



**MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF STACY IN THE COUNTY OF CHISAGO
AND THE STATE OF MINNESOTA PURSUANT TO DUE
CALL AND NOTICE THEREOF**

**REGULAR MEETING
FEBRUARY 8, 2022, 7:00p.m.
30955 FOREST BOULEVARD, STACY MN 55079**

Call to Order

The meeting was called to order by Mayor Utecht at 7:00p.m.

Attendance

Present: Mark Utecht, Mark Ness, Tim Sawatzky, and Jennie Carlson

Absent: Marie Lawrence

Others Present: James Mongé, Dan Boyum, Jim Ness, Steve Kramer, Tracy Montgomery, Ty Turnquist, and Rick Kramer

Additions to the Agenda

Additions to the Agenda:

1. Vacation Request Rod Olson
2. ITT Tech Invoice
3. FY23 General Community Project Form
4. Schedule Closed Meeting

Motion by Utecht to approve the agenda as amended. Second by Ness. Members Sawatzky, Ness, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

Public Comment

None

Consent Agenda

Motion by Ness to approve the consent agenda as presented. Second by Carlson. Members Sawatzky, Ness, Carlson and Utecht voted yes. Mayor Utecht declared the motion carried.

Staff Reports

City Attorney

James Mongé

**MNSPECT Plumbing Plan
Review**

The ordinance will be considered for adoption at the March 8th meeting.

City Engineer

Dan Boyum

2021 Street & Utility Project

Engineer Boyum discussed information regarding the 2021 Street and Utility Project; and presented a new breakdown for Pay Request Number 2.

2021 Street & Utility Project – Indirect Costs

Motion by Utecht to approve the request to increase the internal engineering budget for Stantec as presented in his memo relating to indirect costs (increase by \$5,615.41). Second by Carlson. Members Utecht, Carlson, and Sawatzky voted yes. Ness voted no. Mayor Utecht declared the motion carried 3-1.

Member Ness said that he voted no because of the issues surrounding the overage, not that we do not need further engineering to complete the project.

Monthly Report

Engineer Boyum reviewed his monthly report with the council and addressed questions.

ITT Tech Invoice

Motion by Utecht to approve invoice number 40190 to Independent Testing Technologies in the amount of \$1,770.00, as recommended by the engineer. Second by Ness. Utecht, Ness, Sawatzky, and Carlson voted yes. Mayor Utecht declared the motion carried.

City Clerk/Finance

Liquor Checking Account

Motion by Ness to add Rod Olson as a signer to the liquor checking account ending in 1483. Second by Carlson. Ness, Carlson, Sawatzky, and Utecht voted yes. Mayor Utecht declared the motion carried.

Maintenance Department, CDL for Maintenance Worker

This item handled out of order by motion of Sawatzky. Second by Ness and carried.

Member Sawatzky asked if the maintenance worker received his CDL. He did not. Member Sawatzky said that there are changes to obtaining this license that were effective February 7, 2022; he was wondering how this would impact Stacy.

The maintenance supervisor will be asked to provide information on what vehicles the maintenance worker needs to be able to operate. Also, when does Mr. Kroll's permit expire? What can he operate without the CDL, what is the plan?

Liquor Operations

Vacation Request

Motion by Ness to approve the time off request as amended. Second by Sawatzky. Members Ness, Sawatzky, Utecht, and Carlson voted yes. Mayor Utecht declared the motion carried.

Committee/Commissions

Personnel Committee

The committee discussed several items:

- Safety policy action items
- PTO – recommendation to leave as is.
- New hire reporting documentation
- Employee appreciation event – February 27th at 6:30p.m.

Planning Commission

Wheelhouse Commons (Attachment A)

This item handled out of order by motion of Utecht. Second by Ness and carried.

Motion by Ness to approve the Wheelhouse Commons Planned Unit Development as laid out in the report from the City Planner, Phil Carlson, and adopt the Findings of Fact and Decision. Second by Sawatzky. Members Ness, Sawatzky, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

New Business

Review City Park Land

Member Sawatzky asked if we can sell city park land; the funds could be used for improvements to other park areas. The city attorney will need to review.

League of MN Cities – Advocacy Toolkit – Housing and Development

The members can contact our representatives to express the city's interest in maintaining control over land uses within the city.

FY23 General Community Grant Project Form

The clerk was directed to prepare a letter on behalf of the city to Representative Stauber stating that our one project is the County Road 19 bridge. The current bridge has dangerous site lines and pedestrian safety is a concern.

Old Business

**Ordinance Amending
Chapter 34 – Council
Compensation**

Motion by Utecht to authorize the mayor to sign Ordinance Number 2022-2-1, "An Ordinance Amending Chapter 34 of the Stacy City Code, Fee Schedule;" as presented. Second by Sawatzky. Utecht, Sawatzky, Carlson, and Ness voted yes. Mayor Utecht declared the motion carried.

Mayor/Council Business

Closed Meeting

This item handled out of order by motion of Utecht. Second by Ness and carried.

The closed meeting is scheduled for February 16, 2022, at 6:00p.m. regarding employee misconduct allegations.

Adjourned at 8:36p.m.

Mayor Utecht declared the meeting adjourned at 8:36p.m.

Sharon MT Payne, City Clerk



733 Marquette Avenue, Suite 1000, Minneapolis, MN 55402

City of Stacy

Memorandum

TO: Stacy City Council
FROM: Phil Carlson, AICP, Senior Planner, Stantec
DATE: February 8, 2022
RE: Wheelhouse Commons Planned Unit Development
ADDRESS: Falcon Avenue, NE quadrant with Stacy Trail
PID: 19.00004.20
OWNER: SNS Kramer Property LLC
APPLICANT: Steve Kramer
REQUEST: Planned Unit Development, General Plan Approval
ZONING: GB General Business

INTRODUCTION

Steve Kramer has proposed a multi-use Planned Unit Development (PUD) for the 11.6-acre property at Stacy Trail and Falcon Avenue, in the northwest quadrant of the I-35 interchange, to be called Wheelhouse Commons. A Planned Unit Development in Stacy's Zoning Code is in two stages – General Plan and Final Plan. This request is for General Plan approval.



The Planning Commission heard the request at their meeting on January 18, 2022, and recommended approval with conditions, including the conditions in my original report but also adding a condition related to Conditional Uses within the PUD. I have added that condition as #22 (noted as #21 in the Planning Commission minutes) in the recommended conditions of approval, adding and deleting language that I believe clarifies the intent (in blue and red ~~strikeout~~ type). I have also added further conditions #21, #23, and #24 (blue type) to clarify which uses are allowed where, since portions of the property are being rezoned from GB to LI and R3-B.



Wheelhouse Commons PUD – Revised Conditions of Approval

RECOMMENDATION

I recommend that the City Council approve the Planned Unit Development General Plan for Wheelhouse Commons as submitted with the November 18, 2021 application, with the following conditions and findings:

Revised Conditions for Approval

- 1) A preliminary and final plat will be submitted for review and approval showing three lots and an outlot. The lot associated with the future Residential development will be adjusted as described in this report to allow its revised parking within that lot.
- 2) Two of the new lots will be re-guided in the City's Land Use Plan to Light Industrial and Multi-Family Residential and rezoned to LI Light Industrial and R3-B Multi-Family Residential as described and illustrated in the Planner's report of January 18, 2022. The other lots and the outlot will remain guided General Business and zoned GB General Business.
- 3) All uses within the development will be only those uses allowed within the underlying zoning as revised above. There will be no uses allowed that are unhealthful, or offensive by reason of the potential emission or transmission of noise, oxidation, smoke, dust, odors, toxic or noxious matter, or glare or heat, as determined by the City Council.
- 4) There will be no outside storage of materials or equipment, other than the identified enclosed storage bins on the north edge of the site within the drainage and utility easement. These storage bins will be attractive and in good repair at all times, and of a color to be compatible with the rest of the site, to be reviewed and approved by the City Planner at the building permit state. The storage bins will need to be removed at the owner's expense if and when the easement is needed by the City.
- 5) Easements and legal descriptions will be provided on the plat as required by the City Engineer in his letter of January 13, 2022, including a 30-foot-wide drainage and utility easement along the north side of the property for future utilities. Other typical and necessary easements will be provided subject to review and approval of the City Engineer and City Attorney.
- 6) The lift stations shown on the plans need to be moved out of the 30-foot drainage and utility easement, subject to review and approval of the City Engineer.
- 7) The septic areas/drain fields shown on the plans need to be relocated outside of the drainage and utility easement, unless there is a recorded legal agreement that the City reserves the right to disturb the septic area at any time and that the property owners will be responsible for the costs associated with temporary pumping and disposal of their sewage during that time period.
- 8) Signage plans will be submitted for review and approval by the City Planner and City Engineer at the building permit stage.



Wheelhouse Commons PUD – Revised Conditions of Approval

- 9) All site lighting will be downcast, cutoff type fixtures, with lighting at building entries and the parking lots. Light poles no more than 20 ft in height. Light levels will be no more than 1.0 fc beyond property lines. Detailed lighting plans will be provided to be reviewed and approved at the building permit stage.
- 10) Permits from other agencies needed for the development shall be forwarded to the City, as detailed in the City Engineer's letter of January 13, 2022.
- 11) A paved trail will be provided along Falcon Avenue adjacent to the development, subject to review and approval of the City Engineer and approval of Chisago County.
- 12) A development agreement will be required before issuing building permits, subject to approval of the City Council on the advice of the City Engineer and City Attorney.
- 13) Parking will be provided as shown on the plans, revised to include 90-degree parking spaces along the landscaped median to the west of the future Residential building as described in the Planner's report of January 18, 2022.
- 14) All parking for the development will be on site; no parking is allowed on Falcon Avenue. The City reserves the right to require the proof of parking spaces shown to be constructed if needed, which would need to be removed if the City needs to work in the easement. If additional parking is needed, as determined by the City Council, the City reserves the right to revoke occupancy permits for portions of the development or otherwise limit use of the site until the parking situation is resolved to the satisfaction of the City Council.
- 15) Parking spaces for the Residential building will be provided as required by City zoning code standards and will be reserved exclusively for residents and not for the other commercial or industrial uses on the property. Such parking will be identified with signage and the managers of the property will be responsible for enforcing this parking requirement.
- 16) Some accessible handicapped parking spaces face a sidewalk at the curb line. The plans will be revised so that vehicles overhangs will not interfere with the minimum width required of the accessible sidewalk, subject to review and approval of the City Engineer.
- 17) Details on fire and emergency access to the site will be coordinated with the Fire Chief at the building permit stage.
- 18) Building materials and colors will subject to review and approval of the City Planner and City Engineer at building permit stage for consistency with the intent of the PUD approval.
- 19) All other engineering and infrastructure issues shall be met as detailed in the City Engineer's letter of January 13, 2022.
- 20) If the buildings are built in phases all other parts of the site will be maintained in an attractive manner with approved ground cover or landscaping.



Wheelhouse Commons PUD – Revised Conditions of Approval

- 21) Permitted uses in the General Business and Light Industrial districts are permitted in Phase One and Phase Two buildings.
- 22) Any use~~d~~ that requires a conditional use permit in the General Business or Light Industrial districts ~~that normal district~~ would need to apply and be approved, ~~come back and following the normal conditional use permit process before being allowed to operate.~~
- 23) Residential uses are allowed within the units in the Phase One and Phase Two buildings if accessory to another use in the unit.
- 24) Only multi-family residential uses are allowed in Phase Three. No commercial or industrial uses are allowed in Phase Three.

Findings of Fact for Approval

- 1) The City has standards for review and approval of a planned unit development which allow for a mix of uses and an integrated site plan, as long as there are benefits to the City and future users of the site.
- 2) The City has standards for building materials, landscaping, and other design issues which are reasonable and appropriate to ensure high quality development in the City.
- 3) The City has standards for engineering and infrastructure issues which are reasonable and appropriate to ensure safe and efficient development.
- 4) The City wishes to protect and enhance the environment with appropriate review and regulation of plans that involve wetlands and other sensitive natural features.
- 5) There is likely to be additional residential and commercial development in the vicinity of the site in the future and the City wishes to see sidewalk and trail access provided to connect with these other properties.
- 6) The proposed Wheelhouse Commons project, if developed as recommended, will provide a valuable mix of uses and commercial and residential activity for the City.
- 7) The project, as recommended, meets the standards for a Planned Unit Development in the Zoning Code.

60-DAY DEADLINE

The application was received and considered complete on November 18, 2021. The original 60-day deadline for final action by the City is January 18, 2022, but the City may need more time to process the application and has extended the deadline an additional 60 days, as allowed per State statute 15.99. The new deadline is March 19, 2022.