

**MINUTES**  
**CITY OF DELANO**  
**City Council/Economic Development Authority**  
**Tuesday, March 19, 2019**  
**7:00 PM**

**1. Call to Order**

Mayor Graunke called the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, March 19, 2019, to order at 7pm.

**2. Roll Call & Approval of Agenda**

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

**Also Present: Phil Kern City Administrator; Alan Brixius, City Planner; Shawn Louwagie, City Engineer; Paula Bauman, Administrative Services Coordinator; Sabrina Hille, Administrative Intern**

**Motion by Holly Schrupp, seconded by Jon Sutherland to approve the agenda as submitted; motion carried.**

**3. Minutes**

**4. Speaker, Presentations and Awards**

**5. Consent Items**

**Motion by Betsy Moran, seconded by Jon Sutherland to approve the consent items as submitted; motion carried 5-0 by roll call vote.**

- A. Approve workstation computers/tablets purchases for the Administration Office (2), Senior Center (2), DMV (1) and HRA (1)
- B. Consider and adopt a resolution amending the temporary intoxicating liquor license fee.
- C. Motion by the Delano EDA/City Council and adopt a resolution to approve the Operating Budget for FY beginning 04/1/2019 for the Delano EDA/Crow River Villa Apartments to be submitted to HUD. *Attachments:* Supporting Documents

**6. City Strategy No. 1: Provide Comprehensive services to meet community needs**

- A. Review request from Public Safety Commission to change the state name of County Road 30 SE to School Drive from County Road 17 to County Line Road.

Marlene Kittock stated the Public Safety Commission has made the recommendation to change the name of County Road 30 SE to School Drive. This name change would affect about six

properties located within the city limits. Property located within the township will not be affected.

**Motion by Betsy Moran, seconded by Jason Franzen to authorize the name change of County Road 30 SE to School Drive (from County Road 17 to County Line Road); motion carried.**

- B. Review and approve a special event permit application, submission deadlines, and related fee schedule *Attachments:* Instructions | License | Level and Fees

Marlene Kittock stated staff has prepared a special permit application for council consideration. The purpose of this new application is to allow for preparation of larger events as they relate to road closures, usage of public property, notification to property owners and emergency personnel and other items that relate to the organization of the event. Staff attempted to create a uniform document to help the organizer plan their event and will hopefully eliminate the last-minute items that may be forgotten. Staff is recommending approval.

**Motion by Holly Schrupp, seconded by Jon Sutherland to approve the special event permit application; motion carried.**

## **7. City Strategy No. 2: Maintain financial sustainability and fiscal stewardship**

## **8. City Strategy No. 3: Conscientious asset/infrastructure management**

- A. Review and approve the attached Erosion Control Policy and the amended Building Permit Application

Erosion Control Policy was created to assist the City of Delano in regulating and enforcing erosion management practices for construction projects within the City. This policy is based on current regulations enforced by the Minnesota Pollution Control Agency (MPCA) and will be applicable to all construction projects.

**Motion by Holly Schrupp, seconded by Jon Sutherland to approve the Erosion Control Policy; motion carried.**

## **9. City Strategy No. 4: Manage sustainable and planned growth**

- A. Greywood - Development Stage PUD and Preliminary Plat *Attachments* Exhibits A-E | Exhibits F-J | Public Hearing Notice

In October 2018, the City of Delano reviewed and approved PUD residential concept plan for Hartman Communities that encompassed 99 acres in southwestern Delano. This concept plan approval outlined a number of land use and plat design conditions that needed to be addressed as the development proceeded to PUD development stage and preliminary plat.

Hartman Communities has now filed application for PUD development stage and preliminary plat for the land covered by the concept approval. The proposed preliminary plat will be titled Greywood.

This request was scheduled for February planning commission meeting, however, upon receiving the staff planning report and the Engineering memorandum, the applicant requested to be held over to March, to allow discussion of the conditions outlined in the staff reports. Through the delay the applicant and city staff has worked through a number of the outstanding issues pertaining to the plat and development stage PUD.

In approval of the PUD concept plan, the City stated that the final approval of lot count, lot size and setbacks will be subject to the detail review of the preliminary plat and PUD development stage plans.

Through the details of the preliminary plat and development stage PUD, we can determine how both the larger plat and individual lots may function. Through our review we have identified a number of concerns that must be addressed as this application moves to final plat and final stage PUD. We recommend preliminary plat and development stage approval subject to the following conditions. In meeting with the Applicant, they have had the opportunity to respond to the various conditions of approval, their responses to each condition is identified in red. The applicant has also responded to the Engineering comments.

1. Wright County shall review the plat and approve the right-of-way dedication, access points and the County Road 30 McKinley intersection design.
2. The plat shall obtain County Road access permits and cover the cost of required County road improvements serving this plat.
3. No direct lot access shall be permitted to County Road 30.
4. Applicant shall construct a trail on the south side of County Road 30 for the full length of the plat.
5. The pedestrian crosswalks crossing McKinley Parkway at the park entrance and street D shall be subject to the approval of the City Engineer.

**McKinley Parkway.** The design of McKinley Parkway is approved with the PUD flexibility for a 70 foot right-of-way with the following conditions:

1. Except for traffic calming sections of the parkway, the street shall be constructed having a width of 36 feet face to face.
2. No direct lot access shall be permitted onto McKinley Parkway.
3. Street design shall be subject to the review comments of the City Engineer.
4. The applicant shall acquire the needed McKinley Parkway right-of-way from the property owner to the east and dedicate to the City.
5. Pedestrian trails shall be constructed along both sides of McKinley Parkway.

**Darrow Avenue.** The half right-of-way dedication of 35 feet is accepted as a PUD flexibility allowing for a future 70-foot major collector right-of-way with the following conditions:

1. Applicant shall enter into a development contract with the City and post a financial

security for the future upgrade of Darrow Avenue to an urban collector street. This street section shall include construction of a trail along the east side of Darrow Avenue. The amount of the financial security shall be estimated by the City Engineer. The form of financial security shall be approved by the City Attorney.

**Local Streets.** The City approves PUD flexibility for local streets including 50 foot right-of-ways, 28-foot-wide streets, and cul-de-sac length in excess of 500 feet for Block 9 with the following conditions:

1. The local streets be constructed having a street width of 28 feet measured between the face of curbs.
2. Eliminate the street jog at the intersection of streets 4, 7 and 8. Replace this jog with a full intersection.
3. Applicant provide a lot details for pie shaped lots on streets 2,3,4 7, 9,14. Said details shall illustrate house placement and driveway locations, driveway width, driveway setback from property lines, setbacks between curb cuts and snow storage in lots. Said details shall be subject to City approval. If found to be unacceptable, the City may require a reduction in lot count and wider pie-shaped lots.
4. The cul-de-sac islands in streets 2 and 3 shall be designed with a 5-foot concrete apron between the curb and landscaping to control mulch.
5. Applicant shall be responsible for the installation of all street lights, traffic control signs, and street signs.
6. No boulevard trees within the local street right-of-way.

**Block and Lots.** The City approves PUD flexibility for the requested lot width and lot area as illustrated in the subdivision with the following conditions:

1. All lots within Greywood subdivision shall apply to the following setbacks
  - Front yard setback: 25 feet
  - Side yard setback: 7.5 feet
  - Side yard (corner) setback: 25 feet
  - Rear yard setback: 25 feet
2. Applicant shall provide a narrative describing accessory building and equipment locations, setbacks and size restrictions.
3. All lots in Block 9 shall provide a 65-foot width or greater at the front setback.
4. Applicant shall provide a lot detail for the pie-shaped lots on streets 2, 3,4,7,9 and 14 illustrating lot width at the street curb and driveway placement, driveway setbacks, setback between driveways and snow storage areas. Staff is recommending that these pie-shaped lots attempt to achieve 40 feet of street frontage at street curb. Applicant must provide detail layout and drive way standards for pie shaped lots on streets 3,5,7,9 and 14.

**House standards.**

1. All house models shall meet or exceed the City minimum single family construction standards.

**Parks.** The dedication of Outlot F as a park is acceptable. Only the land beyond the wetland and buffer strip shall be credited against the park dedication. The applicant shall provide an estimated value of buildable park land and any park improvements to the City for review. The

City will credit an approved value against the cash contribution required by the lot count. Park dedication will be collected at final plat.

**Grading and Drainage.**

1. The grading drainage and storm water mitigation shall be subject to the review, comments and recommendations of the City Engineer

**Utility Plan.**

1. The utility plan shall be subject to the review, comments and recommendations of the City Engineer.

2. Water services serving the house shall not be located under the driveway.

3. Applicant shall be responsible for coordinating the installation of all non-municipal utilities in a joint trench.

**Landscaping.**

1. The applicant shall provide a cross section drawing of the buffer yard showing site topography, plant locations, plant height in relation to the building pad elevations and County Road 30 elevations along Blocks 1, 7, and 9.

2. No buffer yard plantings over storm sewer.

3. Boulevard trees along McKinley Parkway shall be planted at outer edge of the street right-of-way outside of the required rails. Said trees shall not interfere with utility locations.

4. Boulevard trees shall not be permitted in the 50 foot local street right-of-way. Applicant shall provide one tree per lot. Trees may be planted in the front or rear yards.

5. Applicant shall provide a landscape plan that addresses wetland buffers, pond landscaping and turf restoration for areas disturbed by grading.

**Outlots.**

1. Outlots A, B, C, D, E, F and H will be dedicated to the City in fee title.

2. Applicant shall install boundary demarcation posts/markers that delineate the outlot boundary from private property. Applicant shall provide a detail of the post markers and plan showing their proposed location. Said plan is subject to City approval.

3. Applicant shall provide a narrative on the ownership and long-term maintenance of Outlot I.

**HOA.** If the developer is proposing a home owners association for the Greywood subdivision. The association rules and bylaws must be submitted for review of the City Attorney. Said HOA documents shall address:

1. Accessory buildings, equipment rules for these small lots. Rules shall address number, size, design and location on the individual lots.

2. The ownership, insurance and maintenance of Outlot H and the neighborhood identification sign.

**Development Agreement.** Applicant shall enter into a PUD/Development agreement with each final plat. The PUD agreement will outline the terms of the PUD approvals and the development agreement will outline the responsibility for all subdivision improvements including financial securities.

**Property Title.** The applicant shall not proceed to final plat prior to providing the city with evidence of Clear title for the entire property and provision of access to the adjoining property to the south east.

Jon Sutherland stated these are smaller and more narrow lots, does this create a problem? Will the curb stop be located within the driveways? Shawn Louwagie discussed in detail the curb stop placements. Alan Brixius stated there is a one tree per lot requirement. If the front yard does not allow placement, Staff will allow flexibility and the tree can be placed in the backyard.

Betsy Moran questioned with the pie shaped lots will the Delano Municipal Utility crews have safe access to the boxes.

Holly Schrupp questioned the cul-de-sac on street number four. Alan Brixius stated this was done to add another lot in the area. Mrs. Schrupp then stated she is not in the favor of the island within the cul-de-sac. The Council discussed the layout and parking within the cul-de-sacs. Betsy Moran stated if there are no trees in the front yards, landscaping should be placed within the islands.

1. Adopt resolution approving the Preliminary Plat and Development Stage PUD for a single family lot subdivision entitled Greywood, within the City of Delano, Minnesota

**Motion by Jason Franzen, seconded by Betsy Moran to adopt Resolution R-19-06 approving the Preliminary Plat and Development Stage PUD for a single-family lot subdivision entitled Greywood, within the City of Delano, Minnesota; motion carried 5-0 by roll call vote.**

- B. KLN - Conditional Use Permit (Outdoor Storage) and Site and Building Plan Review  
*Attachments:* Exhibit A | Exhibit B | Public Hearing Notice

KLN Foods, Inc. has submitted plans calling for the construction of a 201,000 square foot processing/warehouse facility upon a 23-acre site located south of U.S. Highway 12 and west of McKinley Parkway. The development plans call for several future expansions which total an additional 273,080 square feet (which would result in a 474,080 square foot structure at full build-out). The applicants have indicated that such expansions are expected to take place within the next five years to ten years.

The subject site is zoned I-1, Limited Industrial, which lists manufacturing, production, warehousing and office uses as permitted uses. The I-1 District also allows accessory outdoor storage by conditional use permit.

Based on the preceding review, the following is recommended:

Approval of site and building plans subject to the following conditions:

1. The City approves the Delano West Metro Business Park Second Addition final plat.
2. The submitted development plans be revised to match the configuration of the lot

depicted in the Delano West Metro Business Park Second Addition final plat.

3. The City Engineer provides comment and recommendation regarding the acceptability of the proposed site access points.
4. The proposed building shall not exceed 48 feet in height.
5. Building elevations be submitted which illustrate building materials, building height, location and height of all roof top equipment, screening of roof top equipment.
6. The site plan be revised to illustrate “proof of parking” areas, the property owner shall enter into an agreement with the City which requires the construction of additional off-street parking in the “proof of parking” area if the City determines that there is a need for more on-site parking.
7. The site plan is modified to illustrate not only future building expansion areas but related off-street parking areas as well.
8. In accordance with the Minnesota Council on Disability, the site plan shall be modified to illustrate parking stalls which are to be reserved for use by disabled persons (for 146 parking stalls, 5 disability stalls are required).
9. Future building expansions shall be subject to site and building plan review procedures.
10. A lighting and photometric plan shall be provided. Such plan shall illustrate the location of all exterior lighting sources and demonstrate compliance with City lighting standards.
11. All trash handling equipment shall be screened from view from neighboring properties and adjacent street rights-of-way.
12. The following landscaping-related conditions shall be satisfied:
  - a. A separate landscape plan drawing upon which detailed landscaping information is conveyed.
  - b. The landscape schedule shall be expanded to specify all proposed plant species, quantities and sizes.
  - c. Intensive screening shall be provided along the perimeter of the loading area such that loading, trash handling and outdoor storage activities are screened from McKinley Parkway or future street.
  - d. Ground covers which are proposed upon the site shall be identified.
  - e. A plan shall be in place for seeding, germination, and long-term management of low maintenance ground cover areas.
  - f. Turf areas are to be irrigated; it shall be so indicated on the plan.
13. All site signage shall comply with applicable Ordinance requirements and be subject to permit.
14. The grading and utility plan shall be subject to review and comment by the City Engineer.
15. The site plan shall show the locations of snow storage areas.
16. Comments of other City Staff.

Approval of the conditional use permit (to allow accessory outdoor storage) subject to the following conditions:

1. The City approve site and building plans as referenced above.
2. The outdoor storage area shall be used exclusively for the storage of semitrailers. All trailers on the site shall be locked and secured. No fencing will be required.

3. The applicants shall provide a plan to screen the storage area from adjoining streets and neighboring properties. Such screening plan shall be subject to review and approval by City Staff.

4. The outdoor storage of semi-trailers shall be limited to the areas identified on the approved site plan for such activity.

5. The outdoor storage area shall not be used for the storage of hazardous materials as defined by federal or state environmental laws.

1. Adopt Resolution approving a site and building plan review, a conditional use permit for outdoor storage, for KLN Foods Inc. located at Lot 1, Block 1, Delano West Metro Business Park 2nd Addition, within the City of Delano

**Motion by Betsy Moran, seconded by Jon Sutherland to adopt Resolution R-19-07 approving a site and building plan review, a conditional use permit for outdoor storage, for KLN Food Inc., located at Lot 1 Block 1, Delano West Metro Business Park 2<sup>nd</sup> Addition, within the City of Delano; motion carried 5-0 by roll call vote.**

C. West Metro business Park 2nd Addition - Preliminary Plat and Final Plat *Attachments*: Exhibits | Public Hearing Notices | Vacation Easement and Legal

In response to land area requirements of two pending business park development projects (namely Landscape Structures and KLN), the City of Delano has initiated a replat of the Delano West Metro Business Park First Addition subdivision. In this regard, the City has requested simultaneous preliminary and final plat approval of a two-lot preliminary/final plat entitled “Delano West Metro Business Park Second Addition”.

Approved by the City in 2018, the Delano West Metro Business Park First Addition overlays 27.5 acres of land located south of U.S. Highway 12 and west of McKinley Parkway. The subdivision is comprised of a 4.0-acre lot (Lot 1, Block 1) and a 23.5-acre outlot (Outlot A) which was intended to be reserved for future development.

The amended plat incorporates an additional 11.7 acres of land located west of the First Addition subdivision. The inclusion of the additional land is necessary to accommodate the land area needs of two referenced development projects.

The proposed subdivision serves to implement City’s goal of developing the new Delano West Metro Business Park. The plat calls for the creation of two lots which are expected to accommodate two new business facilities in 2019.

In review of the preliminary/final plat, we find that it meets the City’s zoning and subdivision regulations and recommend approval subject to the following conditions.

1. Direct driveway access to Lot 1, Block 1 from U.S. Highway 12 shall be prohibited.
2. Street-related issues, including the need for a temporary cul-de-sac turnaround, be subject to further comment and recommendation by the City Engineer.



1. Adopt Resolution approving the Preliminary and Final Plat for a Subdivision entitled "Delano West Metro Business Park Second Addition" within the City of Delano, Minnesota

**Motion by Jason Franzen, seconded by Holly Schrupp to adopt Resolution R-19-08 approving the Preliminary and Final Plat for a subdivision entitled "Delano West Metro Business Park Second Addition" within the City of Delano, Minnesota; motion carried 5-0 by roll call vote.**

D. Liberty Landing - Final Plat *Attachments*: Exhibits | Engineers Report

On December 18, 2018 the Delano City Council approved a preliminary plat application of Delano Land Development, LLC for a 96-lot single family residential subdivision entitled "Liberty Landing." The subject site overlays approximately 68 acres of land located along County Road 16, between the Fox Meadows subdivision and the Crow River.

In conjunction with the preliminary plat approval, the City also approved the rezoning of the subject site from R-A, Rural/Agricultural to R-5, Single and Two Family Residential.

At this time, the applicants have requested final plat approval of the subdivision. The final plat calls for the subdivision to be developed in two phases. The initial phase is to be comprised of 49 lots while second (and final) phase is to include 47 lots.

The applicant has also requested an amendment to the 100-year flood fringe boundary along that portion of the Crow River which borders the subject site.

Based on the preceding review, Planning Staff recommends approval of the Liberty Landing final plat subject to the following conditions:

1. Wright County approves the plat with regard to right-of-way dedication, access location and County road improvements.
2. The applicants shall be responsible for the cost of all County Road 16 improvements.
3. Individual lots shall be prohibited from receiving direct access from County Road 16.
4. On-street parking and driveway access shall be prohibited along the north side of Lot 1, Block 1 and the south side of Lot 1, Block 5.
5. A temporary cul-de-sac shall be constructed at the north end of the Phase 1 development (Independence Curve).
6. All front yard trees shall be located outside the street right-of-way.
7. The demarcation of the park's boundary shall be required to distinguish park land from the abutting private property in a fashion deemed acceptable to the City. The means by which such demarcation is provided shall be subject to City approval.
8. Trails within the park shall coincide with the street and sidewalk installation and be in place prior to the construction of homes on the adjoining lots.
9. Tree planting in the County Road 16 buffer area shall maintain the following minimum sizes: deciduous trees shall not be less than 2 ½ inches in diameter and coniferous trees shall not be less than eight feet in height. The grading and landscape plan shall eliminate

the berm in Blocks 1 and 5 and direct rear yard drainage to the county road ditch.

10. An estimate of value for the parkland and proposed park improvements be made and credited against the cash contribution required for the number of lots within the subdivision.

11. Wetland-related issues shall be subject to further comment and recommendation by the City Engineer.

12. Grading, drainage and utility plans shall be subject to specific review and approval by the City Engineer.

13. The applicants shall enter into a development agreement with the City and post all the necessary securities required by it. This issue shall be subject to further comment by the City Attorney.

1. Adopt Resolution approving the Final Plat for Liberty Landing located along County Road 16 Between the Fox Meadow Subdivision and the Crow River, within the City of Delano, Minnesota.

**Motion by Holly Schrupp, seconded by Betsy Moran to adopt Resolution R-19-09 approving the Final Plat for Liberty Landing located along County Road 16 between the Fox Meadow Subdivision and the Crow River, within the City of Delano, Minnesota; motion carried 5-0 by roll call vote.**

2. Approve Development Agreement for Liberty Landing

**Motion by Holly Schrupp, seconded by Betsy Moran to approve the Development Agreement for Liberty Landing; motion carried.**

E. Highland Ridge 7th Addition - Final Plat *Attachments*: Exhibits | Engineer Report

On January 15, 2019, the Delano City Council approved a preliminary plat application of U.S. Home Corp DBA Lennar for a 49-lot single family residential subdivision entitled “Highland Ridge 7th Addition.” The subject site overlays approximately 34 acres of land located south of the BNSF rail line between 2nd Street SW and 3rd Street SW.

In conjunction with the preliminary plat approval, the City Council also approved the rezoning of the subject site from R-2, Single Family Residential district to R-5, Single and Two-Family Residential. The change in zoning (to R-5, Single and Two-Family Residential) was necessary to make an allowance for 65-foot wide lot lots and a minimum lot area of 9,000 square feet. At this time, the applicants have requested final plat approval of the subdivision. The final plat calls for the subdivision to be developed in multiple phases. The initial phase is comprised of 28 single family lots and 5 outlots. Future phase (or phases) is to include 21 single family lots.

Based on the preceding review, Planning Staff recommends approval of the Highland Ridge 7th Addition final plat subject to the following conditions:

1. All corner lots which have a side yard which abuts Franklin Avenue shall not take driveway access from Franklin Avenue.
2. Street names shall be determined to be consistent with City Policy.

3. Street lights, street signs and traffic control signs shall be consistent with City standards.
4. Outlots B and E shall be dedicated to the City in fee title.
5. The applicant shall be responsible for the demarcation of the boundaries of Outlots B and E. The design and location of demarcation posts shall be provided by the applicant and approved by the city.
6. All homes shall be designed to meet the City's design standards for single family homes.
7. A landscape plan shall be submitted which addresses general subdivision landscaping, wetland buffers, turf establishment of all grading areas, ponds and easement areas. Such landscape plan shall be subject to City approval.
8. The applicant shall pay a cash contribution of \$2001.00 per lot in lieu of land dedication.
9. The applicant shall satisfy all recommendations of the City Engineer related to streets, utilities, grading, drainage and storm water management outlined in their March 14, 2019 Technical Memo.
10. The applicant shall enter into a development agreement with the City.

1. Adopt resolution approving the Final Plat for Highland Ridge 7th Addition within the City of Delano

**Motion by Holly Schrupp, seconded by Jason Franzen to adopt Resolution R-19-10 approving the Final Plat for Highland Ridge 7<sup>th</sup> Addition, within the City of Delano; motion carried 5-0 by roll call vote.**

2. Approve Development Agreement for Highland Ridge 7th Addition

**Motion by Holly Schrupp, seconded by Betsy Moran to approve the Development Agreement for Highland Ridge 7<sup>th</sup> Addition; motion carried.**

**10. City Strategy No. 5: Foster engaged and informed community**

**11. City Strategy No. 6: Ensure a high-performing team of public servants**

**12. City Strategy No. 7: Manage a safe and healthy community**

**13. City Strategy No. 8: Maintain and protect community strengths**

**14. Updates from Commission Liaisons**

- A. Fire Relief Association
- B. Park and Recreation Commission
- C. Planning Commission

- D. Public Safety Commission
- E. Spirit of Community Commission
- F. Water Light and Power Commission

**15. Communications and Announcements**

**16. Claims**

- A. City Claims

**Motion by Holly Schrupp, seconded by Jon Sutherland to approve the City Claims as submitted; motion carried.**

**17. Adjournment**

There being no further business to discuss, the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, March 19, 2019, was adjourned.

Signed:

Dale Graunke, Mayor

Attest: Paula Bauman, Administrative Services Coordinator