



# CITY OF BAYPORT

294 NORTH 3<sup>RD</sup> STREET  
BAYPORT, MN 55003

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## PLANNING COMMISSION MEETING

City Hall - Council Chambers

December 19, 2016 – 6:00 p.m.

### A. CALL TO ORDER

### B. APPROVAL OF MINUTES

- April 25, 2016 regular meeting

### C. PUBLIC HEARINGS

- Consider a conditional use permit (CUP) submitted by Engineered Supply, LLC to operate a distribution warehouse and outdoor storage in conjunction with corporate and design offices at the commercial property located at 201 2<sup>nd</sup> Avenue South, along with a text amendment to Appendix B - Zoning Ordinance of the Bayport City Code allowing for light distribution warehousing
- Consider an amendment to the city's comprehensive plan submitted by the Stillwater Area Public School District to extend Bayport municipal water and sewer utilities to a parcel located along Stagecoach Trail in Baytown Township to facilitate construction of a new transportation service and maintenance facility

### D. OLD BUSINESS

### E. NEW BUSINESS

### F. GENERAL INFORMATION

- Planning Commission vacancies
- Next Planning Commission Meeting – Monday, January 23, 2017 at 6:00 p.m.

### G. OPEN FORUM

### H. ADJOURNMENT

**CITY OF BAYPORT  
PLANNING COMMISSION MEETING MINUTES  
CITY COUNCIL CHAMBERS  
APRIL 25, 2016  
6:00 P.M.**

**CALL TO ORDER**

Pursuant to due call and notice thereof, Commissioner Kelly called the regular Bayport Planning Commission meeting of April 25, 2016, to order at 6:00 p.m.

**ROLL CALL**

Commissioners Present: Brad Abrahamson, John Dahl, Beth Kelly and Coleen Siegfried

Commissioners Absent: None

City Staff Present: Assistant City Administrator/Planner Sara Taylor and City Administrator Logan Martin

**OATH OF OFFICE TO NEW MEMBERS JOHN DAHL AND COLEEN SIEGFRIED**

Commissioner Kelly administered the Oath of Office to Commissioners Dahl and Siegfried and welcomed them as members of the Planning Commission.

**APPOINTMENT OF CHAIRPERSON AND VICE CHAIRPERSON**

Assistant City Administrator/Planner Taylor reported the previous Chairperson and Vice Chairperson resigned from the Planning Commission and recommended Commissioner Kelly be appointed as Chairperson and Commissioner Abrahamson as Vice Chairperson.

It was moved by Commissioner Dahl and seconded by Commissioner Siegfried to appoint Elizabeth Dahl as Chairperson and Brad Abrahamson as Vice Chairperson of the Planning Commission for a term of two years or until their term expires. Motion carried 4-0.

**APPROVAL OF MINUTES**

It was moved by Commissioner Abrahamson and seconded by Commissioner Dahl to approve the May 11, 2015 and June 15, 2015 meeting minutes. Motion carried 4-0.

**PUBLIC HEARINGS**

Consider a conditional use permit (CUP) to allow open outdoor storage and product display of construction services at 174 3<sup>rd</sup> Street South: Commissioner Kelly noted the applicants have withdrawn their application for a conditional use permit, so this item will not be considered by the Planning Commission at tonight's meeting.

**OLD BUSINESS**

**NEW BUSINESS**

**GENERAL INFORMATION**

1. Planner Taylor noted there will be a joint Planning Commission/City Council workshop on Monday, May 2, 2016, at 5:00 p.m. The Middle St. Croix Watershed Management Organization will be presenting suggested amendments to the Bayport Code of Ordinances to

incorporate Minimal Impact Design Standards (MIDS) for stormwater management and regulations concerning illicit discharge to the city's sanitary and storm sewer systems.

2. The next meeting of the Planning Commission is scheduled for Monday, May 16, 2016, 6:00 p.m.; however it may be cancelled due to lack of business.

## **OPEN FORUM**

## **ADJOURN**

It was moved by Commissioner Abrahamson and seconded by Commissioner Dahl to adjourn the meeting at 6:07 p.m. Motion carried 4-0.



3601 Thurston Avenue N, Suite 100  
Anoka, MN 55303  
Phone: 763.231.5840  
Facsimile: 763.427.0520  
TPC@PlanningCo.com

## PLANNING REPORT

TO: Bayport Planning Commission

FROM: D. Daniel Licht, AICP

RE: Bayport – Engineering Supply LLC; Amendment/Conditional Use Permit

REPORT DATE: 14 December 2016

MEETING DATE: 19 December 2016

TPC FILE: 195.02

### A. BACKGROUND

Mr. Arlen Grant has an agreement to purchase the property located at 201 2<sup>nd</sup> Avenue South for use by his business Engineering Supply LLC, which is a light distribution warehouse for office, inventory storage, distribution of goods, as well as product assembly and packaging. The property is currently vacant although the current property owner has vehicles, equipment and materials stored outdoors. The proposed use is not currently identified as an allowed use of the property by the Zoning Ordinance. As such, Mr. Grant is requesting consideration of a text amendment to allow for light distribution warehouse as a conditional use within the B-1, Limited Business District concurrent with application for a conditional use permit (CUP) to allow said use and outdoor storage accessory to the proposed use.

#### Exhibits:

- Site Location map
- Developer narrative dated November 28, 2016
- Certificate of Survey (existing conditions)
- Proposed Site Plan
- Draft Zoning Ordinance amendment

## B. ANALYSIS

**Comprehensive Plan.** The Comprehensive Plan adopted February 2012 guides the subject site for commercial uses. This land use category is defined to provide for development or redevelopment of corporate offices, businesses, or compatible transitional or buffer uses between residential and commercial zoning districts. The proposed land use is consistent with the future land use guided by the 2012 Comprehensive Plan.

**Zoning.** The subject site is zoned B-1 Limited Business. The purpose of the B-1 District is for the development of businesses in which there is limited contact with the public and no manufacturing, exterior display, or selling of merchandise is permitted without a CUP. The B-1 District is unique in that it also allows for legal non-conforming parcels and uses to be given reasonable consideration with regard to site design, performance standards, setbacks, impervious coverage, etc., to permit viable operation due to challenges associated with topography, access to municipal utilities, storm water management/drainage, and other related factors. Only a few B-1 parcels remain in the City, many of which share similar characteristics and features to this parcel as a transition or buffer district between residential and more intense commercial/industrial uses. Because of the challenges noted above, many B-1 District parcels were developed with buildings of minimal investment and limited utility services that are conducive to distribution, warehousing, and storage/mobilization of equipment and materials for conducting business off-site. This has been demonstrated by past use of this particular site as a recycling facility, as well as current use of the adjacent B-1 District parcel for a lawn care service at 204 2<sup>nd</sup> Avenue S. and nearby construction company at 510 Perro Creek Drive.

The developer's narrative describes the proposed use of the property to include office, inventory storage, distribution of goods, as well as product assembly and packaging activities. The light distribution warehouse use is not currently listed as an allowed use within the B-1 District but would be consistent with the purpose of the zoning district, previous and current approved B-1 District uses, and appropriate at this location. Our office and City staff recommends amending the Zoning Ordinance to define light distribution warehouse as a specific use, make allowance for it as a conditional use within the B-1 District, and as a permitted use within the I-Industrial District. A draft of the ordinance amendment is attached for consideration by the Planning Commission. The proposed use also includes outdoor storage of pallets, roof anchors and various metal materials, equipment such as forklifts, and a trash container, which is allowed within the B-1 District as a conditional use subject to the performance standards outlined in Section 706 of the Zoning Ordinance.

**Surrounding Land Uses.** The table below summarizes the existing uses surrounding the subject site. The site and proposed use functions as a transition between the existing single family dwellings to the west and south, from the industrial uses to the east, and business to the north. To ensure compatibility of the proposed use with adjacent residential development, adequate access and screening of the outdoor storage area will be necessary.

	Future Land Use	Zoning Map	Existing Use
North	Commercial	B-1 District	Business
East	Industrial	I District	Manufacturing
South	Residential	R-2 District	Single family
West	Residential	R-2 District	Single family

**Lot Requirements.** The table below indicates the lot requirements for a non-residential use within the B-1 District specified in Section 602(4)(f) of the Zoning Ordinance:

	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Max. Impervious	Setbacks		
					Front	Side	Rear
Required	10,000sf.	100ft.	135ft.	35%	35ft.	30ft.	30ft.
Proposed	61,600sf.	140ft.	440ft.	79%	40ft.	32ft.	200ft.

The proposed site plan complies with all applicable lot requirements except impervious surface coverage. The existing impervious surface is greater than 85% of the lot area, which is a non-conforming condition. Section 402.02 of the Zoning Ordinance allows for continuation of non-conforming uses although it does not comply with the requirements of the Zoning Ordinance. In this case, the proposed site plan proposes 79% impervious coverage, which will lessen the non-conforming condition of the property by adding 3,740 square feet of greenspace. It is important to note that although this isn't a significant decrease in impervious area, the site plan does include storm water management improvements that will drastically reduce runoff and increase infiltration. Calculations have been provided that demonstrate that the net effect of these improvements will result in the site performing as if it includes only 35% impervious surfaces, which complies with the B-1 requirement. In addition, it also complies with other commercial/business areas in the city zoned B-2 Central Business which are allowed 80% impervious area.

**Buildings.** The site contains an existing 2,275 square foot single story building with metal siding and a metal pitched roof. The applicant intends to construct a new 2,125 square foot single story office building to the east of the existing building and a new 2,100 square foot building for warehouse/distribution use to the south of the existing building. The site plan indicates a general location of the proposed new buildings for illustration purposes, but no specific details regarding these building have been provided at this time. Both buildings will be subject to review for compliance with all zoning, building, fire, and any other applicable code requirements prior to construction.

**Hours.** The Zoning Ordinance does not establish limits on the hours of operation for the proposed use. The developer indicates that the planned hours of operation will primarily be from 8:00AM to 4:00PM, with some employees arriving as early as 6:00AM and leaving as late at 6:00PM. These hours of operation are typical of a business use and are not expected to cause any conflict or compatibility issues with surrounding land uses.

**Access.** The site is accessed from 2<sup>nd</sup> Avenue South along the full width of the lot with six head-in parking stalls and via an existing gravel driveway within the 2<sup>nd</sup> Street South right-of-way abutting the east lot line. Section 712.03(2) of the Zoning Ordinance requires that access to business properties be designed so as not to require backing onto the public street and Section 712.03(12) of the Zoning Ordinance states that the number and width of driveway accesses to the public street are to be minimized so as not to impede traffic on the public street. The full-width access to the subject site is an existing non-conforming condition allowed to continue by Section 402.02 of the Zoning Ordinance. The business property to the north also has an access the full-width of the lot with head-in parking stalls. Continuation of the existing access and off-street parking stalls as part of the proposed use will not negatively affect the functionality of the roadway. However, it should be noted that access may need to be modified as part of the proposed extension of municipal water and sewer utilities to the site and related street improvements, subject to review and approval of the City Engineer.

**Off-Street Parking.** The table below calculates the number of off-street parking stalls for the proposed use as required by Section 712.07(2) of the Zoning Ordinance:

Building	Use	Area	Requirement	Required Stalls
Proposed Office	Office	2,125sf.	4 stalls/1,000sf.	9
Existing Building	Assembly/	2,275sf.	1 stall/1,000sf.	3
Proposed Building	Warehousing/ Distribution	2,100sf.		3
<b>TOTAL</b>				<b>15</b>

The proposed site plan provides for 11 off-street parking stalls to the north and west of the existing building and proposed office building. The site plan must be revised to identify four additional off-street parking stalls to comply with the number required by the Zoning Ordinance. The parking stalls are designed to have dimensions of 9 feet by 18 feet with interior stalls accessed by a 26 foot wide drive aisle as required by Section 712.03(1) and surfaced with bituminous material as required by Section 712.03(5) of the Zoning Ordinance. Section 712.03(3) requires concrete curb at the perimeter of the parking area, which the existing parking lot does not have. The City Engineer should review if concrete curb is needed for storm water management purposes, otherwise the site can continue without curb as a non-conforming condition. The off-street parking stalls must be stripped on the bituminous surface as required by 712.03(6) and at least one handicap stall shall be designated and posted with required signage.

**Outdoor Storage.** The proposed use includes outdoor storage of pallets, roof anchors and various metal materials, equipment such as forklifts, and a trash container, which is subject to the performance standards outlined in Section 706 of the Zoning Ordinance:

- Outdoor storage is required to be fully screened so as not to be visible from adjoining properties and public streets by Section 706.01 of the Zoning Ordinance. The outdoor

storage area is screened from view of 2<sup>nd</sup> Avenue South by the existing and proposed buildings. A retaining wall and fence exists along a portion of the west property line abutting the public alley and single family lots to screen the rear outdoor storage area (and off-street parking) from view, which is to remain in place and maintained accordingly. The south portion of the west lot line is screened by existing vegetation, portions of which may be in decline. This screening must be enhanced with supplemental vegetation and by planting evergreen trees, a minimum of 6 feet in height, to create an effective screen along the west property line from the end of the fence to the south property line, and along the south property line within the proposed greenspace. Existing vegetation screens the view of the outdoor storage area from the east. The existing and proposed screening will comply with the requirements of the Zoning Ordinance.

- As proposed, the outdoor storage of equipment and materials relate to the use of the property and complies with Section 706.02 of the Zoning Ordinance. There are currently additional vehicles, equipment, and materials stored outdoors, which are remnants left from the previous business that occupied the site. The applicant will be responsible for removing these items from the site within one year after the date the conditional use permit is approved for the proposed use.
- Section 706.03 of the Zoning Ordinance requires that all trash and debris must be kept within a container suitable for such use. The applicant indicates that the business will have a commercial trash dumpster for this purpose kept within the outdoor storage area, which complies with the Zoning Ordinance.

**Grading Plan.** As mentioned, the applicant has provided a site plan identifying the pervious and impervious surfaces within the subject site along with calculations for storm water drainage. The site plan identifies an existing storm water infiltration basin at the southeast corner of the site and proposed rain garden at the northwest corner of the property. All grading, drainage and erosion control issues are subject to review and approval of the City Engineer and the Middle St. Croix Watershed Management Organization. There is also an existing retaining wall along a portion of the west property line separating the grades between the site and abutting public alley. The retaining wall is leading toward failure, making it a potential safety hazard, which must be repaired or replaced by the applicant, subject to approval by the City Engineer.

**Utilities.** The site is not currently served by municipal sanitary sewer or water utilities. As a condition of the proposed use, connection to these utilities will be required to be installed by December 31, 2017, and will be subject to review and approval by the City Engineer. Due to weather or other implications related to the utility extension project, the city may consider a temporary, portable utility system, but this temporary use shall cease by December 31, 2017.

**Exterior Lighting.** No specific detail has been provided for existing or proposed exterior lighting within the site. Any replacement of existing light fixtures or installation of new light fixtures must be downcast with a 90 degree horizontal cutoff to minimize light cast at the property lines

and meet applicable zoning regulations. Section 711 of the Zoning Ordinance limits the intensity of light cast at the north, east, and west properties lines to 1.0 foot-candle and that cast at the south property line to 0.4 foot-candles.

**Signs.** No specific detail has been provided for existing or proposed signage. Installation of any signs upon the property is subject to Section 727 of the Zoning Ordinance and requires a sign permit be issued prior to display. The type, number, and area of signs allowed on the subject site is specified by Section 727.05 of the Zoning Ordinance.

**Phasing Plan.** The applicant's narrative outlines a proposed phasing plan for the site and building improvements for the purpose of this application. However, it should be noted that this plan is tentative and highly dependent upon the utility extension project. At a minimum, facade, landscaping, grading/drainage/storm water improvements, and paving of off-street parking stalls to serve the existing building must be completed no later than December 31, 2017. Other site improvements, such as curbing, access drives, and paving of additional off-street parking stalls may be postponed and implemented in conjunction with the construction of the new building(s). A development agreement requiring completion of the improvements should be executed along with provision of a letter of credit for the cost of the improvements.

### **C. SUGGESTED FINDINGS OF FACT AND CONDITIONS OF APPROVAL**

Our office and City staff suggests the Planning Commission consider two actions:

- **Action 1:** Recommend approval of a text amendment to the Zoning Ordinance allowing for light distribution warehousing within the B-1 District (and I District) in the form presented.
- **Action 2:** Adopt findings of fact recommending approval of a conditional use permit allowing light distribution warehousing and outdoor storage on the site, subject to the following conditions:
  1. The site shall be developed in accordance with the information and plans submitted by the applicant dated November 28, 2016, in accordance with applicable ordinances, except as modified by any stipulations approved by the City Council.
  2. The exterior façade of all existing and proposed buildings, fencing, accessory structures, and signage shall be consistent in color and material, and maintained in a manner to create an appealing and cohesive appearance.
  3. The site plan shall be revised to identify 15 off-street parking stalls to comply with the number required by Section 712.07(2) of the Zoning Ordinance for the existing and new proposed buildings.

4. Concrete curb shall not be required as a legal non-conforming condition unless determined necessary by the City Engineer for storm water management purposes.
5. The off-street parking stalls are must be stripped on the bituminous surface as required by 712.03(6) of the Zoning Ordinance and one handicap stall shall be designated and signed appropriately.
6. The site plan shall be revised to provide for planting evergreen trees at least 6 feet in height, to create an effective screen along the west property line from the end of the fence to the south property line, and along the west property line within the proposed greenspace.
7. All outdoor storage shall be accessory to the approved use of the property; any existing vehicles, equipment, and materials stored outdoors on the site not related to the approved use of the property shall be removed by December 31, 2017.
8. All trash and debris shall be kept within a container suitable for such use as required by Section 706.03 of the Zoning Ordinance and located within the designated outdoor storage area on the site plan.
9. All grading, drainage and erosion control issues shall be subject to review and approval of the City Engineer and the Middle St. Croix Watershed Management Organization.
10. The existing retaining wall along the west property line shall be stabilized or reconstructed and maintained accordingly, subject to approval by the City Engineer.
11. All utility issues are subject to review and approval of the City Engineer.
12. Any replacement of existing light fixtures or installation of new light fixtures must be downcast with a 90 degree horizontal cutoff to minimize light cast at the property lines and shall comply with Section 711 of the Zoning Ordinance.
13. The type, number, and area of signs allowed on the subject site shall comply with Section 727.05 of the Zoning Ordinance and require issuance of a sign permit prior to display.
14. Required site improvements or conditions of approval shall be completed by December 31, 2017 unless otherwise noted or the conditional use permit shall be deemed expired in accordance with Section 505.10 of the Zoning Ordinance; the developer shall execute a development agreement with the City as drafted

by the City Attorney requiring completion of all improvements by the expiration date and provide a letter of credit in an amount determined by the City Engineer as a financial security.

15. The CUP may be reviewed for compliance on an annual basis, or as the City Council deems necessary, to ensure compliance with the conditions of the CUP.

**D. RECOMMENDATION**

Our office recommends approval of a Zoning Ordinance text amendment providing for allowance of light distribution warehouse uses and approval of a conditional use permit allowing light distribution warehouse uses with accessory outdoor storage as outlined above.

- c. Sara Taylor, Assistant City Administrator/City Planner  
Logan Martin, City Administrator  
Andy Pratt, City Attorney  
John Parotti, City Engineer  
Arlen Grant, applicant



Parcel ID: 1102920320052

Parcel Address:  
201 2ND AVE S, CITY OF BAYPORT



MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

This drawing is the result of the compilation and reproduction of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.



ENGINEERED SUPPLY L.L.C.

1286 Oldridge Ave N, Stillwater, MN 55082 | 612.508.6727 | www.engineeredsupply.com | arne@engineeredsupply.com

November 28, 2016

Ms. Sara Taylor  
Assistant City Administrator and Planner  
Bayport City Hall, 294 North Third Street, Bayport, MN 55003

sent via email: [staylor@ci.bayport.mn.us](mailto:staylor@ci.bayport.mn.us)

Re: Currently Vacant Building and Property at: 201 2<sup>nd</sup> Ave S, Bayport, MN  
(Previously Northern Metal Recyclers)  
Formal Submittal of the Conditional Use Application

Dear Sara:

Thank you for taking the time to discuss, meet, and review our preliminary submittals with me over the past months.

This letter, and its attachments, contain our formal application for conditional use at the noted property.

A. Detailed narrative of the land use request:

I am the owner of the Limited Liability Company (LLC) Engineered Supply, which will operate out of the building. My wife, Mary, and I have formed a separate LLC that will hold the property. Mary handles the accounting, and I handle the operations of the companies. We live in West Lakeland, and have four children (three of them currently attend Andersen Elementary).

We intend to place our corporate office, housing the administration of our company, on this property, including our drafters and engineers. While a large portion of our business will be in compliance with the B1 Limited Business zoning as an office, we are requesting a conditional use to facilitate our supply operations, including: stocking of inventory, distribution of inventory to the greater Twin Cities area, finishing our products, assembling and palletizing our products for shipment, housing our inspections and installations staff and services, and accommodating off-street parking for our staff.

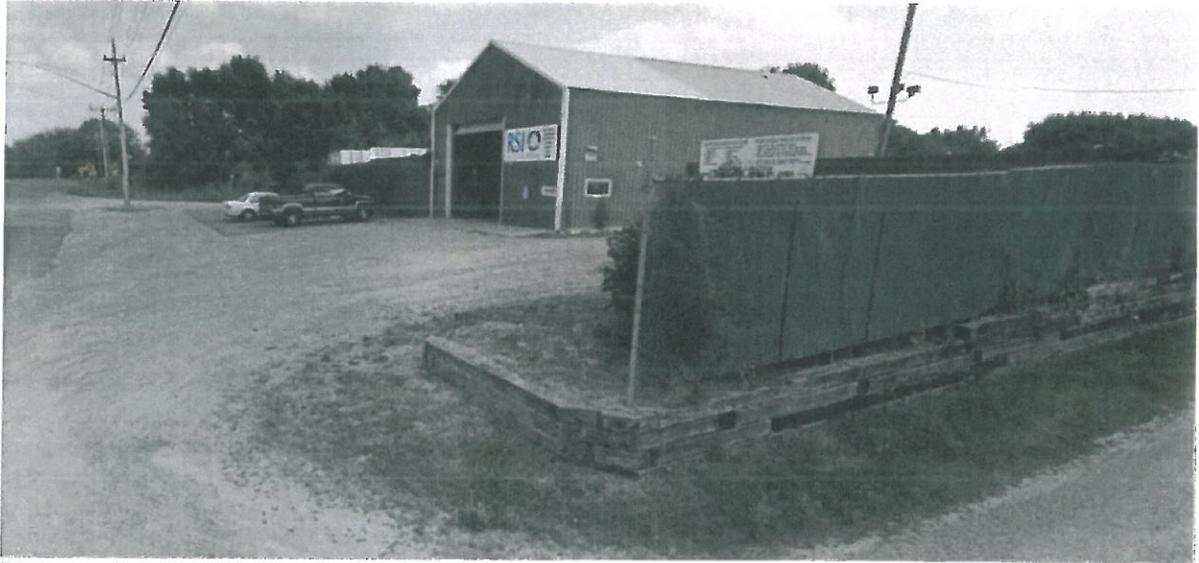
My company does what the name implies, we engineer and supply components for the construction and capital equipment markets. Our manufacturing is located in outstate Minnesota (primarily south of Rochester, MN), and will remain there. This is the third year of the company's operations, we currently have 5 to 10 full time employees and gross between 1 and 2 million dollars per year. We are currently growing at a rate of 30 to 85 percent per year and plan to be at this location over the next approximate 5 to 10 years.

We operate during standard business hours, and do not have any noise, light, or pollution emissions that would not normally be present in a residential or office park area. We operate our supply operations with light trucks (3/4 ton and ton light trucks) and trailers. We do take deliveries from tractor trailers up to several times per week now, and expect this to increase to a maximum of one to two tractor trailers per day.

- a. Proposed use  
Office warehouse with field service, light manufacturing, storage, and distribution.
- b. Proposed project  
Construction of two 2,000 square foot buildings. One an office and one a cold storage building including the construction of a rain garden, new pavement, and having the site act by calculation as if it were 35% impervious surfaces.

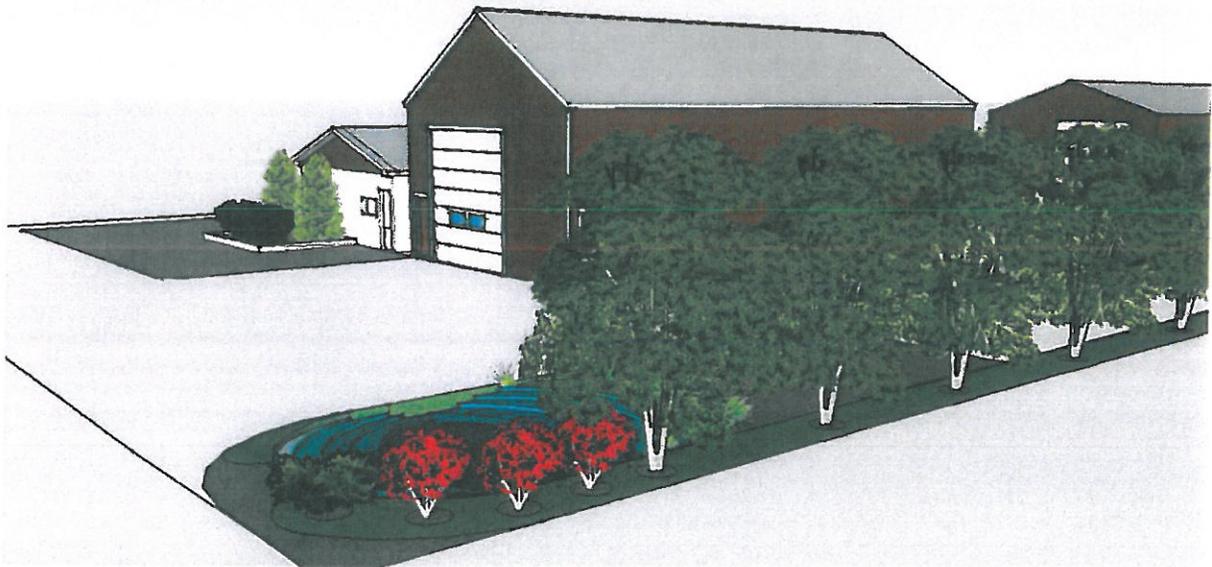
We plan on constructing the office building and cold storage building in 2017, including bringing water and sewer to the site in 2017. The remainder of the proposed site improvements are scheduled to be implemented over 2018, 2019, and 2020.

Refer to the following Photograph 1 for a view of past use of this site.



**Photograph 1: Past Site Use (from google.com)**

Refer to the following Figure 1 for a view of proposed use of this site



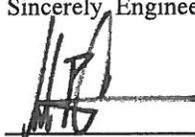
**Figure 1: Proposed Site Use**

- c. Hours of operation: Standard hours of operation, Monday to Friday, currently as follows:
  - i. Yard hours where trucks may make deliveries from 8 am to 4 pm
  - ii. Core hours where all employees are present from 9 am to 3 pm
  - iii. Early arrivals at work from 6 am (opening up the offices)
  - iv. Late departures from work to 6 pm (closing down the offices)
  - v. Limited (if any) weekend work
  
- d. Reasons for the request  
My company needs a site with an office, shop, and storage building with a yard for staging. The site fits our requirements and is close to our current home office in West Lakeland and our current storage facility in Baytown Township.

- e. Why the city should consider approval.
  - i. Our proposed usage primarily fits the B1 office zoning.
  - ii. Our proposed usage is less intensive than the current Waste Transfer Station conditional use permit that is on the property.
  - iii. Our proposed usage is less intensive than past site operations involving construction and trucking operations.
  - iv. Our proposed usage is very similar or less intensive than the lawn care business currently operating across the street, also in this B1 zoning.
  - v. The building has been vacant for over two years, and people have been dumping items on the lot (which are beginning to pile up). I also understand from the realtor that I am the second person that has been on site to look at the building over the past two years and the only offer that has been submitted on the lot (there is not much interest in this site).
  - vi. The building and site features have fallen into disrepair, including a large amount of damaged siding on the existing building, overgrown vegetation, rotting retaining walls, and other typical deferred maintenance items.
  - vii. We have approved financing for this lot and the majority of the necessary improvements (pending a soil sample to check for contaminants), Note that many of the larger lenders, such as Wells Fargo, will not entertain providing loans on this set of lots as it is listed as a Waste Transfer Station and Open Landfill (lenders do not want exposure to potential environmental risk).
  - viii. As an engineering company, we are uniquely positioned to economically incorporate compliant solutions to the site challenges, such as bringing water and sewer to the site, bringing the site into closer compliance with the current zoning requirements, and incorporating site upgrades such as additional green space, additional marked parking, and a rain garden. Note that we already have detailed designs for the majority of the required systems.
  - ix. As a supply company, we are uniquely positioned to oversee the construction and implementation of the necessary compliant solutions. Note that we already have proposals from contractors and materials distributors for the majority of the required systems.
  - x. We have incorporated the City's requests during preliminary discussions, within the limits of our available budgets.
  - xi. Our proposed project is in compliance with the watershed district requirements, and is scheduled to go through formal review in December of this year and January of 2017.
  - xii. We are already a member of the community, and look forward to our continued and increased role in the City

Thank you for your time. If you have any questions please do not hesitate to contact me.

Sincerely, Engineered Supply, L.L.C.



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Allen P Grant, PE

Attachments

- 2. Planning and zoning application form 2016
- 3. Proposed Site Plan (to show setbacks, proposed structures, green areas, and surfaces)
- 4. Existing Survey (to show current site conditions)
- 5. Proposed Civil Plan (to show proposed water, sewer, and site drainage)
- 6. Infiltration Calculation (to demonstrate compliance with the City Engineer's request for 35% equivalent impervious surfaces)

# CERTIFICATE OF SURVEY

Lot 16, Lot 17, Lot 18, Lot 19, Lot 20, Lot 21, Lot 22, Lot 23 and Lot 24  
**BAYPORT (Platted as SOUTH STILLWATER)**  
 City of Bayport, Washington County, Minnesota

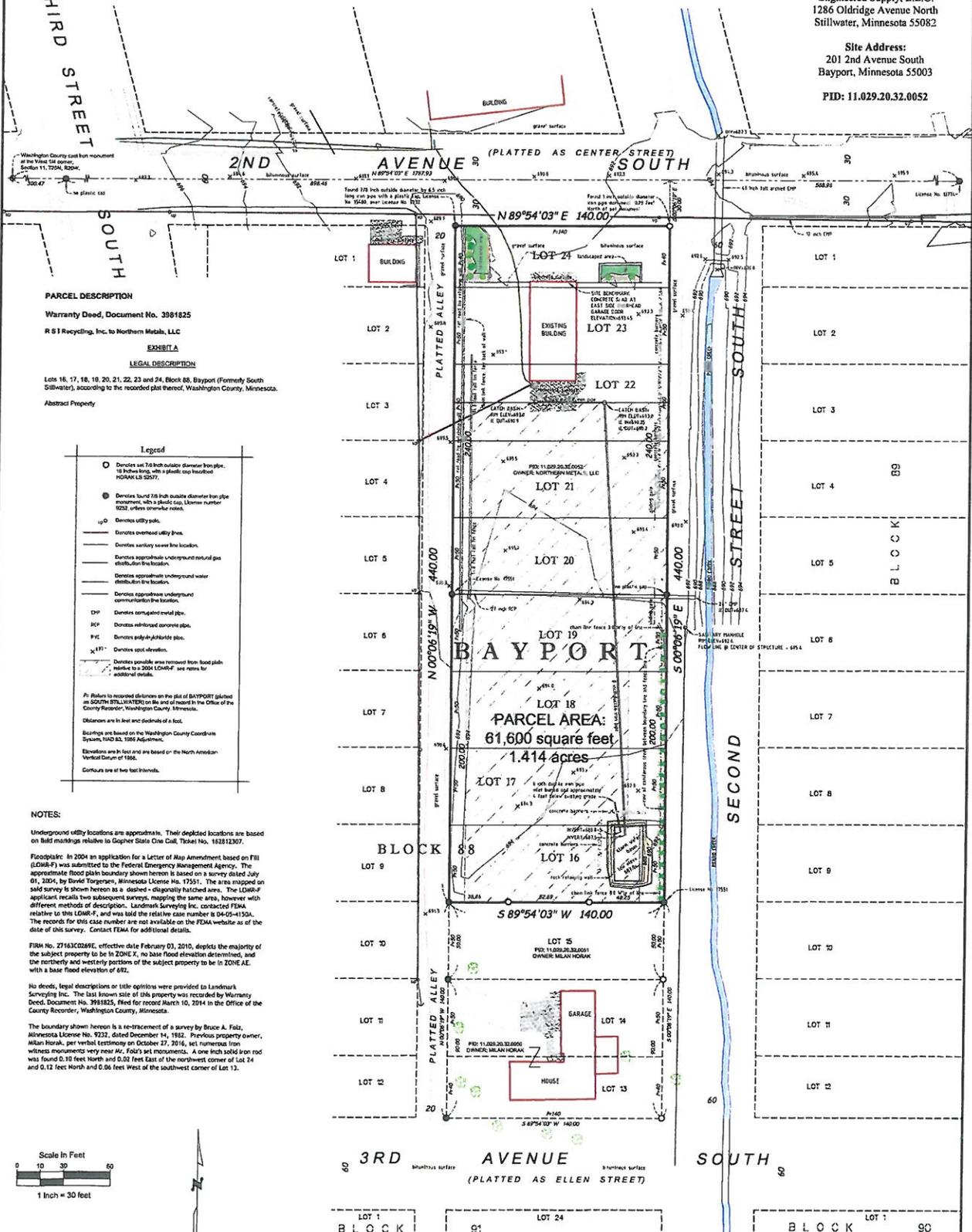
Boundary and Topography Survey  
 Prepared for:

Arlen Grant  
 Engineered Supply, L.L.C.  
 1286 Oldridge Avenue North  
 Stillwater, Minnesota 55082

Site Address:  
 201 2nd Avenue South  
 Bayport, Minnesota 55003

PID: 11.029.20.32.0052

THIRD STREET



**PARCEL DESCRIPTION**

Warranty Deed, Document No. 3981825

RSI Recycling, Inc. to Northern Metals, LLC

**LEGAL DESCRIPTION**

Lots 16, 17, 18, 19, 20, 21, 22, 23 and 24, Block 88, Bayport (Formerly South Stillwater), according to the recorded plat thereof, Washington County, Minnesota.

Abstract Property

Legend	
	Denotes 7.6 inch outside diameter iron pipe, 18 inches long, with a plastic cap located NORTH of 2017.
	Denotes 7.6 inch outside diameter iron pipe monument, with a plastic cap. License number: 0237, unless otherwise noted.
	Denotes utility pole.
	Denotes overhead utility line.
	Denotes sanitary sewer line location.
	Denotes approximate underground natural gas distribution line location.
	Denotes approximate underground water distribution line location.
	Denotes approximate underground communication line location.
	Denotes corrugated metal pipe.
	Denotes reinforced concrete pipe.
	Denotes polyethylene pipe.
	Denotes spot elevation.
	Denotes boundary line removed from flood plain relative to a 2001 LOMF-F. See notes for additional details.

**NOTES:**

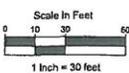
Underground utility locations are approximate. Their depicted locations are based on field markings relative to Gopher State One Call, Ticket No. 162812367.

**Floodplain:** In 2004 an application for a Letter of Map Amendment based on FIRM (LOMA-F) was submitted to the Federal Emergency Management Agency. The approximate flood plain boundary shown herein is based on a survey dated July 01, 2004, by David Torgersen, Minnesota License No. 17551. The area mapped on said survey is shown herein as a dashed - diagonally hatched area. The LOMAF applicant recalls two subsequent surveys, mapping the same area, however with different methods of description. Landmark Surveying Inc. contacted FEMA relative to this LOMAF, and was told the relative case number is 04-05-1130A. The records for this case number are not available on the FEMA website as of the date of this survey. Contact FEMA for additional details.

**FIRM No. 27163CD69E**, effective date February 03, 2010, depicts the majority of the subject property to be in ZONE X, no base flood elevation determined, and the northern and westerly portions of the subject property to be in ZONE AE, with a base flood elevation of 582.

No deeds, legal descriptions or title opinions were provided to Landmark Surveying Inc. The last known date of this property was recorded by Warranty Deed, Document No. 3981825, filed for record March 10, 2014 in the Office of the County Recorder, Washington County, Minnesota.

The boundary shown herein is a re-tracement of a survey by Bruce A. Folz, Minnesota License No. 9222, dated December 14, 1982. Previous property owner, Milan Horak, per verbal testimony on October 27, 2016, set numerous iron witness monuments very near Mr. Folz's set monuments. A one inch solid iron rod was found 0.10 feet north and 0.22 feet east of the northwest corner of Lot 24 and 0.12 feet north and 0.06 feet west of the southwest corner of Lot 13.



**Landmark Surveying, Inc.**  
 2180 Grand Trunk Road, Suite 6 Office number: 651-870-3422  
 P.O. Box 60 Cell number: 517-755-2740  
 5. Mohr, Minnesota 55075 E-mail: arnold@landmark-surveying.com

OFFICIAL COPIES OF THIS MAP ARE CRIMP SEALED

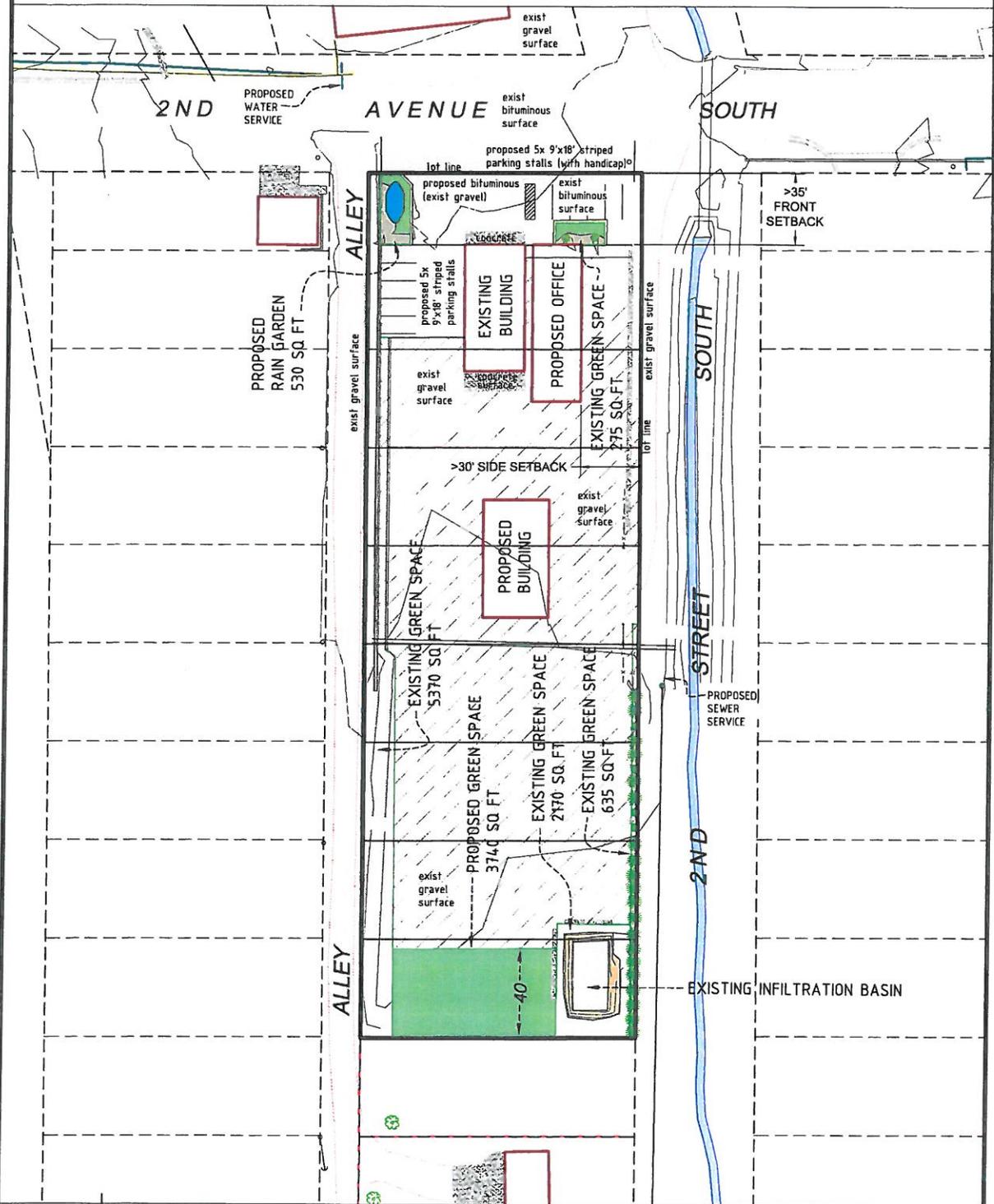
I hereby certify that this survey plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Landmark Surveying, Inc.  
  
 Milo B. Horak, Minnesota License No. 32577  
 October 29, 2016  
 Date

# PROPOSED SITE PLAN

201 2nd Avenue South  
Bayport, MN 55003

Submitted for Planning



EXISTING GREEN SPACE 8,980 SQ FT  
 PROPOSED ADDITIONAL GREEN SPACE 3,740 SQ FT  
 TOTAL GREEN SPACE 12,720 SQ FT  
 PARCEL AREA 61,600 SQ FT  
 GREEN SPACE AS A PERCENTAGE OF PARCEL AREA = 20.6%

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA  
AMENDING APPENDIX B – ZONING OF THE BAYPORT CITY CODE

THE CITY COUNCIL OF THE CITY OF BAYPORT DOES HEREBY ORDAIN:

Section 1. Appendix B – Zoning, Section 301 Definitions, is hereby amended by including the following with subsequent sections renumbered accordingly:

(86.1) *Light Distribution Warehouse.* A use involving the storage of raw materials or manufacture goods before distribution for sale that may include assembly, processing, stocking, labeling, packaging, inspection, shipping, receiving, and office activities.

Section 2. Appendix B – Zoning, Section 601(4)(e) B-1 Limited Business District Conditional Uses is hereby amended to include the following with subsequent sections renumbered accordingly:

(14) Light Distribution Warehouse.

Section 3. Appendix B – Zoning, Section 601(7)(c) I-Industrial District Permitted Uses with Certificate of Compliance is hereby amended to include the following with subsequent sections renumbered accordingly:

(8) Light Distribution Warehouse.

Section 4. This ordinance shall be in full force and effect from and after its passage and publication according to law. Passed by the City Council for the City of Bayport this 9<sup>th</sup> day of January, 2017.

\_\_\_\_\_  
Susan St. Ores, Mayor

Attest:

\_\_\_\_\_  
Sara Taylor, Interim City Administrator



3601 Thurston Avenue N, Suite 100  
Anoka, MN 55303  
Phone: 763.231.5840  
Facsimile: 763.427.0520  
TPC@PlanningCo.com

## PLANNING REPORT

TO: Bayport Planning Commission

FROM: D. Daniel Licht, AICP

RE: Bayport – ISD 834; Comprehensive Plan Amendment

REPORT DATE: 12 December 2016

MEETING DATE: 19 December 2016

TPC FILE: 195.02

### A. BACKGROUND

Stillwater Area Public Schools- ISD 834 (School District) is proposing to construct a new school bus maintenance facility on a portion of the property owned by Ms. Louella Merten at 3645 Stagecoach Trail North. The subject site is within Baytown Township and not contiguous to the existing municipal boundary of the City of Bayport. The School District has determined that use of on-site sewage treatment and well utilities for the proposed facility is not feasible. The School District is requesting extension of sanitary sewer and water utilities from the City of Bayport to provide service to the proposed facility. The School District is not petitioning for annexation of the property to the City of Bayport.

The City of Bayport Comprehensive Plan, amended in February 2012, includes system plans for City utilities including designation of future utility service areas consistent with the Metropolitan Council's 2040 Municipal Urban Service Area (MUSA) for provision of sanitary sewer. City water is tied to the extension of sanitary sewer utilities and the MUSA boundary. The request to extend sanitary sewer (and water) utilities to serve the proposed facility requires consideration of an amendment of the Comprehensive Plan to include the subject site within the future utility service area. All land use issues related to the proposed bus maintenance facility are subject to zoning and subdivision requirements of Baytown Township. A public hearing to consider the Comprehensive Plan amendment application submitted by the School District has been noticed for the Planning Commission meeting on 19 December 2016 at 6:00PM.

Exhibits:

- Site Location map
- Stillwater Area Public Schools project narrative
- City Engineer memorandum dated December 12, 2016
- Larson Engineering memorandum dated December 12, 2016

**B. ANALYSIS**

Establishment of areas to be served by City sanitary sewer and water utilities is a policy decision for the City Council with recommendation from the Planning Commission. The 2012 Comprehensive Plan establishes the sanitary sewer and water system plans for the City based on service to existing properties and planned development as guided by the Land Use Plan. The 2012 Comprehensive Plan states that the City's goal is to limit growth and that the City does not desire to actively annex additional land from abutting townships. The 2012 Comprehensive Plan further states that sanitary sewer (and water) utilities are only to be extended to properties within the current MUSA.

The proposed facility is to be used for storage and maintenance of the School District's bus fleet and is, therefore, part of the School District's infrastructure needed to serve students within ISD 834, which includes the City of Bayport. The amendment of the Comprehensive Plan to allow for extension of sanitary sewer and water utilities for a public use located outside of the City's boundaries may be distinguished from that of a private use, such as residential subdivision or a commercial/industrial business, that would have broader implications for land use and supporting systems of the City. It is in the City's interest in terms of advancing its own goals to work with the School District on facility development to meet the needs of existing and future populations. Aside from extension of sanitary sewer and water utilities, the proposed facility is not anticipated to affect land uses within the City or limit other City infrastructure capacity.

The City Engineer has evaluated the functional considerations with extending sanitary sewer to the subject site based on existing and future system capacities in the memorandum attached as an exhibit to this report. The City Engineer's conclusion is that the City's existing trunk sewer lines have more than adequate capacity to serve the proposed bus maintenance facility and that the extension of sanitary sewer is feasible. Water capacity is available for the proposed facility, although additional modeling regarding the water system capacity may be required to verify adequate supply for fire protection needs.

Extension of sanitary sewer and water utilities to the subject site will be contingent upon execution of a Joint Powers Agreement (JPA) between the City and Baytown Township. The JPA will establish that the School District is responsible for acquiring all easements, as well as construction and maintenance of the utility lines. The JPA must also stipulate that sanitary sewer and water utilities allowed by the agreement cannot be extended to serve parcels other than the subject site. The JPA will be subject to approval of the City Council and Baytown Township.

**C. SUGGESTED FINDINGS OF FACT AND CONDITIONS OF APPROVAL**

Our office and City staff suggests the Planning Commission adopt findings of fact recommending the application be approved based on the following findings:

1. The proposed Stillwater Area Public Schools Bus Maintenance Facility is a public use incidental to the provision of education services to the School District that includes the City of Bayport.
2. It is in the interest of the City of Bayport to work with the School District on facility needs to meet the needs of existing and future populations.
3. The City reaffirms its policy of limiting growth and not extending sanitary sewer (and water) utilities for development outside of the designated MUSA.
4. The City and Baytown Township shall execute a Joint Powers Agreement that provides for School District water system modeling, easement acquisition, construction, and maintenance for the extension of City sanitary sewer and water utilities to serve only the subject site.

**D. RECOMMENDATION**

Our office recommends that the requested Comprehensive Plan amendment be approved expanding the MUSA for extension of City sanitary sewer and water utilities to the planned Stillwater Area Public Schools Bus Maintenance Facility located within Baytown Township.

- c. Sara Taylor, Assistant City Administrator/City Planner  
Logan Martin, City Administrator  
Andy Pratt, City Attorney  
John Parotti, City Engineer  
Kristen Hoheisel, ISD 834



MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

This drawing is the result of the compilation and reproduction of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.



## **Proposed: School Bus Maintenance Facility**

### **Overview:**

The proposed Stillwater Area Public Schools - School Bus Maintenance Facility located along Stagecoach Trail North is planned to house the District's contracted fleet of transportation vehicles. This facility will provide a location to facilitate school bus service for students within the Stillwater Area Public Schools. The location will be comprised of general office space, break/lunch room, restrooms, training room, mechanical bays, school bus washing bay, fueling station, bus parking and employee parking. In general, the overall hours of operation will be 5:30AM-6:00PM Monday through Friday.

### **Plumbing:**

The facility is planned to provide toilets, hand washing sinks and single showers in the men's and women's restroom areas to accommodate approximately 190 part time and 15 full time employees. A shared break room and training area will have a sink and dishwasher. The custodial closet will have a mop sink. The drinking fountain will be located in the common circulation space within the building. The drains serving the mechanical and wash bay areas will be designed to separate oil and sediment containments. This system will be maintained by the District to prevent containments from entering into the sanitation line. Plumbing and Mechanical systems will conform to the 2105 Minnesota Mechanical and Fuel Gas Code.

Fire suppression systems will be present throughout the building with the Business portion of the building having a 'B' Occupancy and the maintenance portion of the building having an 'H' Occupancy as defined by the 2015 Minnesota Building Code.

### **Utilities:**

The proposed facility will include washing and maintenance of the transportation vehicles. Typical private septic systems and wells are not feasible for this intended use. Therefore, Stillwater Area Public Schools is requesting the extension of sanitary sewer and water service from the City of Bayport to the proposed School Bus Maintenance Facility. The location of the potential School Bus Maintenance Facility resides in Baytown Township where these utilities are not available. Stillwater Area Public Schools will obtain the necessary easements and be financially responsible for the installation and maintenance of the extended sewer and water lines from the existing City of Bayport utility locations to the proposed site.

Based upon the intended use and estimated staffing at the facility, it is anticipated that a 6" force main sanitary sewer would be required. It is planned to use variable frequency drives (VFD) for the lift station controls to help reduce peak electric demands and save overall operating costs. In addition, we have determined that the total water use for the staff requirements and bus washing would be 2080 gallons per day (assuming a 5-day work week). It is intended to have the new building protected by a fire sprinkler system and the water use for that system would be 850 gallons per minute, should there be a fire. To accommodate the peak water use, it is anticipated that an 8" water main would be extended to the site from the existing 12" water main along Stagecoach Trail.





Building a Better World  
for All of Us®

## MEMORANDUM

TO: Sara Taylor | Assistant City Administrator/City Planner

FROM: John D. Parotti, PE | City Engineer

DATE: December 15, 2016

RE: Proposed Comprehensive Plan Amendment  
SEH No. BAYPO 138246 14.00

This memo is being prepared in response to a request from the Stillwater Area Public Schools (ISD 834) to amend the City's Comprehensive Plan to allow sewer and water service to a potential new bus garage facility. The site being considered is located at 3547 Stagecoach Trail in Baytown Township. This memo reviews information provided by Stillwater Area Public Schools (District) and addresses capacity of the Bayport sanitary sewer system to serve this area.

### GENERAL ANALYSIS

The area proposed to be served is located on the south side of Bayport. The proposal is for the District to construct a lift station and force main to convey sewage to the existing 18" PVC sanitary sewer line located approximately 2,000' north of the subject property. The existing sanitary sewer main was constructed in 1997 in anticipation of an industrial expansion which did not occur. Since that time, the area served by this sewer main has developed as a residential conservation development with considerably lower flows than what would have been seen if the industrial facilities had been built. As a result, the existing sewer main has more than adequate capacity to convey the flows anticipated by this proposal.

Based on information provided by the District, it is the City Engineer's understanding that the proposed lift station and force main will be constructed to serve the proposed bus garage and related facilities only. It is also understood that the District will be required by Baytown Township to agree not to provide service to other properties in the future.

### MCES FLOW PROJECTIONS

The School District's Engineer has provided the City with estimates of sewer employment and sewage flow at the proposed bus facility. The number of sewer employees is 205 (190 part time and 15 full time) and the sewage flow is estimated to be 2,080 GPD (0.0021 MGD). More detail on how these estimates were calculated is included as a separate attachment prepared by Larson Engineering. These estimates are incorporated into the following table (originally from page 38 of the 2008 Comprehensive Plan for the City of Bayport). Note that the sewer flow estimates are not high enough to result in a change to the projections in this table. Only sewer employment projections for 2020 and 2030 require updating (new projections are shown below).

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 156 High Street, Suite 300, New Richmond, WI 54017-1128

SEH is 100% employee-owned | [sehinc.com](http://sehinc.com) | 715.246.9906 | 888.881.4281 | 888.908.8166 fax

**MCES Population, Employment, and Sewer Flow Projections**

Year	2010	2020	2030
Sewered Population	4,250	4,650	5,150
Sewered Households	1,138	1,300	1,500
Sewered Employment	5,200	5,900	6,500
Average Annual Wastewater Flow (MGD)	0.62	0.63	0.67
Allowable Peak Hourly Flow (MGD)	2.05	2.08	2.21

Sewage flow from this facility will not be conveyed to either one of the City's lift stations. However, all flow from the City of Bayport sanitary sewer system is conveyed to an MCES lift station located in the southeasterly portion of the City. This lift station pumps to the St. Croix Valley WWTP located in Oak Park Heights via an interceptor sewer.

The following tables were included in the City's 2008 Comprehensive Plan and do not need to be modified as a result of the requested amendment.

**Lift Station Capacities**

	Average Flow MGD	Peak Flow MGD
<b>Inspiration Lift Station</b>		
	0.08	0.3
<b>Lakeside Park Lift Station</b>		
	0.01	0.04

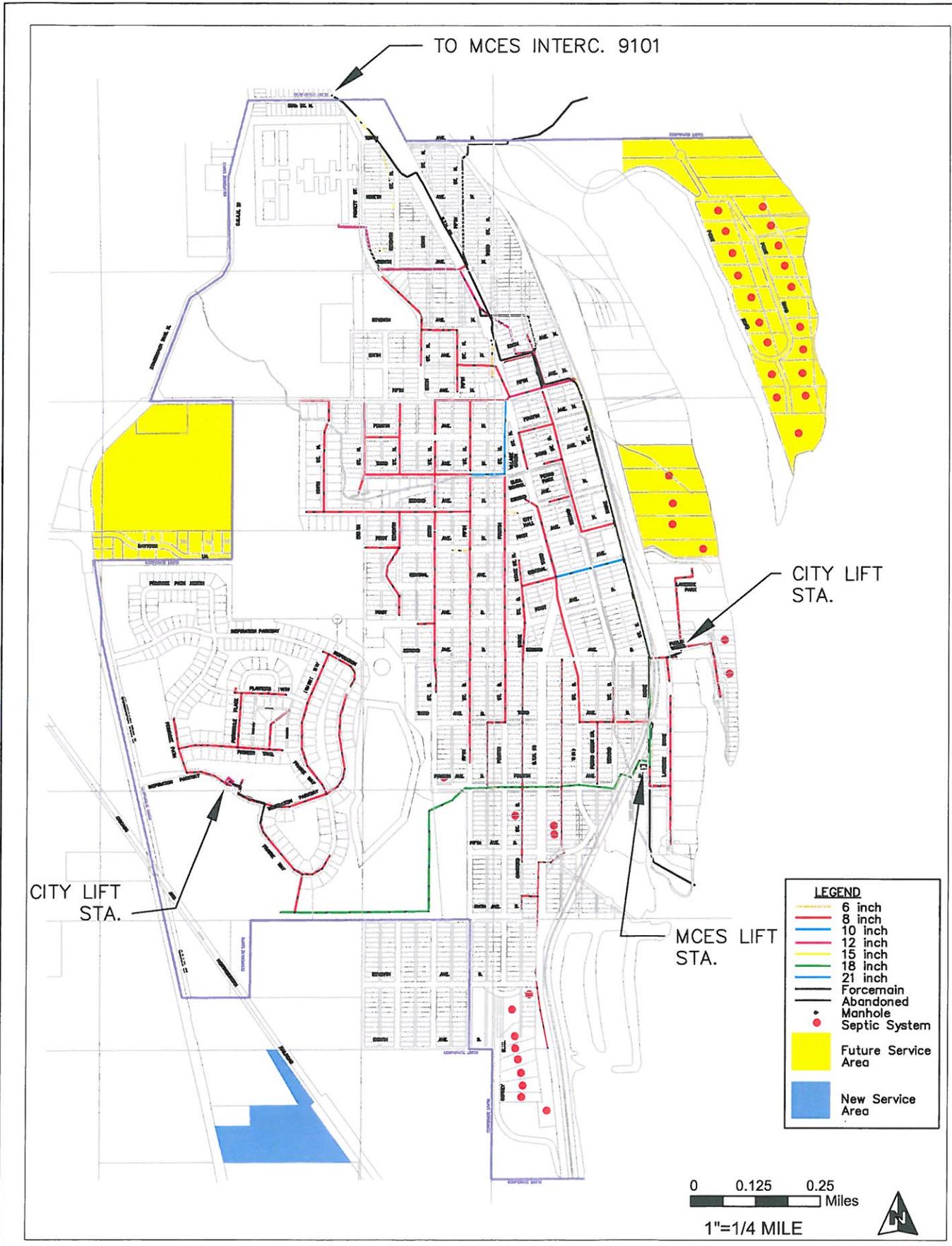
Year	2010	2015	2020	2025	2030
Average Annual Wastewater Flow (MGD)	0.62	0.62	0.63	0.65	0.67

**COMPREHENSIVE PLAN MAP UPDATES**

The only map affected by the requested amendment is Future Sanitary Sewer Service Areas map which is on page 39 of the City's Comprehensive Plan. An updated version of this map is attached to this memo.

**Attachments**

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## Future Sanitary Sewer Service Areas

**Larson Engineering, Inc.**  
3524 Labore Road  
White Bear Lake, MN 55110-5126  
651.481.9120 Fax: 651.481.9201  
www.larsonengr.com



## MEMORANDUM

To: John Parotti – City of Bayport  
From: Greg Buchal  
Project: Stillwater Area Schools Proposed Bus Facility  
Re: Water Use Information

Date: December 12, 2016

Project No: 12156141

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The design team has determined that the anticipated water use will be approximately 2080 gallons per day based upon a 5-day work week. This is based upon the water use records for the current bus facility over the last 3 years. Based upon this information, we assumed water use of 15 gallons per day for the full-time staff at the facility (office workers, mechanics and substitute drivers) and 5 gallons per day for the bus drivers and bus monitors that come and go from the facility during the day. This results in about 1280 gallons per day.

For the bus washing it was assumed that the buses would be washed about 6 times a year (about every other month) and there would be a total of 160 buses. Each bus wash was assumed to use 200 gallons of water for a total of 192,000 gallons per year. Assuming 20 work days per month or 240 work days per year ( $192,000/240 = 800$  gallons) about 4 buses per day would be washed resulting in a water use of about 800 gallons per day used.

Therefore, the total water use per day would be 2080 (1280 + 800) gallons.

In addition, it is intended to protect the building from fire with a sprinkler system. Preliminary estimates from the project mechanical engineer indicate that 850 gallons per minute would be required by the fire suppression system, in the event of a fire. To accommodate this flow, it is anticipated that an 8" water service to the building will be required.