

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, JUNE 5, 2018 –6:30 P.M.

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a regular meeting of the Independence City Council was called to order by Mayor Johnson at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Mayor Johnson, Councilors Spencer, Grotting, Betts and McCoy

ABSENT: None

STAFF: City Administrator Kaltsas, Administrative Assistant Horner, City Attorney Vose

VISITORS: Anita Volkenant, Dudley Bartholow, Tom and LuAnn Hinton, Greg Geiger, Christian Eichers, Tom and Ann Garlinghouse, Judy Denneson, Peggy Pouliot, Mary Fehn, Vicki and Dan Larson, Michael Kuka, Randy Stinson, Jeff Peterson, Bob Volkenant, Ann and Rob Ibler, Geralyn McDonald, Lisa Crees, Steve Crees, David Cox, Lance Gyllenblad, Scott and Amanda Ficek, Brad and Margaret Kieley, Anne Hess, Lora Bloomquist, Dave and Diane Appelhof

4. \*\*\*\*Consent Agenda\*\*\*\*

All items listed under Consent Agenda are considered to be routine by Council and will be acted on by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- a. Approval of City Council minutes from the May 15, 2018 Regular City Council Meeting.
- b. Approval of Accounts Payable; Checks Numbered 18001-18043.

**Motion by Betts, second by McCoy to approve the Consent Agenda items. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

5. SET AGENDA – ANYONE NOT ON THE AGENDA CAN BE PLACED UNDER OPEN/MISC.

6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

**Spencer attended the following meetings:**

- Planning Commission Meeting
- Delano High School Commencement
- Delano Memorial Day Celebration
- Wright County Zoning Meeting
- Franklin Township Meeting

**Grotting attended the following meetings:**

- Planning Commission Meeting

**McCoy attended the following meetings:**

- Planning Commission Meeting
- Memorial Day Celebration at Lewis Cemetery
- Maple Plain Days
- David Benson Retirement

**Betts attended the following meetings:**

- Planning Commission Meeting

**Johnson attended the following meetings:**

- Planning Commission Meeting
- Delano Senior Center Volunteer Appreciation Event
- Metropolitan Council Advisory Committee Meeting
- Hennepin County Community Action Partnership Open House
- Elim Care Center Meeting
- Lake Independence Annual Meeting
- Gen Olson's 80<sup>th</sup> birthday party
- Orono Choir Concert
- Orono Scholarship Event
- Orono Scholarship Breakfast
- Sensible Land Use Committee Meeting
- Met Council Meeting
- Senior Community Services Board Meeting
- Memorial Day Celebration at Lewis Cemetery
- David Benson Retirement

**Horner attended the following meetings:**

- Planning Commission Meeting
- Election Training

**Kaltsas attended the following meetings:**

7. Large Assembly Permit – Kuka Equestrian Center: 4405 County Road 92 N.

Kaltsas said Kuka Equestrian Center (Bonnie and Mike Kuka, Owners) are asking the City for a large assembly permit to allow a rodeo to occur on the subject property. The proposed event would be held September 22<sup>nd</sup> and 23<sup>rd</sup>. The City issued a conditional use permit for a commercial riding center on this property in 2016. The CUP addresses regular events to be held on the property with a maximum number of attendees of 49. The applicant is seeking permission to hold one two-day event that would have 200 plus attendees. The building, site and parking areas have been designed to accommodate a larger assembly. The proposed event has the following details:

1. The rodeo will be held on both Saturday and Sunday. On Saturday the rodeo will occur between 6:00 pm and 10:00 pm. On Sunday the rodeo will occur between 3:00 pm and 8:00 pm.

2. There will be music played inside of the building during the event along with an amplified rodeo announcer.
3. Food and alcohol (beer only) will be for sale. Food and alcohol will be served by the Delano Lions.
4. All parking will occur in the designated parking lot in front of the equestrian center.
5. Lighting of the parking areas will be accommodated by the existing lighting.
6. Portable restrooms will be provided by the applicant on the property. The applicant currently has six restrooms scheduled to be on site during the event. In addition to the portable restrooms, the facility currently has both a men's and women's permanent restroom.
7. The applicants will work with WHPS relating to traffic and security for the event.

Should the City consider approval of the large assembly permit for this event, the following conditions should be considered:

1. The rodeo will be permitted on both Saturday and Sunday. On Saturday the rodeo will occur between 6:00 pm and 10:00 pm. On Sunday the rodeo will occur between 3:00 pm and 8:00 pm.
2. All amplified sound will stop at 10:00 pm in accordance with the City's noise ordinance.
3. All attendees of the event that are 21 years of age or older shall be provided with a clear and visible identification method. A typical method of clearly identifying attendees that are 21 years of age or older is by using wristbands.
4. The food and alcohol vendor will need to apply for and be licensed by the City and State of Minnesota prior to selling at the event.
4. All conditions noted by West Hennepin Public Safety on the approved application.
5. No parking will be permitted on County Road 92. N.

Johnson noted nothing was addressing the sound system on Sunday. Kaltsas said he clarified that with the applicant.

**Motion by McCoy, second by Spencer to approve the Large Assembly Permit – Kuka Equestrian Center: 4405 County Road 92 N. subject to the conditions mentioned by City Planner Kaltsas. Ayes: Johnson, Grotting, Betts McCoy and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

Kuka stated there would be bull riding, barrel racing and steer wrestling. Johnson asked if they would be using local people for the events. Kuka said it would be the best of the best performing and a lot of fun.

8. Amanda Ficek (Applicant/Owner) requests that the City consider the following action for the property located at 7888 County Road 6 (PID No. 33-118-24-20-0028) in Independence, MN:

- a. **RESOLUTION 18-0605-01** – Considering approval of an amendment to the existing conditional use permit which will better reflect the current business use of the property.

Kaltsas said the applicant is seeking an amendment to the existing conditional use permit to align with the current use of the property. The original CUP was granted in 1971 and was updated in 2010 to include the ability to sell baked goods on the premise. Ownership of the property has changed since the last amendment to the CUP was granted in 2010. The current owner of the property has continued to operate a business in keeping with the general provisions of the original CUP. It was noted by the City that the business has evolved and that the CUP should be updated to more closely align with the current use of the property. In addition, the owners have acquired the adjacent property to the east (7876 County Road 6). The original conditional use permit allowed the following use:

*“A small wood-working shop for repairing wooden antiques, creating antique reproductions, wood carvings, etc., and merchandising of the same.”*

The current business is comprised of a small gift shop creating, repairing and selling furniture, gift items, clothing, and other handmade, repurposed or antique pieces. The applicant also holds public classes to demonstrate and teach repurposing and repairing of items as well as sell paint products used by public for repainting furniture and cabinets at their homes. The applicant would also like to have approval in the conditional use permit to annually hold one (1) multiday event where additional vendors in tents are placed in the rear of the property for selling their merchandise. During the multi-day event, food provided by licensed vendors will be offered for sale and live music will be performed during daylight hours. This would be the only regularly scheduled outdoor event held on the property.

The applicant has noted that the regular hours of operation are as follows:

Wednesday, 6-9pm

Thursday, 10am-6pm

Friday, 10am-6pm

Saturday, 10am-6pm

Sunday, 12-5pm (open once per month on the 2nd week)

Any amendment to an existing CUP must meet the same requirements established for granting a new CUP. The criteria for granting a conditional use permit are clearly delineated in the City’s Zoning Ordinance (Section 520.11 subd. 1, a-i) as follows:

1. The conditional use will not adversely affect the health, safety, morals and general welfare of occupants of surrounding lands.
2. The proposed use will not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity for the proposes already permitted or on the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
2. Existing roads and proposed access roads will be adequate to accommodate anticipated traffic.
3. Sufficient off-street parking and loading space will be provided to serve the proposed use.
4. The proposed conditional use can be adequately serviced by public utilities or on-site sewage treatment, and sufficient area of suitable soils for on-site sewage treatment is available to protect the city form pollution hazards.

5. The proposal includes adequate provision for protection of natural drainage systems, natural topography, tree growth, water courses, wetlands, historic sites and similar ecological and environmental features.
7. The proposal includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance.
6. The proposed condition use is consistent with the comprehensive plan of the City of Independence.
7. The proposed use will not stimulate growth incompatible with prevailing density standards.

The existing business on this property generates retail customers on a daily basis. The language of the conditional use permit should be updated to remove “small wood-working shop” and add language relating to the current use, parking and proposed annual outdoor event. The outdoor event has been approved as a large assembly permit by the City over the last two years. The proposed conditional use of the property will continue to remain an accessory use to the principal use of the property as a single-family residential home. As the proposed amendment relates to the criteria for granting a CUP, the following items should be noted:

The applicant has prepared an off-street parking plan to show how the property can accommodate regular retail customer parking on site. The City’s zoning ordinance stipulates parking requirements relating to retail space is that a site should provide for 1 parking space per 250 SF of floor area. The useable portion of the retail sales area is approximately 3,000SF. Using the formula for parking, the site would require approximately 12 parking spaces. The applicant’s site plan shows that the site has the space to park 15-25 cars on the subject property on a daily basis. The applicant has also noted that the rear yard area could accommodate additional parking of approximately 20 spaces. Staff generally concurs with the estimated parking quantity which would exceed the number of parking spaces required by ordinance. The City has not experienced an issue with parking relating to the daily retail sales operation on the property. The annual event has posed problems relating to traffic and parking. The event has raised concerns from West Hennepin Public Safety and the City. The applicant would like to include the event as a part of the conditional use permit. The City has historically allowed certain large events as a condition of the CUP along with a requirement for annual notification to the City and surrounding residents. Parking and traffic control are the biggest issues relating to this annual event. The City would recommend that parking associated with the conditional use of this property not be permitted on County Road 6 and County Road 92. The applicant has laid out parking for 70 vehicles on the two properties (the adjacent property does not have a conditional use permit) for vendors, plus 5 handicap spaces for customers. The applicant has noted that they are negotiating with the land owner across the street at 7875 County Road 6 for use of their land for the annual event. The applicant has estimated that the property across the street can accommodate approximately 200 additional vehicles for the annual event. This property combined with the two owned by the applicant would provide approximately 270 parking spaces for the annual event. This number would generally accommodate the demand created by the annual event and would allow for the elimination of parking on County Roads 6 and 92.

The proposed amendment is somewhat of a “house cleaning” item in that the general use of the property by the applicant is close to what has historically been permitted on the property. The amendment should not allow or cause any discernable increase in the amount of noise, offensive odors, fumes dust, or vibrations for the surrounding properties.

The proposed amendment is generally consistent with the existing use of the property. The annual event and continued use of the property for retail sales will need to be closely monitored by the City to ensure that traffic or access on County Road 6 remains safe and that adequate parking is maintained and provided on

the property on a daily basis. Staff has prepared additional conditions that could be considered by the Planning Commission to amend the existing CUP.

The Planning Commission recommended approval of the requested amendment to the conditional use permit to the City Council with the following findings and conditions:

1. The proposed conditional use permit amendment request meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
3. The conditional use permit shall be amended to remove all existing conditions and replace them with the following conditions:
  - a. A retail gift shop will be permitted within the principle structure for the purpose of creating, repairing and selling furniture, gift items, clothing, paint products used for repainting furniture and cabinets, and other handmade, repurposed or antique pieces.
  - b. Within the principle structure and in association with the retail gift shop, public classes will be permitted to demonstrate and teach repurposing and repairing of items. The number of participants shall not exceed the permitted occupancy of the space within the principle structure where the classes occur.
  - c. One (1) multi-day (maximum of 5 consecutive days) event shall be annually considered by the City. The applicant will be required to submit a large assembly permit relating to the multiday event. Should the City consider approval of a large assembly permit for this property, the following conditions should be considered:
    1. During the multi-day event, food provided by licensed vendors can be offered for sale.
    2. Live music will be permitted to be performed during daylight hours only and in accordance with applicable noise ordinances.
    3. Parking on the adjacent properties will likely be required to accommodate larger assemblies.
    3. The property owner should be required to provide traffic control as prescribed and approved by West Hennepin Public Safety during the event.
    4. No parking should be permitted on City owned public streets without the approval of West Hennepin Public Safety. Additional measures may be required by the City relating to posting and signage of permitted parking areas.
    5. The owner should notify all property owners within 350 feet, in writing, thirty days prior to the annual event.
    6. No parking shall be permitted on County Road 6 and County Road 92 at any time.
    7. The applicant shall maintain a minimum of 12 parking spaces for retail customers.

8. Hours of operation permitted shall be as follows; however, a change in the hours of operation can be administratively approved by the City as long as the proposed change does not allow operation of the business outside of the hours of 7:00 am and 9:00 pm on weekdays and 8:00 am and 6:00 pm on weekends and holidays.

Wednesday, 6-9pm

Thursday, 10am-6pm

Friday, 10am-6pm

Saturday, 10am-6pm

Sunday, 12pm-5pm (open once per month on the 2nd week)

9. The applicant shall pay all costs associated with the review and processing of the conditional use permit amendment application.

10. The resolution shall be recorded against the property.

Johnson said it was nice to see a business doing well in Independence. He stated that when the church holds a funeral no one complains about the parking on County Road 6. Grotting asked if there would be any parking on County Road 6. Kaltsas said the owner is working on securing on an adjacent property. He said if that is secured there would be no parking on County Road 6.

**Motion by Betts, second by McCoy to approve RESOLUTION 18-0605-01 – Considering an amendment to the existing conditional use permit which will better reflect the current business use of the property located at 7888 County Road 6 (PID No. 33-118-24-20-0028). Ayes: Johnson, Grotting, Betts McCoy and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

9. Aaron and Peggy Pouliot (Applicant/Owner) requests that the City consider the following action for the property located at 7388 County Road 11 (PID No. 04-118-24-43-0002) in Independence, MN:

- a. **RESOLUTION 18-0605-02** A minor subdivision to allow a lot line rearrangement which would add approximately 10 acres from the adjacent property the subject property.

Kaltsas said the applicant is seeking a minor subdivision to allow a lot line rearrangement to increase the size of the 7388 County Road 11 property and decrease the size of the parcel located at the corner of Count Road 11 and County Road 92. The 7388 County Road 11 property would be increased from approximately 10 acres to 20 acres and the parcel located at the corner of Count Road 11 and County Road 92 would be decreased from 68 acres to 58 acres.

Staff has reviewed the request and offers the following information for consideration by the Planning Commission:

1. Subdivisions are not permitted in the AG-Agriculture zoning district with the exception of rural view lots, lot combinations or lot line rearrangements. The proposed minor subdivision to allow a lot line rearrangement meets applicable criteria.

2. The lot line rearrangement will not have any impacts on the existing buildings located on 7388 County Road 11 relating to setbacks. All buildings located on the 7388 County Road 11 property meet applicable setbacks in the before and after conditions.

3. Both parcels in the before and after conditions have adequate frontages and would meet applicable lot width to lot depth ratios (7388 would have a lot width to depth ration of approximately 1:2 in the after condition).
4. The unassigned address parcel located at the corner of County Road 11 and County Road 92 could potentially be subdivided in the future as it remains larger than 40 acres and this lot combination would not result in the addition of a new building eligibility.
5. The City has historically asked for additional County Road right of way to be dedicated when properties are subdivided. The additional right of way easement that has been requested is 17 feet wide. This subdivision is not creating any new lots or driveway accesses. This is somewhat different than if the applicants were creating a new parcel. Staff is seeking feedback from the Planning Commission relating to whether or not the City should seek additional County right of way when a property owner is not creating a new parcel.
6. There do not appear to be any adverse results of the proposed minor subdivision to permit a lot line rearrangement.

The Planning Commission recommended approval of the requested minor subdivision to allow a lot line rearrangement to the City Council with the following findings and conditions:

1. The proposed minor subdivision to allow a lot line rearrangement request meets all applicable conditions and restrictions stated Chapter V, Sections 500 and 510, Planning and Land Use
2. The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
3. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

Kaltsas stated there were no non-conformities and no change in use of the land. Johnson said it was a clean rearrangement.

**Motion by Grotting, second by Spencer to approve RESOLUTION 18-0605-02 of a minor subdivision to allow a lot line rearrangement which would add approximately 10 acres from the adjacent property to the subject property located at 7388 County Road 11 (PID No. 04-118-24-43-0002). Ayes: Johnson, Grotting, Betts McCoy and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

10. OP Fund 5, LP (Applicant) and Clifford L. Otten Trust (Owner) request that the City consider the following action for the property located at 2236 South Lake Shore Dr. (PID No. 24-118-24-11-0012) in Independence, MN:
  - a. Concept plan review relating to the proposed subdivision of the subject property. The concept plan proposes 96 single-family sewerred residential lots.

Kaltsas said the applicant is asking the City to consider and provide feedback relating to a concept plan for the proposed subdivision of the subject properties. A concept plan allows the City the opportunity to initially review the proposed subdivision and provide feedback and comments to the applicant prior to the submittal of

any applications for rezoning and preliminary plat. In order for the City to ultimately consider approval of a plan similar to the proposed concept plan, the following steps would be required:

1. Amend the Comprehensive Plan.
  - a. This would change the guided land use from RR-Rural Residential to something that allows a sewer density that would be more than 1 unit per 5 acres.
2. Prepare and adopt an ordinance amendment which would allow for the new land use designation of sewer density. The City would develop the standards for the new zoning district. Standards would include minimum lot size, minimum building setbacks, design standards, minimum home square footage, accessory structure standards and setbacks, landscaping requirements and all other similar and related standards pertaining to development within the zoning district.
  1. Rezone the property to the new zoning district.
2. Consider Preliminary Plat approval.
3. . Consider Final Plat approval.

The City has discussed the potential subdivision of this property with the owner and applicant for the past 12-18 months. Following the initial request made by the owner and applicant, the City identified several key considerations that would need to be further investigated prior to the applicant moving forward with any consideration by the City. The City identified the need to determine if there was potential and physical sewer capacity to accommodate a development of this type. In addition, the City noted that traffic on County Road 19 and Perkinsville Road should be further evaluated to understand potential development impacts.

The City conceptually reviewed the existing sewer system and met with the Metropolitan Council relating to the possibility of developing this property. The Metropolitan Council noted that there is a limited regional system capacity until 2020 when upgrades to the regional lift station (LS 63) will be online. It was generally acknowledged by the Metropolitan Council that property was included in their future sewer area and was also included in the Metropolitan Urban Service Area (MUSA) in the City's 2030 Comprehensive Plan. Review of the City's sanitary sewer system identified the potential capacity to service the proposed subdivision. Some upgrades and or system improvements would likely be necessary for this development to occur. The City also reached out to the City of Maple Plain relating to the potential to servicing this property with water services. It was determined that Maple Plain has capacity within their water system to provide water to the subject property. The initial review of the subdivision contemplates a high-level review only of the proposed concept development plan. A detailed review of the storm water, grading, traffic impacts and infrastructure details will be completed prior to consideration of any future applications. The City does not formally approve or deny a concept plan. The concept plan review will provide direction and comments to the applicant for their use during the preparation of future applications.

The following comments should be considered by the City:

1. The initial plan reviewed by the City identified lots that would have direct access onto South Lake Shore Drive. The City noted that access to any development should occur via an internal access road that comes off of Perkinsville Road. The applicant revised the concept plan to show lots with access only from a new internal loop road. The City noted that a development of this size would need to have two points of access into the development.

2. The proposed concept plan indicates five lots with riparian access (frontage) on Lake Independence. Any lot directly abutting the lake would need to comply with applicable shoreland overlay standards. The shoreland overlay requires a minimum lot size of 1 acre and a minimum shoreland lot width of 100 linear feet. The subject property has approximately 700 linear feet of shore line on Lake Independence. The applicant is proposing five lots along the shoreland that meet the requisite shoreland overlay requirements. Additional review relating to slopes, bluffs and general grading of the proposed riparian lots would be required if the develop moves forward. Staff noted that lots within the 1,000-foot shoreland overlay should generally be larger than those lots located outside of the shoreland overlay. The minimum lot width for lots located within the shoreland overlay is 100 linear feet.

3. The applicant has revised the concept plan to reflect the 100- foot lot width. Direction relating to the lot size for proposed lots within the 1,000-foot shoreland overlay should be provided by the City.

4. The applicant is proposing two different size lots outside of the shoreland overlay boundary. There are thirty-six proposed 65-foot-wide lots. There are nineteen proposed 55-foot-wide lots. The applicant has indicated that the 55-foot-wide lots could possibly accommodate “villa” style association-maintained lots. These lots would generally be targeted towards a 55 plus home buyer. The City would want to further discuss and review lot widths, home styles and general lot standards for the proposed lots within this development.

5. The City initiated and completed a traffic study relating specifically to this concept development plan (see attached traffic study). The traffic study looked at the potential impacts of an approximate 100 unit development on the intersection of Perkinsville Road and County Road 19. The study considered the development of this property into typical single-family homes. Traffic counts were taken on County Road 19 and Perkinsville Road to establish some baseline traffic data. It should be noted that the study only considered the impacts of the development of the subject property and not any future development/redevelopment of the surrounding area. The primary focus looked at the impacts during peak am and peak pm traffic hours. The study found that that peak hour traffic impacts would be minimal based on the level of service currently identified at the intersection. It was indicated in the study that the level of service at the key intersection would be no less than a “B” in the fully developed condition. The City would want to further investigate the impacts of this development on the surrounding areas should further consideration be sought by the applicant. One point that should be noted is that the study considered all of the proposed lots to be typical single-family homes. Should the City consider a “senior villa” type product, the potential number of peak am, and pm trips would likely decrease.

6. The surrounding area has a mixture of lot types, sizes and densities. The City guided the land south of Perkinsville Road and west of South Lake Shore Drive for Urban Residential in the 2030 Comprehensive Plan. The Urban Residential designation allows a minimum density of 4.3 units per acre. This property could be redeveloped at any time to the higher density. The proposed development has a net density of approximately 2.0-2.5 units per acre. A quick analysis of the approximately 21 surrounding (abutting) properties indicates that the average lot size is close to 1.5 acres with the smallest property being 0.2 acres. The nearby properties located on Lake Independence (within 1,000 feet of the subject property) also range in size with the average lots size being approximately 0.5 acres. The approximate net density of the abutting properties is .75 units per acre. The proposed concept plan shows 96 lots that are broken down as follows:

a. Shoreland Riparian Lots: 5 Lots - 1 acre

- b. Non-Riparian Shoreland Lots: 36 Lots – .34 acres
- c. 65' Wide Lots: 36 Lots - .16 acres
- d. 55' Wide Lots: 19 Lots - .16 acres

The City should provide general direction relating to lot size, product type and minimum lot standards for this property. It should be noted that the number of lots, minimum lot size, subdivision design and layout will be further reviewed and likely modified should the applicant proceed with additional applications.

7. Standards relating to storm water management and water quality. The City would work to ensure that any development of this property would meet all applicable standards relating to storm water management and water quality.

8. The subject property has a significant natural feature that consists of a wooded “ravine” that runs from west to southeast through the northern portion of the property. This natural feature should be further defined and potentially preserved by any development of this property. The plan identifies five (5) riparian lots and a potential common lot that would have access to Lake Independence. The City should seek clarification from the applicant relating to a potential common lake access and provide direction as to whether the City would consider a common access.

10. The proposed plan indicates that there are approximately 10 lots that would be replatted along a private driveway. The City has not confirmed the current condition of these lots. Additional research and information would need to be reviewed to determine how many and what lots exist in this area.

11. The proposed concept subdivision would be subject to the City’s park dedication requirements. No park land dedication is shown on the concept plans. The City should provide feedback relating to possible park dedication on the subject property. Given the number of properties proposed to be developed in the concept subdivision, it may be desirable for the City to consider some park development on this property. In addition, the City may want to incorporate a trail and or sidewalk within the development and to the east to provide access to Baker Park. Discussion relating to park dedication should be provided by the City. The standard park dedication requirement of \$3,500 per lot would otherwise be applicable to all newly developed lots.

The Planning Commission reviewed the plans and provided feedback to the applicant pertaining to the proposed concept plan. The applicant is seeking additional feedback from the City Council. No formal action can be taken by the City Council on the concept plan. There are many steps that will need to be taken for any development of this property to occur. Should the City determine that this property be developed utilizing sanitary sewer does not in and of itself obligate the City to prescribe a minimum density, lot size or housing type on this property. The City would need to balance any decision relating to the density development of this property with an offset density development in another portion of the City. The City will ultimately need to determine if this property should be regraded to a land use category that is different than its current designation in the City’s 2040 comprehensive plan.

Kaltsas stated this is a review not an approval. Betts asked if there would be transportation, retail and grocery stores etc. to support this amount of people. She said this would be stunning to the community and she has a lot of reservations about this development. Grotting asked how the municipality approaches growth and is it sustainable.

Kaltsas stated Grotting's questions have lot variables and ultimately these are things that need to be determined by the direction the City wants to go and what the City wants to look like. When the 2030 plan was done there were sections determined by the City which would be the best direction to grow without impacting any of the outlying areas. The best places for growth are around where utilities are available. The area around Maple Plain was determined to be a viable area. Grotting asked if there is a goal around number of units. Kaltsas said the comp plan is a response to the Met Council regional and local forecast. There is no goal for the city.

Johnson said feedback he hears is the need for townhomes or empty nester style homes. He noted that the area across from the Maple Plain church was looked at for development awhile back as it was convenient to utilities. Kaltsas said Met Council is looking at taking over maintenance of the line along County Road 19. There are working on a project to increase capacity at the Maple Plain lift station.

Kaltsas noted that any type of development of this property would go through the watershed process and meet the thresholds required regardless of the type of development.

Johnson stated homeowners association usually sets whether residents may have animals or not.

Spencer noted that it would be an opportunity to correct the nutrient flow that is currently occurring with the development of the property so that could be seen as a benefit. He said a large impediment to building would be the steep slope and the effect on neighboring lots. Spencer asked about the 25% hardcover maximum and how the developer would navigate that requirement. He said infrastructure is also a concern and a water main would have to be run up along Budd Street and then all the way down Perkinsville Road. He noted it was hard to approve Lindgren Lane and trade-offs that had to happen with that and off-set the density.

Johnson asked if there were currently small lots down by the lake. Kaltsas said he did not know for sure but at one point there were smaller lots there. Betts said she thought there used to be cabins on those lots. Johnson said at one point there was an ordinance that said lots of certain size could not be developed. It was meant to prevent a substandard size lot that did not have sewer and water.

Grotting said the first thing to do would be to augment the Comprehensive Plan. Kaltsas said it would have to be part of the long range plan but noted the Comp Plan only goes so far. He said standards can be worked out later. Grotting said it needed to be looked at holistically. Johnson stated that no action happens on this tonight. He noted it would be a year before the Comp Plan would be approved. Kaltsas stated the developer is looking for feedback from Council on some of the bigger items, like the traffic study. He said next it goes back to the developer who will decide how they want to move forward whether it be a revised plan, etc. Vose stated this was a high-level and policy-level discussion. He said there was no legal policy that applied to this discussion. Vose stated the developer has the ball now and talking about it can be done now that everyone has had their "musings".

Grotting said he thought the county would have to redraw the intersections at County Road 19 and Perkinsville. Kaltsas said the County does not look at it until it is warranted or the City is able to contribute to the project as well. He said one development would not trigger redevelopment of that intersection.

Grotting asked about any other builders and that impact. Kaltsas said developments have a tax revenue impact and impacts on roads, schools, snowplowing, etc. The sewer system is currently being retro-fitted to fix failing areas. There are a lot of variables that go into this type of development. Johnson stated if the City had more people connected to sewer then costs could be held. Kaltsas said there are about 20 that are not hooked up yet.

Johnson asked Council if they wanted to open up the meeting. He said he believes it should be left as is and no Public Hearing. Betts said she has heard a lot. Spencer said he feels the Council has a good sense of how the community feels based on interaction with them. Johnson noted the process entails amending the Comp Plan for a development of this high-density and that is a long process. Until an amendment is made and approval given by Met Council nothing can happen.

McCoy asked if this was developed could they be forced to be sewer. Kaltsas said the lake lots would have to be larger than an acre to not be required to have sewer. It cannot be forced given the current zoning. McCoy said he felt it needed to be sewer in order to be approved. Spencer said it cannot be forced and referenced the Tamarack development on Lake Sarah. Spencer said the density off-set is a huge challenge.

Grotting noted the community survey showed residents are against growth.

12. Reschedule July 3, City Council Meeting to July 10<sup>th</sup>.

**Motion by Spencer, second by Grotting to move the July 3<sup>rd</sup> City Council meeting to July 10<sup>th</sup>. Ayes: Johnson, Grotting, Betts McCoy and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

13. Open/Misc.

14. Adjourn.

**Motion by Spencer, second by McCoy to adjourn at 8:00 p.m. Ayes: Johnson, McCoy, Grotting, Betts and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

Respectfully Submitted,  
Trish Gronstal/ Recording Secretary

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