

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, May 1, 2018 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

Chair Maggi called the Planning Commission meeting to order at 7:00 p.m.

Commissioners Present: Tony Scales
 Dennis Wippermann
 Pat Simon
 Elizabeth Niemioja
 Armando Lissarrague
 Joan Robertson
 Brett Kramer
 Jonathan Weber
 Annette Maggi

Commissioners Absent:

Others Present: Allan Hunting, City Planner
 Heather Botten, Associate Planner
 Tom Link, Community Development Director

APPROVAL OF MINUTES

The minutes from the April 17, 2018 meeting were approved as submitted.

BEN AND SARA WELNA – CASE NO. 18-18V

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a variance from the minimum lot size and subdivision requirements to create a five-acre parcel of land in the Northwest Area, for the property located at 8580 Alverno Avenue. 9 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant is requesting a variance to allow the creation of a 5-acre parcel from an existing 19-acre parcel. They would like to reestablish a hobby farm on the property which has a house, outbuildings, fencing, and well and septic. The subject property is in the southwest corner of the Northwest Area. Because the property is in the Northwest Area it has it must follow certain rules, including that subdivision must be done by platting, the property must be at least 20 acres in order to subdivide, and only one home per ten acres is allowed. The applicant is requesting a variance from lot size and platting requirements and is proposing to subdivide it administratively. Staff noted that the specific rules were put in place to avoid parcellation that was not conducive to development when sewer becomes available. Creating a 5-acre parcel limits the ability to re-subdivide this parcel once sewer is available. The parcel is in the far southerly portion of the Northwest Area and it is anticipated to be 10-15 years before utilities are extended to the area. Staff's biggest concern is setting a precedent. Staff recommends denial of the request.

Chair Maggi asked if the applicant was the owner of the property.

Mr. Hunting replied that the owners are planning to sell the 5-acre parcel to the applicants, the Welna's.

Commissioner Simon asked if the lots to the west were developed prior to establishment of the

Northwest Area.

Mr. Hunting replied in the affirmative.

Chair Maggi asked how large the lots to the west were.

Commissioner Simon replied the lots were 6.25, 8.65, 5.19, 7.15, and 12.95 acres in size. The lots to the east are roughly 10 acres in size. She asked if the lots on the west side of Alverno Avenue were sewerered.

Mr. Hunting replied they were not.

Commissioner Robertson asked if the five-acre parcel was approved, could the remaining 14-acre parcel be further subdivided if they agreed to put in a well and septic.

Mr. Hunting replied that the remaining piece could have a house on it with well and septic but could not be further subdivided without either Council approval or City utilities becoming available.

Opening of Public Hearing

Ben and Sara Welna, 8580 Alverno Avenue W, advised they were available to answer any questions.

Chair Maggi asked the applicants if they read and understood the report.

The Welna's replied in the affirmative.

Mr. Welna advised that the ordinances were put in place to address development, however, they are not proposing any development. It is their goal to preserve the rural heritage of the property, the property is consistent with the use and size of the surrounding properties, the Northwest Area boundary was perhaps brought too far south, and they think it is unfair to tie the landowners' hands for 20-plus years when utilities might finally become available.

Commissioner Wippermann asked if the Welna's were the party purchasing the five-acre parcel.

Mr. Welna replied in the affirmative.

Commissioner Robertson noted that although the subject property is on the southernmost border of the Northwest Area, it is still in the Northwest Area and must be held to those standards. Approving this because it is on the southern border could set a precedent as property owners on the east, west, and north side of the NWA could request the same. She stated that although the guidelines may seem irrelevant as there is no development currently taking place, the point is to have the rules in place prior to development occurring.

Commissioner Simon stated she would support the request as they were not adding anything new, but rather using the existing house, outbuildings, septic, and well. Also, Blackstone Ponds is in the Northwest Area and recently built 104 units on a 17-acre parcel.

Commissioner Robertson asked the applicant if he was assuming that no development could occur without City sewer and water.

Mr. Welna replied that development would be halted if landowners had to comply with the specific rules applying to this area.

Commissioner Robertson asked staff if a developer would be allowed to develop the subject property with well and septic if they complied with the guidelines.

Mr. Hunting replied that doing so would impact the future density and would have financial implications.

Chair Maggi asked why the owner was not the applicant.

Mr. Hunting replied that it is common for the purchaser to be the applicant.

Chair Maggi stated it would be helpful to know that the owner understands the restrictions they would have on the remaining 14-acre parcel.

Mr. Hunting advised that he had a conversation with the property owner, who understood the regulations and was not concerned that the remaining 14 acres could potentially not be developed any further until sewer becomes available.

Eric Olson, 8561 Alverno Avenue, was opposed to the variance request, stating that the ordinance regulations have been in place for quite awhile and the other neighbors have been complying with them. He advised that immediately north of this property there was a subdivision attempt and it was denied because of the current zoning of the area, the property owner of the subject parcel only purchased the property a year ago, he was concerned about the precedent this would set, and the Welna's should purchase 10 acres if they want to establish a hobby farm.

Commissioner Lissarrague asked Mr. Olson how large his lot was.

Mr. Olson replied 8.65 acres.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Chair Maggi noted that to move the variance forward a practical difficulty is needed. She advised she was leaning towards denial as she was concerned about setting a precedent in this area.

Commissioner Weber asked if there was an easement over the pond on the remaining 14-acre parcel.

Mr. Hunting replied there were no easements but there was a regional basin on the site. If Engineering determined, it needed an easement it would likely be done at time of development.

Commissioner Weber asked if the developable area would then be reduced.

Mr. Hunting replied in the affirmative, stating they could transfer the density around but they would lose that land area to physically put houses on.

Commissioner Scales stated he could not find a practical difficulty but thinks this is a good use of the property. He does not want the property owner to have to wait 20 years to use their property, and he is concerned about planning long-term for something that may never happen.

Commissioner Wippermann supported the requesting, stating they were not adding anything new and he had a difficult time telling a property owner they could not do something with their property for 20 years.

Commissioner Weber suggested the practical difficulty be the far-off time horizon of sewer and water being available.

Chair Maggi stated practical difficulties should be related to the land.

Commissioner Scales stated if they could not find a practical difficulty, Council would know their opinions based on their comments tonight.

Commissioner Robertson stated it would be difficult for her to recommend approval based on lack of a practical difficulty, the need to comply with the guiding principles, and verbiage in the 2040 Draft Comprehensive Plan stating that “we not make decisions based on how things exist now, but rather what in the future would be our goal”, which would be development.

Chair Maggi stated that leaving it as one piece allows for more flexibility as to development.

Commissioner Scales is concerned that in the past the City has not moved forward with projects because they are hoping for something else in the future, and that has caused some issues in the City. Also there are certain retail areas that have failed because the City missed the mark when guiding them.

Planning Commission Recommendation

Motion by Commissioner Simon to approve the request for a variance from the minimum lot size and subdivision requirements to create a five-acre parcel of land in the Northwest Area, for the property located at 8580 Alverno Avenue, with the practical difficulty being that the property is unique in that they are creating another parcel but utilizing the existing buildings and not adding another house or septic.

Commissioner Lissarrague asked how old the buildings were.

Mr. Welna replied they were built in the early 1900's.

The motion was seconded by Commissioner Wippermann.

Commissioner Robertson asked if there was a limitation on the Joint Powers Agreement as to how far out they could go.

Mr. Hunting replied in the affirmative, stating that boundary was established years ago and could not be expanded any further.

Chair Maggi asked to add a friendly amendment to the motion to include the conditions of approval.

The Motioner and Secunder agreed to the amendment.

Motion carried (7/2 – Robertson, Maggi). This item goes to the City Council on May 14, 2018.

CENTER CITY HOUSING CORP – CASE NO. 18-19SZP

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a rezoning of the property from P, Institutional to R-3C, Multiple-family, a comprehensive plan amendment to change the land use from P, Public/Institutional to HDR, High Density Residential, a preliminary and final

plat for a two-lot subdivision, a conditional use permit for a 40-unit multi-family apartment building, and a variance from the minimum parking requirements for the property located at 6070 Cahill Avenue. 34 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant is proposing to construct a 40-unit low income multiple family apartment building on the north half of the River Heights Vineyard Church property. Platting would be required to subdivide the property so the apartment building would be on its own lot, a conditional use permit is required for the multiple-family apartment building, a comprehensive plan amendment and rezoning are needed to change the land use to multiple-family residential, and a variance is being requested to allow parking at a ratio of two spaces per unit whereas 2.5 spaces per unit is required. Mr. Hunting advised that at 2.5 spaces per unit 100 spaces should be provided; however, the applicant is proposing 80 spaces. The applicant's experience is that tenants living in these types of facilities need less parking as there are usually 0-1 vehicles per unit. The church has also provided written notice that they would allow some joint parking if a demand was ever needed. The funding type the applicants are applying for demand that this remain an affordable project for the long-term. Because of these reasons, staff has no issue with the variance request. The building would be located on the southern part of the lot with an access onto Cahill. Staff recommends approval of all the requests.

Commissioner Weber asked if staff had a suggestion for the practical difficulty for the variance.

Mr. Hunting replied that staff's recommendation would be the unique situation of the joint parking arrangement and the project being long-term affordable housing.

Commissioner Scales asked if there was a reason they could not build more towards the northeast.

Mr. Hunting replied that a large stormwater basin in the northeast corner would preclude the applicants from building there.

Commissioner Kraemer asked if there would be a formal shared parking agreement between the church and the applicant.

Mr. Hunting replied it was currently a written agreement but could be made more formal if deemed necessary.

Commissioner Weber asked if the pipeline easement had been vacated yet.

Mr. Hunting replied it had not yet been vacated but must occur prior to issuing any permits. The easement is anticipated to be vacated by year end.

Opening of Public Hearing

Rick Klun, Executive Director of Center City Housing, advised he was available to answer any questions.

Chair Maggi asked the applicant if he read and understood the report.

Mr. Klun replied in the affirmative. He introduced his development team and advised they have signed a purchase agreement to acquire the property from the church. The partnership with River Heights Vineyard Church was what attracted them to the project. Center City Corp is a 501(c)(3) company that builds housing, manages, and provides supportive services for people with limited means. They own, operate, and manage over 800 units throughout Minnesota. He showed

renderings of similar buildings to what they are proposing to build in Inver Grove Heights. They are proposing 40 two and three-bedroom apartments with above and underground parking. It will be a secure building, tenants will come through a centralized front desk area to get to their apartments, which will be staffed 24/7 with a minimum of two people.

Commissioner Wippermann asked who their typical tenant would be.

Mr. Klun stated their tenants are families that have had a difficult time getting and maintaining housing.

Commissioner Wippermann asked if the proposed building would have any semblance to a group home.

Mr. Klun replied it would not. These would be individual apartments whose tenants would have a lease but would get a subsidy to help pay rent.

Kim Bretheim, LHB, advised this project would be 40 units of independent living with spaces on two levels for providing supportive services. To comment on the issue of the variance for parking, reducing the parking spaces minimizes impervious surface and helps reduce the amount of stormwater ponding needed. The easement for the property to the east will remain in place. They will meet the tree preservation requirements and will try to preserve the existing trees on the northwest corner of the site.

Commissioner Weber asked for clarification of the height of the building.

Mr. Bretheim explained that the building would be 32 feet measured from the bottom of the first floor to the roof.

Mr. Klun clarified that they would be purchasing a little over two acres from the church.

Commissioner Wippermann asked to hear from the pastors as to what type of services they would be providing to the tenants.

Pastor Peter Benedict, River Heights Vineyard Church, advised that they serve meals four times a week and may increase that once this building gets built, they offer a recovery meeting which will likely be popular with this population, and they plan to offer a bilingual daycare which they hope will be utilized by tenants of this building. Neighbors may have concerns about the impact to the neighborhood; however, many of the people that will be living in this building have been attending the recovery meeting and free meal nights for years. The land the church plans to sell to Center City Corp is not and will not be used by the church, is essentially a very expensive wooded area, and the sale of the property would be a financial help to the church. Selling to Center City Corp accomplishes the church's goal to have the property used for something that would be of service to the community. The church strongly supports the request.

Commissioner Niemioja asked Ms. Kastler if she knew how many families were homeless in Inver Grove Heights, stating she was told by the school superintendent there were at least 40 homeless families in the public-school system.

Madeline Kastler, Dakota County Social Services, 1 Mendota Road, West St. Paul, stated she did not have numbers broken out specifically for Inver Grove Heights, but stated there were 347 households in Dakota County in need of housing resources.

Richard and Patti Stadt, 6050 Cahill Avenue, stated they were opposed to the request as they

have had a bad experience with the tenants of Prairie Estates, just north of their property, including property damage, theft, animal cruelty, trespassing, the killing of their horse, pellet guns being shot towards their home, and break-ins. As such, they have had to install metal bars on their windows and security cameras. He stated there is drug activity at Prairie Estates and the tenants never seem to get off assistance and/or move out of the complex. The Stadt's referred to a police report which indicated there were 172 police calls to Prairie Estates in one year, not including child abuse cases.

Ms. Stadt questioned how such a project could be on Cahill, the City's Main Street Corridor.

Mr. Stadt stated it was difficult to get onto Cahill from their driveway; this project would exacerbate that situation.

Ms. Stadt stated if this project goes through she would like the applicants to build and maintain a high fence to deter vandalism to their property.

Commissioner Simon asked if the owners of Prairie Estates have on-site managers.

Mr. Stadt replied that Prairie Estate's main office was in Owatonna, but they have a manager on site during the week.

Dustin Haberland, 5982 Cahill Avenue, stated he purchased the property immediately north of the subject property in December 2017. Had he known this housing project was being proposed he likely would not have purchased it. He was considering potentially building high-end condos on his multi-family zoned property; however, that would be unlikely with the proposed housing project next door.

Commissioner Weber asked what the garage level elevation was of the proposed project.

Mr. Brethem replied that the parking garage elevation was at 840.5.

Commissioner Weber noted that Mr. Haberland would be looking at the garage level of a four-story structure.

Chair Maggi noted that the church could likely build a structure of equal height on that portion of the property if so desired.

Jacque Potgreter, 3321 - 74th Street East, questioned what security measures would be in place.

Mr. Klun stated the housing they operate is nothing like Prairie Estates and they have never had situations like the Stadt's have had to endure. The building will be equipped with approximately 40 cameras, it will be staffed 24/7, they may give the neighbors their phone number so they can call if there are ever any issues, and he believes the proposed fencing and ponding will prevent tenants from going onto the property of the neighbors to the north and northeast.

Commissioner Lissarrague asked how they would deal with problem tenants.

Mr. Klun stated they comply with housing laws and have family coaches work with tenants regarding issues. If the issue is not resolved sometimes they have to go through the eviction process.

Commissioner Wippermann asked if they do background checks on tenants before allowing them to live there.

Mr. Klun replied in the affirmative, stating they have strict tenant selection criteria.

Mr. Brethem addressed the fence location, stating it would begin on Cahill, extend over the top of the 15-foot-high retaining wall around the stormwater pond, go to the east property line, then down to the south property line. The only way tenants can access the building is through the main entrance, which will be staffed with at least two people 24/7. There are also two emergency exits which can only be accessed from the inside. No one would be able to enter the building by running in behind a vehicle going into the parking garage. There are security cameras facing all entry points, stairways, corridors, as well as the perimeter. Typically there are fob access controls that can be deactivated for a tenant that does not belong there anymore. Their goal is to encourage people that belong there to live there in a safe environment and to keep people that do not belong there out.

Chair Maggi asked the applicant to discuss their ownership.

Mr. Brethem advised that if this was financed through tax credit investments they would have a long-term commitment with a low-income investor. He clarified that this was not a Section 8 project; it was a different program with different terms and expectations.

Commissioner Lissarrague asked the applicant how long he anticipated owning the proposed building.

Mr. Klun replied they were looking at three different funding applications (a bonding bill and two potential tax credit applications), each with different requirements. Typically after 15 years they could sell the building, but it must remain affordable.

Chair Maggi asked if the CDA would maintain oversight of the proposed building.

Mr. Klun replied that depended on what the funding source was. If the CDA was the primary funder, then they would maintain oversight.

Jon Marsden, 7352 Boyd Avenue, Pastor of River Heights Vineyard Church, stated he fully supported the request and felt Center City Corp would be a good neighbor, a good mission partner, and the project would benefit families struggling with housing and needing a home. He noted that they have many children in their congregation and would never promote a project that would not be a safe environment for their children.

Jeff Pelletier, 7146 Claude Avenue, a member of River Heights Vineyard Church, stated he was originally opposed to the request but changed his mind after speaking with Center City Corp and understanding that the core of what they are trying to do is help the children through family coaches, children's play areas, and on-site supervision.

Housing Committee Chair Paul Mandell, 8320 Cleadis Avenue, advised that the Housing Committee supported the project wholeheartedly as this kind of supportive housing for families was desperately needed. It was for working families, was within walking distance of retail and a bus line, and would be a quality project that would be nothing like Prairie Estates.

Mr. Haberland asked what kind of lighting would be installed on the parking lot facing his property. He also questioned what kind of people would be living here that required so much security.

Mr. Brethem replied that the northernmost parking lot would be roughly 60' from the north property line and would have downcast shoebox style lighting to minimize glare off-site. He advised that

they have typically been installing four-foot pre-finished aluminum fences on Center City projects.

Mr. Kraemer asked if they would use a third-party management company from the twin cities.

Mr. Klun replied that at this point they were looking at using a third party professional property management company.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Commissioner Niemioja stated with the problems that have occurred with Prairie Estates she could understand how personally this was a hard issue for many people. However, her understanding was that this was a much different project, it fit with the guiding principles of the comprehensive plan, would provide a type of housing desperately needed in the City, would help the 40-plus homeless families in the Inver Grove Heights school district, and would include support staff as well as a partnership with River Heights Vineyard Church.

Commissioner Lissarrague understood the neighbors' concerns, but the partnership with the church gives him a different perspective as the church would not want to do anything that would tarnish their reputation.

Commissioner Wippermann stated he understood the concerns by some of the residents based on their past experiences, however, there was a need for this type of facility and he supported the request because of the coaching being offered, the 24/7 staffing, and the relationship with the church.

Commissioner Weber suggested adding evergreen trees along the northern portion of the lot in consideration for the neighbor to the north.

Mr. Klun advised they would be agreeable with the proposed change to the landscape plan.

Chair Maggi asked if the tree requirement should be added to the conditional use permit request.

Mr. Hunting replied in the affirmative.

Commissioner Robertson advised that what makes this request significantly different from Prairie Estates is the fact that each unit in Prairie Estates has its own entrance/exit rather than one secure entry that is staffed.

Commissioner Scales supported the request and stated this type of housing was sorely needed in Inver Grove Heights.

Planning Commission Recommendation

Motion by Commissioner Weber, second by Commissioner Niemioja, to approve the request for a rezoning of the property from P, Institutional to R-3C, Multiple-family, a comprehensive plan amendment to change the land use from P, Public/Institutional to HDR, High Density Residential, a preliminary and final plat for a two-lot subdivision, a conditional use permit for a 40-unit multi-family apartment building, and a variance from the minimum parking requirements for the property located at 6070 Cahill Avenue, with the conditions listed and **adding a condition to the conditional use permit to give consideration to modifying the landscape plan to show more conifer tree plantings along the north boundary.**

Motion carried (9/0). This item goes to the City Council on May 29, 2018.

AMERICINN – CASE NO. 18-17IUP

Reading of Notice

Commissioner Simon read the public hearing notice to consider a request for an interim use permit to allow for a park-and-ride facility to be operated on the AMC movie theatre property located at 5567 Bishop Avenue. 12 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant is requesting an interim use permit to allow a park-and-ride facility to be operated on the AMC movie theater property. Americinn leases 250 parking spaces from the AMC theater lot at 5567 Bishop Avenue to operate a park-and-fly. A few years ago the theater updated the seating in their facility resulting in an overall reduction of theater seats. Due to the remodel the theater is now overparked. The proposed secondary use of the park-and-ride on this property does not appear to have an impact to the existing theater business or the overflow parking for B-52s. The applicant has stated a security guard is present overnight at the theater to provide security for the vehicles stored on the lot. The applicants are looking at purchasing some land next to their current hotel, and it is their desire to expand the current hotel parking facilities. The proposed park-and-ride is temporary until that additional land is purchased and a parking lot is constructed. The interim use permit shall be valid until the applicant constructs a permanent parking area adjacent to their hotel site or for a period of five years, whichever happens first. Staff recommends approval of the request with the four conditions listed. Staff did not hear from any of the surrounding property owners.

Commissioner Robertson asked if Americinn could contract with a third party for transportation back and forth to the airport.

Ms. Botten replied that a condition could be added prohibiting the IUP from transferring to another party. She noted that currently Americinn provides transportation to and from the airport for people parking at their facility.

Commissioner Robertson asked if they provided transportation only for Americinn tenants.

Commissioner Simon replied that no, anyone parking their vehicle at that facility could use the transportation, whether or not they were staying at the hotel.

Commissioner Robertson asked if there as a time limit for the parking.

Ms. Botten replied she did not believe there was, and that Americinn provides shuttle service 24 hours a day.

Opening of Public Hearing

Brett Rose, Americinn, 5861 Blaine Avenue, advised he was available to answer any questions.

Chair Maggi asked the applicant if he read and understood the report.

Mr. Rose replied in the affirmative.

Commissioner Weber asked if the applicant if they provided security.

Mr. Rose replied that the parking area was patrolled.

Planning Commission Recommendation

Motion by Commissioner Scales, second by Commissioner Weber, to recommend approval of the request for an interim use permit to allow for a park-and-ride facility to be operated on the AMC movie theatre property located at 5567 Bishop Avenue.

Motion carried (9/0). This item goes to the City Council on May 14, 2018.

OTHER BUSINESS

2040 Comprehensive Plan Review

Commissioner Simon noted a typo on Page 9.

Jesse Thorsen, HKGI, provided an overview of the Draft 2040 Comprehensive Plan and highlighted some of the proposed changes. In Chapter 1 (Introduction) they added the 'Suburban Edge' and 'Rural Residential' designations. In Chapter 2 (Land Use Plan) they recognize that the City has matured and as such they have identified some potential redevelopment areas (Concord Boulevard, 65th Street and Cahill, and Arbor Pointe). They also updated the land use numbers. Some areas have also been reguided, many in response to retail vacancies in the City, the current economy, and how people now shop.

Commissioner Lissarrague asked if the City had a different vision of what to do with retail space.

Mr. Thorsen replied that some of the retail areas were successful, but in some retail areas they are trying to inject some residential uses to provide the rooftops needed to support the businesses. He then noted some specific areas that have had their guiding changed.

Commissioner Weber noted that there were some changes made by the Planning Commission that were not carried over to the draft plan.

Mr. Hunting replied that he was aware of those and they would be updated as they do a final version of the maps.

Commissioner Wippermann stated he had a concern with the proposal to change the designation of the 'Pinkville' parcels from Park/Open Space to Rural Residential, noting that one of the guiding principles in the Comprehensive Plan is to 'protect and enhance its open space and natural features as a reflection of the community's rural heritage and existing rural development pattern'. He explained the history of 'Pinkville', stating it is a heavily wooded 80-acre parcel that has been designated as park and open space for at least 20 years. The original property owner subdivided the parcel into 177 lots but never received approval from the City; he sold the lots anyway. The lots did not have sewer and water or access and therefore could not be utilized. Many of the people who purchased the initial lots stopped paying their taxes which resulted in the City acquiring 88 of the lots through tax forfeiture. Another individual who acquired lots wanted the Broadmoor development to provide access to these properties. Broadmoor was not interested; however, so the owner painted the trees pink and girdled many of the trees along the border. The 88 lots are now up for sale and Commissioner Wippermann questioned why none of the neighbors were notified of the sale and noted the land use change had not been reviewed by the Park and Recreation Commission. In his opinion they should maintain the properties as open space, retain the lots, and purchase any others that come up tax forfeit.

Chair Maggi asked for the rationale of why that designation was changed.

Mr. Hunting replied that it had been discussed for a number of years prior with the Parks Director and Parks Commission that there were two existing parks in that area, so the City has not sought to pursue another one. He noted that this was just a draft plan and the Planning Commission could recommend that it go back to public open space. Any formal action would occur at the public hearing.

Mr. Thornsen advised that Chapter 4 (Housing) was refined by the Housing Committee and the Metropolitan Council's affordable housing allocation requirements were integrated. Chapter 5 (Parks and Recreation) focuses more on active living and passive recreation in existing parks. It recommends the development and adoption of a system-wide park and recreation master plan.

Commissioner Robertson asked for a definition of passive recreation.

Mr. Thornsen replied it was minimally developed areas where people could walk, hike, decide what games they want to play on their own, etc.

Commissioner Weber asked if there was a way to add verbiage to the Parks chapter requiring that future developments provide a small park.

Commissioner Scales advised that the City tried that in the past and now gives developers the choice of paying park dedication fees or providing a park.

Commissioner Niemioja asked if the Planning Commission could have a joint meeting with the Parks Commission.

Chair Maggi agreed that a meeting with the Park and Recreation Commission would be beneficial, stating that while Argenta Hills residents feel it's important to have trails, other subdivisions may have different needs.

Commissioner Niemioja stated she would like the Park Commission's opinion on the 'Pinkville' area as well.

Commissioner Robertson stated that homebuyers may prefer a park to trails but they are not given a choice because developers often choose to pay park dedication during the application process rather than building a park.

Mr. Link advised there is an existing park plan for the Northwest Area and the Parks Director has been working on acquiring property for them.

Mr. Hunting advised he would set up a joint meeting with the Park and Recreation Commission.

Commissioner Robertson stated that acquiring land now for parks in the Northwest Area is different from what Commissioner Weber is recommending, which is requiring future developers to build small parks in their developments.

Mr. Link stated one of the reasons they have gotten away from neighborhood tot lots is because the City cannot financially afford to maintain them.

Commissioner Simon suggested requiring homeowner associations to put in a picnic shelter for the neighborhood.

Mr. Link stated that homeowner associations often do not have the wherewithal, financial or timewise, to maintain buildings and parks.

Commissioner Scales was hesitant to require parks be built in future developments as the cost of that may make the development unfeasible.

Commissioner Simon suggested giving developers a partial exception for the park dedication fee.

Commissioner Scales stated that homeowner associations typically last only 5-10 years and the City would eventually have to maintain the parks.

Chair Maggi noted that the recommended changes to the Parks chapter would not be final until after the joint meeting with the Park and Recreation Commission.

Mr. Thornsen stated Chapter 7 (Sanitary Sewer) integrates the new growth forecasts, etc. Chapter 9 (Critical Area Plan) was revamped to include the new MRCCA Rules. The districts within the MRCCA have changed and are included in the updated comprehensive plan. The new rules have become more specific and less ambiguous. A significant addition to the Critical Area Plan is that there are now protected views along the Critical Area Corridor.

Mr. Hunting advised that the draft plan will be presented at the May 7 Council work session, it will go to the City Council on May 29 asking for authorization to distribute the document, it will be posted on the City's website and be open for comment through to the public hearing in October or November, and the Council will take action to submit the plan to the Metropolitan Council in November or December.

Mary Sieloff, 11681 Aileron Court, stated she was opposed to changing the land use designation for 'Pinkville' to residential, stating she built her home in Woodland Preserve because that area was supposed to remain as green space. She was concerned about the additional traffic that would be coming through her area if this was changed to residential, questioned why the neighborhood was not informed the City was attempting to sell the 'Pinkville' properties, and noted most of the properties were owned by the City or a land title company out of Duluth.

Jeff Mains, 11676 Aileron Court, asked for the history of how those lots never got approved yet people were able to buy and sell them, and he questioned what the City would have to spend to properly service the 'Pinkville' area as it would require a significant increase in the level of services and infrastructure.

Mr. Link explained that the plat came before the Council sometime in the 1960's or 1970's, the City Council turned it down, but the developer took it to the County and the County in error allowed it to be recorded anyway. As far as the City is concerned this is an illegal plat with no reasonable access or planned utilities.

Chair Maggi asked why the land company in Duluth would then purchase 59 of the lots.

Mr. Link replied his recollection is that people purchased the lots but eventually found out they were unbuildable so many went tax forfeit. The City picked up some of these, and the company in Duluth purchased others. He noted that the properties in that area have a mosaic of ownership.

Jane O'Donnell, 11690 Aileron Ct, asked if the City had had any discussions with the Cities of Eagan or Rosemount to push through city sewer and water services to that quadrant.

Mr. Link replied they have not. The City of Inver Grove Heights and Eagan have a Joint Powers Agreement in which some Inver Grove Heights properties get sewer and water from Eagan. This area is not one of them.

Ms. O'Donnell asked if the sewer and water for Woodland Preserve came from Eagan.

Mr. Link replied in the affirmative, stating Woodland Preserve was part of the Joint Powers Agreement.

Ms. O'Donnell asked that the City consider adding another fire station as it takes a long time for emergency services to access their neighborhood.

Commissioner Niemioja noted that a new fire station was being built.

Ms. O'Donnell replied that the future station was still too far from their neighborhood.

Mr. Link advised that the site of the new fire station (Concord Boulevard and Highway 55) was chosen because it could be served by volunteer fire fighters and sanitary sewer and was selected in large part to serve the southern part of the city.

Jim Bates, 11494 Armstrong Court, asked what use the City was trying to sell these lots for.

Mr. Link explained that the Council undertook a review of City-owned property and found several properties they had not been using, and had no anticipated use for, and decided to offer them for sale. These properties are part of that group. To his knowledge there was no more discussion than that.

Mr. Bates would like the City to hold onto the 'Pinkville' properties and have them remain open space.

Other

Commissioners took a vote and it was determined there would not be a quorum for the July 3 Planning Commission meeting. Mr. Hunting advised he would let potential applicants know a meeting could not take place that evening due to lack of a quorum; however, they could retain the same Council schedule.

The meeting was adjourned by unanimous vote at 10:11 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary