Members Absent: Councilmember Jason Franzen

Also Present: Alan Brixius, City Planner; Brian Bloch, Finance Director; Paula Bauman, Administrative Services Coordinator

3. Special Order of Business

- A. Consider request from Harvester Ridge for conditional use permit/final stage planned unit development and final plat for Harvest Ridge Development south of Highway 12 within the City of Delano. *Attachments:* Exhibits

On August 21, 2018, the City Council approved the Harvester Ridge Development Stage PUD and preliminary plat with a list of conditions as outlined within the resolution that needed to be satisfied for final stage/final plat approval.

Based on the following findings the City Council approves the Final Stage PUD for the Harvest Ridge development based on the plans dated 9/9/2018.

1. Private street is approved with the following conditions:

- a) The street shall be constructed to the design standards for City streets.
- b) Applicant shall submit documents that address the ownership, maintenance and repair of the private street and common areas and amenities. Said documents shall be subject to the review and approval of the City Attorney and shall be recorded with the Plat.
- c) The Applicant shall prepare and submit a Share access easement over the private street that runs to each property and the City. d) Subject to the conditions outlined in the MNDOT letter of September 11, 2018

2. Lot access is approved with the following conditions:

- a) The site and grading plan shall be modified to illustrate an alternative feasible second internal access drive connecting Lot 1 and Outlot D subject to the approval of City Staff.
- b) The number of curb cuts and width of curb cuts along the western lot line of Lot 1 shall be subject to the review and approval of the City Engineer, to control traffic movements within

the site and onto the private road. Raised landscape islands and peninsulas will be required to channel traffic along the private drive.

c) The southern curb cuts for Lot 1 shall be relocated north to provide a 60 foot setback from Johnson Drive Right of way unless a lesser setback is approved by the City Engineer. d) Outlot B shares an access drive with Lot 2. The applicant must provide an access easement over this shared driveway between the Lot 2 and the Outlot.

3. Pedestrian improvements shall address the following conditions:

a) Applicant shall provide a disability ramps and a crosswalk at the south end of the proposed sidewalk to access the trail along the south side of Johnson Drive.

b) Disability ramps and cross walk striping shall be required across the commercial driveway access points. These ramps are also required for pedestrian ways through the curb islands on both lots 1 and 2 and to access the internal sidewalk around the buildings.

c) A sidewalk connection shall be provided between Lots 1 and 2. Applicant shall provide a pedestrian landing and striping through the parking lot between the private street and the front of the building on Lot 1. The location of the pedestrian crossing shall align with the front of the building on Lot 1.

4. The current configuration of outlots are approved with the following conditions:

a) Outlot C is intended to provide the stormwater management pond. The City Engineer shall comment on the design and size of the pond. Outlot C shall be covered by a drainage and utility easement.

b) Outlot D is intended for future development. The site plan, grading plan and utility plan must be revised to demonstrate that the current PUD and Plat development will allow the future development of Outlot D to be integrated with the balance of this PUD. Areas that need to be addressed include providing access into Outlot D through Lot 1; demonstrating the grading needed to provide this access, and the logical extension of utilities to this site.

c) The concept development plan illustrated on Outlot D raises a number of concerns with site design and land use. In this respect, the City withholds PUD concept plan and Development Stage approvals for Outlot D and will require a separate PUD application when this site is ripe for development.

d) Outlot D is proposed for soil stockpiles. A narrative is needed to describe the need for stock piles, the volumes of dirt, height of stockpiles, erosion control, screening of the stockpiles, haul routes and anticipated length of time for the stockpiles to exist, finished grades after the stockpiles are removed. The use of this outlot for soil stock piles shall not be allowed pending the receipt of said narrative and its approval by the City. Stockpiling of soil will be approved through the PUD as an interim use to be completely removed from the site by December 31, 2021.

e) Outlots B and D shall be replatted with lot and block numbers prior to receiving building permits for these sites.

6. Grading plan is approved with the following conditions:

a) The City Engineer review and comments on the Grading and drainage plan per the

September 19, 2018 Technical Memo and MNDOT letter of September 11, 2018.

- b) Revise the grading plan to illustrate access drive between Lot 1 and Outlot D. c) Description of slope stabilization and landscaping for slopes exceeding 15 percent.

7. Utility Plan is approved with the following conditions:

- a) The plat must show utility easement over public utilities. Remove the exception between the easements over the private street. The new easement shall cover the entire private street. Easement widths and locations shall be approved by the City Engineer.
- b) All buildings will be required to have a fire sprinkler system.
- c) Subject to the City Engineer's review and comments on the Utility Plan per his September 11, 2018 Technical Memo.
- d) Additional hydrants shall be located at the northeast corner of lot 2 and at the end of the water main extending into Outlot D.
- e) The Delano Utility shall comment on the proposed water system and the electrical utility.

8. Landscape Plan is approved subject to the following conditions:

- a) The Landscape Plan shall provide a detail of wetland buffer restoration and provide redundant erosion control protection along wetland boundary per MPCA requirements.
- b) The Landscape Plan must describe the screening of the dirt stockpiles. Stockpiles shall be setback 150 feet from Johnson Drive with the Preservation of the existing trees and vegetation on Outlot D within this setback along Johnson Drive to screen stockpiles.
- c) The Landscape Plan shall be amended to illustrate a landscape buffer yard dimensioned and designed to meet the performance standards of Section 51.03 Subd. 10 of the Delano Zoning Ordinance along Johnson Drive to screen commercial activities and parking areas from the residential neighborhood to the south.
- d) The proposed trees along the west lot line of Outlot D cannot interfere with the extension of a drive way connection between Lot 1 and Outlot D.
- e) Individual landscape plans will be required as part of the site and building plan review as each individual lot.
- f) Retaining walls identified on that are over four feet tall. Engineered drawings are required for the retaining walls.
- g) The Applicant shall provide protective fencing along the top perimeter of the retaining wall.

9. Lighting plan shall meet the following conditions.

- a) An individual site lighting plan shall be provided with each lot with the site and building plan review applications.
- b) The freestanding light fixture, poles and pedestals shall be the same design and color throughout the approved PUD.
- c) All exterior lighting shall comply with Delano's zoning performance standards with regard to design and light levels.

10. Stormwater management shall meet the conditions of the September 19, 2018 Engineer's Technical Memo. A Wetland Mitigation Plan must be submitted prior to site grading for review and approval of the City.

11. Site and building plans shall be require for the development of each individual lot as a separate application from the approved PUD.

FINAL PLAT FINDINGS: Based on the following findings the City Council withholds the approval of the Final Plat for the Harvest Ridge development based on the plans dated 7/20/2018 depending on the submission of the following items.

1. All conditions of the Final Stage PUD approval outlined in this resolution shall be satisfied.
2. Subject to the City Engineer's comments in the September 19, 2018 Technical Memo.
3. Cross- access easements and common area maintenance documents are submitted by the applicant and approve by the City Attorney. Said easements and agreements shall be recorded with the plat.
4. City Engineer approval of all easement locations and width identified on the final plat drawings.
5. At time of Final plat the applicant shall pay cash contribution to satisfy the park dedication requirements of the city.
6. The applicant enters into a development agreement prepared by the City Attorney outlining the conditions of approval, required improvement, development fees and charges, security for required improvements and terms for development.
7. Applicant pays all development fees associated with the proposed final plat.

Council further discussed the street slope at 10%; Jon Sutherland recommended the pedestrian connection be relocated. Dale Graunke questioned the stockpile and if the City can regulate the height of the piles.

1. Conduct Public Hearing

Motion by Holly Schrupp, seconded by Betsy Moran to open public hearing to consider request from Harvester Ridge for a conditional use permit/final stage planned unit development and final plat for Harvest Ridge Development south of Highway 12, within the City of Delano; motion carried.

Mark Ricke, 1308 Vixen Lane, stated his opposition for the development and the proposed plan for the gas station. Mr. Ricke disagrees with another gas station in the community, its proposed location and its proximity to his backyard. Alan Brixius remarked the Kwik Trip site is three acres in size; the city requires setbacks to be met. Kwik Trip exceeded all the setback requirements for this location. Mr. Ricke then referenced the holding pond near Highway 12 and questioned if this pond can be moved. Brixius stated the pond is in this location because of natural water flow.

Mark Ricke stated the proposed double car wash means double the noise and questioned why the City of Delano decided to install a double car wash and recommended moving the car washes to the other side of the building. Alan Brixius stated this isn't a decision or request from the City of Delano; this is a decision made by Kwik Trip.

Jean Pilarski, 213 4th Street North, stated the location of the Kwik Trip concerns her stating she appreciates the locally owned gas station.

Roger Dressel, 1392 Vixen Lane, discussed the tree preservation of the area and the proposed stockpile of dirt. Mr. Dressel then stated he has concerns of noise in the area and sounding neighborhood.

Motion by Holly Schrupp, seconded by Betsy Moran to close the public hearing; motion carried.

2. Adopt Resolution approving Final Stage PUD and Final Plat for Harvester Ridge LLP located East of the Cemstone Plant between US Highway 12 and Johnson Drive, within the City of Delano

Motion by Holly Schrupp, seconded by Betsy Moran to adopt resolution R-18-31 approving final stage PUD and final plat for Harvesters LLP, located east of the Cemstone Plant between US Highway 12 and Johnson Drive, within the City of Delano, Minnesota; motion carried 4-0 by roll call vote.

3. Approve Development Agreement

Motion by Holly Schrupp, seconded by Betsy Moran to authorize the City of Delano to enter into a development agreement with Harvesters, LLP; motion carried.

- B. Consider request from Kwik Trip, Inc., for a site and building plan review and conditional use permit for property located between Johnson Drive and Babcock Boulevard East within the Harvest Ridge Development *Attachments: Exhibits*

Kwik Trip Inc. has submitted an application for a building and site plan review and conditional use permits for property located between Johnson Drive and Babcock Boulevard East (U.S. Highway 12). This property is part of the Harvester Ridge PUD and Plat. The proposed site plan is for a Kwik Trip gas station, convenience store, and car wash. This will be the second phase of the Harvester Ridge PUD.

The site is zoned B-2 General Business with the Harvester Ridge PUD overlay. Under the B-2 zoning district, a motor fuel station, and car wash are both conditional uses. A retail business (convenience store) is an allowed use. The site is currently vacant land with approximately 3.02 acres. The site is adjacent to B-2 zoning to the north, west, and east; and R-3 zoning to the south.

The project requires the following:

- A building and site plan review and approval for the convenience store.
- A conditional use permit to allow the construction of a motor fuel station and car wash in the

B-2 district.

· An amendment to the Harvester Ridge PUD to allow design flexibilities specific to this site plan.

Based on staff review of the plans submitted on behalf of Kwik Trip dated August 8, 2018, staff recommend approval of the site plan subject to the following:

Site Plan

1. The site plan shall be updated to show all existing public and private easement easements, and public and private easements to be established.
2. The site plan should be updated to show Outlot C as a separate parcel.
3. The applicant shall indicate the maximum number of employees that are expected to be onsite at any given time (including shift changes).
4. The applicant responds to the comments and questions of the Engineer's Report dated September 6, 2018.
5. The applicants shall indicate what materials are to be used for the trash enclosure gate.
6. The utility plan shall be updated to show separate potable water, fire suppression water, and sewer into the building.
7. The fire chief shall provide comment as to the location of the propane locker. Further, staff would like clarification if there's intended to be any propane filling onsite.
8. In regard to the landscaping plan: a. All turf areas that are disturbed by site grading and building construction must be restored by either sodding or seeding per the submitted plan. b. The applicants agree to a one-year landscaping guarantee. c. The grassy berm on the south side of the property shall be screened from view from the homes to the south using two rows of conifer trees that are six feet in height at the time of planting.
9. The site plan shall be updated to show a crosswalk and sidewalk from the sidewalk on the west side of the private drive to the front of Kwik Trip building.
10. Subject to the recommendations of the City Engineer's Comments of the September 6, 2018 Engineers Technical Memo.
11. No building permit shall be issued until the Harvester Ridge Final plan and PUD/ Development contracts have been approved, signed and recorded.

Conditional Use Permit – Motor Fuel Station. Based on our review of the conditional use permit to allow a motor fuel station in the B-2 zoning district, staff recommends approval of the CUP with the following conditions:

12. A scaled canopy elevation plan shall be submitted to show compliance with canopy height, fascia height and raised pump islands.
13. The applicant shall comply with all lighting requirements as a condition of approval.
14. The canopy signs facing the north and west, and no signs shall be allowed to face the south (toward the residential neighborhood) are approved as a PUD flexibility
15. Public address systems shall not be audible at any property line. Play of music or advertisement from the public address system is prohibited.
16. The sidewalk area around the ice and propane shall maintain a three-foot clearance from the display to the sidewalk curb.

Conditional Use Permit – Commercial Car Wash. Based on our review of the conditional

use permit to allow a commercial car wash in the B-2 zoning district, staff recommends approval of the CUP with the following conditions:

17. The City Engineer shall comment on drainage and dust control related to the car wash facility.

18. The applicant shall install a curtain wall extending 15 feet beyond the car wash on the southwest edge of the south wash bay to reduce noise toward the residential district to the south. Said wall shall be equal to the height of the car wash exit garage doors.

PUD Flexibility. In regard to the PUD flexibilities staff recommends support for the following PUD flexibilities as part of the Harvester Ridge PUD Amendment.

19. Allow for Canopy Signs to be located on the north and west side of the Gas and Diesel canopies. This is a flexibility in the number of signs allowed.

20. A reduced side yard setback of 15 feet is appropriate along the east line for the Diesel fuel pump canopy.

21. Allow flexibility in curb cut widths onto the private drive as determined and approved by the city Engineer base on large truck movements into the site.

Council discussed the decibels for the driers. Staff was unable to answer the question.

1. Adopt resolution approving site and building plans, conditional use permits and PUD amendment for Kwik Trip, Inc., for the property located between Johnson Drive and Babcock Boulevard East, on Lot 1, Block 1 of the Harvest Ridge PUD and Final Plat within the City of Delano

Motion by Holly Schrupp, seconded by Betsy Moran to adopt resolution R-18-32 approving site and building plans, conditional use permits and PUD amendment for Kwik Trip, Inc., for the property located between Johnson Drive and Babcock Boulevard East, on Lot 1, Block 1 of the Harvest Ridge PUD and Final Plat within the City of Delano; motion carried 4-0 by roll call vote.

- C. Consider request from Delano Coffee LLC for a site and building plan approval for construction of a 2,600 square foot Caribou Coffee shop and Einstein Brothers Bagels restaurant to be located within the Harvest Ridge Development

Alan Brixius stated this was previously approved and was available to answer questions if Council or the public had any.

1. Adopt resolution approving site and building plans for Delano Coffee, LLC in the Harvest Ridge Subdivision south of Highway 12 within the City of Delano

This resolution was previously adopted; no motion taken.

4. Adjournment

There being no further business to discuss, the special meeting of the Delano City Council/Economic Development Authority of Tuesday, September 25, 2018, was adjourned.

Dale Graunke, Mayor
Attest: Paula Bauman, Administrative Services Coordinator