This City Council meeting is taking place virtually and at the Woodbury City Hall in the Council Chambers.

Members of the public may attend the meeting in person and may also join the meeting using a PC, Mac, iPad, iPhone, or Android device.

Public comments will be accepted during the meeting both in person and by using the link to the virtual meeting to join the meeting and then submit your questions via the online Q&A feature within the meeting.

Questions regarding the meeting will also be taken between the hours of 8:00 a.m. to 4:30 p.m. at 651-714-3524 or at council@woodburymn.gov. Questions received after 4:30 p.m. will be responded to in the next three to seven business days.

Please note that all agenda times are estimates.

1. Call to Order

2. Pledge to Flag

3. Roll Call

4. Special Order of Business - 7:02 p.m.

   4A. 2022 Emergency Medical Services Week Proclamation 22-131

5. Open Forum - 7:05 p.m.

   The Open Forum is a portion of the Council meeting where a maximum of three persons will be allowed to address the Council on subjects which are not a part of the meeting agenda. Persons wishing to speak must complete a sign-up sheet prior to the start of the meeting and give the sign-up sheet to any staff person, or may also submit a question or comment virtually via the Q&A chat feature on the right side of the live event screen. Please provide your name and address with your question for the official record. Speakers are limited to two minutes each. The Council will listen attentively to comments but, in most instances, will not respond at the meeting. Typically, replies to the concerns expressed will be made via letter or phone call within a week.

6. Consent Agenda - 7:10 p.m.

   All items listed under the consent agenda are considered to be routine by the City Council and will be enacted by one motion and an affirmative vote by roll call of a majority of the members present. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event, the items will be removed from the consent agenda and considered a separate subject of discussion by the Council.
6A. Approval of Minutes - April 27, 2022

6B. Copper Hills; Final Plat and Development Agreement; Project No. 33-2022-00485

Staff recommends Council approval of Copper Hills, Final Plat, Project No. 33-2022-00485. Staff further recommends Council authorize the Mayor and City Administrator to execute the Development Agreement with all approvals subject to the conditions as outlined in Council Letter 22-132.

6C. Lake Road Trail Rehabilitation; Award Contract; Budget Amendment

Staff recommends Council:

1. Adopt RESOLUTION 22-99, a resolution awarding the construction contract to McNamara Contracting for the Lake Road Trail Rehabilitation project and authorizing the Mayor and City Administrator to sign said contract.
2. Adopt RESOLUTION 22-100, a resolution amending the Street Reconstruction / Maintenance Fund and Parks and Trails Replacement Fund Budgets for the Lake Road Trail Rehabilitation Project.

6D. Waypointe of Woodbury Utility and Street Improvements (Private Construction); Consultant Selection

Staff recommends Council adopt RESOLUTION 22-101, a resolution authorizing the Mayor and City Administrator to execute an engineering consulting services agreement with Bolton & Menk, Inc., for construction administration services for the Waypointe of Woodbury Addition Utility & Street Improvements Project (Private Construction).

6E. 2021 Roadway Rehabilitation Project; Amend Assessment Roll; Authorize Execution of Settlement Agreement

Staff recommends Council adopt RESOLUTION 22-102, a resolution amending the assessment roll for the 2021 Roadway Rehabilitation project and authorizing the Mayor and City Administrator to execute the Settlement Agreement between the City of Woodbury and KLLR Realty, LLC.

6F. Approve Cooperative Agreement with Washington County for Construction Cost of CSAH 19 (Woodbury Drive) and Local Roads Landscaping Project; Approve Amendment No. 1 to Cooperative Agreement With Washington County for the Maintenance of CSAH 19 (Woodbury Drive) and Local Roads Capacity and Safety Improvement Project

Staff recommends Council adopt:

1. RESOLUTION 22-103, a resolution approving the Cooperative Agreement between the City of Woodbury and Washington County for Construction Cost of CSAH 19 (Woodbury Drive) and Local Road Landscaping Project.
2. RESOLUTION 22-104, a resolution approving Amendment No. 1 to the Cooperative Agreement between the City of Woodbury and Washington County for the maintenance of CSAH 19 (Woodbury Drive) and Local Roads Capacity and Safety Improvement Project.

6G. Approve Cooperative Agreement with Washington County for Construction Cost of CSAH 18 (Bailey Road) & CSAH 19 (Woodbury Drive) Landscape Project; Approve Amendment No. 1 to Cooperative Agreement with Washington County for the Maintenance of CSAH 18 (Bailey Road) Management and Safety Project; Approve Amendment No. 1 to Cooperative Agreement with Washington County for the Maintenance of CSAH 19 (Woodbury Drive) Corridor Management and Safety Improvement Project

Staff recommends Council adopt:

1. RESOLUTION 22-105, a resolution approving the Cooperative Agreement between the City of Woodbury and Washington County for the construction cost of CSAH 18 (Bailey Road) & CSAH 19 (Woodbury Drive) Landscape Project.
2. RESOLUTION 22-106, a resolution approving Amendment No. 1 to the Cooperative Agreement between the City of Woodbury and Washington County for the Maintenance of CSAH 18 (Bailey Road) Management and Safety Project.
3. RESOLUTION 22-107, a resolution approving Amendment No. 1 to the Cooperative Agreement between the City of Woodbury and Washington County for the Maintenance of CSAH 19 (Woodbury Drive) Corridor Management and Safety Improvement Project.

6H. Glacial Valley Road and Trunk Utility Alignment Study; Authorize Use of Funds

Staff recommends Council adopt RESOLUTION 22-108, a resolution authorizing the use of Trunk Water and Sanitary Sewer Funds for the Glacial Valley Road/Trunk Utility Alignment Study.

6I. East Pointe Addition Utility and Street Improvements (Private Construction); Consultant Selection

Staff recommends Council adopt RESOLUTION 22-109, a resolution authorizing the Mayor and City Administrator to execute an engineering consulting services contract with WSB, Inc., for construction administration services for the East Pointe Addition Utility & Street Improvements Project (Private Construction).

6J. City Hall Parking Lot Improvements; Award Contract

Staff recommends Council adopt RESOLUTION 22-110, a resolution awarding the construction contract to Pember Companies, Inc., for the City Hall Parking Lot Improvements project and authorizing the Mayor and City Administrator to sign said contract.
6K. New Cingular Wireless PCS (AT&T) at Hudson Road Water Tower; Site Lease Agreement Amendment No. 3

Staff recommends Council adopt RESOLUTION 22-111, a resolution approving Amendment No. 3 to the original Site Lease Agreement on the Hudson Road Water Tower with New Cingular Wireless PCS and authorizing the Mayor and City Administrator to sign the Amendment.

6L. Hudson Road Turn Lanes at Karen Drive and Watermain Project; Award Construction Contract

Staff recommends Council adopt RESOLUTION 22-112, a resolution awarding a construction contract to Miller Excavating, Inc., in the amount of $1,194,500.33 for the Hudson Road Turn Lanes at Karen Drive and Watermain Project and authorizing the Mayor and City Administrator to sign said contract.

6M. 2023 Roadway Rehabilitation Project; Consultant Selection; Authorize Preparation of Revised Preliminary Reports

Staff recommends Council adopt RESOLUTION 22-113, a resolution authorizing Bolton & Menk, Inc., as the engineering consultant for the 2023 Roadway Rehabilitation Project and authorizing the preparation of revised preliminary reports.

6N. Abstract of Bills

The abstract of bills includes payments made from the operating or project budgets for expenses of the city. The expenditures are from all funds of the city. Any purchased contracts requiring signature of the Mayor and City Administrator are hereby approved.

Staff recommends approval of the abstract of bills for April 22, 2022 in the amount of $1,537,256.66 and April 29, 2022 in the amount of $649,098.93.

7. Public Hearings - 7:15 p.m.

7A. 690 Commerce Interior Car Sales at Crossroads Commerce Center; Conditional Use Permit; Project No. 03-2022-00487

1. Open Hearing
2. Close Hearing
3. Staff recommends Council approve the Conditional Use Permit (CUP) via RESOLUTION 22-114, a resolution adopting findings of fact for the 690 Commerce Interior Car Sales at Crossroads Commerce Center, Project No. 03-2022-00487, subject to the conditions as outlined in Council Letter 22-144.
7B. Copper Ridge 9th Addition; Rezoning; Amended Planned Unit Development; Conditional Use Permit; Preliminary Plat and Site and Building Plan; Project No. 28-2021-00473 22-145

1. Open Hearing
2. Close Hearing
3. Staff recommends Council:
   a. Adopt ORDINANCE 2021, an ordinance of the City of Woodbury, Washington County, Minnesota rezoning certain property from R-1, Urban Reserve District to R-4, Urban Residential District; and
   b. Approve the Conditional Use Permit (CUP) via RESOLUTION 22-115, a resolution adopting findings of fact; and
   c. Adopt a motion approving the Copper Ridge 9th Addition Amended Planned Unit Development (APUD), Preliminary Plat and Site and Building Plan, Project No. 28-2021-00473, all subject to the conditions as outlined in Council Letter 22-145.

7C. Resurrection Lutheran Church Farmers’ Market; Interim Conditional Use Permit; Project No. 27-2022-00489 22-146

1. Open Hearing
2. Close Hearing
3. Staff recommends Council approve the Interim Conditional Use Permit via RESOLUTION 22-116, a resolution adopting findings of fact for Resurrection Lutheran Church Farmers’ Market, Project No. 27-2022-00489, subject to the conditions as outlined in Council Letter 22-146.

7D. Adoption of Special Assessments for the Lake Road 4-3 Lane Conversion Project 22-147

1. Open Hearing
2. Close Hearing
3. Staff recommends Council adopt RESOLUTION 22-117, a resolution adopting the special assessments for the Lake Road 4-3 Lane Conversion Project.

7E. Lake Road 4-3 Lane Conversion Project; Award Contract; Amend Budget; Consultant Selection (Item is not a public hearing. Council action needed after close of the Lake Road 4-3 Lane Conversion Project Assessment Hearing.) 22-148

Staff recommends Council adopt:

1. RESOLUTION 22-118, a resolution awarding the construction contract to McNamara Contracting, in the amount of $1,276,339.86 for the Lake Road 4-3 Lane Conversion Project and authorizing the Mayor and City Administrator to sign said contract.
2. RESOLUTION 22-119, a resolution amending the Municipal State Aid Roadway Construction Fund Budget and associated transfers for the Lake Road 4-3 Lane Conversion Project.
3. RESOLUTION 22-120, a resolution authorizing the Mayor and City Administrator to execute an engineering consulting services contract with SEH, Inc., for construction administration services for the Lake Road 4-3 Lane Conversion Project.

8. Discussion - 8:15 p.m.

8A. Approval of Minutes - April 13, 2022

9. Staff Reports - 8:20 p.m.

9A. Transportation Report (2nd meeting of the month – May through October)

9B. City Administrator's Report

10. Adjourn to Council Workshop - 8:25 p.m.

The City of Woodbury is subject to Title II of the Americans with Disabilities Act which prohibits discrimination on the basis of disability by public entities. The City is committed to full implementation of the Act to our services, programs, and activities. Information regarding the provision of the Americans with Disabilities Act is available from the City Administrator's office at 651-714-3523. Auxiliary aids for disabled persons are available upon request at least 72 hours in advance of an event. Please call the ADA Coordinator, Clinton P. Gridley at 651-714-3523 (TDD 714-3568) to make arrangements.
Council Letter 22-131

May 11, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: 2022 Emergency Medical Services Week Proclamation

Summary

May 15-21 is the 47th Annual National Emergency Services (EMS) Week. In 1974, President Gerald Ford authorized EMS Week to celebrate EMS practitioners and the important work they do in our nation’s communities.

Recommendation

Staff recommends Council approve the attached proclamation designating May 15-21, 2022 as EMS Week.

Fiscal Implications

There is no budget impact.

Policy

Not applicable.

Public Process

This proclamation is made annually by the Woodbury City Council and the Mayor.

Background

The first recognition of EMS Week was authorized by President Gerald Ford in 1974 to celebrate EMS practitioners and the important work they do in our nation’s communities. Back then, EMS was a new profession, and EMS practitioners had only just started to be recognized as a critical component of emergency medicine and the public health safety net.

A lot has changed since then. EMS is now firmly established as an essential public function and a vital component of the medical care continuum. On any given day, EMS practitioners help save lives by responding to medical emergencies, including heart attack, difficulty breathing,
fall or accident, drowning, cardiac arrest, stroke, drug overdose or acute illness. EMS may provide both basic and advanced medical care at the scene of an emergency and en route to a hospital. EMS practitioners care for their patients’ medical needs and show caring and compassion to their patients in their most difficult moments.

Written By: Jean Nousiainen, Administrative Assistant
Approved Through: Lee Vague, Public Safety Director/Police Chief
Attachment: Proclamation
Proclamation of the City of Woodbury,  
Washington County, Minnesota

2022 Emergency Medical Services Week – May 15 through May 21

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, Woodbury Emergency Medical Services provides pre-hospital emergency medical care to those persons that experience a medical emergency in our city; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

NOW, THEREFORE, I, Anne W. Burt, Mayor of the City of Woodbury, Washington County, Minnesota, do hereby proclaim May 15 - 21, 2022 to be:

**Emergency Medical Services Week**

in Woodbury. I encourage members of the community to observe this week and express their appreciation to the emergency medical services personnel who serve the City of Woodbury with great skill and dedication.

This Proclamation was adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: 

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Pursuant to the due call and notice thereof, a regular meeting was duly held virtually and at the Woodbury City Hall, 8301 Valley Creek Road, on the 27th day of April 2022.

Call to Order

Mayor Anne Burt called the meeting to order at 7:00 p.m.

Mayor Burt noted that Agenda Item 6I has been amended to reflect title recommendations.

Mayor Burt welcomed those listening and attending. She said members of the public may attend the meeting but will be required to comply with social distancing parameters as determined by the City. Members of the public may also join the meeting using a PC, Mac, iPad, iPhone or Android device. Public comments will be accepted during the meeting both in person and by using the link to the virtual meeting to join the meeting and then submit your questions via the online Q&A feature within the meeting. Questions regarding the meeting will also be taken between the hours of 8:00 a.m. to 4:30 p.m. via email council@woodburymn.gov or call 651-714-3524 and leaving a voicemail message.

Pledge of the Flag

Audience, staff, and Council pledged allegiance to the flag of the United States of America.

Roll Call

Upon roll call the following were present: Mayor Anne Burt, Councilmembers: Kim Wilson, Andrea Date, Steve Morris, and Jennifer Santini. Absent: None

Others Present: Kimberlee K. Blaeser, City Clerk; Pam Whitmore, City Attorney; Clinton Gridley, City Administrator; Janelle Schmitz, Community Development Director; Eric Searles, City Planner; Tony Kutzke, City Engineer; and Sarah Alig, Senior Management Analyst.

Special Order of Business

A. Recognition in Appreciation of the Late Jim Schug

Mayor Burt read in full a Resolution in appreciation for the late Jim Schug.

Mayor Burt moved, seconded by Councilmember Santini,

To adopt the following resolution

Resolution 22-87

Resolution of the City of Woodbury, Washington County, Minnesota in appreciation for the late Jim Schug.

Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt - aye

B. Peace Officers Memorial Day and Police Week Proclamation

Mayor Burt read a Proclamation in full declaring May 15, 2022 as Peace Officers Memorial Day and that week as Peace Week in the City of Woodbury.
C. Building Safety Month Proclamation

Burt read a proclamation in full proclaiming May 2022 as Building Safety Month in the City of Woodbury.

Open Forum

The Open Forum is a portion of the Council meeting where a maximum of three persons will be allowed to address the Council on subjects, which are not a part of the meeting agenda. Persons wishing to speak must complete a sign-up sheet prior to the start of the meeting. Give the sign-up sheet to any staff person. Speakers are limited to two minutes each. The Council will listen attentively to comments but, in most instances, will not respond at the meeting. Typically, replies to the concerns expressed will be made via letter or phone call within a week.

Consent Agenda

All items listed under the consent agenda are considered to be routine by the City Council and will be enacted by one motion and an affirmative vote by roll call of a majority of the members present. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event, the items will be removed from the consent agenda and considered a separate subject of discussion by the Council.

Councilmember Wilson requested that Consent Agenda Items 6A and 6B be moved to the Regular Agenda.

Item A Approval of Council Minutes – April 13, 2022. This item was pulled from the Consent Agenda and moved to Discussion.

Item B Amending the Food-to-Alcohol Ordinance. This item was pulled from the Consent Agenda and moved to discussion.

Item C To adopt the following resolution

Resolution of the City of Woodbury, Washington County, Minnesota approving the Master Partnership Contract with the Minnesota Department of Transportation and authorizing the Mayor and City Administrator to sign said contract.

Item D To adopt the following resolution

Resolution of the City of Woodbury, Washington County, Minnesota approving the budget amendment for payment to Sawatch Labs, Xcel Energy’s preferred provider, for a Fleet Electrification Advisory Program, and accepting a Rebate from Xcel Energy for the Full Project Cost.

Item E To adopt the following resolution

Resolution of the City of Woodbury, Washington County, Minnesota approving the Xcel Electric Vehicle Fleet Pilot Service Agreement.

Item F To adopt the following resolution

Resolution of the City of Woodbury, Washington County, Minnesota authorizing acceptance of the City of Woodbury Pass Through Grant for Salem Church Municipal Water Hookup project from the MPCA in the amount of $200,000, authorizing the Mayor and City Administrator to execute the Memorandum of Understanding between the City of Woodbury and Salem Lutheran Church Regarding Municipal Water Hookup, and approving the budget amendment.

Item G To adopt the following resolution

Resolution of the City of Woodbury, Washington County, Minnesota accepting the Agreement with the Woodbury Firefighters’ Benefit Association (WFBA) Board of Trustees and Members to Dissolve the Association.

Item H To adopt the following resolution

Resolution of the City of Woodbury, Washington County, Minnesota creating one additional Utility Coordinator position.
Item I  To adopt the following resolution

**Resolution 22-94**

Resolution of the City of Woodbury, Washington County, Minnesota appointing Jason Posel to the position of Public Safety Director effective August 20, 2022 and the creation of a Public Safety Manager position effective May 8, 2022.

Item J  The abstract of bills includes payments made from the operating or project budgets for expenses of the city. The expenditures are from all funds of the city. Any purchased contracts requiring signature of the mayor and City Administrator is hereby approved. Staff recommends approval of the abstract of bills for April 8, 2022 in the amount of $729,938.34, and April 15, 2022 in the amount of $1,883,607.88.

Councilmember Santini moved, seconded by Councilmember Morris, to approve Consent Agenda items 6C-6J.

**Voting via voice:**

- Kim Wilson – aye
- Andrea Date – aye
- Steve Morris – aye
- Jennifer Santini – aye
- Anne Burt – aye

Mayor Burt gave special recognition to Item 6I, a recommendation of promotion for Jason Posel.

**Public Hearings**

**A. Black Diamond Commercial; Planned Unit Development; Conditional Use Permit; and Preliminary Plat; Project No. 01-2021-00467; and Settlers Ridge Industrial Site and Building Plan; Project No. 01-2022-00482**

Mayor Burt declared the public hearing open.

City Planner Eric Searles reviewed an application from Frattalone Commercial Development for two storage buildings and a warehouse on the 85-acre former Black Diamond site at Settlers Ridge Parkway and Eastview Road. He reviewed the site history, proposed soil corrections and mediation on the eastern site. The PUD includes a traditional office/warehouse building and proposed self-storage uses, which are geotechnically able to be constructed on the site.

Mr. Searles reviewed the site and building plan for Lot 1, Warehouse Use, where there are limited impacts from previous operations and more traditional development opportunities are available. There is an Alternate Urban Areawide Review for the Northeast Area. The applicant proposes to fully fund necessary roadway improvements. The proposed uses of warehouse/office/light industrial would have a total of 180,000 square feet in a transition zone from the residential to the west. Self-storage uses do not need significant public services and can also be an effective buffer between residential districts and more intensive commercial uses.

Mr. Searles stated a proposed pedestrian network would serve the office/warehouse uses and extends trails along Settlers Ridge Parkway and Eastview Road as well as a proposed north/south road that would connect to Hudson Road. There are four proposed access points to the site: Karen Drive; a future full access point to Settlers Ridge Parkway, and two full access points to Eastview road. A 20-30 foot high berm is proposed on the north along Eastview Road to fully screen utilities.

Mr. Searles stated a neighborhood meeting was held on March 28, 2022 and no questions were raised. The Planning Commission reviewed and unanimously approved the application at their April 18, 2022 meeting. City Staff recommends City Council approval of the application.

Mayor Burt moved, seconded by Councilmember Morris, to close the public hearing.

**Voting in Favor:**  Wilson, Date, Morris, Santini, Burt

**Absent:**  None

Mayor Burt opened opportunity for discussion and questions from the Council.

Councilmember Morris asked whether the proposed Diamond Drive will be privately constructed and maintained. Mr. Searles confirmed this.
Councilmember Morris requested clarification regarding the potential use of the property beyond this development. Mr. Searles stated any future use identified as permitted or conditional use in the Business Campus district could go on Lot 2 or 3 under this PUD and would be reviewed under future applications.

Councilmember Wilson asked whether approval of the PUD would constitute approval of self-storage on the lots. Mr. Searles stated self-storage, if designed appropriately, could meet CUP requirements. He added the City Council would be giving some indication of future support and any concerns related to future use should be discussed.

Councilmember Wilson asked whether it would be beneficial to make Karen Drive a private road. Mr. Searles stated there will be future development on the north side of Karen Drive, which will be constructed at a higher standard than a private road. He added Settlers Ridge Parkway is also a higher standard road.

Councilmember Wilson stated there should be a sidewalk or trail on the south side of the Eastview Road, by the church and residential neighborhoods. Mr. Searles stated there is a long-term goal for a trail on the south side of Eastview Road, but he is unsure of the specific details.

Councilmember Date requested that City Staff provide additional information on that issue.

Councilmember Wilson asked whether the previous use of the property limits future development possibilities because of ground stability. Mr. Searles confirmed this, adding the Minnesota Pollution Control Agency (MPCA) determined that the material determined to be an inert material, and not contaminated; however, the material will have an impact on the types of development that can occur, based on the scale.

Councilmember Wilson requested clarification regarding other acceptable uses. Mr. Searles stated uses that do not have a significant building footprint would be the most appropriate for this site.

Councilmember Wilson asked whether the berm would extend to Settlers Ridge Parkway. Mr. Searles stated future development is anticipated at the corner of Settler’s Ridge Parkway.

Councilmember Santini asked whether consideration has been given to the eagle’s nest across the road. Mr. Searles stated the appropriate agencies have been consulted and no additional work is necessary. He added City Staff actively monitors the eagle’s nest.

Councilmember Wilson asked how far out notices are delivered. Mr. Searles stated notices are sent to properties within 500 feet of the subject property. He added City Staff requested that the applicant place a prominent sign on the site providing information about future industrial development before adjacent residential sites were developed or sold. He added he has spoken to residents who are going through the home buying process at this location.

Councilmember Santini moved, seconded by Councilmember Morris,

To adopt the following resolution

Resolution 22-95

Resolution of the City of Woodbury, Washington County, Minnesota, approving a Conditional Use Permit (CUP) and adopting findings of fact.

Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

Councilmember Santini moved, seconded by Councilmember Morris,

To adopt a motion approving the Black Diamond Commercial Planned Unit Development (PUD) and Preliminary Plat, Project No. 01-2021-00467.

Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye
Councilmember Santini moved, seconded by Councilmember Morris,

To adopt a motion approving the Settlers Ridge Industrial Site and Building Plan, Project No. 01-2022-00482, all subject to the conditions as outlined in Council Letter 22-127.

Voting via voice:

- Kim Wilson – aye
- Andrea Date – aye
- Steve Morris – aye
- Jennifer Santini – aye
- Anne Burt – aye

Discussion

A. 2022 Community Survey Results

Mayor Burt introduced Jade Arocha and invited her to address the City Council regarding the recent 2022 Community Survey.

Jade Arocha, Director of Survey Research for National Research Center (NRC) at Polco, presented the results of the 2022 Woodbury Resident Survey. She reviewed the January 2022 survey involving 4200 randomly selected households. A total of 794 surveys were completed for a rate of 25%, with 3% margin of error. Results are weighted, and benchmark comparisons are provided for City Council review.

Ms. Arocha stated an open participation survey was also available to the community after the survey mailing, and 883 responses were received. She added those results are provided in a separate report.

Ms. Arocha reviewed seven key findings of the survey – overall quality of life; economic aspects; strong community connections and inclusivity; drinking water quality and adequate water supply; government performance and City service delivery; safety concerns; value of taxes.

Mayor Burt requested clarification regarding the percentages of respondents. Ms. Arocha stated the list of recipients is randomly selected from a list provided by the U.S. Postal Service (USPS) and includes vacant units and undeliverable surveys, which are subtracted from the overall number. She added this information is included in the full report.

Councilmember Date requested clarification regarding the response rate for those who received traditional mailing, and those who received the postcard. Ms. Arocha stated she does not have that data but agreed to follow up. She added the two surveys are a change in methodology that is being done for all clients in an attempt to ascertain differences in response rates.

Councilmember Wilson asked whether people who received the paper survey had the option to do the online survey. Ms. Arocha confirmed this, adding people could choose which survey they wanted to complete, and two postcards were sent.

Councilmember Date stated the City Council had hoped to increase the number of respondents with this survey to ensure a more cohesive review. She added it would be helpful to have a report back on how effective the method was. Ms. Arocha agreed to provide that information.

Councilmember Date asked whether addresses were recorded for people who completed the open participation survey, as that could be a potential source of data that has not been absorbed. Ms. Arocha stated respondents are not asked to enter their address, as there can be a negative response rate if they believe they are being tracked. She added that would be an additional step that would increase costs. She noted the City Administrator has requested a comparative analysis between the open participation survey and random sample responses.

Councilmember Morris stated the random sample responses are statistically relevant, but the open participant survey data cannot be confirmed. He added it is helpful to review the information, but not to compare it.

Councilmember Date stated it will be helpful to have addresses to reduce duplication and confirm participants’ residence in Woodbury. She added that seems like a good question that should be added to the survey. She stressed the importance of deciding whether the data is helpful as it cannot be integrated, and efforts could be focused on sending more postcards.

Ms. Arocha stated the open participation survey respondents are generally more civically engaged, and the ratings are higher with bigger discrepancies on controversial topics or policy issues. She added IP addresses are confirmed and participants are asked to provide an email address and zip code to cross match with voter registration data. She noted other personal information is not visible.
Councilmember Date stated residents have indicated that they are increasingly willing to pay more to keep City services at current levels. She asked whether survey questions about taxes can be benchmarked against other cities. She added she would wish that a benchmark on that issue could be provided as the City Council has often wondered if that is typical or not. Ms. Arocha stated that survey question is unique to Woodbury, and there were no statistical differences from 2019-2022.

Councilmember Date asked which questions related to diversity and inclusion were benchmarked. Ms. Arocha stated 2 of the 4 questions are unique to the Woodbury community, but not the City specifically.

Councilmember Date expressed concern that helping new residents feel integrated is only at 50% when it should be closer to 100%. She stated she supports spending some time thinking about this, as the City has done a lot of work on this issue, but the numbers have not changed.

Councilmember Morris stated the numbers have improved but they are low. He added he would be interested to see a benchmark related to the last question related to residents feeling connected.

Councilmember Santini stated there are many new residents who moved to Woodbury right before or during the pandemic who may feel disconnected because they have been isolated.

Councilmember Date stated the question about valuing people from diverse backgrounds is the lowest at 64%. She added that is troubling to her personally. She added the question regarding sense of community was much higher than previous surveys. Mayor Burt agreed, adding the way the question is worded was changed.

Ms. Arocha stated the change from phone survey to mail survey will always have a negative effect on ratings, as people being interviewed respond more positively than people who are filling out a form or responding online.

Councilmember Date asked whether there is a question regarding climate change. Sarah Alig, Senior Management Analyst, stated questions related to sustainability are located on page 39, but there is not a specific question on climate change.

Councilmember Date stated survey data related to climate change would have been helpful, as the City’s Natural Resources & Environmental Commission has been working on a recommendation related to climate change. She added responses related to water quality are not surprising but could be reviewed at the upcoming Council Workshop.

Ms. Arocha stated, as part of the City’s contract, unlimited follow-up surveys are available on the open participation survey platform. She added there is a library of questions including those related to climate change which would provide additional data.

Councilmember Date asked whether there were significant differences in diversity and inclusion responses based on how participants identify themselves. Ms. Arocha stated there is an appendix of demographic information related to household income.

Councilmember Wilson stated, with regard to a sense of community, participants 18-34 years of age had the lowest ratings, while those 72+ years of age felt the most connected.

Councilmember Wilson asked whether the data is divided into precincts. She requested an updated precinct map.

Councilmember Date stated she would be curious to know if home ownership impacts sense of community. She asked whether there is any data on sense of community as it relates to race and ethnicity.

Ms. Arocha stated cross tabulations based on race and ethnicity can be found on page 97 of the report. She added people who identified as being white gave more positive ratings than non-whites, while non-Hispanic people gave higher ratings than those who identified as Hispanic.

Councilmember Morris asked whether any questions related to crime were benchmarked. He added there has been a lot of attention given to this issue in Minnesota in the past 36 months. Ms. Arocha stated that section is unique to Woodbury. She added this is a public perception survey and survey results can be impacted by news stories and local media.

Councilmember Date stated she supports a review of crime-related survey questions, as it feels as though crime is increasing in Woodbury, and that perception is reflected in the survey. She noted the City Council should discuss ways to reassure people about public safety.

Councilmember Wilson stated she appreciates that the survey was sent out to more residents this year.

Mayor Burt stated the data is used by the City Council to work through potential strategic initiatives and support the budget process. She thanked Ms. Arocha for her report.
B. METRO Gold Line Subordinate Funding Agreement 6, 7, and 8 to Master Funding Agreement

City Engineer Tony Kutzke reviewed three Subordinate Funding Agreements (SFAs) between City of Woodbury and Metropolitan Council for City-requested infrastructure improvement projects. He reviewed City funding sources and Engineer’s estimates for the SFA’s, prepared by the Gold Line Project Office, which could be adjusted, based on actual bid costs.

Mr. Kutzke stated City Staff recommends City Council adoption of Resolutions authorizing execution of SFA’s 6, 7 and 8.

Councilmember Wilson stated plans for the park & ride station have not been provided and she is confused about whether trails are proposed for both sides of Woodlane Drive. She asked what is happening with that area.

Mr. Kutzke stated the park & ride station is a separate project to be presented to the City Council at a future date. He added City Staff are working on a PUD submittal review from the Gold Line Project Office related to that site that would address requirements for trails.

Councilmember Wilson stated the SFA includes landscaping and lighting along Woodlane Drive. Mr. Kutzke stated those components are only addressed within the project area, adjacent to the park & ride parcel.

Councilmember Morris moved, seconded by Councilmember Date,

To adopt the following resolution

Resolution 22-96

Resolution of the City of Woodbury, Washington County, Minnesota, authorizing the Mayor and City Administrator to execute METRO Gold Line Subordinate Funding Agreement 6 to the Master Funding Agreement between the City of Woodbury and the Metropolitan Council.

Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

Councilmember Morris moved, seconded by Councilmember Date,

To adopt the following resolution

Resolution 22-97

Resolution of the City of Woodbury, Washington County, Minnesota, authorizing the Mayor and City Administrator to execute METRO Gold Line Subordinate Funding Agreement 7 to the Master Funding Agreement between the City of Woodbury and the Metropolitan Council.

Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

Councilmember Morris moved, seconded by Councilmember Date,

To adopt the following resolution

Resolution 22-98

Resolution of the City of Woodbury, Washington County, Minnesota, authorizing the Mayor and City Administrator to execute the METRO Gold Line Subordinate Funding Agreement 8 to the Master Funding Agreement between the City of Woodbury and the Metropolitan Council.

Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye
C. Consent Agenda Item 6A - Approval of April 13, 2022 Minutes

Councilmember Wilson stated she felt that some things did not make it into the April 13 minutes that should have been there, and this is not the first time this has happened. She added she verified that the comments were missing by reviewing the meeting video recording. She expressed concern that pulling the minutes from the Consent Agenda and making a separate motion is not sufficient as the rest of the City Council will not have had an opportunity to watch the video recording.

Councilmember Wilson stated the City Council meeting minutes are generally reviewed for typographical errors as opposed to content. She added she would like to come up with a way to determine if content is missing before the meeting at which the minutes are approved, as she felt that there were pertinent issues that were discussed that did not make it into the minutes. She stressed the importance of ensuring that the minutes are a true record of the meeting.

Mayor Burt stated the City hires a professional transcription team and the City Council has discussed in the past that the minutes should not be verbatim. She asked whether Councilmember Wilson has something in particular that she wishes to address.

Councilmember Wilson stated she has multiple notes on page 10 of the minutes.

City Attorney Whitmore stated Woodbury is a statutory City, and the minutes are the responsibility of the City Clerk. She added there is no requirement for verbatim minutes, and general discussion is not required or recommended. She noted minutes vary by City as they are responsible for their own process, but minutes in general should be summary in nature.

Councilmember Wilson stated some things were excluded that she felt were pertinent. She added Mr. Gridley explained the General Fund, and that is not included, which she felt was a missed opportunity. She noted the minutes should be a reflection of the meeting for people who want to review it.

Ms. Whitmore stated the City Council can pull the minutes and have a discussion, but the purpose of the minutes is to provide a summary of the actions taken at the meeting. She added the meeting is recorded and streamed, and residents can review it online.

Councilmember Wilson stated the video is only available online for 3 months, after which it is removed, and the minutes are the only reflection of what happened at the meeting.

Ms. Whitmore stated the agenda item can be postponed and reviewed at a scheduled future meeting.

Mr. Gridley stated City Staff would require specific direction regarding which comments should be inserted or changed so they can be confirmed on the video and a City Council vote would be necessary. He added this could set a precedent for City Staff with regard to the verbatim nature of the minutes.

Councilmember Wilson stated it should be reflected in the minutes if someone says something. Mr. Gridley stated the City Council can decide how detailed they want the minutes to be, but the League guideline is summary minutes.

Councilmember Wilson stated she did not ask for a verbatim set of minutes.

Ms. Whitmore asked whether the transcription service provides information to the City regarding their algorithm. Ms. Blaeser stated the transcription service is used by many local cities and has been a long-established service, and they understand the content necessary for City Council minutes.

Councilmember Wilson asked whether City Staff reviews the minutes after they are received from the transcription service. Ms. Blaeser confirmed this.

Councilmember Wilson asked whether the original set of minutes is available, that came from the transcription service before City Staff made any additions or deletions. Ms. Blaeser confirmed this.

Councilmember Wilson stated she would be interested in seeing those minutes and comparing them to these minutes.

Ms. Whitmore stated this is a conversation for the City Council’s annual workshop, to ensure that the City Council is getting the preferred type of summary from the transcription service. She added this would be a Council decision that would require a majority vote. She noted a motion could be made to postpone action on the April 13, 2022 minutes to be reviewed by the City Council at the next regular meeting.

Ms. Whitmore cautioned the City Council with regard to going beyond the expertise provided by the transcription service.
Councilmember Santini requested the following correction to the April 13, 2022 City Council meeting minutes:

-Page 4, Motion to Approve Consent Agenda, replace “Councilmember Date” with “Councilmember Santini”

Councilmember Wilson moved, seconded by Councilmember Santini,

To adopt a motion postponing approval of Consent Agenda Item 6A from the April 13, 2022 Council minutes until the City Council’s May 11, 2022 meeting, at which time the City Council will review comments that Councilmember Wilson requests for inclusion under Consent Agenda Item 6F (Resolution authorizing the Mayor and City Administrator to execute an engineering consulting services contract with WSB, for construction administration services for the Air Lake Addition Utility & Street Improvements Project) and Discussion Item C (Amendment to CD-COUNCIL-2.9 City Council Compensation; City Code Amendment Chapter 2 Administration, Article II, Section 2.21 – Mayor and City Council Compensation).

Voting via voice:

Kim Wilson – aye
Andrea Date – nay
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – nay

Councilmember Wilson agreed to provide a summary for the City Council’s review before the May 11, 2022 meeting.

Councilmember Wilson requested that the original minutes submitted by the transcription service be provided by City Staff for City Council Review. Mr. Gridley asked whether the City Council agrees with this request. There was a majority consensus of the City Council to request that City Staff provide the original version of the April 13, 2022 City Council meeting minutes for City Council review.

D. Consent Agenda Item 6B - Ordinance of the City of Woodbury, Washington County, Minnesota providing that the City Code be amended by amending Chapter 4, Alcoholic Beverages, Article I, in General, Section 4-12 License Required; Article II Intoxicating Liquor; Section 4-28 Food Sales

Councilmember Wilson stated the City sent a survey to 29 businesses and received 14 responses, 13 of 14 said this was not an issue. She asked why the food to alcohol ratio is being reduced when the majority indicated it was not a barrier. She added there is concern that if the ratio is lowered, that will open up the City to different types of businesses as opposed to restaurants.

Community Development Director Janelle Schmitz stated this issue was reviewed by the Economic Development Commission, and they felt strongly that a 20% reduction would reduce the perceived barrier of entry for new restaurants that want to open in Woodbury, and would be more inclusive and welcoming to new businesses opportunities. She added that still holding food sales at 30% would be significant enough to discourage bars and nightclubs.

Mayor Burt stated the EDC is looking for ways to improve economic development and provide additional flexibility as well as a better, more achievable ratio.

Mr. Gridley stated the City Council reviewed this issue during the pandemic and supported local businesses in various ways, and this option came up as an opportunity to lower a barrier without giving up important standards.

Councilmember Date moved, seconded by Councilmember Santini,

To adopt the following ordinance

**Ordinance 2020**

Ordinance of the City of Woodbury, Washington County, Minnesota providing that the City Code be amended by amending Chapter 4, Alcoholic Beverages, Article I, in General, Section 4-12 License Required; Article II Intoxicating Liquor; Section 4-28 Food Sales.

Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye
Closed Session

Mayor Burt stated that pursuant to the provisions of Minnesota State Statute section 13(d).05 Subdivision 3b, and based on the advice of the City Attorney, she recommended that the City Council hold a closed City Council meeting. The matters to be discussed are related to a contested case regarding Duty Disability Benefits Determination under Minn. Stat. § 13D. 05, subd. 3(b).

The reason for this City Council action to close the meeting is to discuss Susan Banick vs. the City of Woodbury, a litigation matter pending before the Office of Administrative Hearings in relation to Ms. Banick’s position and duty benefits regarding her former employment as a Police Officer for the City. The City Council’s basis to close the meeting results from the City Council’s conclusion that purposes of the attorney-client privilege necessitate candid legal advice and discussion of litigation strategies legal counsel in a closed session. If any formal action by the City Council is necessary, following receipt of legal advice from counsel, the action will be conveyed and taken when the City Council returns to open session.

Councilmember Morris moved, seconded by Councilmember Date, to hold a City Council closed meeting for the purposes previously stated.

Voting in Favor: Wilson, Date, Morris, Santini, Burt
Absent: None

Reconvene Regular Meeting and Take Action

Mayor Burt moved, seconded by Councilmember Morris, to reconvene the City Council meeting.

Voting in Favor: Wilson, Date, Morris, Santini, Burt
Absent: None

Councilmember Santini moved, seconded by Councilmember Morris,

To adopt a motion approving the settlement and release agreement between the City of Woodbury and Susan Banick.

Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

Staff Reports

City Administrator’s Report

Mr. Gridley reviewed the following upcoming meetings:
- May 2, 2022 - Planning Commission meeting
- May 3, 2022 at 7:00 p.m. – Parks & Natural Resources Commission in Ash North and South Conference Room
- May 5, 2022 at 7:30 a.m. – Business Celebration at Central Park Amphitheater
- May 9, 2022 at 6:00 p.m. – Neighborhood Meeting for Woodlane Drive Park & Ride in Council Chambers
- May 11, 2022 at 7:00 p.m. – City Council meeting

Adjournment

Mayor Burt moved, seconded by Councilmember Morris, to adjourn the meeting at 9:46 p.m.

Voting in Favor: Wilson, Date, Morris, Santini, Burt
Absent: None

Respectfully submitted,

Kimberlee K. Blaeser, City Clerk

Approved by the Woodbury City Council on May 11, 2022
City of Woodbury, Minnesota
Office of City Administrator

Council Letter 22-132

May 11, 2022

To: The Honorable Mayor and Members of the City Council
From: Clinton P. Gridley, City Administrator
Subject: Copper Hills; Final Plat and Development Agreement; Project No. 33-2022-00485

Summary

D.R. Horton, Inc. has submitted a Final Plat application for the Copper Hills residential development. The Applicant is requesting to plat 66 single family homes and 43 attached townhome units. The property is located east of Radio Drive and south of Dale Road. The subdivision is zoned R-4, Urban Residential District, and is guided as Low Density Residential on the Land Use Plan. The necessary improvements are being requested to be constructed privately, pending final City Administrator approval, with the necessary securities posted by the Applicant prior to the release of the Final Plat. A Development Agreement will be prepared accordingly.

Recommendation

Staff recommends Council approval of Copper Hills, Final Plat, Project No. 33-2022-00485. Staff further recommends Council authorize the Mayor and City Administrator to execute the Development Agreement with all approvals subject to the following conditions:

1. All conditions of Planned Unit Development and Preliminary Plat approval shall remain in full force and effect.
2. The Final Plat shall include all necessary easements to match the utility plans being prepared by the City’s consultant engineer.
3. The final street names shall be reviewed and approved by the Chief Building Official.
4. This Final Plat approval shall be contingent on meeting all required findings of Section 21-16 of the Woodbury City Code.
5. Prior to the release of the Final Plat, a Development Agreement shall be executed.
6. The Developer shall be financially responsible for 100 percent of all storm sewer, sanitary sewer and water main area and connection charges applicable to the property. These charges are identified in a preliminary report prepared for the project and shall be in the Development Agreement.
7. Plat approval and release shall be conditional on adherence to all requirements of the city attorney, including, but not necessarily limited to, any express requirements contained in the city attorney’s plat opinion.
8. Prior to the release of the Final Plat, all permanent easements and rights-of-way (ROW) necessary for existing and proposed street and utility improvements within the plat boundary shall be granted to the City at no cost or paid for by the Developer.

9. All standard front, rear and side yard lot easements shall be shown on the plat. Standard front and rear yard easements are 10 feet and side yard easements are five (5) feet. Where public utilities are adjacent to side or rear lot lines, easements shall be a minimum of 10 feet wide on each side of the lot line. If the utilities are deeper than 10 feet, the easement width for each lot is calculated at a 1:1 depth-to-width ratio from the centerline of the utility. The easement width must then be adjusted to the nearest five-foot increment. If additional easements are not provided, then the layout of the watermain shall be adjusted.

10. The Final Plat shall be recorded prior to issuance of a building permit.

11. Park dedication shall be paid via a combination of cash in lieu of land dedication and land dedication. Payment shall be made prior to the release of the Final Plat.

**Fiscal Implications**

All Plan B improvements will be constructed by the Developer.

**Policy**

Chapter 21, Subdivision
Chapter 24, Zoning

**Public Process**

Preliminary Plat Neighborhood Meeting – July 15, 2021
Preliminary Plat Planning Commission – December 6, 2021
Preliminary Plat Public Hearing- December 8, 2021

**Background**

At their September 29, 2021 meeting, the City Council approved the South of Dale Master Plan. The intent of the master plan was to guide decisions for development on the following infrastructure needs:

- Transportation (roads, trails, greenways)
- Storm water management
- Trunk utility planning (sanitary sewer, water)
- Parks and open space

The proposed Copper Hills development closely follows the master plan in the areas of park development, roadway network, stormwater management and trunk utilities. Furthermore, the plan is consistent in the delivery of multi-family and single family housing options.

During infrastructure planning discussions related to the opening of Sub-phase 2C, Council requested visibility on the cumulative number of lots platted on an annual basis to affirm infrastructure capacity. The chart below provides the cumulative total of platted lots.
<table>
<thead>
<tr>
<th>Subdivision Name</th>
<th>2022 Platted Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waypointe of Woodbury</td>
<td>100</td>
</tr>
<tr>
<td>East Pointe</td>
<td>140</td>
</tr>
<tr>
<td>AirLake North</td>
<td>115</td>
</tr>
<tr>
<td>Bridlewood Farms 7&lt;sup&gt;th&lt;/sup&gt;</td>
<td>33</td>
</tr>
<tr>
<td>Copper Hills (pending approval)</td>
<td>109</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>497</strong></td>
</tr>
</tbody>
</table>

Written By: Dan Krumwiede, Planner 1  
Approved Through: Eric Searles, Assistant Community Development Director/City Planner  
Janelle Schmitz, Community Development Director  
Attachments: 11 x 17 Plans
KNOW ALL PERSONS BY THESE PRESENTS:

that D.R. Horton, Inc. - Minnesota, a Delaware corporation, fee owner of the following described property situated in the County of Washington, State of Minnesota, to wit:

The North Half of the Northwest Quarter, EXCEPT the West 579.1 feet of the North 406.05 feet of the East Half of the Northwest Quarter, Section 33, Township 28 North, Range 21 West, ALSO EXCEPT part of the Northwest Quarter Northwest Quarter being Parcel No. 8 of Washington County Highway Right-of-Way Plat No. 61, subject to public roadway, Washington County, Minnesota.

Has caused the same to be surveyed and platted as COPER HILLS and does hereby dedicate and dedicate the public ways, as shown on this plat and also dedicate the easements as created by this plat for drainage and utility purposes only.

I hereby certify that I have surveyed and platted as directly represented the survey and platting of the property described on this plat as COPER HILLS, that I am a duly licensed Land Surveyor in the State of Minnesota, that this plat is a correct representation of the boundary survey, that all astronomical data and points are correctly designated on the plat and that all public ways and streets are shown and labeled on the plat.

Dated this day of , 20

Mathew J. Welinski, Licensed Land Surveyor
Minnesota License No. 53596

STATE OF MINNESOTA
COUNTY OF HENNEPIN
The foregoing Surveyor's Certificate was acknowledged before me on this day of , 20, by Mathew J. Welinski, Licensed Land Surveyor, Minnesota License No. 53596.

My Commission Expires

COUNTY RECORDER

A duly and officially commissioned Recorder for the County of Washington, Minnesota, and was duly sworn to execute the duties of a County Recorder.

By

Assistant

CITY OF WOODBURY, MINNESOTA

This plat was approved by the City Council of the City of Woodbury, Minnesota this day of , 20 and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subdivision 2.

By

Mayor

City Administrator

COUNTY SURVEYOR

Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this day of , 20.

By

Washington County Surveyor

COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20 on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered on this day of , 20.

By

Washington County Auditor/Treasurer                 Deputy

COUNTY RECORDER

Document Number

I hereby certify that this instrument was recorded in the office of the County Recorder for record on this day of , 20, at o'clock M., and was duly recorded in Washington County Records.

By

Washington County Recorder      Deputy
City of Woodbury, Minnesota
Office of City Administrator

Council Letter 22-133

May 11, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Lake Road Trail Rehabilitation; Award Contract; Budget Amendment

Summary

The Lake Road Trail Rehabilitation Project includes repaving approximately 3.4 miles of existing trails along Lake Road. The project area begins at Woodlane Drive and ends at Pioneer Drive.

On April 7, 2022, three competitive bids were received for the Lake Road Trail Rehabilitation Project. The lowest responsible bid was received by McNamara Contracting with a total base bid of $559,354. The substantial completion date for the project will be August 13, 2022.

Recommendation

Staff recommends Council:

1. Adopt the attached resolution awarding the construction contract to McNamara Contracting for the Lake Road Trail Rehabilitation project and authorizing the Mayor and City Administrator to sign said contract.
2. Adopt the attached resolution amending the Street Reconstruction / Maintenance Fund and Parks and Trails Replacement Fund Budgets for the Lake Road Trail Rehabilitation Project.

Fiscal Implications

The Adopted 2022 Street Reconstruction and Maintenance Fund Budget includes $2,185,000 for the Lake Road Trail Rehabilitation Project. Estimated project costs based on the low bid, construction contingencies, estimated engineering, administrative and legal costs is $700,000.

The budget shows $2,185,000 being transferred from the Parks and Trails Replacement Fund into the Street Reconstruction and Maintenance fund for the Lake Road Trails Rehabilitation Project. In order to minimize the number of transfers between funds, staff proposes to eliminate the transfer from the Parks and Trails Replacement Fund for the Lake Road project and fund the project directly from the Parks and Trails Replacement Fund. A budget amendment resolution has been drafted and attached.

The budgeted Lake Road Trail Rehabilitation Project included 6 miles of trails to be rehabilitated along Lake Road between Woodlane Drive and Settlers Ridge Parkway. The section...
between Pioneer Drive and Settlers Ridge Parkway is planned for rehabilitation in 2023, to align with the Lake Road Rehabilitation project in 2023 from Pioneer Drive to Manning Avenue. The unspent funds for the 2022 Lake Road Trail Rehabilitation project will be carried forward to 2023 for the trail rehabilitation project along Lake Road between Pioneer Drive and Settlers Ridge Parkway.

**Policy**

The Lake Road Trail Rehabilitation project follows the procedures set by Minnesota State Statutes regarding competitive bidding.

**Public Process**

The project will be constructed in coordination with the Lake Road 4-3 Lane Conversion Project since it covers roughly the same area. The City’s website includes information on the Lake Road 4-3 Lane Conversion Project and includes information regarding repaving existing trails along the corridor.

**Background**

The City is proposing pavement rehabilitation of Lake Road between Courtly Road and Tahoe Road and between Woodlane Drive and Pioneer Drive along with restriping of Lake Road between Woodlane Drive and Pioneer Drive to convert the existing 4-lane roadway section to a 3-lane roadway with a two-way center left turn lane. The existing trails along Lake Road are also in need of rehabilitation and the trail rehabilitation project will occur in coordination with the Lake Road 4-3 Lane Conversion Project.

Written By: Mike Hejna, Principal Engineer
Approved Through: Chris Hartzell, Engineering Director
Attachment: 1. Resolution Awarding Contract
2. Resolution Amending Budget
Engineering File #: 16-2021-04
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Awarding the Construction Contract to McNamara Contracting for the Lake Road Trail Rehabilitation Project and Authorizing the Mayor and City Administrator to Sign Said Contract

WHEREAS, the low responsive and responsible bid was received from McNamara Contracting, at their bid price of $559,354.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. That the bid of McNamara Contracting, in the amount of $559,354.00 for the Lake Road Trail Rehabilitation is the lowest responsive bid.

2. That a contract to perform said work is awarded to McNamara Contracting and that the Mayor and City Administrator are hereby authorized and directed to execute said contract.

3. The City Clerk is authorized and directed to return the deposit made for said bids, except the deposit of the successful contractor which shall be retained until a contract has been signed.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Amending the Street Reconstruction / Maintenance Fund and Parks and Trails Replacement Fund Budgets for the Lake Road Trail Rehabilitation Project

WHEREAS, the 2022 Lake Road Trail Rehabilitation is not associated with a neighborhood street reconstruction project; and

WHEREAS, the project can be directly associated to the Parks and Trails Replacement Fund and the budgeted transfer to the Street Reconstruction and Maintenance Fund can now be eliminated; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the following revenue increases/ (decreases) to the 2022 Street Reconstruction Maintenance Fund budget.

<table>
<thead>
<tr>
<th>Revenue Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transfers-In (Parks and Trails Replacement Fund)</td>
<td>$(2,185,000)</td>
</tr>
<tr>
<td>499-000-00-00000-4420</td>
<td></td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that the following expenditure increases/ (decreases) be made to the 2022 Street Reconstruction Maintenance Fund budget:

<table>
<thead>
<tr>
<th>Expenditure Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Reconstruction/Maintenance Projects</td>
<td>$(2,185,000)</td>
</tr>
<tr>
<td>499-090-00-00000-5425</td>
<td></td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that the following expenditure increases/ (decreases) be made to the 2022 Parks & Trails Replacement Fund budget:

<table>
<thead>
<tr>
<th>Expenditure Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Projects</td>
<td>$2,185,000</td>
</tr>
<tr>
<td>202-090-00-00000-5425</td>
<td></td>
</tr>
<tr>
<td>Transfers-Out (Street Reconstruction/Maintenance Fund)</td>
<td>$(2,185,000)</td>
</tr>
<tr>
<td>202-090-00-00000-5701</td>
<td></td>
</tr>
</tbody>
</table>

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Summary

The City Council approved the final plat and development agreement for Waypoint of Woodbury on February 9, 2022. Tradition Development has petitioned the City to privately construct the utility and street improvements to serve the approved residential development. Since the improvements are to be privately constructed, it is not necessary for Council to order a preliminary report or plans and specifications.

Construction administration services for the Waypointe of Woodbury Utility & Street Improvements Project will be performed by Bolton & Menk, Inc., based upon their experience in the area, current involvement with this project, and expertise. The estimated cost of the construction administration contract with Bolton & Menk, Inc., is $279,606.

Recommendation

Staff recommends Council adopt the attached resolution authorizing the Mayor and City Administrator to execute an engineering consulting services agreement with Bolton & Menk, Inc., for construction administration services for the Waypointe of Woodbury Addition Utility & Street Improvements Project (Private Construction).

Fiscal Implications

Sufficient funds are available from the developer in the form of a cash escrow for the professional services agreement with Bolton & Menk, Inc., in the amount of $279,606. This project is wholly funded by the developer and there is no fiscal impact to the City.

Policy

Purchasing policy AD-FIN-4.8 which requires Council Approval for all consultant contracts exceeding $175,000.
Public Process

This is the first public process for this item. The developer has petitioned private construction and no additional public process is required.

Background

The necessary public infrastructure will be constructed privately, pending final City approval, with the necessary securities posted by the applicant prior to the release of the final plat.

Written By: Teresa Keller, Senior Engineering Project Coordinator
Approved Through: Chris Hartzell, Engineering Director
Attachment: Resolution
Engineering Project #: 35-2021-01
Resolution 22

Resolution of the City of Woodbury, Washington County, Minnesota

Authorizing the Mayor and City Administrator to Execute an Engineering Consulting Services Agreement with Bolton & Menk, Inc., for Construction Administration Services for the Waypointe of Woodbury Addition Utility & Street Improvements Project (Private Construction)

WHEREAS, Tradition Development, is planning to construct a 100 lots, combination of single-family, detached townhomes homes and four outlots within Waypointe of Woodbury Addition; and

WHEREAS, Tradition Development, has petitioned the City to privately construct the utility and street improvements for the Waypointe of Woodbury Addition Utility and Street Improvements Project; and

WHEREAS, the City wishes to retain the services of an engineering consultant to assist with said project; and

WHEREAS, Bolton & Menk, Inc., has been determined to best meet the City’s needs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. Bolton & Menk, Inc., is hereby selected to perform the construction administration services for the Waypointe of Woodbury Addition Utility and Street Improvements.

2. Authorization is hereby given to enter into an engineering consulting agreement with Bolton & Menk, Inc., to perform construction administration services for the Waypoint of Woodbury Addition Utility and Street Improvements Project.

3. The Mayor and City Administrator are hereby authorized to execute the above consultant agreement.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest:                  Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-135

May 11, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: 2021 Roadway Rehabilitation Project; Amend Assessment Roll; Authorize Execution of Settlement Agreement

Summary

On April 14, 2021, the City Council approved the project assessment roll at the special assessment hearing for the 2021 Roadway Rehabilitation project.

Following the special assessment hearing, property owner KLLR Realty, LLC, conducting business as Portillo’s Hot Dogs, LLC, filed an appeal to their special assessments for the project. A court ordered mediation was held on April 25, 2022, related to the appeal. A mediated settlement agreement has been proposed and agreed upon by the property owner and reviewed and approved by City staff and legal counsel. In the interest of time, costs and legal process, the Settlement Agreement proposes the reduction of the special assessment for the property rather than proceeding with hearings through District Court.

Recommendation

Staff recommends Council adopt the attached resolution amending the assessment roll for the 2021 Roadway Rehabilitation project and authorizing the Mayor and City Administrator to execute the Settlement Agreement between the City of Woodbury and KLLR Realty, LLC.

Fiscal Implications

The proposed amended assessment for the property is below.

KLLR Realty, LLC – PID 04-028-21-24-0007
   Original Assessment: $60,690.00
   Amended Assessment: $42,600.00

The total reduction in the revised assessment roll is $18,090.00 and is within the approved budget contingency for the project.

Policy

City Policy CD-ENGPW-4.2 sets forth guidelines for the financing of roadway construction and identifies special assessments as funding for public infrastructure projects.
Public Process

The public process and construction of this project have been completed.

Background

As part of the City’s ongoing pavement management program, roadway rehabilitation projects are performed annually to provide a cost-effective means of extending the life expectancy of the City street system. The general scope of work includes the removal and replacement of damaged curb and gutter, minor storm sewer, sanitary sewer, and water main repairs, storm water quality improvements and pavement construction.

Written By: Tony Kutzke, Assistant Engineering Director/City Engineer
Approved Through: Chris Hartzell, Engineering Director
Attachment: Resolution
Project Number: 04-2020-02
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Amending the Assessment Roll for the 2021 Roadway Rehabilitation Project and Authorizing the Mayor and City Administrator to Execute the Settlement Agreement between the City of Woodbury and KLLR Realty, LLC

WHEREAS, the City Accountant I with the assistance of the City Engineer has calculated the amount to assess for improvements for the 2021 Roadway Rehabilitation project; and

WHEREAS, the Assessment Hearing for the 2021 Roadway Rehabilitation project was held on April 14, 2021; and

WHEREAS, the Assessment Roll for the 2021 Roadway Rehabilitation project was adopted by the City Council on April 14, 2021; and

WHEREAS, Special Assessment appeals were filed by KLLR Realty, LLC with the District Court; and

WHEREAS, a mediated settlement agreement has been proposed and agreed upon by the property owner and reviewed and approved by City staff and legal counsel; and

WHEREAS, in the interest of time, costs and legal process, staff recommends approving the Settlement Agreement to settle the special assessment appeal outside of District Court.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota, authorizes the Mayor and City Administrator to execute the Settlement Agreement between the City of Woodbury and KLLR Realty, LLC.

BE IT FURTHER RESOLVED to reduce the amount certified for collection in 2021 for parcel #04-028-21-24-0007 from $60,690.00 to $42,600.00.

BE IT FURTHER RESOLVED the Chief Financial Officer is hereby authorized to sign the necessary abatement form.

BE IT FURTHER RESOLVED the City Accountant I is hereby directed to forward a copy of this resolution to the County Auditor Treasurer.

BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

Upon execution of the Settlement Agreement, the proposed assessment roll is hereby amended to modify the Special Assessment for the property below:

KLLR Realty, LLC – PID 04-028-21-24-0007
Original Assessment: $60,690.00
Amended Assessment: $42,600.00
This resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: 

Anne W. Burt, Mayor

______________________________
Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-136

May 11, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Approve Cooperative Agreement with Washington County for Construction Cost of CSAH 19 (Woodbury Drive) and Local Roads Landscaping Project; Approve Amendment No. 1 to Cooperative Agreement With Washington County for the Maintenance of CSAH 19 (Woodbury Drive) and Local Roads Capacity and Safety Improvement Project

Summary

Washington County and the City of Woodbury entered into a cooperative agreement for construction of the CSAH 19 (Woodbury Drive) and Local Roads Capacity and Safety Improvement Project in 2020. Staff from the City and Washington County have determined that the landscaping components of these projects would be best facilitated by constructing separately in a landscape project to increase efficiencies in the project delivery and construction. The CSAH 19 (Woodbury Drive) and Local Road Landscaping Project was awarded at the June 10, 2020 Council Meeting.

Staff has developed a Cooperative Agreement between the City of Woodbury and Washington County to define the roles, cost participation, and responsibilities for the CSAH 19 (Woodbury Drive) and Local Road Landscaping Project. The City shall be responsible for preparation of the plans, specifications, award of contract, and construction administration. The project costs will be shared between the City and County in accordance with the County’s Cost Participation Policy.

Washington County and the City of Woodbury also entered into a cooperative agreement for the ownership and maintenance of the CSAH 19 (Woodbury Drive) and Local Roads Capacity and Safety Improvement Project in 2020. Staff has developed an amendment to the ownership and maintenance agreements to include the irrigation and landscape improvements included in the CSAH 19 (Woodbury Drive) and Local Road Landscaping Project.

Recommendation

Staff recommends Council adopt:

1. The attached resolution approving the Cooperative Agreement between the City of Woodbury and Washington County for Construction Cost of CSAH 19 (Woodbury Drive) and Local Road Landscaping Project.
2. The attached resolution approving Amendment No. 1 to the Cooperative Agreement between the City of Woodbury and Washington County for the maintenance of CSAH 19 (Woodbury Drive) and Local Roads Capacity and Safety Improvement Project.
Fiscal Implications

The CSAH 19 (Woodbury Drive) and Local Roads Capacity and Safety Improvement Project was included within the Adopted Budget for the Municipal State Aid Roadway Fund. The landscaping portion of the projects are included as a component of the total project cost and budget for these projects. Adequate funds have been allocated to the projects and there are no budget impacts associated with the adoption of the cooperative agreements.

Policy

This project aligns with the City’s Roadway Corridor Design Principles for landscaping design and Comprehensive Plan goals for providing native plantings and improving storm water quality. Washington County Cost Participation Policy #8001 has been applied to the Cooperative Cost Agreements with Washington County.

Public Process

The CSAH 19 (Woodbury Drive) and Local Roads Capacity and Safety Improvement Project was constructed during the 2020 and 2021 construction seasons. The public process with Washington County began for this project in 2017.

Background

City of Woodbury and Washington County began construction on the CSAH 19 (Woodbury Drive) and Local Roads Capacity and Safety Improvement Project in April 2020 and will be completing construction as weather allows in the spring of 2022. The CSAH 19 (Woodbury Drive) and Local Road Landscaping Project was bid by the City of Woodbury on May 20th, 2020. The landscape work is being completed in phases following completion of the street improvement phases. The remaining landscape work will be completed this spring and will be monitored through a maintenance period.

Written By: Jennifer Solseth, Project Manager
Approved Through: Chris Hartzell, Engineering Director
Attachment: 1. Resolution approving the Cooperative Agreement with Washington County for Construction Cost of CSAH 19 (Woodbury Drive) and Local Road Landscaping Project
2. Resolution approving Amendment No. 1 to the Cooperative Agreement with Washington County for the Maintenance of CSAH 19 (Woodbury Drive) and Local Roads Capacity and Safety Improvement Project
Resolution 22 -

Resolution of the City of Woodbury, Washington County, Minnesota

Approving the Cooperative Agreement between the City of Woodbury and Washington County for Construction Cost of CSAH 19 (Woodbury Drive) and Local Roads Landscaping Project

WHEREAS, Washington County intends to construct landscaping improvements for the CSAH 19 (Woodbury Drive) & Local Roads Project; and

WHEREAS, the landscaping components of these projects would be best facilitated by constructing separately in a combined landscape project to increase efficiencies in the project delivery and construction; and

WHEREAS, staff has developed a Cooperative Agreement between the City of Woodbury and Washington County to define the roles, cost participation, and responsibilities for the CSAH 19 (Woodbury Drive) and Local Roads Landscaping Project; and

WHEREAS, Washington County and the City of Woodbury desire to enter into an Interagency Cooperative Agreement for construction and maintenance costs on CSAH 19 (Woodbury Drive) and Local Roads Landscaping Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. A Cooperative Agreement between the City of Woodbury and Washington County for Construction Costs of the CSAH 19 (Woodbury Drive) and Local Roads Landscaping Project is hereby approved.

2. The Mayor and City Administrator are hereby authorized to execute said Agreement.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Approving Amendment No. 1 to the Cooperative Agreement between the City of Woodbury and Washington County for the Maintenance of CSAH 19 (Woodbury Drive) and Local Roads Capacity and Safety Improvement Project

WHEREAS, Washington County and City of Woodbury entered into Cooperative Agreement No. 13175, effective February 20, 2020; and

WHEREAS, Washington County and City of Woodbury desire to amend the Cooperative Construction Agreement for the ownership and maintenance of CSAH 19 (Woodbury Drive) and Local Roads Capacity and Safety Improvement Project to include landscaping components; and

WHEREAS, staff have developed an Amendment to the Cooperative Construction Agreement for the ownership and maintenance of the CSAH 19 (Woodbury Drive) and Local Roads Capacity and Safety Improvement Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. Amendment No. 1 to the Cooperative Agreement between the City of Woodbury and Washington County for Maintenance of CSAH 19 (Woodbury Drive) and Local Roads Capacity and Safety Improvement Project is hereby approved.

2. The Mayor and City Administrator are hereby authorized to execute said Agreement.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

_______________________________________
Clinton P. Gridley, City Administrator  (SEAL)
City of Woodbury, Minnesota
Office of City Administrator

Council Letter 22-137

May 11, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Approve Cooperative Agreement with Washington County for Construction Cost of CSAH 18 (Bailey Road) & CSAH 19 (Woodbury Drive) Landscape Project; Approve Amendment No. 1 to Cooperative Agreement with Washington County for the Maintenance of CSAH 18 (Bailey Road) Management and Safety Project; Approve Amendment No. 1 to Cooperative Agreement with Washington County for the Maintenance of CSAH 19 (Woodbury Drive) Corridor Management and Safety Improvement Project

Summary

Washington County and the City of Woodbury have entered into cooperative agreements for the construction of two improvement projects in 2020 and 2021. These projects include the CSAH 18 (Bailey Road) Management and Safety Project and the CSAH 19 (Woodbury Drive) Corridor Management and Safety Improvement Project. Staff from the City and Washington County have determined that the landscaping components of these projects would be best facilitated by constructing separately in a combined landscape project to increase efficiencies in the project delivery and construction. The combined CSAH 18 (Bailey Road) & CSAH 19 (Woodbury Drive) Landscape Project was awarded at the April 28, 2021, Council Meeting.

Staff has developed a Cooperative Agreement between the City of Woodbury and Washington County to define the roles, cost participation, and responsibilities for the CSAH 18 (Bailey Road) & CSAH 19 (Woodbury Drive) Landscape Project. The City shall be responsible for preparation of the plans, specifications, award of contract, and construction administration. The project costs will be shared between the City and County in accordance with the County’s Cost Participation Policy.

Washington County and the City of Woodbury also entered into cooperative agreements for the ownership and maintenance of the improvement projects on CSAH 18 (Bailey Road) Management and Safety Project in 2020 and the CSAH 19 (Woodbury Drive) Corridor Management and Safety Improvement Project in 2021. Staff has developed amendments to these existing ownership and maintenance agreements to include the irrigation and landscape improvements included in the CSAH 18 (Bailey Road) & CSAH 19 (Woodbury Drive) Landscape Project.
Recommendation

Staff recommends Council adopt:

1. The attached resolution approving the Cooperative Agreement between the City of Woodbury and Washington County for the construction cost of CSAH 18 (Bailey Road) & CSAH 19 (Woodbury Drive) Landscape Project.
2. The attached resolution approving Amendment No. 1 to the Cooperative Agreement between the City of Woodbury and Washington County for the Maintenance of CSAH 18 (Bailey Road) Management and Safety Project.
3. The attached resolution approving Amendment No. 1 to the Cooperative Agreement between the City of Woodbury and Washington County for the Maintenance of CSAH 19 (Woodbury Drive) Corridor Management and Safety Improvement Project.

Fiscal Implications

The CSAH 18 (Bailey Road) Management and Safety Project and the CSAH 19 (Woodbury Drive) Corridor Management and Safety Improvement Project were included within the Adopted Budget for the Municipal State Aid Roadway Fund. The landscaping portion of the projects are included as a component of the total project cost and budget for these projects. Adequate funds have been allocated to the projects and there are no budget impacts associated with the adoption of the cooperative agreements.

Policy

This project aligns with the City’s Roadway Corridor Design Principles for landscaping design and Comprehensive Plan goals for providing native plantings and improving storm water quality. Washington County Cost Participation Policy #8001 has been applied to the Cooperative Cost Agreements with Washington County.

Public Process

The Bailey Road Management and Safety Project was constructed during the 2020 construction season. The public process with Washington County began for this project in 2017. The Woodbury Drive Corridor Management and Safety Improvements Project began a public process in 2018 and its construction began in 2021.

Background

The CSAH 18 (Bailey Road) Management and Safety Project included expanding Bailey Road from a two-lane roadway to a four-lane divided roadway with center medians and left and right turn lanes. A roundabout was constructed at the intersection of Bailey Road and Woodlane Drive. The landscaping for this project includes median perennials along the Bailey Road corridor as well as a perennial layout in the center median of the roundabout. Trees will be planted along the back side of the trail on the south side of Bailey Road. Trees that needed to be removed along the north side of Bailey Road to construct the project are proposed to be replaced, as well as the trees removed along Woodlane Drive.

The CSAH 19 (Woodbury Drive) Corridor Management and Safety Improvement Project includes expanding Woodbury Drive from a rural two-lane roadway to a divided four-lane
roadway with center medians and left and right turn lanes. A roundabout has been constructed at the intersection of Woodbury Drive and Dale Road. New trails have been added on both the east and west side of Woodbury Drive, with the trail along the west side providing an extension of Washington County’s Central Greenway Regional Trail. This landscaping project proposes to install native perennial plantings in the medians and roundabout center, as well as many trees along the Central Greenway Regional Trail.

These projects are cooperative roadway projects with Washington County, with the City leading the landscaping efforts to provide the most efficient management of the landscaping installation.

Written By: Jennifer Solseth, Project Manager
Approved Through: Chris Hartzell, Engineering Director
Attachment: 1. Resolution approving Cooperative Agreement with Washington County for the Construction Cost of CSAH 18 (Bailey Road) & CSAH 19 (Woodbury Drive) Landscape Project
2. Resolution approving Amendment No. 1 to Cooperative Agreement with Washington County for the Maintenance of CSAH 18 (Bailey Road) Management and Safety Project
3. Resolution approving Amendment No. 1 to Cooperative Agreement with Washington County for the Maintenance of CSAH 19 (Woodbury Drive) Corridor Management and Safety Improvement Project
Location Map – CSAH 19 Project

CSAH 19 (Woodbury Dr)
City of Woodbury
From Dale Rd to CSAH 18 (Bailey Rd)
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Approving the Cooperative Agreement between the City of Woodbury and Washington County for Construction Cost of CSAH 18 (Bailey Road) & CSAH 19 (Woodbury Drive) Landscape Project

WHEREAS, City of Woodbury intends to construct landscaping improvements for the CSAH 18 (Bailey Road) Management and Safety Project and the CSAH 19 (Woodbury Drive) Mobility and Safety Improvement Project; and

WHEREAS, the landscaping components of these projects would be best facilitated by constructing separately in a combined landscape project to increase efficiencies in the project delivery and construction; and

WHEREAS, staff has developed a Cooperative Agreement between the City of Woodbury and Washington County to define the roles, cost participation, and responsibilities for the CSAH 18 (Bailey Road) & CSAH 19 (Woodbury Drive) Landscape Project; and

WHEREAS, Washington County and the City of Woodbury desire to enter into an Interagency Cooperative Agreement for construction costs of the CSAH 18 (Bailey Road) & CSAH 19 (Woodbury Drive) Landscape Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. A Cooperative Agreement between the City of Woodbury and Washington County for Construction Costs of the CSAH 18 (Bailey Road) & CSAH 19 (Woodbury Drive) Landscape Project is hereby approved.

2. The Mayor and City Administrator are hereby authorized to execute said Agreement.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Approving Amendment No. 1 to the Cooperative Agreement between the City of Woodbury and Washington County for the Maintenance of CSAH 18 (Bailey Road) Management and Safety Project

WHEREAS, Washington County and City of Woodbury entered into Cooperative Agreement No. 13188, effective February 26, 2020; and

WHEREAS, Washington County and City of Woodbury desire to amend the Cooperative Construction Agreement for the ownership and maintenance at CSAH 18 (Bailey Road) Management and Safety Project to include landscaping; and

WHEREAS, staff have developed an Amendment to the Cooperative Construction Agreement for the ownership and maintenance at CSAH 18 (Bailey Road) Management and Safety Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. Amendment No. 1 to the Cooperative Agreement between the City of Woodbury and Washington County for Maintenance of CSAH 18 (Bailey Road) Management and Safety Project is hereby approved.

2. The Mayor and City Administrator are hereby authorized to execute said Agreement.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest:  

__________________________  
Anne W. Burt, Mayor

_______________________________________  
Clinton P. Gridley, City Administrator (SEAL)
Resolution 22 -

Resolution of the City of Woodbury, Washington County, Minnesota

Approve Amendment No. 1 to the Cooperative Agreement between the City of Woodbury and Washington County for the Maintenance of CSAH 19 (Woodbury Drive) Corridor Management and Safety Improvement Project

WHEREAS, Washington County and City of Woodbury entered into Cooperative Agreement No. 14027, effective April 28, 2021; and

WHEREAS, Washington County and City of Woodbury desire to amend the Cooperative Construction Agreement for the ownership and maintenance at CSAH 19 (Woodbury Drive) Corridor Management and Safety Improvement Project to include landscaping components; and

WHEREAS, staff have developed an Amendment to the Cooperative Construction Agreement for the ownership and maintenance at CSAH 19 (Woodbury Drive) Corridor Management and Safety Improvement Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. Amendment No. 1 to the Cooperative Agreement between the City of Woodbury and Washington County for Maintenance of CSAH 19 (Woodbury Drive) Corridor Management and Safety Improvement Project is hereby approved.

2. The Mayor and City Administrator are hereby authorized to execute said Agreement.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Summary

Future residential development in the southern part of Woodbury requires the extension of trunk utilities west of the Summerlin Addition development. The proposed alignment crosses a small area of property owned by South Washington County Watershed District (SWWD) that was recorded under a conservation easement. Based upon anticipated development needs in the area and proposed Glacial Valley Park improvements, an alternate alignment study for Glacial Valley Road and utilities is necessary due to the restrictions of the easement.

The total estimated costs to perform a roadway and trunk utility alignment study for Glacial Valley Road is $15,000.

Recommendation

Staff recommends Council adopt the attached resolution authorizing the use of Trunk Water and Sanitary Sewer Funds for the Glacial Valley Road/Trunk Utility Alignment Study.

Fiscal Implications

Sufficient funds are available from the Trunk Water and Sanitary Sewer Fund for the Glacial Valley Road and Trunk Utility Alignment Study in the amount of $15,000. Water and Sanitary Sewer area charges are collected with each development to fund trunk water and sanitary sewer studies and infrastructure improvement projects.

Policy

The City Council authorizes use of funds within the Trunk Water and Sanitary Sewer Fund by resolution.

Public Process

This is the first public process for this item.
Background

Fall of 2021, the Council approved the Phase II Master plan for development areas south of Dale Road. The master plan shows the extension of Glacial Valley Road to Pioneer Drive with an alignment that crosses a small portion of SWWD property covered by a conservation easement. Since crossing the conservation easement may not be feasible, staff is proposing to study an alternate alignment that avoids the conservation easement area. The alternate alignment would cross property owned by the City at the southernmost edge of the Central Draw Ponding Area 85.

Written By: Warren Tracy, Senior Project Coordinator
Approved Through: Chris Hartzell, Engineering Director
Attachment: Resolution
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Authorizing the use of Trunk Water and Sanitary Sewer Funds for the Glacial Valley Road/Trunk Utility Alignment Study

WHEREAS, the City of Woodbury has allocated trunk funds for water and sanitary sewer infrastructure; and

WHEREAS, the City of Woodbury Phase II Master Plan identifies future trunk utility extensions in the area of Glacial Valley Road; and

WHEREAS, staff proposes studying alternate roadway and trunk utility alignments along Glacial Valley Road; and

WHEREAS, a resolution from the City Council authorizing the City of Woodbury to utilize Trunk Water and Sanitary Sewer Funds is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota that use of the Trunk Water and Sanitary Sewer Funds for the Glacial Valley Road and Trunk Utility Alignment Study within the City of Woodbury, is hereby authorized in accordance with the terms set forth herein.

BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to authorize use of the following funds:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trunk Water and Sanitary Sewer</td>
<td>$15,000</td>
</tr>
</tbody>
</table>

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator on the 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-139

May 11, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: East Pointe Addition Utility and Street Improvements (Private Construction); Consultant Selection

Summary

The City Council will be considering approval of the East Pointe Addition final plat and development agreement in the near future. In anticipation of this approval, Maplewood Development has petitioned the City to privately construct the utility and street improvements to serve the approved residential development. Since the improvements are proposed to be privately constructed, it is not necessary for Council to order a preliminary report or plans and specifications. An estimate of cost and plans and specifications will be administratively ordered based on the Development Agreement to establish security requirements and collect utility charges.

Construction administration services for the East Pointe Addition Utility & Street Improvements Project will be performed by WSB, Inc. based upon their experience in the area, current involvement with this project and expertise.

Recommendation

Staff recommends Council adopt the attached resolution authorizing the Mayor and City Administrator to execute an engineering consulting services contract with WSB, Inc., for construction administration services for the East Pointe Addition Utility & Street Improvements Project (Private Construction).

Fiscal Implications

Sufficient funds are available from the developer in the form of a cash escrow for the professional services agreement with WSB, Inc., in the amount of $279,000. This project is wholly funded by the developer and there is no fiscal impact to the City.

Policy

Purchasing policy AD-FIN-4.8 which requires Council Approval for all consultant contracts exceeding $175,000.
Public Process

This is the first public process for this item. The developer has petitioned private construction and no additional public process is required.

Background

The necessary public infrastructure will be constructed privately, pending final City approval, with the necessary securities posted by the applicant prior to the release of the final plat.

Written By: Doug Novak, Engineering Project Coordinator
Approved Through: Chris Hartzell, Engineering Director
Attachment: Resolution
Engineering Project No: 35-2021-03
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Authorizing the Mayor and City Administrator to Execute an Engineering Consulting Services Contract with WSB, for Construction Administration Services for the East Pointe Addition Utility & Street Improvements Project (Private Construction)

WHEREAS, Maplewood Development, is planning to construct 90 single-family homes and 50 townhomes within East Pointe Addition; and

WHEREAS, Maplewood Development, has petitioned the City to privately construct the utility and street improvements for the East Pointe Addition Utility and Street Improvements Project; and

WHEREAS, the City wishes to retain the services of an engineering consultant to assist with said project; and

WHEREAS, WSB, Inc., has been determined to best meet the City’s needs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. WSB, Inc., is hereby selected to perform the construction administration services for the East Pointe Addition Utility and Street Improvements.

2. Authorization is hereby given to enter into an engineering consulting services contract with WSB, Inc., to perform construction administration services for the East Pointe Addition Utility and Street Improvements Project.

3. The Mayor and City Administrator are hereby authorized to execute the above consultant contract.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-140

May 11, 2022

To: The Honorable Mayor and Members of the City Council
From: Clinton P. Gridley, City Administrator
Subject: City Hall Parking Lot Improvements; Award Contract

Summary

The City Hall parking lot is planned for replacement in 2022. The pavement is in poor condition and requires several other improvements, including new stormwater basins, updated landscaping, sanitary service replacement and entryway upgrades.

On April 28, 2022, three competitive bids were received for the City Hall Parking Lot Improvements project. The lowest responsible bid was received by Pember Companies, Inc., with a total base bid of $691,959.35. The substantial completion date for the project will be August 1, 2022.

Recommendation

Staff recommends Council adopt the attached resolution awarding the construction contract to Pember Companies, Inc., for the City Hall Parking Lot Improvements project and authorizing the Mayor and City Administrator to sign said contract.

Fiscal Implications

The Adopted 2022 Capital Improvement Fund Budget includes $995,000 for Municipal Buildings/Engineering - City Hall Parking & Campus Improvements. An additional $100,000 of funding from the Ramsey Washington Metro Watershed District (RWMWD) Best Management Practices Cost Share Program grant was approved by Council on January 26, 2022, for this project. A carry forward of $27,800 from the City Hall remodel project is also included in the adopted budget. Estimated project costs are based on the low bid construction, contingencies, estimated engineering, administrative and legal costs are shown below.

<table>
<thead>
<tr>
<th>Funding Sources</th>
<th>Estimated Funding</th>
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<tbody>
<tr>
<td></td>
<td>Project Cost</td>
</tr>
<tr>
<td>Capital Improvement Fund</td>
<td>$965,000</td>
</tr>
<tr>
<td>RWMWD Grant Funding</td>
<td>$100,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$1,065,000</td>
</tr>
</tbody>
</table>
The estimated project cost is lower than the amount included in the 2022 budget in the Capital Improvement Fund. The project cost includes Veteran’s Memorial improvements and landscaping costs.

Policy

The City Hall Parking Lot Improvements project follows the procedures set by Minnesota State Statutes regarding competitive bidding.

Public Process

The City will provide notification prior to construction on the City website, through InTouch, and through social media messages. Construction will begin after Memorial Day and will be completed prior to the primary elections on August 9.

Background

The City Hall parking lot was identified through the CIP process as needing replacement to address failing infrastructure. The pavement was in poor condition, and the sanitary service pipe has recently been patched and will require replacement due to a sag in the pipe. Improvements to the stormwater treatment and entryway were also identified.

Written By: Mike Hejna, Principal Engineer
Approved Through: Chris Hartzell, Engineering Director
Attachment: 1. Resolution
              2. Consultant Recommendation Letter
Engineering File #: 16-2021-02
Resolution 22-
Resolution of the City of Woodbury, Washington County, Minnesota

Awarding the Construction Contract to Pember Companies, Inc., for the City Hall Parking Lot Improvements Project and Authorizing the Mayor and City Administrator to Sign Said Contract

WHEREAS, the low responsive and responsible bid was received from Pember Companies, Inc., at their quoted price of $691,959.35.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. That the bid of Pember Companies, Inc. in the amount of $691,959.35 for the City Hall Parking Lot Improvements Project is the lowest responsive bid.

2. That a contract to perform said work is awarded to Pember Companies, Inc., and that the Mayor and City Administrator are hereby authorized and directed to execute said contract.

3. The City Clerk is authorized and directed to return the deposit made for said quotes, except the deposit of the successful contractor which shall be retained until a contract has been signed.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest:                      Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
April 28, 2022

RE: City of Woodbury, MN
City Hall Parking Lot Improvements
SEH No. WOODB 165829  14.00

Mr. Clinton Gridley
City Administrator
City of Woodbury
8301 Valley Creek Road
Woodbury, MN  55125

Dear Mr. Gridley:

On Thursday, April 28, 2022 at 10:00 a.m., three (3) bids were received for the above-referenced project. The bids ranged from a high of $899,171.42 to a low of $691,959.35. The low bid received was submitted by Pember Companies, Inc. of Menomonie, WI in the amount of $691,959.35.

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Total Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>1  Pember Companies, Inc.</td>
<td>$691,959.35</td>
</tr>
<tr>
<td>2  Urban Companies</td>
<td>$696,122.57</td>
</tr>
<tr>
<td>3  T.A. Schifsky &amp; Sons, Inc.</td>
<td>$899,171.42</td>
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</table>

In reliance on our experience with Pember Companies, Inc. and/or materials and information provided by the contractor, we have determined that 1) they have a sufficient understanding of the project and equipment to perform the construction for which it bid; and 2) according to their bonding agent they presently have the financial ability to complete the project bid. SEH makes no representation or warranty as to the actual financial viability of the contractor or its ability to complete its work.

Accordingly, we recommend the project be awarded to Pember Companies, Inc. in the amount of $691,959.35, which compares favorably with the engineer’s estimate shown above.

Sincerely,

Chad E. Setterholm, PE
Project Manager

ah
Council Letter 22-141

May 11, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: New Cingular Wireless PCS (AT&T) at Hudson Road Water Tower; Site Lease Agreement Amendment No. 3

Summary

New Cingular Wireless PCS (AT&T) is requesting Amendment No. 3 to their original Site Lease Agreement at the Hudson Road Water Tower. The amendment grants New Cingular Wireless PCS the authority to install additional equipment on the water tower, which increases the annual Site Lease Agreement rent.

Recommendation

Staff recommends Council adopt the attached resolution approving Amendment No. 3 to the original Site Lease Agreement on the Hudson Road Water Tower with New Cingular Wireless PCS and authorizing the Mayor and City Administrator to sign the Amendment.

Fiscal Implications

Annual Site Lease Agreement rent shall be increased in the amount of $19,260 and increased annually by the greater of a five percent lease rate escalator or CPI over the annual rent due the immediate preceding lease year. All lease revenues collected are recorded as revenue in the General Fund.

Policy

Not applicable.

Public Process

A public hearing was previously held regarding the original Site Lease Agreement and installation of New Cingular Wireless PCS equipment at the Hudson Road Water Tower.

Background

Recently, New Cingular Wireless PCS requested a modification to their existing equipment at the Hudson Road Water Tower. The modification includes additional antennas and cables.
Anytime a cellular tenant completes a modification that increases the amount of equipment or ground space an amendment to the original Site Lease Agreement is required.

Annual rent payments are established using the City’s current fee schedule and amount of equipment a tenant operates. Since New Cingular Wireless PCS is requesting to install additional equipment beyond what the original Site Lease Agreement allowed, the annual rent shall be increased to reflect this change through the amendment process.

This amendment to the original Site Lease Agreement has been reviewed and approved by the City’s legal counsel and includes the standard language necessary to grant the installation of the additional equipment and increased annual rent.

New Cingular Wireless PCS has been a respectful tenant at the Hudson Road Water Tower and will continue to follow all the terms and conditions of the Site Lease Agreement.

Written By: Doug Peterson, Engineering Project Coordinator
Approved Through: Chris Hartzell, Engineering Director
Attachment: Resolution
Resolution 22
Resolution of the City of Woodbury,
Washington County, Minnesota

Approving Amendment No. 3 to the Original Site Lease Agreement on the Hudson Road Water Tower with New Cingular Wireless PCS and Authorizing the Mayor and City Administrator to Sign Amendment

WHEREAS, New Cingular Wireless PCS has proposed Amendment No. 3 requesting the installation of additional equipment on the Hudson Road Water Tower located at 9430 Hudson Road, Woodbury, Minnesota; and

WHEREAS, New Cingular Wireless PCS has a Site Lease Agreement dated December 5, 2008; and

WHEREAS, the City has reviewed Amendment No. 3 and is willing to enter into said amendment with New Cingular Wireless PCS for this site.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. Amendment No. 3 to the original Hudson Road Site Lease Agreement dated December 5, 2008, is hereby approved authorizing the installation of additional equipment.

2. The Site Lease Agreement annual rent shall be increased by $19,260.

3. All other terms and conditions of the original Site Lease Agreement executed December 5, 2008, shall remain in full force and effect.

4. The Mayor and City Administrator are hereby authorized to execute the Site Lease Agreement Amendment No. 3.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-142

May 11, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Hudson Road Turn Lanes at Karen Drive and Watermain Project; Award Construction Contract

Summary

On February 24, 2022, bids were opened for the Hudson Road Turn Lanes at Karen Drive and Watermain Project. In accordance with Minnesota Statute Chapter 429, the next step is to award the construction contract to the low bidder.

The lowest responsive bidder for the Hudson Road Turn Lanes at Karen Drive and Watermain Project is Miller Excavating, Inc., with a total base bid of $1,194,500.33.

Hudson Road is on the City’s State Aid system and eligible to receive future State Aid Funds. The roadway design for Hudson Road does not include parking based on State Aid standards. A resolution was previously adopted prohibiting parking on both side of Hudson Road, from Lake View Drive to Manning Avenue.

Recommendation

Staff recommends Council adopt the attached resolution awarding a construction contract to Miller Excavating, Inc., in the amount of $1,194,500.33 for the Hudson Road Turn Lanes at Karen Drive and Watermain Project and authorizing the Mayor and City Administrator to sign said contract.

Fiscal Implications

The estimated project cost to complete the Hudson Road Turn Lanes at Karen Drive and Trunk Watermain Project, including engineering and administrative cost, is $1,433,400.40. Sufficient funds are available from a combination of the Phase Two – Major Roadway Special Assessment Fund and Trunk Water and Sanitary Sewer Fund as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trunk Water and Sanitary Sewer Fund</td>
<td>$589,746.11</td>
</tr>
<tr>
<td>Phase Two - Major Roadway Special Assessment Fund</td>
<td>$843,654.29</td>
</tr>
<tr>
<td>Total</td>
<td>$1,433,400.40</td>
</tr>
</tbody>
</table>
Revenues have been collected from development of adjacent properties to mitigate traffic impacts and help fund utility improvements along Hudson Road.

Policy

Purchasing policy CD-FIN-5.1 requires sealed bids for construction contracts exceeding $175,000. The project also follows State Aid Design Standards required for prohibiting parking and future Minnesota Department of Transportation funding.

Public Process

- January 26, 2022 – City Council - Approve Preliminary Report, Approve Plans and Specifications, Order Project, Establish Bid Date, Waive Assessment Hearing
- February 24, 2022 – Bid opening

Background

Several new developments in the Northeast Area of Woodbury have prompted the need for roadway improvements on Hudson Road at Karen Drive. These improvements consist of left and right turn lanes for west and east bound traffic turning south onto Karen Drive. These roadway improvements are consistent with the 2020 Traffic Impact Study completed for the Northeast Area.

A 12" trunk watermain will be extended along the north side of Hudson Road, from Settlers Ridge Parkway to ½ mile west. This new watermain will connect to existing watermain stubs at each end, which will loop the water system for redundancy and fire protection in the Northeast Area.

Development Agreements executed for the Talamore at Woodbury and Edison Apartments projects require each developer to contribute $450,000 to mitigate these roadway improvements. In addition, utility area charges were collected on each project to offset a portion of the construction cost for the 12” trunk watermain extension.

Hudson Road is on the City’s State Aid system and eligible to receive future State Aid Funds. To receive future Minnesota Department of Transportation funding it is necessary that parking along both sides Hudson Road be prohibited. A resolution was previously adopted at the May 26, 2021 Council meeting prohibiting parking along Hudson Road, from Lake View Drive to Manning Avenue.

Written By: Doug Peterson, Engineering Project Coordinator
Approved Through: Chris Hartzell, Engineering Director
Attachments: Resolution
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Awarding the Construction Contract to Miller Excavating, Inc in the Amount of $1,194,500.33 for the Hudson Road Turn Lanes at Karen Drive and Watermain Project and Authorizing the Mayor and City Administrator to Sign Said Contract

WHEREAS, pursuant to Resolution 22-08 adopted by the City Council on January 12, 2022, in which City Council ordered the project, sealed bids were received and tabulated at 1:00 p.m. on February 22, 2022, for the Hudson Road Turn Lanes at Karen Drive and Watermain Project; and

WHEREAS, the lowest responsive and responsible bid was received from Miller Excavating, Inc at their bid price of $1,194,500.33.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. That the bid of Miller Excavating, Inc in the amount of $1,194,500.33 for the Hudson Road Turn Lanes at Karen Drive and Watermain Project is the lowest responsive bid.

2. That a contract to perform said work is awarded to Miller Excavating, Inc and that the Mayor and City Administrator are hereby authorized and directed to enter into a contract with said bidder.

3. The City Clerk is authorized and directed to return the deposit made for said bids, except the deposit of the successful bidder which shall be retained until a contract has been signed.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
City of Woodbury, Minnesota  
Office of City Administrator  

Council Letter 22-143  

May 11, 2022  

To: The Honorable Mayor and Members of the City Council  
From: Clinton P. Gridley, City Administrator  
Subject: 2023 Roadway Rehabilitation Project; Consultant Selection; Authorize Preparation of Revised Preliminary Reports  

Summary  

In order to manage and preserve the City’s transportation system, the City has identified the project areas for the 2023 Roadway Rehabilitation. The proposed project includes 6 miles of residential roadways in the Royal Oaks Neighborhood as shown on the attached map. The project began in 2020, but was cancelled at the November 10, 2021 City Council meeting. Staff proposes to move forward with the project with a modified project scope following feedback from residents and the City Council.  

Staff has carefully reviewed and considered engineering consultants from the City’s municipal consultant pool to complete the revised preliminary report for the 2023 Roadway Rehabilitation Project. Staff believes that Bolton & Menk, Inc., is best positioned to complete this work based on their understanding of the project, knowledge and experience performing similar projects, and the ability to deliver the project scope within the timeframe. Bolton & Menk, Inc., previously worked through design, survey, and preparation of the preliminary report for the 2022 Roadway Rehabilitation in the Royal Oaks neighborhood. If the Council authorizes a contract with Bolton & Menk, Inc., work will begin with preparation of the revised preliminary report to summarize the proposed scope of the project.  

Recommendation  

Staff recommends Council adopt the attached resolution authorizing Bolton & Menk, Inc., as the engineering consultant for the 2023 Roadway Rehabilitation Project and authorizing the preparation of revised preliminary reports.  

Fiscal Implications  

The Adopted 2022 Budget includes $410,000 for Professional Services — Design Services in the Street Reconstruction/Maintenance Fund for future projects. Sufficient funds are available for a contract with Bolton & Menk, Inc., for design engineering and construction administration services in the amount of $330,597 from the Street Reconstruction/Maintenance Fund.
Policy

The 2023 Roadway Rehabilitation Project follows the procedures set by Minnesota State Statutes regarding competitive bidding and special assessments.

Public Process

The anticipated project schedule is provided below for the 2023 Roadway Rehabilitation Project:

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Order preliminary report</td>
<td>May 11, 2022</td>
</tr>
<tr>
<td>Neighborhood Meeting #1</td>
<td>July 2022</td>
</tr>
<tr>
<td>Approve preliminary report, public improvement hearing, order project, authorize plans and specifications</td>
<td>September 2022</td>
</tr>
<tr>
<td>Approve plans and specifications, set bid date and assessment hearing date</td>
<td>December 2022</td>
</tr>
<tr>
<td>Open bids</td>
<td>January 2022</td>
</tr>
<tr>
<td>Neighborhood Meeting #2</td>
<td>February 2023</td>
</tr>
<tr>
<td>Assessment hearing, award contract</td>
<td>February 2023</td>
</tr>
<tr>
<td>Neighborhood Meeting #3</td>
<td>April 2023</td>
</tr>
<tr>
<td>Begin construction</td>
<td>May 2023</td>
</tr>
<tr>
<td>Complete construction</td>
<td>October 2024</td>
</tr>
</tbody>
</table>

Background

As part of the City’s ongoing pavement management program, roadway rehabilitation projects are performed annually to provide a cost-effective means of extending the life expectancy of the City street system. The proposed 2023 Roadway Rehabilitation project includes the Royal Oaks Neighborhood. The general scope of work includes the removal and replacement of public infrastructure which has reached its service life. Work is anticipated to include reconstruction of the roadway pavement, curb and gutter, new trails along neighborhood collector roadways, and significant storm sewer, sanitary sewer, and water main rehabilitation and replacement.

Written By: Mike Hejna, Principal Engineer
Approved Through: Chris Hartzell, Engineering Director
Attachments: Resolution
Engineering File No: 08-2022-02
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Authorizing Bolton & Menk, Inc., as the Engineering Consultant for the 2023 Roadway Rehabilitation Project and Authorizing Preparation of Revised Preliminary Reports

WHEREAS, the City desires to perform roadway rehabilitation projects in certain areas of the City; and

WHEREAS, the City wishes to retain the services of an engineering consultant to assist with said project; and

WHEREAS, the City has reviewed qualifications and solicited a proposal from the municipal engineering pool to select a consultant; and

WHEREAS, Bolton & Menk, Inc., has been determined to best meet the City’s needs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. Authorization is given to enter into a consultant contract with Bolton & Menk, Inc., as the engineering consultant for the 2023 Roadway Rehabilitation Project.

2. The Mayor and City Administrator are hereby authorized to execute the above consultant contract.

3. It is hereby ordered that the revised preliminary reports for the 2023 Roadway Rehabilitation Project be prepared. Said revised preliminary reports shall include an analysis as to whether the proposed improvements are necessary, cost effective and feasible.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-144

May 11, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Public Hearing: 690 Commerce Interior Car Sales at Crossroads Commerce Center; Conditional Use Permit; Project No. 03-2022-00487

Summary

690 Commerce Interior Car Sales at Crossroads Commerce Center has submitted an application for a Conditional Use Permit for a motor vehicle sales, interior only use. The proposed interior motor vehicle sales space measures 2,179 square feet and is proposed to be located at 690 Commerce Drive. The property is zoned B-4 Office Warehouse District and is guided as Places to Work on the Land Use Plan.

Recommendation

The Planning Commission reviewed this application at their April 18, 2022 meeting. At that time, they recommended approval of the 690 Commerce Interior Car Sales at Crossroads Commerce Center Conditional Use Permit, Project No. 03-2022-00487 proposal by a 6-0 vote.

Staff concurs with the Planning Commission recommendation and recommends Council approve the Conditional Use Permit (CUP) via the attached resolution adopting findings of fact for the 690 Commerce Interior Car Sales at Crossroads Commerce Center, Project No. 03-2022-00487, subject to the following conditions:

1. No outdoor storage shall be allowed.
2. All vehicles shall be unloaded immediately into the showroom or warehouse space.
3. Conditions for the original Commerce Center PUD and Final Site and Building Plan approval shall remain in full force and effect.
4. No banners, streamers, temporary directional signage, or window signs either adhered to or behind the glass shall be permitted.
5. No vehicle detailing, display or repair work will occur onsite.
6. Prior to the issuance of a building permit, the City shall approve plans, which adequately protect onsite sanitary and stormwater systems.
7. Semi-trucks shall not be allowed onsite for vehicle pick-up.

Fiscal Implications

Not Applicable
Policy

Chapter 24- Zoning

Public Process

Neighborhood Meeting – April 4, 2022
Planning Commission Meeting – April 18, 2022
Public Hearing Published – May 1, 2022

Background

At their May 25, 2005 meeting the Woodbury City Council approved the Planned Unit Development and Preliminary Plat for the Crossroads Commerce Center. The application included seven (7) buildings totaling 212,809 square feet.

CarGroup Holdings purchases cars online from individual consumers. The consumer would bring their licensed and insured vehicle to the location to process the paperwork and finalize selling the car. Vehicles would then be removed from the site and brought to auction within 24-48 hours of the sale. All vehicles would be stored interior to the building and no vehicle detailing, display or repair work will occur on onsite. CarGroup Holdings does not buy or tow salvaged vehicles to their location. All indoor only vehicle sales are required to receive a conditional use permit within the B-4 Zoning District.

The location will be utilized as a professional office operated by one onsite employee and/or manager that sees customers by appointment. The business hours will be 10:00a.m.-7:00p.m. Monday-Friday and 9:00a.m.-6:00p.m. on Saturday. For additional information please see the attached Staff Report.

Written By: Dan Krumwiede, Planner 1
Approved Through: Eric Searles, Assistant Community Development Director/City Planner
Janelle Schmitz, Community Development Director
Attachment: 1. Resolution
2. Planning Commission Staff Report—April 18, 2022
3. Conditional Use Permit
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Adopting Findings of Fact for the 690 Commerce Interior Car Sales at Crossroads Commerce Center Project No. 03-2022-00487

WHEREAS, in granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning and Zoning Commission, the City staff, and other applicable advisory commissions or other governmental agencies; and

WHEREAS, in granting a Conditional Use Permit, the City Council shall consider the effect of the proposed use on the Comprehensive Plan; and

WHEREAS, in granting a Conditional Use Permit, the City Council shall consider the effect of the proposed use on the health, safety, and general welfare of occupants of surrounding lands; and

WHEREAS, the Planning Commission reviewed the request for a Conditional Use Permit at their April 18, 2022 meeting. At that time they recommended approval by a 6-0 vote. Staff agrees and recommends the City Council grant a Conditional Use Permit for 690 Commerce Interior Car Sales at Crossroads Commerce Center; and

WHEREAS, Section 24-43 of the Woodbury City Code identifies the findings necessary to grant approval of a Conditional Use Permit; and

WHEREAS, the City Council affirms the following findings of fact for the Conditional Use Permit for motor vehicle sales, interior only:

1. Consistency with the comprehensive plan. The proposed plan shall be consistent with the comprehensive plan.

   The Places to Work section in the land use chapter identifies goals and policies for development within this land use category. A goal found within the Comprehensive Plan states “Retain existing business and allow for expansion opportunities.” The proposed motor vehicle sales, interior only use allows the existing building to accommodate an infill use that won’t adversely affect the existing office and warehouse uses.

2. Health and safety. The proposed use shall not negatively impact the health, safety, and general welfare of occupants of surrounding lands.

   The proposed interior car sales use does not conflict with the business functions of the existing businesses and will not pose a significant detrimental risk to the health, safety, and general welfare of occupants of surrounding lands because of its compatibility. There will be no exterior storage proposed as part of this use.

3. Public infrastructure facilities. Adequate public facilities and services shall be able to be provided to the site where the use is proposed, and/or existing
infrastructure shall be able to absorb the additional demand for public services such as utilities, streets, parks, schools, etc.

The proposed use is located in close proximity to Tamarack Road, Rivertown Drive, and Commerce Drive. All three of these roadways are sized adequately to handle traffic from this use, which would not generate any more traffic than other permitted office/warehouse uses. The utilities necessary were installed as part of the original approval for the Crossroads Commerce Center.

4. **Screening and landscaping.** Incompatible impacts of the proposed use shall be screened and buffered from adjacent property and the surrounding neighborhood. The city council may require additional landscaping above those required in the zoning ordinance.

The Applicant is not proposing to remove any trees or shrubs as part of this application. The housing to the west has significant tree buffering from the proposed use.

5. **Architectural standards.** The site or building associated with the proposed use meets or exceeds the architectural design and landscaping standards for the district in which it is located. The city council may require additional architectural standards above those required in the zoning ordinance.

No building additions are proposed with this application.

6. **Zoning.** The use is consistent with the purposes of the zoning ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.

The scope and purpose of the B-4, Office Warehouse District identifies the district is intended to promote the development of attractive sites for job-creating businesses requiring a mix of office, warehouse and showroom uses. The proposed motor vehicle sales, interior only is identified as a Conditional Use in the B-4 District.

7. **Traffic.** The generation and characteristics of the traffic associated with the use and its impact on traffic volumes and safety associated with driveway locations, existing and proposed capacity on adjacent roads, sidewalks and trail connections can be adequately mitigated.

The anticipated traffic volumes are consistent with the volume generated by office, showroom and warehouse uses.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the Conditional Use Permit, Project No. 03-2022-00487, 690 Commerce Interior Car Sales at Crossroads Commerce Center, subject to the following conditions:

1. No outdoor storage shall be allowed.
2. All vehicles shall be unloaded immediately into the showroom or warehouse space.
3. Conditions for the original Commerce Center PUD and Final Site and Building Plan approval shall remain in full force and effect.
4. No banners, streamers, temporary directional signage, or window signs either adhered to
   or behind the glass shall be permitted.
5. No vehicle detailing, display or repair work will occur onsite.
6. Prior to the issuance of a building permit, the City shall approve plans, which adequately
   protect onsite sanitary and stormwater systems.
7. Semi trucks shall not be allowed onsite for vehicle pick-up.

This Resolution was declared duly passed and adopted and was signed by the
Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: ____________________________________________  Anne W. Burt, Mayor

__________________________________________________
Clinton P. Gridley, City Administrator (SEAL)
CITY OF WOODBURY
PLANNING COMMISSION STAFF REPORT
April 18, 2022

Project No.: 03-2022-00487
Prepared By: Dan Krumwiede Planner 1
dan.krumwiede@woodburymn.gov

Project Name: 690 Commerce Interior Car Sales at Crossroads Commerce Center

Request: Conditional Use Permit

Tree Impact: N/A

Location: North of Commerce Drive, south of Hudson Road, west of Rivertown Drive and east of the Pendryn Hills development

Zoning District: B-4, Office Warehouse District

Building Sq. Ft: 2,179 Sq. Ft.

Comprehensive Parkland
Land Use Plan: Places to Work

Dedication: N/A

Recommendation: Approval

Site Size: 1.17 acres

# Units: N/A

Density: N/A

# Lots: N/A

PROPOSAL

690 Commerce Interior Car Sales at Crossroads Commerce Center has submitted an application for a conditional use permit for a motor vehicle sales, interior only use. The proposed interior motor vehicle sales space measures 2,179 square feet and is proposed to be located at 690 Commerce Drive. The property is zoned B-4 Office Warehouse District and is guided as Places to Work on the Land Use Plan.

BACKGROUND

At their May 25, 2005 meeting the Woodbury City Council approved the Planned Unit Development and Preliminary Plat for the Crossroads Commerce Center. The application included seven (7) buildings totaling 212,809 square feet.

CarGroup Holdings purchases cars online from individual consumers. The consumer would bring their licensed and insured vehicle to the location to process the paperwork and finalize selling the car. Vehicles would then be removed from the site and brought to auction within 24-48 hours of the sale. All vehicles would be stored interior to the building and no vehicle detailing, display or repair work will occur onsite. CarGroup Holdings does not buy or tow salvaged vehicles to their location. All indoor only vehicle sales are required to receive a conditional use permit within the B-4 Zoning District.
The location will be utilized as a professional office operated by one onsite employee and/or manager that sees customers by appointment. The business hours will be 10:00a.m.-7:00p.m. Monday-Friday and 9:00a.m.-6:00p.m. on Saturday.

PLANNING CONSIDERATIONS

Site Access and Orientation - Access to the site is off of Commerce Drive to the south. The car bays are located to the north of the building away from the adjacent residential property to the west. The applicant is requesting to lease 2,179 square feet of space within this structure.

Parking - The previously approved Crossroads Commerce Center site plan provides parking for 653 vehicles. The building at 690 Commerce Drive is a single-story building and is allocated 53 parking spaces. The suite shows approximately 2,179 square feet of space. The Zoning Ordinance requires one stall per 2,000 square feet of warehouse/showroom space and one stall per 200 square feet of office space. Therefore, the required parking for this application is three (3) parking stalls. The existing parking is adequate for the proposed use.
Conditional Use Permit - The Conditional Use Permit shall be required for interior motor vehicles sales within the B-4 District. City Code Section 24-43 outlines the guidelines for granting a Conditional Use Permit. Please reference the attached draft resolution for the required findings of fact.

Neighborhood meeting – A neighborhood meeting was held for the project on April 4, 2022 with no residents in attendance.

RECOMMENDATION

Staff recommends approval of the Conditional Use Permit for 690 Commerce Interior Car Sales at Crossroads Commerce Center, Project No. 03-2022-00487 subject to the following conditions:

1. No outdoor storage shall be allowed.
2. All vehicles shall be unloaded immediately into the showroom or warehouse space.
3. Conditions for the original Commerce Center PUD and Final Site and Building Plan approval shall remain in full force and effect.
4. No banners, streamers, temporary directional signage, or window signs either adhered to or behind the glass shall be permitted.
5. No vehicle detailing, display or repair work will occur onsite.
6. Prior to the issuance of a building permit, the City shall approve plans, which adequately protect onsite sanitary and stormwater systems.
7. Semi trucks shall not be allowed onsite for vehicle pick-up.

Attachments:
1. Location Map
In accordance with the provisions of the Zoning Ordinance of the City of Woodbury, a Conditional Use Permit is hereby granted to CarGroup Holdings (hereinafter referred to as “Applicant”), for a motor vehicle sales, interior only use. The location of said property, being described as follows:

Lot 1, Block 1, Crossroads Commerce Center 2nd Addition

In granting this Conditional Use Permit, the Woodbury City Council finds the above-described property is zoned B-4, Office Warehouse District, which allows a motor vehicle sales, indoor only as a Conditional Use Permit at their discretion. The Council finds that the Applicant meets the criteria of the ordinance as outlined in Resolution No. 22-___ adopted by the City Council on May 11, 2022 and is entitled to the issuance of a Conditional Use Permit for, subject to the following conditions:
1. No outdoor storage shall be allowed.
2. All vehicles shall be unloaded immediately into the showroom or warehouse space.
3. Conditions for the original Commerce Center PUD and Final Site and Building Plan approval shall remain in full force and effect.
4. No banners, streamers, temporary directional signage, or window signs either adhered to or behind the glass shall be permitted.
5. No vehicle detailing, display or repair work will occur onsite.
6. Prior to the issuance of a building permit, the City shall approve plans, which adequately protect onsite sanitary and stormwater systems.
7. Semi trucks shall not be allowed onsite for vehicle pick-up.

By order of the City Council of the City of Woodbury, County of Washington, State of Minnesota, this Conditional Use Permit, Project No. 03-2022-00487 is executed by the affected parties on May 11, 2022.

CITY OF WOODBURY

________________________________
Anne W. Burt, Mayor

________________________________
Clinton P. Gridley, Administrator

STATE OF MINNESOTA )
) ss.
COUNTY OF WASHINGTON )

On this ___ day of _____________, 2022, before me, a Notary Public within and for said County, personally appeared Anne W. Burt and Clinton P. Gridley, to me personally known, being each by me duly sworn did say that they are respectively the Mayor and City Administrator of the City of Woodbury, the municipal corporation named in the foregoing instrument; and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said municipal corporation by authority of its City Council and Anne W. Burt and Clinton P. Gridley acknowledged said instrument to be the free act and deed of said municipal corporation.

__________________________________________
Notary Public

__________________________________________
Date
DEVELOPER/APPLICANT

By

Date

Its

STATE OF MINNESOTA   )
) ss.
COUNTY OF ___________ )

On this _____ day of __________, 2022, before me, a Notary Public within and for said County personally appeared ________________________________, to me personally known, who being each by me duly sworn did say that s/he is respectively the ___________________________ of _________________________________, the corporation named in the foregoing instrument, and that said instrument was signed in behalf of said corporation by authority of its _________________ and said __________________ acknowledged said instrument to be the free act and deed of said corporation.

__________________________  __________________
Notary Public                        Date

Approved to Form:

__________________________
City Attorney

THIS INSTRUMENT WAS DRAFTED BY
City Attorney
Kennedy & Graven
470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402
May 11, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Public Hearing: Copper Ridge 9th Addition; Rezoning; Amended Planned Unit Development; Conditional Use Permit; Preliminary Plat and Site and Building Plan; Project No. 28-2021-00473

Summary

DB Land Company, LLC has submitted an application for a Rezoning, Amended Planned Unit Development, Conditional Use Permit, Preliminary Plat and Site and Building Plan for a multi-family development to be called Copper Ridge 9th Addition. The proposed development would include a 3-story, 77-unit apartment building along with 34 rental townhome units. The property is located at the northwest corner of Bailey Lake Road and Pioneer Drive and is currently zoned R-1, Urban Reserve District and is guided as Low Density on the Land Use Plan.

Recommendation

The Planning Commission reviewed this application at their May 2, 2022 meeting. At that time they recommended approval of the Copper Ridge 9th Addition residential development by a 4-2 vote. Staff concurs with the Planning Commission recommendation and recommends Council:

1. Adopt the attached Ordinance rezoning certain property from R-1, Urban Reserve District to R-4, Urban Residential District; and
2. Approve the Conditional Use Permit (CUP) via the attached resolution adopting findings of fact; and
3. Adopt a motion approving the Copper Ridge 9th Addition Amended Planned Unit Development (APUD), Preliminary Plat and Site and Building Plan, Project No. 28-2021-00473, all subject to the conditions outlined below:

   1. The existing Copper Ridge PUD shall remain in full force and effect.
   2. The Amended PUD and CUP approval shall expire one (1) year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.
   3. The Final Plat shall be approved by the City Council and released for recording prior to the issuance of a building permit.
4. Prior to the release of the Final Plat for recording, the Applicant shall enter into a Development Agreement.

5. The PUD shall have architectural consistency throughout the entire project by using complementary architectural features and materials on all buildings.

6. Prior to the issuance of a building permit, the Applicant shall submit a materials board. All proposed materials shall be approved by the Planning staff.

7. Prior to the application of the building material, the Applicant shall construct sample material mock-ups on site for all of the buildings.

8. All fencing and retaining wall materials shall be complementary to the building materials and shall be approved in writing by the Planning Department prior to issuance of a building permit. Retaining walls greater than four (4) feet in height shall be engineered and detailed calculations shall be submitted to the City. Said retaining walls shall include fencing when directed by the City.

9. Prior to the release of the building permit, a landscape financial security shall be submitted for at least 150 percent of the estimated cost of landscaping including sod.

10. All evergreen trees on the west side of the site, facing Granite Court shall be 10 feet in height at planting.

11. A maximum of 111 residential units shall be permitted for the project.

12. Within six (6) months of the Certificate of Occupancy, if directed by the Planning staff the Applicant shall provide and install a maximum of 12 additional eight (8) foot evergreen trees. These plantings shall be utilized to screen site lighting, close screening gaps, parking areas, and the like.

13. Prior to issuance of a building permit, the Applicant shall submit a plan identifying placement of no less than four (4) inches of an acceptable topsoil mix as determined by Planning staff.

14. Prior to installation of sod, the Applicant shall provide written verification that a minimum of four (4) inches of topsoil has been placed throughout the site. Prior to installation of the sod, the City shall inspect and approve the placement of the topsoil in writing.

15. All building and site lighting shall be of a consistent style and color throughout the Planned Unit Development. All light poles, including base, shall be a maximum of 25 feet in height and shall be shoebox style, downward directed, with high-pressure sodium lamps or LED and flush lenses. All parking lot lights shall provide glare shields on the west side of the light to further project light downwards. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (building entries) shall be recessed and use a flush lens.

16. All areas of the site, where practical, shall be sodded or seeded and maintained. The property owner shall mow and maintain all site boulevards to the curb line of all public and private streets.

17. All HVAC and other roof- or ground-mounted equipment shall be hidden from view with materials that match materials and colors used on the building.

18. Any future trash enclosures shall utilize wooden gates and be constructed on three (3) sides using the same materials and patterns used on the building. Locations shall be approved by the Planning Department.

19. No exterior storage shall be permitted.

20. Prior to the issuance of a land disturbance permit, a final stormwater management plan shall be reviewed and approved by the City.
21. All sidewalks shall be owned, maintained, repaired and replaced by the property owner. All trails located outside of the ROW shall be owned, maintained, repaired and replaced by the property owner.

22. Prior to the issuance of a land disturbance permit, final utility plans shall be approved by the Engineering Division.

23. Prior to the issuance of a land disturbance permit, the Applicant shall execute all required public easements at no cost and free of encumbrances.

24. Prior to the issuance of a land disturbance permit, the Applicant shall submit an operation and maintenance plan for the long-term care of all on-site sanitary sewer, water main and roadway systems components to the City for review and approval. The Developer will be responsible to carry out these operation and maintenance activities and to submit the appropriate documentation to the City as specified.

25. The Applicant shall be financially responsible for all applicable water, sanitary sewer and storm sewer area and connection charges. Rates applied shall be those in effect at the time of Final Plat approval and shall be memorialized in the Development Agreement.

26. The Applicant shall be responsible for obtaining any necessary right-of-way permits from the City’s Engineering Division prior to commencement of any site activities. The Developer will also be responsible for obtaining any other permits necessary from other applicable agencies, such as, MPCA, Watershed District, Washington County, etc. prior to commencing any site activities.

27. The Applicant shall be responsible for compliance with the City’s Land Disturbance and Erosion and Sediment Control Ordinance and must obtain a land disturbance permit along with any necessary right-of-way permits from the City’s Engineering Division prior to the commencement of any site activities or site disturbance. The Applicant will also be responsible for obtaining any other permits necessary from other applicable agencies such as the Minnesota Pollution Control Agency NPDES Permit for construction activities.

28. All public utility improvements and connections to the public systems shall be designed by the City in accordance with all City standard specifications, standard detail plates and standard plans. Easements necessary to accommodate public utility improvements will be determined by the final design and shall be shown on the Final Plat. Responsibility for construction of public utility improvements will be determined at the time of Final Plat approval.

29. All rights-of-way, easements and outlots shall be kept free of plantings, retaining walls, signage, etc. that would affect their intended purpose.

30. The Applicant shall be financially responsible for any cost incurred for removal and/or relocation of existing small utilities, utility poles, undergrounding existing overhead electric utilities and other associated private utilities adjacent to and within the development and/or related to the public improvements needed to service the development.

31. Street lights shall be required to be installed by the Developer, at their cost, as directed by the City.

32. The location of landscaping irrigation lines shall be shown on the utility plan for irrigation of medians or at locations where irrigation lines cross public streets.

33. The irrigation system shall be designed to meet the following design requirements:
   - System must be designed by a certified irrigation contractor.
   - The system, including pumps, controllers, connections and irrigation line placement must be submitted for review and approval, in writing, by City staff.
   - Private irrigation wells as a back-up irrigation source are not permitted.
Council Letter 22-145
May 11, 2022
Page 4

- Irrigation heads shall be placed a minimum six (6) inches from back of curb, trail, sidewalk, or other hard surface.
- EPA WaterSense approved smart controllers shall be used. The controller shall be approved by Engineering Staff in writing.
- MP rotator heads or equivalent shall be used throughout.

34. Construction access for large equipment shall primarily utilize the private drive off of Bailey Lake Road. Only vehicles needing to construct the parking lot and northwest site improvements may utilize Granite Court.

35. The Applicant shall provide a copy of the proposed covenants for staff review and approval. The standards for maintenance shall be equal to adjacent developments and shall be recorded against the property.

36. Prior to the release of the final plat Lot 35 shall be changed to Outlot B on the final plat. Outlot B shall cover the shared maintenance and open space area.

37. Prior to the issuance of a building permit, the Applicant shall dedicate Outlot A to the City at no cost and free of encumbrances.

38. Staff and the Applicant shall review screening opportunities for the area south of Bailey Lake Road and the perpendicular private drive, with input to be provided by Parks Maintenance. A revised landscaping plan shall be reviewed and approved by staff and parks maintenance prior to the issuance of a land disturbance permit.

**Fiscal Implications**

All necessary improvements will be constructed and funded by the Developer.

**Policy**

Chapter Section 21—Subdivision
Chapter 24—Zoning

**Public Process**

Neighborhood Meeting #1- January 25, 2022
Neighborhood Meeting #2- February 1, 2022
Neighborhood Meeting #3- April 19, 2022
Public Hearing Published – May 1, 2022
Planning Commission Meeting – May 2, 2022

**Background**

At their April 26, 2017 meeting the City Council approved the Copper Ridge Planned Unit Development (PUD), which included the Copper Ridge 9th Addition property. The approval identified the stormwater, transportation, and park improvements necessary to serve the subject site.

The approved PUD authorized the distribution of units throughout the Copper Ridge development area at the 3.5 units per acre maximum density as identified within the 2040 Comprehensive Plan. A density transfer is a common practice for projects as a method to redistribute density within a certain portion of a project site, while not exceeding the maximum density allowed by the Comprehensive Plan. Density transfers have been recently utilized in the
northeast residential PUDs near Settlers Ridge Parkway and Hudson Road, and within the Urban Village which produced the Ascend at Woodbury and St. Therese Senior Living multi-family projects.

The overall PUD for Copper Ridge measured 146.99 gross acres which would have allowed for a total of 513 units to be constructed at 3.5 units per acre maximum density. The initial Copper Ridge development was constructed with a total of 377 units. This left 136 that could be built on the subject site. However, the PUD limited the number of units that could be transferred to this site to 45, which allows for a maximum number of 111 units to be constructed onsite. The reason for transferring the density was the public benefit that this parcel provided in accommodating stormwater management and wetland preservation for the entire Copper Ridge development, facilitation of the construction of Bailey Lake Road, and upsizing the park dedication provided at Oehlke park.

During the development review process, comments were made that this is a high density project. The Comprehensive Plan defines High Density Residential developments as projects with densities ranging from 10-15 units per acre. If this parcel was guided as High Density Residential, the project would be required to deliver a minimum of 191 and maximum of 286 residential units. The subject parcel is guided as Low Density Residential with no Comprehensive Plan Amendments requested or required as part of this application.

For additional project information, please see the attached staff report.

Written By: Gina McCormack, Associate Planner
Approved Through: Eric Searles, Assistant Community Development Director/City Planner
Janelle Schmitz, Community Development Director
Attachment:
1. Rezoning Ordinance
2. Resolution
3. Conditional Use Permit
4. Planning Commission Staff Report – May 2, 2022
5. 11 x 17 Plans
6. City Attorney Council Memo on CUP Process
7. Resident Email to Council
8. Woodbury Apartments Proximity Study
AN ORDINANCE OF THE CITY OF WOODBURY, WASHINGTON COUNTY MINNESOTA, RE-ZONING A CERTAIN PROPERTY FROM R-1 “URBAN RESERVE DISTRICT” TO R-4, “URBAN RESIDENTIAL DISTRICT”.

THE CITY COUNCIL OF THE CITY OF WOODBURY, WASHINGTON COUNTY, MINNESOTA DOES ORDAIN:

2021.01 The following described property is hereby re-zoned to R-4, Urban Residential District:

The East Half of the Northeast Quarter of the Southeast Quarter of Section 28, Township 28, Range 21, except the North 66.34 feet thereof (the north acre), Washington County, Minnesota.

2021.02 Effective Date

This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed and adopted by the City Council of the City of Woodbury, Washington County, Minnesota this 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-

Resolution of the City of Woodbury
Washington County, Minnesota

Adopting Findings of fact for Copper Ridge 9th Addition, Project No. 28-2021-00473

WHEREAS, in granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning and Zoning commission, the city staff, and other applicable advisory commissions or other governmental agencies; and

WHEREAS, in granting a Conditional Use Permit, the City Council shall consider the effect of the proposed use on the Comprehensive Plan; and

WHEREAS, in granting a Conditional Use Permit, the City Council shall consider the effect of the proposed use on the health, safety, and general welfare of occupants of surrounding lands; and

WHEREAS, the Planning Commission reviewed the request for a Conditional Use Permit at their May 2, 2022 meeting. At that time they recommended approval by a 4 to 2 vote. Staff concurs and recommends the City Council grant a Conditional Use Permit for the Copper Ridge 9th project; and

WHEREAS, Section 24-43 of the Woodbury City Code identifies the findings necessary to grant approval of a Conditional Use Permit; and

WHEREAS, the City Council affirms the following findings of fact for the Conditional Use Permit for Copper Ridge 9th Addition:

(a) Consistency with the comprehensive plan. The proposed use shall be consistent with the comprehensive plan.

The property is guided as low density residential in the City’s Comprehensive Plan which identifies a goal of “Continue to use the Planned Unit Development (PUD) process to ensure future developments provide access to parks and open space, respect natural resources, and do not burden the existing tax base with regard to transportation and utility infrastructure.” The proposed development was planned for with the initial Copper Ridge PUD. This united PUD allowed for the efficient and shared design of the necessary stormwater management improvements, wetland protection south of Bailey Lake Road, enhanced park and open space connections, and to construct infrastructure that benefited both properties. Further, with the original PUD, the original Applicant was required to construct an MSA roadway (Bailey Lake Road) through the development to handle the trips and extend the required sanitary sewer through the development that serves the proposed site.

The Comprehensive Plan also identifies a Guiding Principle to “Meet Community Housing Needs. The City of Woodbury will encourage the development of a diversity of housing to accommodate people of all ages, income levels and family status. The City will identify areas for residential growth in a range of types, styles and affordability while maintaining high quality building standards and amenities.” The proposed rental apartment complex and townhomes contribute to the City’s goal of providing a variety of
housing types throughout the City while still ensuring compatible architecture and amenities are incorporated in the project.

(b) Health and safety. The proposed use shall not negatively impact the health, safety and general welfare of occupants of surrounding lands.

The proposed use of multi-family housing and detached townhomes do not negatively impact the health, safety and general welfare of occupants of surrounding lands. Public safety staff identified that while any residential or commercial development can increase calls for service, they do not identify the proposed rental apartment and townhomes as an area of concern. They further identified that apartment residents are much more likely to be a target of a crime than a generator due to things such as the number of onsite vehicles. The Applicant has committed to providing proactive security measures to reduce these incidents.

(c) Public infrastructure services. Adequate public facilities and services shall be able to be provided to the site where the use is proposed, and/or existing infrastructure shall be able to absorb the additional demand for public services such as utilities, streets, parks, schools, etc.

With the original Copper Ridge development, all utilities were stubbed to or provided for the site. The Applicant shall be wholly responsible for the costs of extending the required public utilities into their development. The water and sanitary sewer utilities are designed to accommodate the additional demand.

(d) Screening and landscaping. Incompatible impacts of the proposed use shall be screened and buffered from adjacent property and the surrounding neighborhood. The city council may require additional landscaping or screening above that required in the zoning ordinance.

Staff has identified the townhomes are compatible with the surrounding neighborhoods. For the apartment project, specific attention was taken towards placement within the site and allowed building heights, to create a “step-down” of building intensity from apartment to townhomes to single family.

Where the apartment and corresponding parking lot is adjacent to the existing townhomes, the Applicant is proposing to install a landscaping screen to soften the impact of the building and parking lot. As a condition of approval, the evergreen trees shall be required to be 10 feet in height at planting to provide a more significant screen from day one. Many of the existing townhomes in this area are three stories which is compatible with the proposed three story apartment.

On the east side of the site, the Applicant is proposing two (2) rows of evergreen plantings to further soften the visual impacts from Pioneer Drive and the residential neighborhoods to the east.

(e) Architectural standards. The site or building associated with the proposed use meets or exceeds the architectural design and landscaping standards for the district in which it is located. The city council may require additional architectural standards above those required in the zoning ordinance.

The zoning ordinance requires 65 percent Class I materials on all multi-family buildings three stories or more. The Applicant is proposing to construct the apartment of 70 percent Class I materials utilizing earth tone bricks and siding elements to complement the existing design of the adjacent townhomes. The proposed townhomes are also designed with four sided architecture and accent details to create visual interest between
the buildings. As a condition of approval, the City shall review and approve the pool house and clubhouse amenity architecture for Class I materials and consistency with the proposed development.

(f) Zoning. The use is consistent with the purposes of the zoning ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.

Following the rezoning, the property will be zoned R-4, Urban Residential. The R-4 District is intended to provide adequate land area to meet the demand for urban residential development. One of the purposes of the zoning ordinance is to ensure orderly growth. This application is in compliance with the Comprehensive Plan which establishes the growth plan for the City.

(g) Traffic. The generation and characteristics of the traffic associated with the use and its impact on traffic volumes and safety associated with driveway locations, existing and proposed capacity on adjacent roads, sidewalks and trail connections can be adequately mitigated.

To handle the trips generated by this development Bailey Lake Road was built as an MSA, non-frontage roadway, to distribute the trips anticipated within this development and adjacent developments. Pioneer Drive was also constructed to meet the needs of anticipated future development. Future City improvements will occur on Dale Road to convert the road to a two-lane divided roadway and Washington County is studying improvements needed on Radio Drive.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the Conditional Use Permit, Project No. 28-2021-00473 for the Copper Ridge 9th Addition development subject to the following conditions:

1. The existing Copper Ridge PUD shall remain in full force and effect.
2. The Amended PUD and CUP approval shall expire one (1) year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.
3. The Final Plat shall be approved by the City Council and released for recording prior to the issuance of a building permit.
4. Prior to the release of the Final Plat for recording, the Applicant shall enter into a Development Agreement.
5. The PUD shall have architectural consistency throughout the entire project by using complementary architectural features and materials on all buildings.
6. Prior to the issuance of a building permit, the Applicant shall submit a materials board. All proposed materials shall be approved by the Planning staff.
7. Prior to the application of the building material, the Applicant shall construct sample material mock-ups on site for all of the buildings.
8. All fencing and retaining wall materials shall be complementary to the building materials and shall be approved in writing by the Planning Department prior to issuance of a building permit. Retaining walls greater than four (4) feet in height shall be engineered and detailed calculations shall be submitted to the City. Said retaining walls shall include fencing when directed by the City.
9. Prior to the release of the building permit, a landscape financial security shall be submitted for at least 150 percent of the estimated cost of landscaping including sod.
10. All evergreen trees on the west side of the site, facing Granite Court shall be 10 feet in height at planting.

11. A maximum of 111 residential units shall be permitted for the project.

12. Within six (6) months of the Certificate of Occupancy, if directed by the Planning staff the Applicant shall provide and install a maximum of 12 additional eight (8) foot evergreen trees. These plantings shall be utilized to screen site lighting, close screening gaps, parking areas, and the like.

13. Prior to issuance of a building permit, the Applicant shall submit a plan identifying placement of no less than four (4) inches of an acceptable topsoil mix as determined by Planning staff.

14. Prior to installation of sod, the Applicant shall provide written verification that a minimum of four (4) inches of topsoil has been placed throughout the site. Prior to installation of the sod, the City shall inspect and approve the placement of the topsoil in writing.

15. All building and site lighting shall be of a consistent style and color throughout the Planned Unit Development. All light poles, including base, shall be a maximum of 25 feet in height and shall be shoebox style, downward directed, with high-pressure sodium lamps or LED and flush lenses. All parking lot lights shall provide glare shields on the west side of the light to further project light downwards. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (building entries) shall be recessed and use a flush lens.

16. All areas of the site, where practical, shall be sodded or seeded and maintained. The property owner shall mow and maintain all site boulevards to the curb line of all public and private streets.

17. All HVAC and other roof- or ground-mounted equipment shall be hidden from view with materials that match materials and colors used on the building.

18. Any future trash enclosures shall utilize wooden gates and be constructed on three (3) sides using the same materials and patterns used on the building. Locations shall be approved by the Planning Department.

19. No exterior storage shall be permitted.

20. Prior to the issuance of a land disturbance permit, a final stormwater management plan shall be reviewed and approved by the City.

21. All sidewalks shall be owned, maintained, repaired and replaced by the property owner. All trails located outside of the ROW shall be owned, maintained, repaired and replaced by the property owner.

22. Prior to the issuance of a land disturbance permit, final utility plans shall be approved by the Engineering Division.

23. Prior to the issuance of a land disturbance permit, the Applicant shall execute all required public easements at no cost and free of encumbrances.

24. Prior to the issuance of a land disturbance permit, the Applicant shall submit an operation and maintenance plan for the long-term care of all on-site sanitary sewer, water main and roadway systems components to the City for review and approval. The Developer will be responsible to carry out these operation and maintenance activities and to submit the appropriate documentation to the City as specified.

25. The Applicant shall be financially responsible for all applicable water, sanitary sewer and storm sewer area and connection charges. Rates applied shall be those in effect at the time of Final Plat approval and shall be memorialized in the Development Agreement.
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27. The Applicant shall be responsible for compliance with the City’s Land Disturbance and Erosion and Sediment Control Ordinance and must obtain a land disturbance permit along with any necessary right-of-way permits from the City’s Engineering Division prior to the commencement of any site activities or site disturbance. The Applicant will also be responsible for obtaining any other permits necessary from other applicable agencies such as the Minnesota Pollution Control Agency NPDES Permit for construction activities.

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31. Street lights shall be required to be installed by the Developer, at their cost, as directed by the City.

32. The location of landscaping irrigation lines shall be shown on the utility plan for irrigation of medians or at locations where irrigation lines cross public streets.

33. The irrigation system shall be designed to meet the following design requirements:
   - System must be designed by a certified irrigation contractor.
   - The system, including pumps, controllers, connections and irrigation line placement must be submitted for review and approval, in writing, by City staff.
   - Private irrigation wells as a back-up irrigation source are not permitted.
   - Irrigation heads shall be placed a minimum six (6) inches from back of curb, trail, sidewalk, or other hard surface.
   - EPA WaterSense approved smart controllers shall be used. The controller shall be approved by Engineering Staff in writing.
   - MP rotator heads or equivalent shall be used throughout.

34. Construction access for large equipment shall primarily utilize the private drive off of Bailey Lake Road. Only vehicles needing to construct the parking lot and northwest site improvements may utilize Granite Court.

35. The Applicant shall provide a copy of the proposed covenants for staff review and approval. The standards for maintenance shall be equal to adjacent developments and shall be recorded against the property.

36. Prior to the release of the final plat Lot 35 shall be changed to Outlot B on the final plat. Outlot B shall cover the shared maintenance and open space area.

37. Prior to the issuance of a building permit, the Applicant shall dedicate Outlot A to the City at no cost and free of encumbrances.
38. Staff and the Applicant shall review screening opportunities for the area south of Bailey Lake Road and the perpendicular private drive, with input to be provided by Parks Maintenance. A revised landscaping plan shall be reviewed and approved by staff and parks maintenance prior to the issuance of a land disturbance permit.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
In accordance with the provisions of the Zoning Ordinance of the City of Woodbury, a Conditional Use Permit is hereby granted to DB Land Company, LLC (hereinafter referred to as “Applicant”), for a multi-family development. The location of said property being described as follows:

The East Half of the Northeast Quarter of the Southeast Quarter of Section 28, Township 28, Range 21, except the North 66.34 feet thereof (the north acre), Washington County, Minnesota.

In granting this Conditional Use Permit, the Woodbury City Council finds the above-described property will be rezoned to R-4, Urban Residential, which allows the approved use as a conditional use at their discretion. The Council finds that the Applicant meets the criteria of the ordinance as outlined in Resolution 22-__ adopted by the City Council on May 11, 2022 and is entitled to the issuance of a Conditional Use Permit for the Copper Ridge 9th residential development, subject to the following conditions:

1. The existing Copper Ridge PUD shall remain in full force and effect.
2. The Amended PUD and CUP approval shall expire one (1) year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.
3. The Final Plat shall be approved by the City Council and released for recording prior to the issuance of a building permit.

4. Prior to the release of the Final Plat for recording, the Applicant shall enter into a Development Agreement.

5. The PUD shall have architectural consistency throughout the entire project by using complementary architectural features and materials on all buildings.

6. Prior to the issuance of a building permit, the Applicant shall submit a materials board. All proposed materials shall be approved by the Planning staff.

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37. Prior to the issuance of a building permit, the Applicant shall dedicate Outlot A to the City at no cost and free of encumbrances.

38. Staff and the Applicant shall review screening opportunities for the area south of Bailey Lake Road and the perpendicular private drive, with input to be provided by Parks Maintenance. A revised landscaping plan shall be reviewed and approved by staff and parks maintenance prior to the issuance of a land disturbance permit.

By order of the City Council of the City of Woodbury, County of Washington, State of Minnesota, this Conditional Use Permit, Project No. 28-2021-00473 is executed by the affected parties on ________________, 2022.
CITY OF WOODBURY

Anne W. Burt, Mayor

_________________________ ___________________
Notary Public Date

Clinton P. Gridley, Administrator

STATE OF MINNESOTA  )
) ss.
COUNTY OF WASHINGTON  )

On this _____ day of __________________, 2022, before me, a Notary Public within and for said County, personally appeared Anne W. Burt and Clinton P. Gridley, to me personally known, being each by me duly sworn did say that they are respectively the Mayor and City Administrator of the City of Woodbury, the municipal corporation named in the foregoing instrument; and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said municipal corporation by authority of its City Council and Anne W. Burt and Clinton P. Gridley acknowledged said instrument to be the free act and deed of said municipal corporation.
DEVELOPER/APPLICANT

By___________________________________

Date_______________

Its___________________________________

STATE OF                      )
) ss.
COUNTY OF_______________ )

On this ______ day of ______________, 2022, before me, a Notary Public within and for said County personally appeared _________________________________, to me personally known, who being each by me duly sworn did say that s/he is respectively the ________________________ of _________________________________, the corporation named in the foregoing instrument, and that said instrument was signed in behalf of said corporation by authority of its _________________ and said ______________________ acknowledged said instrument to be the free act and deed of said corporation.

_______________________________________ ______________________
Notary Public                       Date

Approved to Form:

______________________________
City Attorney

THIS INSTRUMENT WAS DRAFTED BY
Scott J. Riggs, City Attorney
Kennedy & Graven Chartered
150 South Fifth Street, Suite 700
Minneapolis, MN 55402
### Project No.: 28-2021-00473

### Prepared By: Gina McCormack  
Associate Planner  
651-714-3531  
gina.mccormack@woodburymn.gov

### Project Name: Copper Ridge 9th Addition

### Recommendation: Approval

### Request: Rezoning/ Amended Planned Unit Development/ Conditional Use Permit/ Preliminary Plat/ Site and Building Plan

### Site Size: 19.1 Acres

### Tree Impact: N/A

### # Units: 111

### Location: Northwest corner of Bailey Lake Road and Pioneer Drive

### Density: See Below

### Zoning District: R-1, Urban Reserve District- existing  
R-4, Urban Residential District- proposed

### Building Sq. Ft. See Below

### Comprehensive Land Use Plan: Low Density

### Parkland Dedication: See Below

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**PROPOSAL**

DB Land Company, LLC. has submitted an application for a Rezoning, Amended Planned Unit Development, Conditional Use Permit, Preliminary Plat and Site and Building Plan for a multi-family development to be called Copper Ridge 9th Addition. The proposed development would include a 3-story, 77-unit apartment building along with 34 rental townhome units. The property is located at the northwest corner of Bailey Lake Road and Pioneer Drive and is currently zoned R-1, Urban Reserve District and is guided as Low Density on the Land Use Plan.

**BACKGROUND**

At their April 26, 2017 meeting the City Council approved the Copper Ridge Planned Unit Development (PUD), which included the Copper Ridge 9th Addition property. The approval identified the stormwater, transportation, and park improvements necessary to serve the subject site. The PUD further approved a density transfer as identified below.

**Density Transfer** - The graphic below identifies the approved Preliminary Plat and PUD exhibit from the Copper Ridge approvals. The intent of the PUD was to allow for the distribution of units throughout the development area at the 3.5 units per acre maximum density as identified within the 2040 Comprehensive Plan. A density transfer is a common practice for projects as a method
to redistribute density within a certain portion of a project site, while not exceeding the maximum density allowed by the Comprehensive Plan. Density transfers have been recently utilized in the northeast residential PUDs near Settlers Ridge Parkway and Hudson Road, and within the Urban Village which produced the Ascend at Woodbury and St. Therese Senior Living multi-family projects.

The overall PUD for Copper Ridge measured 146.99 gross acres which would have allowed for a total of 513 units to be constructed at 3.5 units per acre maximum density. The initial Copper Ridge development was constructed with a total of 377 units. However, the PUD limited the density transfer to the subject site by only allowing up to 45 units to be transferred to the subject parcel. The reason for transferring the density was the public benefit that this parcel provided in accommodating stormwater management and wetland preservation for the entire Copper Ridge development, facilitation of the construction of Bailey Lake Road, and upsizing the park dedication provided at Oehlke park.

Use – A guiding principal within the Comprehensive Plan is “Meet Community Housing Needs—the City of Woodbury will encourage the development of a diversity of housing to accommodate people of all ages, income levels and family status. The City will identify areas for residential growth in a range of types, styles and affordability while maintaining high quality building standards and amenities.” The City has consistently located apartment uses throughout the community utilizing a “step-down” in intensity approach. This means placing an apartment
building adjacent to higher density townhomes and then stepping down to single family homes. This historic practice has allowed for the mass and height of the building to be buffered naturally by buildings and landscaping. There are a number of recent examples of where this has occurred, such as:

- The Glen at Valley Creek
- Ascend at Woodbury
- Orville Commons

A full exhibit of Woodbury apartments adjacent to residential has been provided as an attachment to this report. The exhibit identifies numerous examples of locating apartment uses within close proximity to both townhomes and single family homes without reported/identified impacts to property values or quality of life for adjacent properties.

**Rezoning** – The 19.1 acre project area is currently zoned R-1, Urban Reserve District. The Applicant is proposing to rezone the property to R-4, Urban Residential District. The request to rezone the property is consistent with the Comprehensive plan as the site can be served by municipal utilities.

**Preliminary Plat** – The proposed preliminary plat creates 35 lots and one (1) outlot. 34 of the lots cover the townhome units and one lot covers the apartment area. Outlot A is south of Bailey Lake Road and being used for stormwater management and wetland preservation for both Copper Ridge and this development. Outlot B covers the shared common property throughout the project.
Site Plan & Access - The Applicant is requesting Site and Building Plan approval for 77 apartment units and 34 rental townhomes, for a total of 111 units.

- The unit breakdown of the 77 apartment units is proposed as follows:
  - 12- studios
  - 19- 1 bedroom
  - 15- 1 bedroom + den
  - 28- 2 bedrooms
  - 3- 3 bedrooms

Access to the site is provided via three (3) access points. The first access point shall serve as the main access into the site by a private road from Bailey Lake Road, as identified by the yellow star above. This access serves 22 townhomes, the central community amenity buildings, and the underground parking garage into the apartment. The other two (2) access points are aligned with the existing Copper Ridge townhome development and serve as private driveways to townhomes and to the surface parking area for the apartments, as shown with blue stars. These driveways will be accessed via Granite Court which is designed as a public street cul-de-sac.

Amended PUD - The existing Copper Ridge PUD shall remain in full force and effect. An amendment is requested to establish parking ratios for the apartment project. The Zoning Ordinance requires two (2) spaces per unit if one (1) indoor space per unit is within a garage. Staff has identified that at many of the existing multi-family facilities the outside surface lots are not fully utilized and the projects provide more parking than needed. For Aspire at City Place, Beyond
Apartment and Edison Apartments, the approved parking ratio was based on the number of bedrooms with a 10 percent allocation for guest parking.

The chart below identifies the bedroom counts and parking ratios:

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Number</th>
<th>Parking stalls required per bedroom</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>1 BR</td>
<td>19</td>
<td>19</td>
</tr>
<tr>
<td>1 BR + Den</td>
<td>15</td>
<td>30</td>
</tr>
<tr>
<td>2 BR</td>
<td>28</td>
<td>56</td>
</tr>
<tr>
<td>3 BR</td>
<td>3</td>
<td>9</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>77</td>
<td><strong>126</strong></td>
</tr>
<tr>
<td>Guest</td>
<td>10%</td>
<td>13</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>139</strong></td>
</tr>
</tbody>
</table>

The proposed site plan provides one stall per unit (77) underground and 62 surface stalls to meet the requirement.

**Townhome Parking** – Parking for the townhomes is regulated by ordinance which requires three (3) spaces per dwelling unit plus one (1) off street guest parking space per five (5) units. The Applicant is proposing two (2) car garages for all units and parking for two (2) vehicles in the driveways in front of all units for a total of four (4) spaces per dwelling unit. The site plan further provides guest parking for 19 vehicles with exceeds the ordinance requirement of seven (7) guest parking spaces. The graphic below identifies the location of the guest parking areas in red:
Conditional Use Permit - A Conditional Use Permit shall be required for all multi-family projects. City Code Section 24-43 outlines the guidelines for granting a Conditional Use Permit. Please reference the attached draft resolution for the required findings of fact.

Park Dedication & Site Amenities - In 2019 the City constructed the Oehlke Park property located south of Bailey Lake Road, just west of the subject property through the Copper Ridge PUD. The PUD allowed for additional park area to be acquired based on the total acreage of the Copper Ridge development and the subject property. Due to these previous activities, the parkland dedication requirement for this application has been met.

The project also includes a site amenity package similar to other recent apartment projects and includes the following private recreation amenities:

- Shared pavilion/ gathering space
- Outdoor pool
- Pickleball court
- Gathering spaces and activity rooms
- Fitness area

As a condition of approval, staff shall review and approve the architecture for both the pool building and clubhouse amenity.
Stormwater Management – The City Code requires stormwater management be provided to meet water quantity, infiltration, and water quality requirements. Ponding necessary to meet the water quantity requirements was constructed with the Copper Ridge development. The design of the system took into account 70 percent impervious coverage of the site, which would be more consistent with the full build out of townhomes throughout the site. Due to the consolidation of units into an apartment building, the stormwater system is able to accommodate the development and the site provides over an acre of additional pervious area as well.

Pedestrian Movements – The proposed pedestrian network is designed to provide a significant amount of sidewalks which will provide high quality movement internal to the site and will also provide connection to the overall trail network including the trail along the west side of Pioneer Drive and the trail along the south side of Bailey Lake Road. The graphic below identifies the proposed on-site sidewalks and the connection to the broader pedestrian network.
Architecture – Section 24-234. – The design of the building takes into account the adjacent three-story townhomes and incorporates a flat roof to ensure the height of the apartment building is complementary to these buildings. The cross section below shows the heights of the buildings adjacent to and within the project boundaries.

The architecture incorporates earth tone brick, cabled balconies and prominent roof caps to provide visual interest and variety across the larger wall expanses. The main entry is designed as a two-story focal point that will incorporate glass and wood panels. The architectural ordinance requires all multi-family projects three-stories or more to be constructed of 65 percent Class I materials, which includes brick, glass and stone. The Applicant is proposing to utilize two (2) distinct brick colors and glass to achieve 70 percent Class I materials. In addition the Applicant is proposing to utilize LP panels, EIFs and metal to break up the elevations.

Within the R-4, Urban Residential district, the ordinance sets a maximum height of three (3) stories or 40 feet. The proposed apartment building will be 35 feet in height which meets the ordinance requirement.
Furthermore, the Applicant has designed the townhomes with four (4) sided architecture with gabeling, shakes and other features designed to provide visual interest.

**Landscaping** – The Applicant has submitted a detailed landscaping plan that provides plantings throughout the development site. More landscaping has been provided with this project than similar projects, with a focus on planting to screen the vertical apartment use and connecting open spaces. The Applicant has provided a double row of evergreen plantings on the east side of the site to provide screening to the adjacent residential area. The plans also identify a robust planting plan along Granite Court in order to soften the impacts of the parking lot and scale of the apartment complex. As a condition of approval, all evergreen trees on the east side of the site shall be 10 feet in height at planting to provide a stronger visual screen at planting.
Neighborhood Meetings – Three (3) neighborhood meetings have been held for this project. The neighborhood meeting notices were sent to property owners within 500 feet of the subject parcel which totaled 173 addresses.

The first meeting was held on January 25, 2022 with nine (9) residents in attendance. Comments and questions centered on the following topics:
- Concern with rental property maintenance versus ownership.
- Concern with additional crime generated by an apartment complex.
- Concern with impacts an apartment complex & rental units have on adjacent property values.
- Concern about additional vehicle traffic being added to this area.
- Concern about the school district being able to accommodate additional growth.
- Market rate versus affordable housing.
- Additional screening needed throughout the project, adjacent to parking & access areas.
- Pet relief areas.
- Pedestrian connections to the school.

Due to the COVID-19 pandemic, this first neighborhood meeting was also replicated with a virtual option and held via Microsoft Teams on February 1, 2022 with 16 attendees present. Similar concerns were raised at this meeting and questions centered around the City’s Land Use Plan, transportation system design on Radio Drive, why an apartment use should be developed over additional townhomes, crime, and property values.
The graphic below on the left represents the original site and landscaping plan presented at the first two (2) neighborhood meetings. The graphic below on the right represents the updated plan presented at the third neighborhood meeting.

The plan changes and additional information recommended by staff resulted in a third neighborhood meeting being held on April 19, 2022 with eight (8) residents in attendance. Staff and the Applicant presented the following information to the residents in attendance:

1. **Has the traffic for this development been studied?**
   With all new residential development, transportation needs are reviewed and trip generation is evaluated to determine impacts on the existing roadway network and determine roadway needs and intersection control. Based on the traffic reviews in this area, Bailey Lake Road was built to distribute the trips generated by development, and Pioneer Drive was also constructed to meet the needs of the anticipated development in the area. Future City improvements will occur on Dale Road to convert the road to a two lane divided roadway with trails on both sides.

2. **Will crime increase because of this project?**
   City staff has met with Public Safety personnel to discuss the safety concerns heard at the neighborhood meetings. Public Safety staff identified that while any residential or commercial development can increase calls for service, they do not identify the proposed rental apartment and townhomes as an area of concern. They further identified that apartment residents are much more likely to be a target of crime than a generator due to things such as the number of onsite vehicles. They further communicated there are best practices and mitigation steps that can be taken by the apartment operators to effectively reduce these incidents on the residents within apartment uses. The Applicant is proposing a number of proactive security measures such as:
   - Surveillance cameras located in the garage, exterior entries, stair towers
   - Secured entrance to the building & garage, digital key fob access
   - Secure underground parking with digital garage door access

3. **How will the City address property maintenance with rental units?**
The Applicant has submitted draft maintenance covenants that will be required to be recorded against the property. These standards will be drafted to meet or exceed the standards of the adjacent Copper Ridge HOA covenants. Furthermore, the City has property maintenance codes and rental licensure processes to ensure rental properties are maintained to the community standard.

4. Will the units be market rate or affordable?
All units are proposed to be market rate. Expected rents for the project are:
- Apartments: $1350- $2300 per month
- Townhomes: $2600- $3100 per month

5. Are the schools able to accommodate the additional growth?
As part of the 2040 Comprehensive Plan process, the City met with the school district to provide future growth area plans which included this property. Additionally, the City meets regularly with the school districts to share development plans and phasing plans. District 833 has generated long range facility plans for their schools to accommodate existing and future planned growth.

6. How is the project density calculated?
On April 26, 2017 the City Council approved the Copper Ridge Planned Unit Development (PUD). This property was included with that PUD in order to facilitate a more efficient stormwater and roadway system. Due to this use of the property, an approved density transfer of 45 units for this site was authorized. The site is allowed 3.5 units per gross acre plus the 45 units transferred by the PUD.

7. Will parking along Granite Court be allowed?
Granite Court is a public street and therefore parking would be permitted. However, the surface parking lot for the project will not have a fee to park and therefore all parking can be accommodated onsite.

8. Will there be a pet relief area?
A pet relief area has been added to the attached plan.

9. Concerns with parking lot access point locations.
The Applicant has consolidated the access to a single point on Granite Court to align with the existing private street intersection. This change results in a larger contiguous area for landscaping to be provided on the west side of the project. It is anticipated a majority of the trips for this development will use the private street in the center of the site to access the underground garage and private streets for the townhomes and clubhouse.

The conversation at the meeting then centered around adding landscaping to the west side of the project with additional height at planting, school district impacts, traffic, timing of construction, and timing for future meetings.

RECOMMENDATION
Staff recommends approval of the Rezoning, Amended Planned Unit Development, Conditional Use Permit, Preliminary Plat and Site and Building Plan, Project No. 28-2021-00473, for Copper Ridge 9th, subject to the following conditions:

1. The existing Copper Ridge PUD shall remain in full force and effect.
2. The Amended PUD and CUP approval shall expire one (1) year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.
3. The Final Plat shall be approved by the City Council and released for recording prior to the issuance of a building permit.
4. Prior to the release of the Final Plat for recording, the Applicant shall enter into a Development Agreement.
5. The PUD shall have architectural consistency throughout the entire project by using complementary architectural features and materials on all buildings.
6. Prior to the issuance of a building permit, the Applicant shall submit a materials board. All proposed materials shall be approved by the Planning staff.
7. Prior to the application of the building material, the Applicant shall construct sample material mock-ups on site for all of the buildings.
8. All fencing and retaining wall materials shall be complementary to the building materials and shall be approved in writing by the Planning Department prior to issuance of a building permit. Retaining walls greater than four (4) feet in height shall be engineered and detailed calculations shall be submitted to the City. Said retaining walls shall include fencing when directed by the City.
9. Prior to the release of the building permit, a landscape financial security shall be submitted for at least 150 percent of the estimated cost of landscaping including sod.
10. All evergreen trees on the west side of the site, facing Granite Court shall be 10 feet in height at planting.
11. A maximum of 111 residential units shall be permitted for the project.
12. Within six (6) months of the Certificate of Occupancy, if directed by the Planning staff the Applicant shall provide and install a maximum of 12 additional eight (8) foot evergreen trees. These plantings shall be utilized to screen site lighting, close screening gaps, parking areas, and the like.
13. Prior to issuance of a building permit, the Applicant shall submit a plan identifying placement of no less than four (4) inches of an acceptable topsoil mix as determined by Planning staff.
14. Prior to installation of sod, the Applicant shall provide written verification that a minimum of four (4) inches of topsoil has been placed throughout the site. Prior to installation of the sod, the City shall inspect and approve the placement of the topsoil in writing.
15. All building and site lighting shall be of a consistent style and color throughout the Planned Unit Development. All light poles, including base, shall be a maximum of 25 feet in height and shall be shoebox style, downward directed, with high-pressure sodium lamps or LED and flush lenses. All parking lot lights shall provide glare shields on the west side of the light to further project light downwards. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (building entries) shall be recessed and use a flush lens.
16. All areas of the site, where practical, shall be sodded or seeded and maintained. The property owner shall mow and maintain all site boulevards to the curb line of all public and private streets.
17. All HVAC and other roof- or ground-mounted equipment shall be hidden from view with materials that match materials and colors used on the building.
18. Any future trash enclosures shall utilize wooden gates and be constructed on three (3) sides
using the same materials and patterns used on the building. Locations shall be approved by the Planning Department.

19. No exterior storage shall be permitted.

20. Prior to the issuance of a land disturbance permit, a final stormwater management plan shall be reviewed and approved by the City.

21. All sidewalks shall be owned, maintained, repaired and replaced by the property owner. All trails located outside of the ROW shall be owned, maintained, repaired and replaced by the property owner.

22. Prior to the issuance of a land disturbance permit, final utility plans shall be approved by the Engineering Division.

23. Prior to the issuance of a land disturbance permit, the Applicant shall submit an operation and maintenance plan for the long-term care of all on-site sanitary sewer, water main and roadway systems components to the City for review and approval. The Developer will be responsible to carry out these operation and maintenance activities and to submit the appropriate documentation to the City as specified.

24. The Applicant shall be financially responsible for all applicable water, sanitary sewer and storm sewer area and connection charges. Rates applied shall be those in effect at the time of Final Plat approval and shall be memorialized in the Development Agreement.

25. The Applicant shall be responsible for obtaining any necessary right-of-way permits from the City’s Engineering Division prior to commencement of any site activities. The Developer will also be responsible for obtaining any other permits necessary from other applicable agencies, such as, MPCA, Watershed District, Washington County, etc. prior to commencing any site activities.

26. The Applicant shall be responsible for compliance with the City’s Land Disturbance and Erosion and Sediment Control Ordinance and must obtain a land disturbance permit along with any necessary right-of-way permits from the City’s Engineering Division prior to the commencement of any site activities or site disturbance. The Applicant will also be responsible for obtaining any other permits necessary from other applicable agencies such as the Minnesota Pollution Control Agency NPDES Permit for construction activities.

27. All public utility improvements and connections to the public systems shall be designed by the City in accordance with all City standard specifications, standard detail plates and standard plans. Easements necessary to accommodate public utility improvements will be determined by the final design and shall be shown on the Final Plat. Responsibility for construction of public utility improvements will be determined at the time of Final Plat approval.

28. All rights-of-way, easements and outlots shall be kept free of plantings, retaining walls, signage, etc. that would affect their intended purpose.

29. The Applicant shall be financially responsible for any cost incurred for removal and/or relocation of existing small utilities, utility poles, undergrounding existing overhead electric utilities and other associated private utilities adjacent to and within the development and/or related to the public improvements needed to service the development.

30. Street lights shall be required to be installed by the Developer, at their cost, as directed by the City.

31. The location of landscaping irrigation lines shall be shown on the utility plan for irrigation of medians or at locations where irrigation lines cross public streets.

32. The irrigation system shall be designed to meet the following design requirements:
   - System must be designed by a certified irrigation contractor.
   - The system, including pumps, controllers, connections and irrigation line placement must be submitted for review and approval, in writing, by City staff.
   - Private irrigation wells as a back-up irrigation source are not permitted.
- Irrigation heads shall be placed a minimum six (6) inches from back of curb, trail, sidewalk, or other hard surface.
- EPA WaterSense approved smart controllers shall be used. The controller shall be approved by Engineering Staff in writing.
- MP rotator heads or equivalent shall be used throughout.

35. Construction access for large equipment shall primarily utilize the private drive off of Bailey Lake Road. Only vehicles needing to construct the parking lot and northwest site improvements may utilize Granite Court.

36. The Applicant shall provide a copy of the proposed covenants for staff review and approval. The standards for maintenance shall be equal to adjacent developments and shall be recorded against the property.

37. Prior to the release of the final plat Lot 35 shall be changed to Outlot B on the final plat. Outlot B shall cover the shared maintenance and open space area.

38. Prior to the issuance of a building permit, the Applicant shall dedicate Outlot A to the City at no cost and free of encumbrances.

ATTACHMENTS

1. Location Map
2. Rezoning Ordinance
3. Resolution
4. Conditional Use Permit
5. 11x17s
6. Woodbury Apartments Proximity Study
COPPER RIDGE 9TH ADDITION
WOODBURY, MINNESOTA
Provide structural design of retaining walls, following MNDOT Retaining Wall specifications for minimum design and performance.

Ensure all excavation and backfilling are compacted to not less than 95% of Modified Proctor Density (ASTM D1557). In cohesive soils, maintain moisture content. In granular soils all portions of the embankment shall be compacted to not less than 95% of Maximum Dry Density, Standard Proctor (ASTM D698) except the top 3 feet which shall be compacted with a minimum of 95% of Modified Proctor Density (ASTM D1557).

Install inlet protection: Wimco, Model Number: (Model Number: xx). Maintain protection until project is stabilized.

Install perimeter sediment controls prior to beginning work and maintain for duration of construction. Remove controls after areas are stabilized.

LEASH-OFF PET RUN/RELIEF AREA

GENERAL NOTES

LANDSCAPE REVIEWS

COPPER RIDGE
9TH ADDITION
WOODBURY, MN

Paving Notes:

- Sod, Seed, Silt Fence, Erosion Control Blanket, and Fertilizer shall meet the following Specifications, as modified.
- Seed, Sod, Mulch, Erosion Control Blanket, and Fertilizer shall meet the following Specifications, as modified.
- Install and maintain access roads for ease of work and materials.
- Install and maintain access roads for ease of work and materials.
- Maintain structural stability and drainage systems for ease of work.
- Comply with the MNDOT Drainage and Stormwater Management Manual.
- Provide adequate drainage and stormwater control measures as required for runoff from impervious areas.
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Erosion prevention and sediment control quantities are on sheets C3.1

Toilet facilities must be positioned so that they are secure and will not be tipped or knocked over.

1. Construction Documents prepared by Landform
2. Certification: , Exp. May 31, 2022 (verify date)
3. Owner / Operator(s) wishing to terminate coverage under the Permit must submit a Notice of Termination (NOT) to the MPCA.
4. These practices shall remain in place until final stabilization has been established in accordance with the Permit.
5. The Operator and owner of the facility must ensure that a trained person will inspect the entire construction site at least once every seven days during active construction.
6. Liquid and solid wastes must be disposed of properly and in compliance with MPCA hazardous waste or materials must be in compliance with Minn. R. Ch. 7045 including secondary containment as applicable.
7. Liquid and solid wastes must be disposed of properly and must comply with MPCA disposal requirements.
8. Infiltration Basin Protection
9. Topsoil shall be salvaged and reused to the extent practicable.
10. These practices shall remain in place until final stabilization has been established in accordance with the Permit.
11. All exposed soil areas, including stockpiles, must be stabilized.
12. Temporary soil stockpiles shall have silt fence or other effective sediment controls, and cannot be placed in surface waters, including drainage ways, catch basins, and other drainage systems, and the removal areas restabilized within seven (7) days.
13. Stormwater pollution prevention measures (including BMPs) shall be designed and implemented in accordance with the Permit.
14. The Operator shall take reasonable steps to prevent the discharge of spilled or leaked chemicals, including fuel, from any area where tracked equipment is used to prevent compaction of soils.
15. The Operator shall install curbing around all exposed fill areas.
16. The Operator shall install curbing around all exposed fill areas.

STORMWATER POLLUTION PREVENTION MANAGEMENT MEASURES

In order to maintain the required level of stormwater pollution prevention, the Contractor shall implement the following practices:

1. Stormwater Pollution Prevention Management Measures
2. Construction activity includes erosion and sediment control BMPs installation, clearing and grubbing, site grading, utility installation, debris and other wastes must be disposed of properly and must comply with MPCA disposal requirements.
3. Construction Documents prepared by Landform
5. Owner / Operator(s) wishing to terminate coverage under the Permit must submit a Notice of Termination (NOT) to the MPCA.
6. These practices shall remain in place until final stabilization has been established in accordance with the Permit.
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COPPER RIDGE APARTMENTS

PROJECT SUMMARY

<table>
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<th>UNIT</th>
<th>DESCRIPTION</th>
<th>FIRST FLOOR</th>
<th>SECOND FLOOR</th>
<th>THIRD FLOOR</th>
<th>TOTAL</th>
<th>PDT</th>
<th>PRO</th>
<th>Area</th>
<th>%</th>
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AVERAGE ALL APARTMENTS: 877.96

GENERAL NOTES:
- GARAGE LEVEL: 28,000 S.F.
- FIRST FLOOR: 30,825 S.F.
- SECOND FLOOR: 26,225 S.F.
- THIRD FLOOR: 20,095 S.F.
- TOTAL BUILDING: 94,360 S.F.
- 116 SLEEPING UNITS
- 104 PARKING UNITS
- 12 ACCESSIBLE UNITS
- 32 CARS
- 77 PARKING SPACES
- 100% PARKING
- 100% SLEEPING UNITS

PARKING TARGET:
- 96 CARS PER UNIT = 9 CARS
- 90 CARS PER UNIT = 9 CARS
- 84 CARS PER UNIT = 8 CARS
- 78 CARS PER UNIT = 7 CARS
- 72 CARS PER UNIT = 7 CARS
- 64 CARS PER UNIT = 6 CARS
- 58 CARS PER UNIT = 5 CARS
- 52 CARS PER UNIT = 5 CARS
- 40 CARS PER UNIT = 4 CARS
- 32 CARS PER UNIT = 3 CARS
- 24 CARS PER UNIT = 2 CARS
- 16 CARS PER UNIT = 16 CARS
- 8 CARS PER UNIT = 8 CARS

HVAC PARKING: 77 CARS
Copper Ridge

North Elevation

West Elevation

East Elevation

South Elevation

Material Summary

See Sheet A3.2 for specific materials.
GRANITE COURT

PROPOSED APARTMENT BUILDING

FFE=969.0
GFE=958.0

Woodbury-Fire-M10876 Commander
Overall Length 35.330ft
Overall Width 8.330ft
Overall Body Height 10.489ft
Min Body Ground Clearance 0.920ft
Track Width 8.330ft
Lock-to-lock time 4.00s
Curb to Curb Turning Radius 30.800ft

Landform and Site to Finish are registered service marks of Landform Professional Services, LLC.

COPPER RIDGE 6TH ADDITION • Woodbury, MN

FIRE TRUCK TURNING EXHIBIT 1
Council Memo: Conditional Use Permit Process

To: Woodbury City Council
From: Pam Whitmore, City Attorney
Date: 5/5/22
Re: Conditional Use Permit Process

**Question**: Staff requested an overview of the Conditional Use Process for Council education.

**Background**: A conditional use permit (CUP) is a document issued by the City to allow a conditional use in those instances when an applicant meets the general and specific ordinance standards. State law recognizes conditional use permits as a tool for governing bodies to enable, by ordinance, certain types of developments, including planned unit developments, and certain land development activities, as conditional uses under zoning regulations.

**Criteria for CUP Approvals & Denials**: Cities include standards and criteria for conditional uses in their ordinances. Cities adopt zoning ordinances to execute the policies and goals of the land use plan. Conditional uses allowed in zoning ordinances may be approved by the governing body or other designated authority by a showing by the applicant that the standards and criteria stated in the ordinance will be satisfied. *Minn. Stat.* § 462.3595. If a proposed conditional use satisfies both the general and specific standards set out in the zoning ordinance, the city should grant the conditional use permit. Courts consistently construe zoning ordinances (1) to accord with the plain and ordinary meaning of its terms, (2) in favor of the property owner, and (3) in light of the ordinance's underlying policy goals.

Section 24-43 of Woodbury’s Code of Ordinance sets forth the city’s criteria for granting Conditional Use Permits and includes consideration of:

- Consistency with the comprehensive plan
- Impact on the health, safety and general welfare of occupants of surrounding lands;
- Existence of public facilities and services to the site of the proposed use, and/or the capability of existing infrastructure to absorb the additional demand for public services (such as utilities, streets, parks, schools etc.)
- Available screening and/or landscaping if incompatible impacts of the proposed use, with the option for Council to add additional landscaping or screening requirements;
- Assurances that the site or building(s) associated with the proposed use meets or exceeds the architectural design and landscaping standards for the district in which it is located. Again, Council can require additional architectural standards above those required
- Representation that the use is consistent with the purposes of the zoning ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use; and
Demonstration of mitigation regarding the generation and characteristics of traffic associated with the use, including consideration of traffic volumes and safety tied to driveway locations, and on adjacent roads, sidewalks and trail connections

**Judicial Review of a Decision if Challenged:**

The standard of review by a court of a decision on a CUP is deferential to cities because cities have wide latitude in making these decisions. In fact, when the decision to grant a CUP is challenged, the court reviews whether the decision to grant a CUP was reasonable, and not arbitrary or capricious. Neighbors challenging the approval of a conditional use permit have a heavier burden of proof than an applicant or landowner seeking review of a denied land use application because zoning laws restrict the use of private property. *Board of Supervisors of Benton Township v. Carver County Bd. of Comm'rs*, 225 N.W.2d 815, 819 (Minn. 1975).

Courts determine the reasonableness of a decision by looking to the Findings of Facts. The more detailed the Findings of Fact, the more persuasive. Well accepted law in Minnesota states that when an application for a CUP meets the standards specified by the zoning ordinance as conditions for granting the permit, then a denial of that conditional use permit by the Council is seen as arbitrary. In cases where the Council denies permits that otherwise meet ordinance criteria based on vague “concerns” or “doubts” from public during the hearing, courts have found those denials arbitrary and without sufficient basis. *C.R. Invs., Inc. v. Vill. of Shoreview*, 304 N.W.2d 320, 325 (Minn.1981); *Chanhassen Estates Residents Association v. City of Chanhassen*, 342 N.W.2d 335, 340 (Minn. 1984).

If Council denies the CUP, then its Findings of Fact should set forth specific reasons for the denial, including how the requested use does not meet ordinance criteria. Time frames for these reasons, call findings, are set forth in statute. Minn. Stat. § 15.99 provides that the Council must adopt written findings either contemporaneously with its decision to deny a CUP request, or at the latest at “the next meeting following the denial of the request but before the expiration of the time allowed for making a decision.” Minn.Stat. § 15.99, subd. 2(c). Of course, if the request for the conditional use meets the standards set forth in City ordinance, then a Court would find an approval of the CUP reasonable and the Findings of Facts in the Resolution contemporaneous with this decision should specify how the use meets the criteria.
Dear Woodbury City Council members,

I am writing with great confidence that Woodbury city council would hear people’s concern and with that, I would like to let you know I am having major concern of proposed 3 story apartment building in front of my town home. This building would impact my home as well as and my neighborhood in negative way.

This will increase traffic at Granite court( that is where my house is located) major risk for kids playing outside as our townhomes controlled by the HOA whereas the apartment complex will be controlled by property management company.

Also, three story building with basement parking right across the street would block air circulation, lightings we get and on top of that proposed open parking lot just across the street will be of major concerns for us.

I am not against rental property, however, requesting you to keep the new building in consistence with the existing structures (Single family and townhomes) which would ensure the neighborhood characteristics not affected negatively.

Name: Narayanasamy Rajagopal
Address: 8832 Granite CT
Woodbury, MN 55129

Than you!

Best Regards,
Narayan
Woodbury Apartment Proximity Study
Applewood Pointe

- Year Built: 2005
- Type: Independent Senior (55+)
- Stories: 4+
- Distance to Residential: 116 ft
Ascend at Woodbury

- Year Built: 2016-2017
- Type: Market Rate
- Stories: 4+
- Distance to Residential: 161 ft
Aspire at City Place

• Year Built: 2021
• Type: Market Rate
• Stories: 5
• Distance to Residential: 333 ft
Barrington

- Year Built: 1999
- Type: Market Rate
- Stories: 3+
- Distance to Residential: N/A
City Walk

- Year Built: 2005
- Type: Market Rate
- Stories: 4+
- Distance to Residential: 212 ft
Cobble Hill Apartments

- Year Built: 1991
- Type: Affordable Senior
- Stories: 2+
- Distance to Residential: 94 ft
Copper Ridge 9th (proposed)

- Year Built: TBD - not approved
- Type: Market Rate
- Stories: 3
- Distance to Residential: 110 ft
Crown Villa Apartments

- Year Built: 2008-2009
- Type: Market Rate
- Stories: 3+
- Distance to Residential: 1,179 ft
Glen at Valley Creek

- Year Built: 2017
- Type: Affordable Senior
- Stories: 3+
- Distance to Residential: 91 ft
Legends of Woodbury

- Year Built: 2017
- Type: Affordable Senior (55+)
- Stories: 4+
- Distance to Residential: 99 ft
New Perspectives Senior Living

- Year Built: 2015
- Type: Senior Living
- Stories: 2+
- Distance to Residential: 126 ft
Orville Commons

• Year Built: TBD- under construction
• Type: Affordable
• Stories: 4+
• Distance to Residential: 210 ft
Parkwood Estates

- Year Built: 2004
- Type: Market Rate
- Stories: 3+
- Distance to Residential: 325 ft
Regency Hill

- Year Built: 2006
- Type: Market Rate
- Stories: 3-4+
- Distance to Residential: 68 ft
Stonecrest

- Year Built: 2000 & 2006
- Type: Senior Living (full spectrum)
- Stories: 3- 4+
- Distance to Residential: 130 ft
St. Therese

- Year Built: 2015
- Type: Senior Living (full spectrum)
- Stories: 2-4+
- Distance to Residential: 163 ft
Woodland Point/ Ashwood Ponds

- Year Built: 1973
- Type: Market rate
- Stories: 3
- Distance to Residential: 1,911 ft
Woodmere Apartments

• Year Built: 1974
• Type: Market Rate
• Stories: 3
• Distance to Residential: 185 ft
Valley Creek Apartments

- Year Built: 1985
- Type: Market Rate
- Stories: 3+
- Distance to Residential: 269 ft
Views at City Walk

- Year Built: 2012-2013
- Type: Affordable
- Stories: 3+
- Distance to Residential: 58 ft
Woodbury Senior Living

- Year Built: 1978
- Type: Independent & Assisted Senior Living
- Stories: 3+
- Distance to Residential: 83 ft
Woodbury Senior Living Estates

- Year Built: 1998
- Type: Assisted Senior Living
- Stories: 2+
- Distance to Residential: 221 ft
To mayor Anne Burt.

Hi,

I am a resident of Woodbury city. And this is regarding the rental unit complex 111 units planned on the corners of Bailey lake rd and Pioneer dr.

This is ironic. Times when city is boosting that Woodbury was recently ranked No. 10 as one of the Most Livable Small Cities in the U.S., by smart asset. At the same time they are planning an increase of +693% in units/ people vs original plan. Which will result in increased congestion and make that area overcrowded which will result in compromising peace of our neighborhood.

I understand Area under school district 833 are taxed at heigher level and more homes in east ridge school area means more revenue for city in property taxes. But I wonder where this greed will take our city.

I am concerned and would request city authorities to re-evaluate their plans. So then Woodbury remains this beautiful small city, who knows even higher in ranking next time.

Thanks
Nidhi Nivsarkar

Sent from Yahoo Mail for iPhone
Hello,

I hope this email finds you doing well.

I am reaching out to the Woodbury City Council to voice my displeasure with the zoning change and planning for high density rental apartments and townhomes on the corner of Bailey Lake Road and Pioneer Drive.

I, along with my family, have been living in Woodbury for the past 20 years. We are currently in our third Woodbury home, located in Copper Ridge. We have been living in our current home for the past two plus years. We chose to downsize and build our home in this area because of the zoning, planning and building of single family owned homes; with a mix of family owned townhomes originally included in the zoning and planning of the Copper Ridge Development.

I am incredibly disappointed to hear that the zoning has now been changed from low density single family homes to high density rental apartments/townhomes. The almost 700% increase in density (units, people) from the original plans truly borders on the absurd.

In all honesty, I am shocked that there were enough votes on the Woodbury City Council Board to even change the zoning, let alone consider such a development in the middle of the Copper Ridge, Ashton Ridge and Twenty-One Oaks communities.

I am OPPOSED to the zoning change and the Copper Ridge 9 Development.

Best regards,

Brad Bombardir
4759 Copper Circle
Woodbury, MN 55129
CAUTION: External Message.

Dear Woodbury City Council members,

I would like to express my concern on the upcoming copper ridge 9th development especially the 3 story apartment building close to my town home. We bought our home outskirts of woodbury thinking it’s a low density area. This apartment building would make this as high density and will increase the traffic which is a major risk for kids playing outside as our townhomes controlled by the HOA whereas the apartment complex will be controlled by property management company.

Also, my concern is on the safety of the area. The traffic in the playground will also increase and I cannot let my kids play alone on the play area due to safety concerns.

I am not against rental property, however, requesting you to keep the new building in consistence with the existing structures (Single family and townhomes) which would ensure the neighborhood characteristics not affected negatively.

Thanks,
Vercelin
8793 granite cir,
Woodbury, MN 55129
Hi Kim,

Will you please print off my four questions/comments and provide them to each City Council member as noted by Gina McCormack?

Thank you Kim and Gina.

Gary Larson  
4769 Copper Circle  
Woodbury, MN 55129  
612-940-2359

On Tue, May 10, 2022 at 3:16 PM McCormack, Gina <gina.mccormack@woodburymn.gov> wrote:

Hi Gary,

In order to have these questions submitted for City Council, you will need to email our City Clerk. Here is her email address: kim.blaeser@woodburymn.gov

The email will then be printed and placed on each City Council members’ chair.

You can also submit these questions via the live Q&A on Teams.

Thank you,

Gina McCormack  
Associate Planner  
8301 Valley Creek Road | Woodbury, MN 55125  
(651) 714-3331 | www.woodburymn.gov
Hello again Gina,

I have four questions/comments that I would like you to read at the City Council meeting Wednesday, May 11, 2022. Thank you in advance for this as I will be watching the meeting online due to the pandemic.

1) At the Planning Commission meeting May 2, 2022, I thought I heard that part of the storm water holding ponds south of Bailey Lake Road and west of Pioneer Drive is included as part of the development site plan. If true, was this done to add acreage to the site plan to lower density and to add “green space” to the site plan? If so, is this legal and/or ethical?

2) What apartment complexes in Woodbury have been built a mile from a main thoroughfare and within a residential neighborhood of owned properties? (I consider Radio Drive, Bailey Road, Woodbury Drive, etc. to be main thoroughfares, not Bailey Lake Road and Pioneer Drive due to their many roundabouts and lower posted speeds).

3) I believe there are many undeveloped parcels of land on main thoroughfares in Woodbury better suited for rental apartments and rental twin homes. Was this property favored, encouraged by City Staff because previous development either failed or was never completed and because the needed infrastructure was already in place?

4) From the beginning of talks between the current developer and City Staff how many, and if so, when were public meetings, hearings, focus groups, etc. held? If any were held, what notifications were sent to me at 4769 Copper Circle, since I live within 500 feet of the proposed development site?

Again, thank you Gina,

Gary Larson
4769 Copper Circle
Woodbury, MN 55129
612-940-2359
Hi Gary,

Thanks for your question. I am happy to read this question tonight to the Planning Commission.

As for the plantings, the area south of Bailey Lake Road will be dedicated to the City. I will work with our parks maintenance staff to understand if arbor vitae can be planted or if they would prefer evergreen trees or other plantings.

Thank you in advance for your participation tonight.

Sincerely,

Gina McCormack
Associate Planner
8901 Valley Creek Road | Woodbury, MN 55125
(651) 714-3531 | www.woodburymn.gov

From: Gary Larson <glarson55129@gmail.com>
Sent: Monday, May 2, 2022 9:32 AM
To: McCormack, Gina <gina.mccormack@woodburymn.gov>
Subject: Copper Ridge 9th Addition

CAUTION: External Message.

Good Morning Ms. McCormack,

I plan on virtually attending tonight’s Planning Commission meeting, however, I’m submitting a question/request in advance of that meeting. I would appreciate it if you would please present it for me tonight.

My question/request: Would it be possible or will you please add a vegetative barrier on the south side on Bailey Lake Road opposite the only direct entrance/exit point to the new complex on Bailey Lake Road? I foresee the vast majority of all incoming and outgoing traffic for the complex using this entrance/exit point at all hours of the day and night.

My proposal is to add, say, six to 12 arborvitaes type evergreen trees to the south side boulevard of Bailey Lake Road opposite the entrance/exit point to help block the headlight glare and vehicle sounds. Since I live a stone’s throw away from the entrance/exit point I have a good(bad) notion that the in and out traffic, especially at night, could become a nuisance. Vegetation could mitigate that possible nuisance.
The cost for 12 arborvitaes is approximately $600.00 retail, a small price to pay to help relieve this potential nuisance.

Thank you for your time,

Gary Larson
4769 Copper Cir
Woodbury, MN 55129
612-940-2359
Hi Kim,

Thank you for your quick response.

Unfortunately, I am unable to attend the meeting this evening as I am out of the country traveling for business. I ask that you share this email with the rest of the Council members.

While I recognize that it is important for people to be physically present, in order to show solidarity in standing up against City Council’s misguided decision making, it is MOST IMPORTANT for Council TO DO WHAT IS RIGHT and to recognize what was originally promised to and planned for in the development of the Ashton Ridge, Twenty-One Oaks and Copper Ridge communities.

A “slight of hand” move and request by a developer, along with some disappointing and misguided support by members of the council, to change zoning from a Low Density designation to a High Density designation, can NOT continue to be supported at the Council level. I promise you, that it is NOT supported by the families and citizens that surround the proposed building site.

Whether there is one person in attendance at this evening’s meeting or there are 10,000 people filling the room and lining the hallways of City Hall, in opposition to this proposed development, doing what is right should never depend on the size of the crowd. We trust in and rely on our elected officials to recognize that.

Thank you in advance to you and the rest of the Woodbury City Council for doing what is RIGHT. The proposed Copper Ridge 9 Development site must remain a Low Density building site.

Best regards,

Brad Bombardir
4759 Copper Circle
Woodbury, MN 55129
Hello Brad Bombardir,

Thank you for your email, and I have provided to the City Council. As a reminder, the public hearing regarding this matter is scheduled for Wednesday, May 11 at 7:00 p.m. The meeting will be held in the City Council Chambers at Woodbury City Hall.

Enjoy your day!

Kim

Kimberlee K. Blaeser
City Clerk
8301 Valley Creek Road, Woodbury, MN 55125
(651) 714-3524 |

-----Original Message-----
From: Bombardir, Brad <BBombardir@WILD.com>
Sent: Sunday, May 8, 2022 12:37 PM
To: council <council@woodburymn.gov>
Subject: I OPPOSE the Copper Ridge 9 Development

CAUTION: External Message.

Hello,

I hope this email finds you doing well.

I am reaching out to the Woodbury City Council to voice my displeasure with the zoning change and planning for high density rental apartments and townhomes on the corner of Bailey Lake Road and Pioneer Drive.

I, along with my family, have been living in Woodbury for the past 20 years. We are currently in our third Woodbury home, located in Copper Ridge. We have been living in our current home for the past two plus years. We chose to downsize and build our home in this area because of the zoning, planning and building of single family owned homes; with a mix of family owned townhomes originally included in the zoning and planning of the Copper Ridge Development.

I am incredibly disappointed to hear that the zoning has now been changed from low density single family homes to high density rental apartments/townhomes. The almost 700% increase in density (units, people) from the original plans truly borders on the absurd.
In all honesty, I am shocked that there were enough votes on the Woodbury City Council Board to even change the zoning, let alone consider such a development in the middle of the Copper Ridge, Ashton Ridge and Twenty-One Oaks communities.

I am OPPOSED to the zoning change and the Copper Ridge 9 Development.

Best regards,

Brad Bombardir
4759 Copper Circle
Woodbury, MN 55129
From: Konnie Giddings
<konniegiddings@gmail.com>
Sent: Wednesday, May 11, 2022 1:20 PM
To: council <council@woodburymn.gov>
Subject: Vote NO to HD Copper Ridge proposal

CAUTION: External Message.

As a voting citizen of Woodbury and a resident of Copper Ridge, I want you to vote **NO** to the proposed zone change and HD build in Copper Ridge. That is bad for our neighborhood, crime rates, kids and school district.

Thank you,

Konnie Giddings
8607 Platinum Cove
From: Suzette Frith
<suzettefrith@gmail.com>
Sent: Wednesday, May 11, 2022 1:01 PM
To: council <council@woodburymn.gov>
Subject: Copper Ridge 9th addition rezoning

CAUTION: External Message.

I am unable to make tonight's meeting (I was there last week), and wanted to express my opposition to the proposed apartment complex located directly across Pioneer Drive from our house. When we built in 2014, the area was NOT zoned for high density, so we had no reason to believe that we could end up with an apartment complex in our backyard.

As stated in testimony last week, apartments such as is proposed for the plot of land at the NW corner of Pioneer Drive and Bailey Lake Drive are proven to decrease nearby property values. Apartment complexes are also known to be targets of crime, and there are stories weekly on the Woodbury Neighbor Facebook page of crime at the many apartment complexes in town. There is already an affordable housing project going up across from Jerry's Foods, just a few miles from here. These houses in our neighborhood are valued at $500,000 plus, and over 500 people signed off on a petition in opposition to this. That should mean something.

Everyone states they are here to represent the citizens of Woodbury, but it seems that we are talking on deaf ears. Please consider that over 500 families/homeowners are opposing this apartment complex, and that should weigh heavily in the decision and that decision should be to NOT allow an apartment complex at this location. There is a large plot of land that appears to be open just south of the housing project near Jerry's, and there is a multitude of other property throughout Woodbury better suited for a project like this.

My husband is an insurance agent, and one of his clients yesterday informed him that they too were planning an apartment complex in the north metro, but due to opposition for nearby homeowners, they are changing their project. I was in Eagan last evening driving through a large section of that town, and each and every apartment complex I passed was nowhere near a housing development such as ours.

Please do what's right, and listen to the citizens of Woodbury and vote NO to the Copper Ridge 9th addition rezoning.
City of Woodbury, Minnesota  
Office of City Administrator

Council Letter 22-146

May 11, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Public Hearing: Resurrection Lutheran Church Farmers’ Market; Interim Conditional Use Permit; Project No. 27-2022-00489

Summary

Kinney Mini Farms has submitted an application for an Interim Conditional Use Permit. The Applicant is proposing a new farmers’ market to be located at Resurrection Lutheran Church. The property is located at the southwest corner of Bailey Road and Woodbury Drive. The property is zoned R-4, Urban Residential District and is guided as Public/Semi-Public on the Land Use Plan.

Recommendation

The Planning Commission reviewed this application at their April 18, 2022 meeting. At that time they recommended approval of the Resurrection Lutheran Church Farmers’ Market Interim Conditional Use Permit, Project No. 27-2022-00489 by a 6-0 vote.

Staff concurs with the Planning Commission recommendation and recommends Council approve the Interim Conditional Use Permit via the attached resolution adopting findings of fact for Resurrection Lutheran Church Farmers’ Market, Project No. 27-2022-00489, subject to the following conditions:

1. The Interim Conditional Use Permit shall terminate upon a change in zoning regulations which would prohibit the use or upon violation of the conditions under which the permit was issued.
2. Upon the occurrence of the date or of the criteria for termination set forth in the Interim Conditional Use Permit, the City shall notify the Permittee in writing that the Interim Conditional Use Permit shall terminate not later than 30 days after the date of such notice.
3. The Interim Conditional Use Permit shall be reviewed annually but may be reviewed at any time if the City Council is of the opinion that the terms and conditions of the permit have been violated or if one of the criteria for termination has been met.
4. The Resurrection Lutheran Farmers’ Market will be open on Tuesdays from late May through the last Tuesday of September. The hours of operation will be from 2:30 p.m. to 7:00 p.m.
5. The Applicant shall be allowed four (4) temporary signs. One sign shall not exceed 24 square feet in area and not more than six (6) feet in height. The other temporary, directional signs must not exceed four (4) square feet and be located onsite, at least 15 feet from the back of

6. The market manager shall ensure the site is cleaned up after market hours.
7. Parking for vendors and customers shall be restricted to asphalt only, no parking in the grass or medians will be permitted.
8. The Interim Conditional Use Permit shall be executed prior to the market becoming operational.
9. Barriers and cones shall be present at all times when the market is in operation. If operational issues are identified by the City, the Applicant shall work with staff to create a circulation plan for the site.

**Fiscal Implications**

There are no fiscal implications.

**Policy**

Chapter 24- Zoning

**Public Process**

Neighborhood Meeting – April 4, 2022  
Planning Commission Meeting – April 18, 2022  
Public Hearing Published – May 1, 2022

**Background**

The City requires an Interim Conditional Use Permit (ICUP) for farmers’ markets to ensure compliance with zoning ordinance standards and review parking, signage, duration, neighborhood impacts and the like. An interim use is defined as a temporary use of property until a particular date, until the occurrence of a particular event or until the zoning regulations no longer permits it.

The proposed farmers’ market at this location will operate on Tuesday evenings from 2:00 p.m. (set-up) until 7:00 p.m. (cleanup) from late May until the end of September. The parking area for the use can hold up to 25 local vendors. For additional information, please see the attached staff report.

**Written By:** Gina McCormack, Associate Planner  
**Approved Through:** Eric Searles, Assistant Community Development Director/City Planner  
Janelle Schmitz, Community Development Director

**Attachment:**  
1. Resolution  
2. Planning Commission Staff Report—April 18, 2022  
3. Interim Conditional Use Permit  
4. Market Narrative and Site Plan
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Adopting Findings of Fact for an Interim Conditional Use Permit for Resurrection Lutheran Church Farmers’ Market
Project No. 27-2022-00489

WHEREAS, in granting an Interim Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning and Zoning Commission, the City staff, and other applicable advisory commissions or other governmental agencies; and

WHEREAS, in granting an Interim Conditional Use Permit, the City Council shall consider the effect of the proposed use on the comprehensive plan; and

WHEREAS, in granting an Interim Conditional Use Permit, the City Council shall consider the effect of the proposed use on the health, safety, and general welfare of occupants of surrounding lands; and

WHEREAS, the Planning Commission reviewed the request for an Interim Conditional Use Permit for a farmers’ market at their April 18, 2022 meeting. At that time they recommended approval by a 6-0 vote. Staff concurs and recommends the City Council grant an Interim Conditional Use Permit for the Resurrection Lutheran Church farmers’ market; and

WHEREAS, Section 24-43 of the Woodbury City Code identifies the findings necessary to grant approval of an Interim Conditional Use Permit; and

WHEREAS, the City Council affirms the following findings of fact for the Interim Conditional Use Permit for Resurrection Lutheran Church at 9925 Bailey Road.

1. Consistency with the comprehensive plan. The proposed use shall be consistent with the comprehensive plan.

The Comprehensive Plan establishes a Vision for Woodbury that includes “Woodbury’s vision is of a community where diverse opportunities for housing, employment, education, recreation, commerce, transportation, volunteer organizations, participatory government and cultural activities are woven together into a unique identity in the Twin Cities Metropolitan Area...” The proposed farmers’ market provides this unique opportunity for residents to interact and shop with local vendors. Farmers’ markets provide opportunities for local growers to generate income and residents to support the community.

2. Health and safety. The proposed use shall not negatively impact the health, safety and general welfare of occupants of surrounding lands.

The proposed use of a farmers’ market does not negatively impact the health and safety of adjacent property owners.
3. Public infrastructure services. The provision of adequate public facilities and services to the site where the use is proposed and the ability of the existing infrastructure to absorb the additional demand for public services such as utilities, streets, parks, schools, etc.

No additional public infrastructure is required to serve the farmers’ market as the existing infrastructure is designed to handle the demand of the market.

4. Screening and landscaping. The ability to screen and buffer incompatible impacts of the proposed use on adjacent property and the surrounding neighborhood. The city council may require additional landscaping or screening above that required in the zoning ordinance.

The proposed farmers’ market is located away from the surrounding neighborhoods. The existing landscaping and screening onsite will be sufficient to buffer any impacts of the use.

5. Architectural standards. The degree that the site or building associated with the proposed use meets or exceeds the architectural design and landscaping standards for the district in which it is located. The city council may require additional architectural standards above those required in section 24-304 of the zoning ordinance.

The proposed farmers’ market is temporary in nature and therefore architectural regulations do not apply.

6. Zoning. The use is consistent with the purposes of the zoning code and the purposes of the zoning district in which the applicant intends to locate the proposed use.

The subject property is zoned R-4, Urban Residential District. A farmers’ market is identified to be an appropriate interim conditional use in this district subject to all requirements found in section 24-265. The Applicant has designed the site plan to meet these requirements and shall abide by the conditions of approval.

7. Traffic. The generation and characteristics of the traffic associated with the use and its impact on traffic volumes and safety associated with driveway locations, existing and proposed capacity on adjacent roads, sidewalks and trail connections.

The traffic generated by this use is consistent with other Place of Worship accessory uses. The existing roadway and pedestrian infrastructure on Bailey Road and Woodbury Drive are designed to accommodate this use.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the Interim Conditional Use Permit, Project No. 27-2022-00489, for Resurrection Lutheran Church farmers’ market with the following conditions:

1. The Interim Conditional Use Permit shall terminate upon a change in zoning regulations which would prohibit the use or upon violation of the conditions under which the permit was issued.
2. Upon the occurrence of the date or of the criteria for termination set forth in the Interim Conditional Use Permit, the City shall notify the Permittee in writing that the Interim Conditional Use Permit shall terminate not later than 30 days after the date of such notice.

3. The Interim Conditional Use Permit shall be reviewed annually but may be reviewed at any time if the City Council is of the opinion that the terms and conditions of the permit have been violated or if one of the criteria for termination has been met.

4. The Resurrection Lutheran Farmers’ Market will be open on Tuesdays from late May through the last Tuesday of September. The hours of operation will be from 2:30 p.m. to 7:00 p.m.

5. The Applicant shall be allowed four (4) temporary signs. One sign shall not exceed 24 square feet in area and not more than six (6) feet in height. The other temporary, directional signs must not exceed four (4) square feet and be located onsite, at least 15 feet from the back of the curb. The signs shall be permitted to be installed on Monday evening and removed on Wednesday morning.

6. The market manager shall ensure the site is cleaned up after market hours.

7. Parking for vendors and customers shall be restricted to asphalt only, no parking in the grass or medians will be permitted.

8. The Interim Conditional Use Permit shall be executed prior to the market becoming operational.

9. Barriers and cones shall be present at all times when the market is in operation. If operational issues are identified by the City, the Applicant shall work with staff to create a circulation plan for the site.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
## CITY OF WOODBURY
### PLANNING COMMISSION STAFF REPORT
#### April 18, 2022

| Project No.:          | 27-2022-00489 | Prepared By:            | Gina McCormack  
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<tr>
<td></td>
<td></td>
<td>Associate Planner</td>
<td>651-714-3531</td>
</tr>
<tr>
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<td></td>
<td></td>
<td><a href="mailto:gina.mccormack@woodburymn.gov">gina.mccormack@woodburymn.gov</a></td>
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<tr>
<td>Project Name:</td>
<td>Resurrection Lutheran Church Farmers’ Market</td>
<td>Recommendation:</td>
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<td>Request:</td>
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<td>Site Size:</td>
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<td>Parkland Dedication:</td>
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### PROPOSAL

Kinney Mini Farms has submitted an application for an Interim Conditional Use Permit. The Applicant is proposing a new farmers’ market to be located at Resurrection Lutheran Church. The property is located at the southwest corner of Bailey Road and Woodbury Drive. The property is zoned R-4, Urban Residential District and is guided as Public/Semi-Public on the Land Use Plan.

### BACKGROUND

The City requires an Interim Conditional Use Permit (ICUP) for farmer’s markets to ensure compliance with zoning ordinance standards and review parking, signage, duration, neighborhood impacts and the like. An interim use is defined as a temporary use of property until a particular date, until the occurrence of a particular event or until the zoning regulations no longer permits it.

The City Code allows an Interim Conditional Use Permit for the interim use of property if:

1. The use conforms to the zoning regulations;
2. The date or event that will terminate the use can be identified with certainty;
3. Permit of the use will not impose additional costs on the city if it is necessary for the city to take the property in the future; and
(4) The permitee agrees in writing to any conditions that the City Council deems appropriate for permission of the use.

The criteria for granting an Interim Conditional Use Permit are the same as for Conditional Use Permits, as contained in Section 24-43 of the City Code. The proposed farmers’ market meets the required findings as outlined in the attached draft resolution.

In establishing the date of event for the termination of the Interim Conditional Use Permit, the City Council is to consider the advice and recommendations of the Planning Commission. Staff recommends that the Interim Conditional Use Permit for the farmers’ market should terminate upon a change in zoning regulations which would prohibit the market or upon violation of the conditions under which the permit was issued.

**Use** – The proposed farmers’ market at this location will operate on Tuesday evenings from 2:00 p.m. (set-up) until 7:00 p.m. (cleanup) from late May until the end of September. The parking area for the use can hold up to 25 local vendors.

**Site Access & Parking** – Access to the site is provided via private driveway from Bailey Road as shown with the red star in the graphic below.

The proposed site plan identifies 53 parking spaces to be dedicated for vendors and pedestrian circulation. When the market is in operation, the market manager will ensure barriers/cones will be placed around the market to avoid any circulation issues. Adequate parking is provided in the remainder of the Church’s parking lot. The Church does not have any programming on Tuesday evenings that would conflict with this use.
Neighborhood Meeting—A neighborhood meeting was held on April 4, 2022 with one attendee present and another resident contacting staff. Questions centered on how long term the use is proposed to be, circulation on Bailey Road, and potential security concerns.

RECOMMENDATION

Staff recommends approval of the Interim Conditional Use Permit for the farmers’ market, Project No. 27-2022-00489 for Resurrection Lutheran Church farmers’ market, based on the findings in the attached draft resolution, subject to the following conditions:

1. The Interim Conditional Use Permit shall terminate upon a change in zoning regulations which would prohibit the use or upon violation of the conditions under which the permit was issued.
2. Upon the occurrence of the date or of the criteria for termination set forth in the Interim Conditional Use Permit, the city shall notify the Permittee in writing that the Interim Conditional Use Permit shall terminate not later than 30 days after the date of such notice.
3. The Interim Conditional Use Permit shall be reviewed annually but may be reviewed at any time if the City Council is of the opinion that the terms and conditions of the permit have been violated or if one of the criteria for termination has been met.
4. The Resurrection Lutheran Farmers’ Market will be open on Tuesdays from late May through the last Tuesday of September. The hours of operation will be from 2:30 p.m. to 7:00 p.m.
5. The Applicant shall be allowed four (4) temporary signs. One sign shall not exceed 24 square feet in area and not more than six (6) feet in height. The other temporary, directional signs must not exceed four (4) square feet and be located onsite, at least 15 feet from the back of the curb. The signs shall be permitted to be installed on Monday evening and removed on Wednesday morning.
6. The market manager shall ensure the site is cleaned up after market hours.
7. Parking for vendors and customers shall be restricted to asphalt only, no parking in the grass or medians will be permitted.
8. The Interim Conditional Use Permit shall be executed prior to the market becoming operational.
9. Barriers and cones shall be present at all times when the market is in operation. If operational issues are identified by the City, the Applicant shall work with staff to create a circulation plan for the site.

ATTACHMENTS

1. Location Map
2. Resolution
3. Interim Conditional Use Permit
4. Market Narrative and Site Plan
In accordance with the provisions of the Zoning Ordinance of the City of Woodbury, an Interim Conditional Use Permit is hereby granted to Kinney Mini Farms (hereinafter referred to as “Applicant”), for farmers’ market. The location of said property, being described as follows:

THE NORTH 611.56 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 28, RANGE 21, WASHINGTON COUNTY, MINNESOTA EXCEPT THE SOUTH 17.00 FEET OF THE NORTH 92.00 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27

In granting this Interim Conditional Use Permit, the Woodbury City Council finds the above-described property is zoned R-4, Urban Residential District, which allows the approved use as an interim conditional use at their discretion. The Council finds that the Applicant meets the criteria of the ordinance as outlined in Resolution No. 22-____ adopted by the City Council on May 11, 2022 and is entitled to the issuance of an Interim Conditional Use Permit for Resurrection Lutheran Church farmers’ market, subject to the following conditions:

1. The Interim Conditional Use Permit shall terminate upon a change in zoning regulations which
would prohibit the use or upon violation of the conditions under which the permit was issued.

2. Upon the occurrence of the date or of the criteria for termination set forth in the Interim Conditional Use Permit, the City shall notify the Permittee in writing that the Interim Conditional Use Permit shall terminate not later than 30 days after the date of such notice.

3. The Interim Conditional Use Permit shall be reviewed annually but may be reviewed at any time if the City Council is of the opinion that the terms and conditions of the permit have been violated or if one of the criteria for termination has been met.

4. The Resurrection Lutheran Farmers’ Market will be open on Tuesdays from late May through the last Tuesday of September. The hours of operation will be from 2:30 p.m. to 7:00 p.m.

5. The Applicant shall be allowed four (4) temporary signs. One sign shall not exceed 24 square feet in area and not more than six (6) feet in height. The other temporary, directional signs must not exceed four (4) square feet and be located onsite, at least 15 feet from the back of the curb. The signs shall be permitted to be installed on Monday evening and removed on Wednesday morning.

6. The market manager shall ensure the site is cleaned up after market hours.

7. Parking for vendors and customers shall be restricted to asphalt only, no parking in the grass or medians will be permitted.

8. The Interim Conditional Use Permit shall be executed prior to the market becoming operational.

9. Barriers and cones shall be present at all times when the market is in operation. If operational issues are identified by the City, the Applicant shall work with staff to create a circulation plan for the site.

By order of the City Council of the City of Woodbury, County of Washington, State of Minnesota, this Interim Conditional Use Permit, Project No. 27-2022-00489 is executed by the affected parties on __________, 2022.
STATE OF MINNESOTA

COUNTY OF WASHINGTON

On this _____ day of ________________, 2022, before me, a Notary Public within and for said County, personally appeared Anne W. Burt and Clinton P. Gridley, to me personally known, being each by me duly sworn did say that they are respectively the Mayor and City Administrator of the City of Woodbury, the municipal corporation named in the foregoing instrument; and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said municipal corporation by authority of its City Council and Anne W. Burt and Clinton P. Gridley acknowledged said instrument to be the free act and deed of said municipal corporation.

_________________________ ___________________
Notary Public Date
Interim Conditional Use Permit
Resurrection Lutheran Church farmers’ market
Project No. 27-2022-00489
Page 4 of 4

DEVELOPER/APPLICANT

By___________________________________
Date_______________
Its ___________________________________

STATE OF   )
)  ss.
COUNTY OF_____________ )

On this ______ day of ______________, 20___, before me, a Notary Public within and for said County personally appeared _________________________________, to me personally known, who being each by me duly sworn did say that s/he is respectively the ______________________ of _________________________________, the corporation named in the foregoing instrument, and that said instrument was signed in behalf of said corporation by authority of its _________________ and said ______________________ acknowledged said instrument to be the free act and deed of said corporation.

_______________________________________ ______________________
Notary Public Date

Approved to Form:

_______________________________________
City Attorney

THIS INSTRUMENT WAS DRAFTED BY
Scott J. Riggs, City Attorney
Kennedy & Graven Chartered
150 South Fifth Street, Suite 700
Minneapolis, MN 55402
Project Name: Woodbury Resurrection Farmers Market

Location:
9925 Bailey Rd, Woodbury, MN 55129
Time: 3-6:30 Tuesday Jun 14, 2022 through Sep 27, 2022

Our goal is to inspire and feature farmers and growers that nurture a healthy community by building a local, sustainable food economy in a vibrant, educational marketplace. Allowing consumers to have a direct relationship with the producers of the items they purchase. In a town that is the 9th largest city in MN and growing we see the need for a locally ran farmers market. With marketing skills and a big list of local vendors wanting to sell in Woodbury it is time for a easyy accessible, good parking and fun Farmers Market.

As soon at the Woodbury Resurrection Farmers Market is established Paul Edgerton and Lisa John will be managing all the market goals. The Woodbury Resurrection parking lot will hold up to twenty five (25) growers/vendors on Tuesdays from June through September. Set up time will start at 2:00 market starting at 3:00p.m. to 6:30p.m. on the south side of the parking lot. The property is located off of a roundabout on Bailey and Woodbury Dr. With a full parking lot making easy access for our customers. Access to the site is off of Bailey Road.

Vendors wishing to participate in the market must complete an application form and return it to Paul or Lisa (Market Managers/Coordinators) for review. After being accepted, the vendor fees will be due. We will review and approve all vendor applications before a vendor can participate in the market. During the selection process, we will not discriminate on the basis of race, color, creed, religion, ancestry, national origin, sex, sexual orientation, disability, age, marital status, or status with regard to public assistance.

Market managers will approve for sale:

- Fresh fruits, vegetables, herbs and spices
- Farmstead products such as cheese, meats, fish, poultry, eggs, baked goods, honey, maple syrup and preserves, must be prepared and packaged in accordance with rules established by the MN Department of Agriculture
- Vendors growing bedding plants, hanging and potted plants, and dried or cut flowers. Additional products not listed above must be approved by the market manager.
- To maintain the agricultural nature of the market, handicrafts and other non-food items shall not exceed 20% of the market
- Market managers reserve the right to inspect crops and production areas at any time before or during the market season.
In our efforts to be an environmentally-friendly event all vendors and customers will follow these waste reduction and disposal guidelines.

- Vendors must remove their own trash and recyclables from the market site.
- All items intended for consumption/use on site (food trucks) resulting in waste must be compostable, including items for sampling.
- One of the market goals is to provide well-marked containers to separate garbage and contain materials for customers.

The Woodbury Resurrection Farmers Market enforces all federal, state, and local food licensing requirements.

Vendors may not begin setting up before 2:00 without prior approval. Market Managers will be at the market location at 2:00 pm to check in vendors and assist vendors with any questions.

The market will open at 3:00 pm. And it ends at 6:30. Market vendors must be ready to sell by 3:00 on market day. Vendors are not allowed to start the tear down process until the market is closed. In the interest of customer safety, moving vehicles are prohibited in the market area between 2:45-6:30. The market will occur rain or shine. In the event of severe weather, the Market Manager will determine and ask people to clear the market and take shelter. Stall space is assigned by the market manager. One stall is two side by side parking spaces approximately 17' wide. Vendors are allowed only one vehicle in the assigned stall space. Vendors are responsible for providing set up materials (tables, canopies, tents, tent weights and other items needed for display). No stakes may be pounded into the asphalt, but all canopies MUST be secured/weighted down during the market. It is required that all four legs of the canopies be secured with over 20 pounds of weight attached.

Special events will happen throughout the season with live music, kids day, senior citizen day, farmers market month, customer appreciation day, photo booths, etc… to draw attention to the market.

Any required sales tax collections and remittances are the sole responsibility of the vendors. Completion of the ST19 form must accompany the application. All vendors must carry their own Commercial General Liability insurance with limits up to $1,000,000, as the market does not provide this coverage.

Market managers and coordinators’ job is to implement the guidelines and policies of the market. This includes overseeing market set-up, space assignments, collecting fees, providing
information on market policies, assuring vendor compliance with all policies. The market manager/coordinator is also the liaison between the vendors/customers and city staff. The market manager has complete authority to interpret the implemented policy on the market site. The policies and guidelines followed at the Woodbury Resurrection Farmers Market are changed by the market coordinator/manager with the approval of the Resurrection Lutheran church Supervisor. Requests for change will be considered on a case by case basis at the Church’s sole discretion.

EBT/POP/TOKENS

As of now the market is not set up for EBT but once established will look further into it. As well as creating market tokens and starting up the POP program. The Power Of Produce program is a farmers market incentive program for children ages 4 to 12. Each week, children receive a $2 token to spend on fresh fruits and vegetables and food plants. The PoP Club engages children at the farmers market and empowers them to make healthful food choices. Farmers markets across the nation have implemented the program and documented the program’s positive impact on the fruit and vegetable consumption of children as well as an increase in families attending the farmers market.

The PoP Club has the potential to play a key role in building healthy, prospering communities. The program encourages children and families to attend the farmers market every week, thus potentially increasing the market’s customer base and revenue of local growers. The PoP Club also aims to create a social norm around farmers markets. In coordination with other market activities, the program helps to create an equitable space that community members want to visit each week and make part of their normal shopping routine.

Creating a Farmers Market Hub will allow vendors another avenue of selling their products during the market season by joining in on a CSA like concept. The market manager will subscribe to the appropriate licensing through MN Department of Health to ensure a safe food handling process. The community has the option to buy a monthly box of mixed produce from a variety of vendors. Pick up will be at the farmers market location.
Council Letter 22-147

May 11, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Public Hearing: Adoption of Special Assessments for the Lake Road 4-3 Lane Conversion Project

Summary

Preliminary reports for the Lake Road 4-3 Lane Conversion Project were prepared which found the project to be necessary, cost effective and feasible and Council ordered the project.

Recommendation

Staff recommends Council adopt the attached resolution adopting the special assessments for the Lake Road 4-3 Lane Conversion Project.

Fiscal Implications

Total cost of the project is $1,630,000. Funding for the project is as follows:

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<th>Description</th>
<th>Duration</th>
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<td>Special Assessments</td>
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<td>Total Project Cost</td>
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Policy

The road assessment term of 15 years is based on the Roadway Construction and Rehabilitation policy and the estimated net interest rate on the bonds as recommended by the City’s financial advisor. Notice of the public hearing on assessments was published in the St. Paul Pioneer Press and also mailed to affected property owners as required by State Statue 429.

Public Process

- July 2016: Conversion study
- 11/09/20: Authorized preparation of plans and specs
- 11/10/21: Authorized preparation of preliminary report
- November and December 2021: One on one discussions with property owners
- 01/12/22: Approved preliminary report, held public improvement hearing, ordered project and authorized preparation and acquisition of easements
- 01/26/22: Approved plans and specs and set bid date
Council Letter 22-147
May 11, 2022
Page 2

- 04/07/22: Bids opened
- 04/22/22: Mailed Notice of Public Hearing on Assessments to all property owners proposed to be assessed

Background

In order to provide a safe and efficient transportation system, the City proposed converting Lake Road between Woodlane Drive and Pioneer Drive from a 4-lane roadway to a 3-lane roadway. The scope of the project includes pavement rehabilitation of Lake Road between Courtly Road and Tahoe Road and between Woodlane Drive and Pioneer Drive, along with restriping of Lake Road between Woodlane Drive and Pioneer Drive to create a 3-lane roadway with two-way center left turn lanes.

This project is a public improvement and the necessary steps in the Section 429 process have been taken. The notice of special assessment hearing was published and also sent to the individual property owners.

Written By: Deb Score, Accountant I
           Mike Hejna, Principal Engineer
Approved  Angela Gorall, Assistant City Administrator
Through:   Tony Kutzke, City Engineer
Attachment: Resolution
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Adoption of Special Assessments for the Lake Road 4-3 Lane Conversion Project

WHEREAS, a study was done and determined the project was necessary; and

WHEREAS, on January 12, 2022 the City held a public improvement hearing on the Lake Road 4-3 Lane Conversion Project and ordered the project; and

WHEREAS, bids have been opened and costs have been calculated for the Lake Road 4-3 Lane Conversion Project; and

WHEREAS, the City has followed the necessary steps in the Section 429 process and desires to assess the cost of said improvements to all benefited properties.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. The City Accountant I with the assistance of the City consulting engineer has calculated the amount proper and necessary to be specially assessed for improvements against every assessable lot, piece or parcel of land affected thereby upon the basis of benefits, without regard to cash valuation, in accordance with the provisions of Minnesota Statutes Annotated, Section 429, and notice has been duly published and mailed, as required by law, that this Council would meet to hear and pass upon all objections, if any, and to amend said proposed assessments as might be necessary, and said proposed assessment roll has at all times since its filing been open for public inspection, and an opportunity has been given to all interested persons to present their objections, if any, to such proposed assessments.

2. This Council, having heard and considered all objections so presented and being fully advised in the premises, finds that each of the lots, pieces and parcels of land enumerated in the proposed assessment roll was and is specially benefited by the construction of said improvement in not less than the amount of the assessment set opposite the description of each lot, piece and parcel of land respectively, and that such amount so set out is hereby levied against each of the respective lots, pieces and parcels of land therein described.

3. The proposed assessment roll is hereby adopted and confirmed as the proper special assessment for all lots, blocks, outlots, pieces and parcels of land for the improvements as follows:

A. For Street Improvements in the amount of $5,137.97 as spread by Roll No. 1437 together with interest at the rate of three percent (3.0%) to be determined % per annum accruing on the full amount thereof from time to time unpaid shall be a lien concurrent with general taxes upon such parcel and all thereof. In the event that the interest rate at the time of bonding has risen above this rate the City of Woodbury has the authority to reassess at a higher
rate to meet the debt service obligation. The owners shall be notified by mail of any proposed change in the interest rate, from those contained in the notice of the original assessment. The total amount of each such assessment shall be payable in equal annual installments, extending over a period of fifteen (15) years.

The first with interest from the date hereof to December 31, 2022 to be payable with the general taxes collectible during the year 2023 and one of each of the remaining installments, together with one year's interest on that and all other unpaid installments, to be payable with general taxes for each consecutive year thereafter until the entire assessment is paid.

4. Prior to certification of the assessment roll to the County Auditor, the owner of any lot, piece, parcel or tract of land assessed hereby may at any time pay the whole of such assessment with interest accrued to the date of payment to the Treasurer of the municipality.

5. The City Accountant I shall prepare and transmit to the county auditor a certified duplicate of the assessment roll, with each then unpaid installment and interest set forth separately to be extended upon the proper tax lists of the county and the county auditor shall thereafter collect said assessments in the manner provided by law.

This resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
City of Woodbury, Minnesota
Office of City Administrator

Council Letter 22-148

May 11, 2022

To: The Honorable Mayor and Members of the City Council
From: Clinton P. Gridley, City Administrator
Subject: Lake Road 4-3 Lane Conversion Project; Award Contract; Amend Budget; Consultant Selection

Summary

In order to provide a safe and efficient transportation system, the City is proposing to convert Lake Road between Woodlane Drive and Pioneer Drive from a 4 lane roadway to a 3 lane roadway with two-way center left turn lanes with a combination of roadway rehabilitation and restriping. These types of projects have been shown to reduce crashes, reduce vehicle speeds, and create a more accessible road for all users with no significant impact to vehicle capacity.

Council ordered the project at the January 12, 2022, Public Improvement Hearing. On April 7, 2022, bids were opened for the Lake Road 4-3 Lane Conversion Project. The project includes the areas shown on the attached map. A portion of the project costs will be assessed to benefiting property owners. In accordance with Minnesota Statute Chapter 429, the next step is to award the contract to the low bidder.

The low bidder for the Lake Road 4-3 Lane Conversion Project is McNamara Contracting, with a total base bid of $1,276,339.86.

Construction administration services for the Lake Road 4-3 Lane Conversion Project will be performed by SEH, Inc., based upon their experience in the area, current involvement with this project, and expertise.

Recommendation

Staff recommends Council adopt:

1. A resolution awarding the construction contract to McNamara Contracting, in the amount of $1,276,339.86 for the Lake Road 4-3 Lane Conversion Project and authorizing the Mayor and City Administrator to sign said contract.
2. A resolution amending the Municipal State Aid Roadway Construction Fund Budget and associated transfers for the Lake Road 4-3 Lane Conversion Project.
3. A resolution authorizing the Mayor and City Administrator to execute an engineering consulting services contract with SEH, Inc., for construction administration services for the Lake Road 4-3 Lane Conversion Project.
Fiscal Implications

The Adopted 2021 Municipal State Aid Roadway Construction Fund Budget included $2,060,000 for the Lake Road 4-3 Lane Conversion Project and $1,880,200 was carried forward into the 2022 Budget. The current estimated costs and funding for the Lake Road 4-3 Lane Conversion Project are shown below.

<table>
<thead>
<tr>
<th>Funding Sources</th>
<th>Project Costs</th>
<th>2022 Adjusted Budget</th>
<th>2022 Budget Amendment Increase/ (Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal State Aid (MSA) Roadway Construction Fund</td>
<td>$0</td>
<td>$1,880,200</td>
<td>($1,880,200)</td>
</tr>
<tr>
<td>Major Roadway Special Assessment Fund</td>
<td>$157,862.03</td>
<td>$0</td>
<td>$157,862.03</td>
</tr>
<tr>
<td>Highway Safety Improvement Program (HSIP) Grant</td>
<td>$1,467,000</td>
<td>$0</td>
<td>$1,467,000</td>
</tr>
<tr>
<td>Special Assessments¹</td>
<td>$5,137.97</td>
<td>$0</td>
<td>$5,137.97</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$1,630,000</td>
<td>$1,880,200</td>
<td>($250,200)</td>
</tr>
</tbody>
</table>

¹Based on City Policy CD-ENGPW-4.2 Roadway Construction and Rehabilitation Financing Policy. The calculated assessments are less than the benefit appraisal.

A budget amendment is necessary to recognize the change in funding sources and authorize the associated transfers. The HSIP grant contribution was reduced from $1,620,000 to $1,476,000 due to the 10% local match required for the grant. The MSA Roadway Construction Fund will be reimbursed by HSIP grant funds in 2022 and 2023 as specified in the April 13, 2022, Council Resolution to accept grant funds.

Sufficient funds are available from the amended Lake Road 4-3 Lane Conversion Project budget for a contract with SEH, Inc., for construction administration services in the amount of $118,500.

Policy

The Lake Road 4-3 Lane Conversion Project follows the procedures set by Minnesota State Statutes regarding competitive bidding and special assessments.

Public Process

One property owner is considered a benefitted property based on the City’s assessment policy. That property owner was contacted by the City in November 2021. The anticipated project schedule for the Lake Road Rehabilitation and 4-3 Lane Conversion project is as follows:
Lake Road 4-3 Lane Conversion Study | July 2016
---|---
City authorizes SEH to prepare plans and specifications | November 9, 2020
Authorized preparation of preliminary report | November 10, 2021
InTouch message to residents with project information; Project website updated, one on one discussions with property owner | November / December 2021
Approve preliminary report, hold public improvement hearing, order project, and authorize preparation and acquisition of easements | January 12, 2022
Approve plans and specifications and set bid date | January 26, 2022
Open bids | April 7, 2022
Project information in City newsletter | April 2022
Assessment hearing, award contract | May 11, 2022
Begin construction | June 2022
Complete construction | August 2022

**Background**

The City is proposing pavement rehabilitation of Lake Road between Courtly Road and Tahoe Road and between Woodlane Drive and Pioneer Drive. The pavement rehabilitation will occur along with restriping of Lake Road between Woodlane Drive and Pioneer Drive to convert a 4 lane roadway to a 3 lane roadway with two-way center left turn lanes. These types of projects have been shown to reduce crashes, reduce vehicle speeds, and create a more accessible road for all users with no significant impact to vehicle capacity. Construction is proposed to occur in summer of 2022.

Written By: Mike Hejna, Principal Engineer
Approved Through: Chris Hartzell, Engineering Director
Attachments: 1. Resolution - Award Contract
2. Resolution - Amend Budget
3. Resolution - Consultant Selection
Engineering File No: 16-2020-01
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Awarding the Construction Contract to McNamara Contracting in the
Amount of $1,276,339.86 for the Lake Road 4-3 Lane Conversion Project and
Authorizing the Mayor and City Administrator to Sign Said Contract

WHEREAS, sealed bids were received and tabulated on April 7, 2022, at 10:00 a.m. for the Lake Road 4-3 Lane Conversion Project and

WHEREAS, the apparent low responsive and responsible bid was received from McNamara Contracting at their total base bid price of $1,276,339.86.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. That the bid of McNamara Contracting, in the amount of $1,276,339.86 total base bid for the Lake Road 4-3 Lane Conversion Project is the lowest responsive bid.

2. That a contract to perform said work is awarded to McNamara Contracting and that the Mayor and City Administrator are hereby authorized and directed to enter into a contract with said bidder.

3. The City Clerk is authorized and directed to return the deposit made for said bids, except the deposit of the successful bidder which shall be retained until a contract has been signed.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Amending the Municipal State Aid Roadway Construction Fund Budget and Associated
Transfers for the Lake Road 4-3 Lane Conversion Project

WHEREAS, bids were received and tabulated on April 7, 2022 for the Lake Road
4-3 Lane Conversion Project resulting with McNamara Contracting, as the apparent low
responsive and responsible bid price of $1,276,339.86; and

WHEREAS, based on the awarded construction contract, amendments are
necessary to the Lake Road 4-3 Lane Conversion Project Budget and necessary funding sources
budgets.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
Woodbury, Washington County, Minnesota to approve the following revenue increases/
decreases to the Lake Road 4-3 Lane Conversion Project 2022 Municipal State Aid Roadway
Construction Fund budget.

<table>
<thead>
<tr>
<th>Revenue Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Assessments-New Projects</td>
<td>$5,137.97</td>
</tr>
<tr>
<td>Transfers-In (Major Roadway Special Assessment Fund)</td>
<td>157,862.03</td>
</tr>
<tr>
<td>Intergovernmental Revenue –Federal Grants &amp; Aids</td>
<td>1,467,000</td>
</tr>
<tr>
<td>Use of Fund Balance</td>
<td>(1,880,200)</td>
</tr>
<tr>
<td></td>
<td>($250,200)</td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT FURTHER RESOLVED that the following
expenditure increases/ (decreases) be made to the 2022 Municipal State Aid Roadway
Construction Fund budget:

<table>
<thead>
<tr>
<th>Expenditure Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal State Aid Roadway Construction Fund/Projects</td>
<td>($250,200)</td>
</tr>
</tbody>
</table>

NOW, THERFORE, BE IT FUTHER RESOLVED by the City Council of the City of
Woodbury, Washington County, Minnesota to authorize the funding transfers for the Lake Road
and Pioneer Drive Intersection Improvement Project as follows:
### Transfer Table

<table>
<thead>
<tr>
<th>Transfer From Fund</th>
<th>Transfer To Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major Roadway Special Assessment Fund</td>
<td>Municipal State Aid Roadway Construction Fund</td>
<td>$157,862.03</td>
</tr>
</tbody>
</table>

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11\textsuperscript{th} day of May, 2022.

Attest: 

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Authorizing the Mayor and City Administrator to execute an
Engineering Consulting Services Contract with SEH, Inc., for construction
administration services for the Lake Road 4-3 Lane Conversion Project

WHEREAS, the City desires to rehabilitate Lake Road between Courtly Road and
Tahoe Road and between Woodlane Drive and Pioneer Drive; and

WHEREAS, the City wishes to retain the services of an engineering consulting
services to assist with said project; and

WHEREAS, the City has reviewed qualifications and solicited a proposal from the
municipal engineering pool to select a consultant; and

WHEREAS, SEH, Inc., has been determined to best meet the City’s needs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
Woodbury, Washington County, Minnesota as follows:

1. Authorization is given to enter into a contract with SEH, Inc., for engineering
consulting services for the Lake Road 4-3 Lane Conversion Project.

2. The Mayor and City Administrator are hereby authorized to execute the above
consultant contract.

This Resolution was declared duly passed and adopted and was signed by the
Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest: 

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Pursuant to the due call and notice thereof, a regular meeting was duly held virtually and at the Woodbury City Hall, 8301 Valley Creek Road, on the 13th day of April 2022.

Call to Order

Mayor Anne Burt called the meeting to order at 7:30 p.m.

Mayor Burt welcomed those listening and attending. She said members of the public may attend the meeting but will be required to comply with social distancing parameters as determined by the City. Members of the public may also join the meeting using a PC, Mac, iPad, iPhone or Android device. Public comments will be accepted during the meeting both in person and by using the link to the virtual meeting to join the meeting and then submit your questions via the online Q&A feature within the meeting. Questions regarding the meeting will also be taken between the hours of 8:00 a.m. to 4:30 p.m. via email council@woodburymn.gov or call 651-714-3524 and leaving a voicemail message.

Pledge of the Flag

Audience, staff, and Council pledged allegiance to the flag of the United States of America.

Roll Call

Upon roll call the following were present: Mayor Anne Burt, Councilmembers: Kim Wilson, Andrea Date, Steve Morris, and Jennifer Santini. Absent: None

Others Present: Kimberlee K. Blaeser, City Clerk; Pam Whitmore, City Attorney; Clinton Gridley, City Administrator; Public Safety Director/Police Chief Lee Vague; Janelle Schmitz, Community Development Director; Karl Batalden, Housing and Economic Development Manager; Gina McCormack, Associate Planner; Tony Kutzke, City Engineer; and Chris Hartzell, Engineering Director.

Special Order of Business

A. Volunteer Recognition Week Proclamation

Mayor Burt read a Proclamation declaring April 17-23, 2022 as Volunteer Recognition Week in the City of Woodbury.

B. 2021 Community Development Annual Report

Community Development Director Janelle Schmitz reviewed the 2021 Community Development Annual Report. She added employment in Woodbury increased by 8.7% over the previous year; there are 54 new businesses and 5,000 new jobs; and building permit activity increased by 33% over the previous year.

Ms. Schmitz stated the City’s Annual Business Celebration is planned for May 5, 2022 at 7:30 a.m. in Central Park. The event is open to the public, and the City Council is invited.

Ms. Schmitz stated Comprehensive Plan implementation initiatives include the 2021 Housing Action Plan; South of Dale Master Plan; Gold Line Station Area Master Plan; and Economic Development Strategic Plan.

Mayor Burt thanked the City’s Community Development staff for their hard work and efforts.

C. In Appreciation of the Contributions of County Attorney Pete Orput on his Passing

Mayor Burt read a Resolution in full expressing appreciation of County Attorney Pete Orput.

Councilmember Santini moved, seconded by Councilmember Date,

To adopt the following resolution

Resolution 22-63

Resolution of the City of Woodbury, Washington County, Minnesota expressing appreciation for the contributions of County Attorney Pete Orput.
Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

Open Forum

The Open Forum is a portion of the Council meeting where a maximum of three persons will be allowed to address the Council on subjects, which are not a part of the meeting agenda. Persons wishing to speak must complete a sign-up sheet prior to the start of the meeting. Give the sign-up sheet to any staff person. Speakers are limited to two minutes each. The Council will listen attentively to comments but, in most instances, will not respond at the meeting. Typically, replies to the concerns expressed will be made via letter or phone call within a week.

Amanda Pothen, 2781 Wimbledon Drive, stated she has questions about the City’s plans for development of accessible housing. She added the 2021 Action Plan includes affordable housing which she appreciates, but accessibility has always been valued in Woodbury. She noted it is not possible to talk about affordable housing without talking about accessible housing.

Ms. Pothen stated people living in long-term poverty account for more than half of all disabled persons. She added she has not been able to find affordable accessible housing in Woodbury, especially with covered parking areas. She noted she was disappointed that the Common Bond development at City Walk did not have covered parking, and she had hoped that the Orville project might have accessibility features, but they are not mentioned in the plans. She asked whether Orville Commons will have accessible units.

Consent Agenda

All items listed under the consent agenda are considered to be routine by the City Council and will be enacted by one motion and an affirmative vote by roll call of a majority of the members present. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event, the items will be removed from the consent agenda and considered a separate subject of discussion by the Council.

Councilmember Wilson requested that Consent Agenda Items G, H, L, M and N be moved to Discussion.

Item A Approval of Minutes – March 16, 2022

Item B Approval of Minutes – March 23, 2022

Item C To adopt the following resolution

Resolution 22-64

Resolution of the City of Woodbury, Washington County, Minnesota approving award of contract to Riverland Excavating, LLC, in the amount of $134,262.50 for the construction of Bridlewood Farms Park and Park in Arbor Ridge Development and authorizing the Mayor and City Administrator to sign said contract.

Item D To adopt the following resolution

Resolution 22-65

Resolution of the City of Woodbury, Washington County, Minnesota approving the issuance of a multifamily housing revenue note by the Housing and Redevelopment Authority in and for the City of Woodbury, Minnesota under Minnesota Statutes, Chapter 462C, as amended, to finance the costs of a multifamily housing development to be located in the City.

Item E To adopt the following resolution

Resolution 22-66

Resolution of the City of Woodbury, Washington County, Minnesota adjusting the 2022 budget to add a Building Inspector position.

Item F To adopt the following resolution

Resolution 22-67

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the Mayor and City Administrator to execute an engineering consulting services contract with WSB, for construction administration services for the Air Lake Addition Utility & Street Improvements Project (Private Construction).
Item G 2022 Regional Solicitation and Highway Safety Improvement Program; Federal Funding Application Process; Approval of Grant Application Submittals. This item was pulled from the Consent Agenda and moved to discussion.

Item H Ojibway Park Parking Lot Rehabilitation; Award Contract, Amend Budget. This item was pulled from the Consent Agenda and moved to discussion.

Item I To adopt the following resolution Resolution 22-68

Resolution of the City of Woodbury, Washington County, Minnesota accepting Highway Safety Improvement Program (HSIP) Grand Funds.

Item J To adopt the following resolution Resolution 22-69

Resolution of the City of Woodbury, Washington County, Minnesota entering a Playground Equipment Removal Agreement with Kids Around the World for removal and disposal of the Marsh Creek Park play structure and authorizing the Mayor and City Administrator to sign said agreement.

Item K To adopt the following resolution Resolution 22-70

Resolution of the City of Woodbury, Washington County, Minnesota authorizing Acceptance of the City of Woodbury Temporary Water Treatment Plant Construction and Operation Project Grant Amendment #2 Contract #174676 through June 30, 2023, for $975,000 from the Minnesota Pollution Control Agency.

Item L 2021 Year End Transfers. This item was pulled from the Consent Agenda and moved to discussion.

Item M 2021 Final Budget Adjustments. This item was pulled from the Consent Agenda and moved to discussion.

Item N 2021 Fund Closing and Transfer of Assets and Liabilities. This item was pulled from the Consent Agenda and moved to discussion.

Item O To adopt a motion approving the issuance of a new liquor license and tobacco sales license to T&Y CAW, LLC dba Short Stop Wine & Spirits, effective 12:00 a.m., May 2, 2022, located at 2190 Eagle Creek Lane, Suite F and to cancel K&B Liquor, Inc.’s liquor license and tobacco sales license effective May 1, 2022 at 11:59 p.m.

Item P To adopt a motion issuing a Tobacco Sales License to Woodbury Tobacco N Vape Plus, Inc. for their location at 10150 Hudson Road, #107, effective 12:00 a.m. April 16, 2022.

Item Q To adopt a motion cancelling the June 8, 2022 City Council Regular (Consent Agenda Only) meeting.

Item R To adopt the following resolution Resolution 22-71

Resolution of the City of Woodbury, Washington County, Minnesota creating and classifying an Environmental Resources Coordinator position.

Item S To adopt a motion approving the abstract of bills including payments made from the operating or project budgets for expenses of the city. The expenditures are from all funds of the city. Any purchased contracts requiring signature of the mayor and City Administrator is hereby approved. Staff recommends approval of the abstract of bills for March 18, 2022 in the amount of $732,731.75, March 25, 2022 in the amount of $1,007,802.14 and April 1, 2022 in the amount of $750,108.80.

Councilmember Morris moved, seconded by Councilmember Date Santini, to approve the Consent Agenda items, with the exception of items G, H, L, M and N.

Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye
Swearing in of New Police Officers

A. Meaning of the Badge – Public Safety Director/Police Chief Lee Vague

Public Safety Director/Police Chief Lee Vague shared the meaning of the badge and called Timothy Filiowich, Tristen Forstner, Haley Linder and Thomas Sweeny forward.

B. Oath – Mayor Burt and New Officers Timothy Filiowich, Tristen Forstner, Haley Linder and Thomas Sweeny

Mayor Burt presided over the swearing in of Police Officers Timothy Filiowich, Tristen Forstner, Haley Linder and Thomas Sweeny after which they each had their badges pinned on by a family member or other important person in their life.

Public Hearings

A. Adoption of Special Assessments for the Lake Road and Pioneer Drive Intersection Improvements Project

Mayor Burt declared the public hearing open.

City Engineer Tony Kutzke reviewed the project area at the four-way intersection of Lake Road and Pioneer Drive, which includes a proposed roundabout, center medians and pedestrian crossing improvements. Public engagement included two outreach events in September 2020 and March 2021. The City Council reviewed the project in 2020 and 2021, with a public improvement hearing and preliminary report approval on November 10, 2021. If approved, the project would begin in June 2023 with completion by Labor Day.

Mr. Kutzke reviewed funding sources, including special assessments totaling $212,610, to be used to partially fund this public improvement. There are three properties that will benefit from the project – a utility substation property, a church on the northeast corner, and the School District on the southeast corner.

City Staff recommends adoption of four resolutions related to this Agenda item. Residents can register for text notifications regarding the project at www.woodburymn/intouch.

Daniel Beran, 890 Winterberry Court, submitted a letter from Woodbury Community Church that formally objects to their proposed assessment for the roundabout on Pioneer and Lake and explained that construction will cause people to have difficulty getting access to the church. He added he has paid taxes on Lake Road and Pioneer Road for 15 years.

Sandy Pothen, 2781 Wimbledon Drive, stated she drives past this intersection every day, and there are often students crossing the road. She asked what the plan will be for pedestrian crossing.

Mayor Burt stated this public hearing is related to special assessments for this project. She added the topic of a roundabout at this location has previously been discussed and approved, as it has been determined that a single-lane roundabout is safe and effective for pedestrians.

Mayor Burt moved, seconded by Councilmember Morris, to close the public hearing.

Voting in Favor: Wilson, Date, Morris, Santini, Burt
Absent: None

Councilmember Wilson stated she was not in favor of a roundabout at this location and voted no for the project. She added she does not know how to handle this vote as she still does not support the project.

Councilmember Santini stated many drivers will take detours through nearby neighborhoods based on GPS routes. She asked whether there will be temporary speed signage in the neighborhoods, as well as road closure signage. Mr. Kutzke stated City Staff is aware of these issues and will monitor traffic during closures to identify alternative routes that drivers are taking. He added “local traffic only” signage is planned, and signage will be modified continually to ensure drivers stay on detour routes.

Councilmember Date stated, with regard to the decision to add a roundabout, there were differences of opinion between those, like herself, who support the project and those who did not support it. She added the safety of students crossing at the intersection is important to everyone. She noted her opinion is based on information from engineers, and roundabouts are proven to be safer than the current type of configuration. She noted there was a lot of discussion, and the majority felt this was the safest option.
Councilmember Morris moved, seconded by Councilmember Santini,

To adopt the following resolution Resolution 22-72

Resolution of the City of Woodbury, Washington County, Minnesota adopting the special assessments for the Lake Road and Pioneer Drive Intersection Improvements Project.

Voting via voice:

- Kim Wilson – nay
- Andrea Date – aye
- Steve Morris – aye
- Jennifer Santini – aye
- Anne Burt – aye

B. Lake Road and Pioneer Drive Intersection Improvements Project; Award Contract; Amend Budget; Consultant Selection for Construction Administration Services (Item is not a public hearing. Council action needed after close of the Lake Road and Pioneer Drive Intersection Improvements Project Assessment Hearing.)

Councilmember Morris moved, seconded by Councilmember Santini,

To adopt the following resolution Resolution 22-73

Resolution of the City of Woodbury, Washington County, Minnesota awarding the construction contract to Miller Excavating, Inc., in the amount of $1,790,642.33 for the Lake Road and Pioneer Drive Intersection Improvements Project and authorizing the Mayor and City Administrator to sign said resolution.

Voting via voice:

- Kim Wilson – nay
- Andrea Date – aye
- Steve Morris – aye
- Jennifer Santini – aye
- Anne Burt – aye

Councilmember Morris moved, seconded by Councilmember Santini,

To adopt the following resolution Resolution 22-74

Resolution of the City of Woodbury, Washington County, Minnesota amending the Municipal State Aid Roadway Construction Fund and associated transfers.

Voting via voice:

- Kim Wilson – nay
- Andrea Date – aye
- Steve Morris – aye
- Jennifer Santini – aye
- Anne Burt – aye

Councilmember Morris moved, seconded by Councilmember Santini,

To adopt the following resolution Resolution 22-75

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the Mayor and City Administrator to execute an engineering consulting services contract with SEH, Inc. for construction administration services for the Lake Road and Pioneer Drive Intersection Improvements Project.
Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

Discussion

A. Gold Line Station Master Plan

Associate Planner Gina McCormack reviewed the Gold Line Station Area Master Plan including alignment detail, public improvement process, online tools and stakeholder meetings, workshops and a final draft report. She reviewed lighting and landscaping plans as well as land use changes at the Tamarack Station, Woodbury Theatre Station, and Wells Fargo site.

Ms. McCormack stated the proposed new pedestrian light fixtures, as referenced on page 4-20, have been installed on Tamarack Bridge.

Ms. McCormack stated City Staff recommends adoption of the resolution approving the Gold Line Station Area Master Plan.

Councilmember Wilson asked whether cart return areas will be placed near the Woodbury Theater site. Ms. McCormack stated no cart return areas are planned.

Councilmember Wilson stated she supports having a cart area, as well as assurances from local businesses that they are responsible for their carts. She added sidewalks should be required on both sides of Woodlane Drive rather than just the west side, as well as a clear pedestrian crossing on Woodlane Drive. She noted bike lanes should be included in the plans, consistent with the 2040 Comprehensive Plan. She requested consideration of bike racks, rider drop-off and pick-up areas, designated Uber/Lyft zones, and cart returns.

Councilmember Morris asked whether the City Council will review station plans again, and whether the plans include bike racks. Ms. McCormack stated the Theatre Station and Tamarack Station are included in the Appendix under A-12. She added the 494 Station is a separate development application and will be brought forward for Council consideration. She noted it is her understanding that bike parking will be located outside the station area in the right of way.

Councilmember Morris stated the community engagement summary was great. He added, for the record, he was wholeheartedly disappointed in some of the comments, which are not generally reflective of the comments he receives and do not represent the overall values of the City of Woodbury. He noted he understands there is opposition to the Gold Line and he respects that residents have that opinion.

Councilmember Morris expressed his support for the Gold Line project and the positive implications it will have for Woodbury as a community where people can live, work and thrive with transit. He added the project has been in the works for many years and represents a mode of transportation that Woodbury does not currently have. He noted current ridership may not dictate need right now but the project will be beneficial to the community for the long-term, and he supports Woodbury getting its fair share of federal transit funding.

Councilmember Wilson stated the Gold Line, in her opinion, is the perfect example of wasteful government funding, and a solution in search of a problem. She read a statement in opposition to the Gold Line.

Councilmember Date, seconded by Councilmember Morris,

To adopt the following resolution

Resolution 22-76

Resolution of the City of Woodbury, Washington County, Minnesota approving the Gold Line Station Area Master Plan.

Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye
B. Adoption of the 2022 Economic Development Strategic Plan

Housing and Economic Development Manager Karl Batalden reviewed the City’s Economic Development Strategic Plan (EDSP), which is an implementation of the 2040 Comprehensive Plan. City Staff recommends City Council approval of a resolution adopting the 2022 Economic Development Strategic Plan.

Mayor Burt expressed appreciation of the work that has gone into creating the Strategic Plan.

Councilmember Santini moved, seconded by Councilmember Morris,

To adopt the following resolution

Resolution 22-77

Resolution of the City of Woodbury, Washington County, Minnesota adopting the 2022 Economic Development Strategic Plan.

Voting via voice:

- Kim Wilson – aye
- Andrea Date – aye
- Steve Morris – aye
- Jennifer Santini – aye
- Anne Burt – aye

C. Amendment to CD-COUNCIL-2.9 City Council Compensation; City Code Amendment Chapter 2 Administration, Article II, Section 2.21 – Mayor and City Council Compensation

City Administrator Clint Gridley reviewed Council Directive 2.9, which evaluated data and information related to City Council compensation. The City Council’s last wage increase was in 2017, and the proposed recommendation would be for the next cycle in 2023 at 5.5%. City Staff recommends an increase in representation from 60,000-85,000 residents to 80,000-95,000 residents. City Staff also recommends a change in range not to exceed 110%.

Councilmember Date thanked the Audit and Investment Commission for their evaluation and recommendations. She added the proposal is fair, and the City gets a lot of benefit from Mayor Burt who works many hours for less than living hourly wage. She questioned whether that is equitable, as compensation should be based on the amount of hours worked, and the Mayor puts in full-time hours. She noted she would support 110% for the Mayor’s compensation according to policy.

Councilmember Morris agreed, adding a discussion regarding a change of government should be considered soon.

Mayor Burt thanked the City Council for their comments regarding her role and her work on behalf of the City. She added she feels it is important for her to contribute as much of her time as possible to meet the needs of the City and be an ambassador for its residents. She noted there would support looking at benefits.

Councilmember Date stated she believes that an adjustment reflective of actual work and hours put forth is appropriate. Councilmember Morris agreed, adding it is not a policy change.

Councilmember Santini stated the change would not be effective until January 1, 2023, at which time there could be new Councilmembers. She added, however, this is a gesture of expectations, and the increase is appropriate.

Pam Whitmore, City Attorney, stated two separate motions are required on this item.

Ms. Whitmore stated the Ordinance must reflect the actual dollar amount. Mr. Gridley stated City Staff will calculate the dollar amount when the Ordinance is updated.

Councilmember Date moved, seconded by Councilmember Morris,

To adopt the following resolution

Resolution 22-78

Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

Councilmember Date moved, seconded by Councilmember Morris,

To adopt the following ordinance

Ordinance 2019

Ordinance of the City of Woodbury, Washington County, Minnesota providing that the City Code be amended by amending Chapter 2 Administration, Article II City Council Section 2-21 Compensation, and setting the Mayor’s salary at 110%.

Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

D. Consent Agenda Item G. 2022 Regional Solicitation and Highway Safety Improvement Program; Federal Funding Application Process; Approval of Grant Application Submittals

Councilmember Wilson stated the Lake Road conversion is scheduled for this year, and she has questioned whether there will be a sidewalk on the south side of Lake Road. She requested that costs for appropriate sidewalks and bike lanes are included in the grant request.

Engineering Director Chris Hartzell stated trails are planned along Woodlane Drive and Lake Road, but the project costs are divided, and the sidewalk will be a separate project from the road improvements and will not be part of the grant request to increase the competitiveness of the grant applications. He added the conversion will be a mill and overlay project within the bounds of the curb.

Councilmember Santini moved, seconded by Councilmember Morris,

To adopt the following resolution

Resolution 22-79

Resolution of the City of Woodbury, Washington County, Minnesota authorizing 2022 Regional Solicitation Grant Application submittal for Tamarack Road from Weir Drive to Radio Drive Pavement Rehabilitation.

Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

Councilmember Santini moved, seconded by Councilmember Morris,

To adopt the following resolution

Resolution 22-80

Resolution of the City of Woodbury, Washington County, Minnesota authorizing 2022 Highway Safety Improvement Program Grant Application submittal for Lake Road 4-3 Lane Conversion (Pioneer Drive to Manning Avenue).
Voting via voice:

Kim Wilson – aye  
Andrea Date – aye  
Steve Morris – aye  
Jennifer Santini – aye  
Anne Burt – aye

Councilmember Santini moved, seconded by Councilmember Morris,

To adopt the following resolution  

Resolution 22-81  

Resolution of the City of Woodbury, Washington County, Minnesota authorizing 2022 Highway Safety Improvement Program Grant Application submittal for the Woodlane Drive (Bailey Road to Wooddale Drive) Pavement Rehabilitation.

Voting via voice:

Kim Wilson – aye  
Andrea Date – aye  
Steve Morris – aye  
Jennifer Santini – aye  
Anne Burt – aye

E. Consent Agenda Item H. Ojibway Park Parking Lot Rehabilitation; Award Contract, Amend Budget

Councilmember Wilson asked whether this budget item requires a vote since it is below budget. She expressed concern regarding how the money is being transferred around. She added she is not opposed to the contractor, but she would prefer a different accounting method and clarification regarding why a budget reduction would need to be approved.

Mr. Gridley stated City Staff worked to make determinations regarding budgetary issues and funds. He added the Parks and Trails Replacement Fund is paying for the majority of the project costs. He added this is a current fund that has been established.

Councilmember Wilson stated she would like to see more transparent accounting as opposed to transferring funds to the street rehabilitation project. Gridley stated he disagrees with the characterization that this is not a transparent account.

Councilmember Santini moved, seconded by Councilmember Morris,

To adopt the following resolution  

Resolution 22-82  

Resolution of the City of Woodbury, Washington County, Minnesota awarding the construction contract to OMG Midwest Inc., dba Minnesota Paving & Materials for the Ojibway Park Parking Lot Rehabilitation Project and authorizing the Mayor and City Administrator to sign said contract.

Voting via voice:

Kim Wilson – aye  
Andrea Date – aye  
Steve Morris – aye  
Jennifer Santini – aye  
Anne Burt – aye

Councilmember Santini moved, seconded by Councilmember Morris,

To adopt the following resolution  

Resolution 22-83  

Resolution of the City of Woodbury, Washington County, Minnesota amending the Street Reconstruction/Maintenance Fund, Parks and Trails Replacement Fund, Storm Water Utility Fund and Water and Sewer Utility Fund budgets for the Ojibway Park Parking Lot Project.
Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

F. Consent Agenda Item L. Approval of 2021 Year End Transfers

Councilmember Wilson expressed concern with regard to year-end transfers, that the City sweeps excess funds into the Capital Improvement Fund. She added she would like to challenge the City Council to figure out how to cut taxes.

Mayor Burt stated the majority of the funds come from non-tax revenues rather than putting the burden on taxpayers. Mr. Gridley agreed, adding the total revenues exceeded budget and expenditures were below budget. He added City Staff feels that it is appropriate to bring the fund balance down. He noted this is a typical action of the City Council, but amounts can vary from year to year.

Councilmember Wilson stated she would like to challenge the City Council to see if there is something that can be done to alleviate extra tax money.

Councilmember Morris stated it is not extra tax money. He added Councilmember Wilson has been through enough tax discussions to know that the City of Woodbury conservatively budgets the non-property tax levy section and considers grants and other opportunities. He noted it is misleading to say that the City has over-collected tax from the City’s residents.

Councilmember Morris stated the community is extremely conservative in its budgets and shows good stewardship of taxpayer money. He agreed the City Council can challenge itself to do better, but it is not factually correct to say that the City over-collected taxes.

Councilmember Date stated she would challenge the City Council to move forward with the current budget and continue to do sweeps so to continue the City’s “pay as you go” philosophy, saving taxpayers money in the long run.

Councilmember Santini stated that some of the under-spending is due to not being able to fill staff positions, which can be a detriment and is not beneficial to the City.

Councilmember Date moved, seconded by Councilmember Santini,

To adopt the following resolution

Resolution 22-84

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the transfer of funds between certain funds.

Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

G. Consent Agenda Item M. 2021 Final Budget Adjustments

Councilmember Santini moved, seconded by Councilmember Date,

To adopt the following resolution

Resolution 22-85

Resolution of the City of Woodbury, Washington County, Minnesota approving various 2021 budget adjustments.
Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

H. Consent Agenda Item N. 2021 Fund Closing and Transfer of Assets and Liabilities

Councilmember Wilson stated she has received calls from residents about fencing and landscaping issues at the Public Works building. She added the $42,000 fund transfer could be used to put up some screening. Councilmember Morris agreed.

The City Council agreed not to close the fund.

Councilmember Morris moved, seconded by Councilmember Santini,

To adopt the following resolution

Resolution 22-86

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the closing of certain funds and the transfer of their assets and liabilities.

Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

City Administrator’s Report

Mr. Gridley reviewed upcoming meetings:

April 18, 2022 – Planning Commission meeting
April 19, 2022 - Copper ridge 9th – at 6:00pm in council chambers
April 27, 2022 – City Council meeting

Adjournment

Mayor Burt moved, seconded by Councilmember Morris, to adjourn the meeting at 10:22 p.m.

Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

Respectfully submitted,

Kimberlee K. Blaeser, City Clerk

Approved by the Woodbury City Council on April 27, 2022.
Administration and Finance

Community engagement and equity update
Staff continues to work with Twin Cities based consultant firm, HueLife, in partnership with the public relations firm, Tunheim, to create an equitable community engagement strategy. Beginning this month, staff and community members involved with Woodbury’s past engagement efforts will be invited to one-on-one interviews with the consultant team. These interviews will give the team insight into how engagement is currently being done and allow an opportunity for feedback about how they would like to see equitable engagement done in the future. At the June 2 workshop, the consultants will seek council member input on this project and what they would like to see engagement look, and present a preliminary report on their findings at July workshop.

New Resident Welcome Event set for May 17
The New Resident Welcome Event will be back after a two-year break due to the COVID-19 pandemic. In an effort to foster a more welcoming and inclusive community, the city held its first new resident event in 2019 to welcome people who have moved to or within Woodbury in the last year. This year, more than 2,200 letters were sent to new residents inviting them to a fun and free event at M Health Fairview Sports Center from 5-7 p.m. on May 17. The event will be an opportunity for the Mayor, City Councilmembers, and city staff to welcome new residents and share resources and information about the city. There will also be approximately 25 non-profit organizations in the community on hand to share their resources and information in a fun and interactive way. The city will also provide bounce houses and other fun activities for the kids in attendance.

Hiring and recruiting update
Applications are available online for the positions of budget analyst, building maintenance technician and public service worker-utilities. In addition, several part-time and seasonal positions are open. Visit woodburymn.gov/Employment to review all available positions. Staff is progressing through the hiring process for the positions of engineering project coordinator, environmental resources technician, public service worker – parks, firefighter, community service officer, street manager, utilities coordinator and public service worker – parks and streets. Finally, Human Resources is preparing to recruit for the full time positions of IT systems administrator and community development technician. Another round of police officer recruitment will begin in June.

Community Development

Spring economic development marketing events
The Community Development Department coordinated three of the city’s main annual economic development marketing events recently:

- **Get to Know Woodbury**, a residential Realtor forum, was held April 27, at the Courtyard by Marriott. The 99 realtors in attendance were able to receive three hours of continuing education from the Commerce Department.

- A **Non-Traditional Financing Options** event was held May 4, at the Courtyard by Marriott to help finance professionals better understand the resources available to
entrepreneurs. Speakers included the Latino Economic Development Corporation, Women Venture, Amplio, and Open to Business.

- The Woodbury Business Celebration was held May 5, at Central Park. Mayor Anne Burt presented plaques to the businesses who built a new building in 2021 as well as the ten commercial projects from 2021 with the highest building permit value.

Woodbury businesses received Real Estate Awards
The Minnesota Real Estate Journal held their annual Real Estate Awards gala on April 21st. Kindeva Drug Delivery was the winner in the Flex Building Project category. Other finalists from Woodbury include Beyond Apartments in the Suburban Multi-Family category and Park Dental and The Dental Specialist in the Medical category.

Development activity through April
Year-over-year permit totals are shown in the table below. Included in the 277 attached units are the permits for the Orville Commons project and townhomes/carriage homes that are part of the Edison Apartments project.

<table>
<thead>
<tr>
<th>January-April 2022</th>
<th>January-April 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Units</td>
<td>148</td>
</tr>
<tr>
<td>Attached Units (Townhomes and Apartments)</td>
<td>277</td>
</tr>
<tr>
<td>Total Residential Units</td>
<td>425</td>
</tr>
<tr>
<td>Total permits issued</td>
<td>1,845</td>
</tr>
</tbody>
</table>

April 2022 significant projects

<table>
<thead>
<tr>
<th>Business Name</th>
<th>Address</th>
<th>Valuation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>New Commercial</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Starbucks #2529</td>
<td>1950 Donegal Drive</td>
<td>$400,000</td>
</tr>
<tr>
<td><strong>Commercial Additions/Alterations with Permit Value above $100,000</strong></td>
<td></td>
<td>$3,109,000</td>
</tr>
<tr>
<td>Dick’s Sporting Goods</td>
<td>8292 Tamarack Village</td>
<td>$1,318,000</td>
</tr>
<tr>
<td>Silvervine Cat Clinic</td>
<td>2190 Eagle Creek Lane, Suite A</td>
<td>$496,000</td>
</tr>
<tr>
<td>Landlord Improvement</td>
<td>9780 Hudson Road</td>
<td>$305,000</td>
</tr>
<tr>
<td>Bernicke Wealth Management Ltd</td>
<td>1625 Radio Drive, Suite 110</td>
<td>$204,000</td>
</tr>
<tr>
<td>Prairie Farms</td>
<td>1930 Wooddale Drive</td>
<td>$145,000</td>
</tr>
<tr>
<td>MN Women’s Care</td>
<td>1687 Woodlane Drive, Suite 103</td>
<td>$125,000</td>
</tr>
<tr>
<td>East Side Lacrosse</td>
<td>707 Commerce Drive, Suite 130</td>
<td>$116,000</td>
</tr>
<tr>
<td><strong>Total Commercial Additions/Alterations</strong></td>
<td></td>
<td>$3,109,000</td>
</tr>
<tr>
<td><strong>New Businesses</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bernicke Wealth Management Ltd</td>
<td>1625 Radio Drive, Suite 110</td>
<td>N/A</td>
</tr>
<tr>
<td>Moonsoon Tobacco</td>
<td>6671 Valley Creek Road, Suite 102</td>
<td>N/A</td>
</tr>
<tr>
<td>Silvervine Cat Clinic</td>
<td>2190 Eagle Creek Lane, Suite A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Engineering

I-94 Oakdale to Lakeland pavement improvement project set to begin this fall
The Minnesota Department of Transportation will begin a large pavement improvement project on I-94 between Highway 120/Century Avenue and the St. Croix River in Washington County this fall. This project work is anticipated to take two and a half years to complete.

In addition to pavement and ramp work, crews will be constructing a new eastbound lane from I-494 to Woodbury Drive, resurfacing the frontage road (Hudson Rd.) in the project area, upgrading pedestrian/bicycle accessibility, repairing drainage and replacing signage, lighting and median barrier. The work is expected to improve overall ride quality, pavement condition, traffic flow, safety and reduce congestion.

There will be possible slowdowns during construction. Motorists can expect directional closures, lane, ramp, interchange and road closures. The construction is expected to be complete by late fall 2024. A project area map is below.

Information and Communications Technology (ICT)

Communications Division updates
In April, staff posted 95 times on the city’s five Facebook pages (43 posts on the main page). Pages included in this total are Woodbury, Minnesota – Government; Woodbury Parks and Recreation; Woodbury Police, Fire, EMS; M Health Fairview Sports Center; and Eagle Valley Golf Course. During the month, staff sent 40 InTouch email messages and posted on Nextdoor 7 times.

Parks and Recreation

Spring and summer events at M Health Fairview Sports Center
The sports center hosted a spring hockey tournament and figure skating test session in April. Two additional hockey tournaments in May will mark the end of the spring hockey season with summer hockey camps beginning June 6. The field house hosted an Eid al-Fitr event on May 2, with more than more than 2,000 guests celebrating the end of Ramadan. Several more events are scheduled throughout May.

Eagle Valley awaiting weather cooperation
Staff at Eagle Valley continues to wait for true spring to arrive. The course is open, but most days in April were too cold for even the hardiest golfers—there were only seven days at or above average temperatures for this time of year. Corresponding to that, only nine golf days were recorded staff
would consider” playable.” Ten days during the month recorded exactly zero players the entire day, illustrating just how poor the weather conditions have been.

**Coin Quest wins Award of Excellence**
The Minnesota Recreation and Park Association has awarded Coin Quest: Woodbury’s Winter Medallion Hunt an Award of Excellence in the Sponsorship and Partnership category. Coin Quest is a collaboration between Parks and Recreation, Public Safety and the Woodbury Community Foundation. An award presentation will be scheduled for this summer.

**Public Works**

Discount program for emerald ash borer treatment available to residents
The City of Woodbury has continued their partnership with Rainbow Treecare to offer residents a discount program for preventative treatment of their ash trees in an effort to combat the effects of emerald ash borer (EAB). A postcard will be mailed to households the week of May 9 with more information on the program. In 2021, 1,013 private trees were treated for EAB through the program.

**Upcoming Meetings**

**Preliminary Items for May 16 Planning Commission Meeting**
1. Gateway Office Building, Site and Building Plan, Project No. 05-2022-00490
2. Royal Gateway, Planned Unit Development, Conditional Use Permit, Preliminary Plat, Site and Building Plan, Project No. 01-2022-00491
3. Woodlane Drive Station Park and Ride, Planned Unit Development, Conditional Use Permit, Preliminary Plat, Site and Building Plan, Project No. 08-2022-00483
4. I-94 East Logistics Center, Preliminary Plat, Site and Building Plan, Project No. 01-2022-00486

**Preliminary Items for May 18 City Council Workshop**
1. Capital Improvement Plan

**Preliminary May 25 Public Hearings**
1. CEC Entertainment, LLC dba Chuck E. Cheese’s #7291, On Sale Wine and Beer License
2. Hazelwood Food and Drink Woodbury LLC, On sale Intoxicating Liquor License including Patio and Sunday Sales
3. Royal Gateway, Planned Unit Development, Conditional Use Permit, Preliminary Plat, Site and Building Plan, Project No. 01-2022-00491
4. Woodlane Drive Station Park and Ride, Planned Unit Development, Conditional Use Permit, Preliminary Plat, Site and Building Plan, Project No. 08-2022-00483
5. I-94 East Logistics Center, Preliminary Plat, Site and Building Plan, Project No. 01-2022-00486

Respectfully submitted,

Clinton P. Gridley
City Administrator