

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, October 7, 2014 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

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

Commissioners Present: Bill Klein
Dennis Wippermann
Joan Robertson
Harold Gooch
Paul Hark
Pat Simon
Tony Scales
Armando Lissarrague
Annette Maggi

Commissioners Absent:

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

APPROVAL OF MINUTES

The minutes from the September 16, 2014 Planning Commission meeting were approved as submitted.

CITY OF INVER GROVE HEIGHTS – BODY ART ESTABLISHMENTS - CASE NO. 14-40ZA

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for an ordinance amendment to Title 10 of the City Code (Zoning Regulations) to add a definition and modify conditions for body art establishments (fka tattoo and body piercing). No notices were mailed.

Presentation of Request

Bridget McCauley Nason, LeVander Gillen & Miller, explained the request as detailed in the report. She advised that the City Council is in the process of reviewing a comprehensive body art ordinance which would replace the City's current tattoo ordinance. One of the major changes found in the new body art ordinance is a change in the terminology used to describe tattoo and body piercing establishments. Such establishments would now be referred to as 'body art establishments,' which is the term used in State Statutes; it would also address the new types of procedures that are often conducted by these types of establishments.

Opening of Public Hearing

Chair Hark asked if essentially the City was conforming the City's ordinance to State Statutes.

Ms. McCauley Nason replied in the affirmative.

Commissioner Robertson asked if the proposed ordinance would change whether or not such establishments would be allowed in the City.

Ms. McCauley Nason replied that the ordinance would not change where establishments may be located, stating they would still be a permitted use in the B-2, B-3, and B-4 zoning districts and a conditional use in the I-1.

Commissioner Klein stated he would prefer to have body art establishments allowed only in the I-1 and I-2 zoning districts. He noted there were many empty stores throughout the City and he was concerned how such establishments might affect neighboring businesses.

Chair Hark closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Wippermann, second by Commissioner Scales, to approve the request for an ordinance amendment to Title 10 of the City Code (Zoning Regulations) to add a definition and modify conditions for body art establishments.

Motion carried (7/2 – Klein, Robertson). This item goes to the City Council on October 13, 2014.

JAMES FROME – CASE NO. 14-39C

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit to exceed the maximum impervious surface allowed on a property, for the property located at 8956 Almquist Way. 51 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the property owner would like to add a pool and patio to his property. This would then exceed the allowed amount of impervious surface on his property. The applicant is requesting 3,335 square feet of additional impervious surface to be allowed on the site. The impervious surface on a property can be increased an additional 10% of the lot size provided certain stormwater criteria are met; the applicant is under that 10% allowance and is proposing to construct a rain garden on the northern part of the property to treat the additional impervious surface. Staff recommends approval of the request with the three conditions listed in the report. Staff has not heard from any neighboring property owners.

Commissioner Simon asked if the property was in a sewer area.

Ms. Botten replied that it was not; they were on well and septic.

Opening of Public Hearing

James Frome, 8956 Almquist Way, stated he was available to answer any questions.

Chair Hark asked the applicant if he reviewed and understood the report.

Mr. Frome replied in the affirmative.

Commissioner Simon asked the applicant where he planned to drain the pool, stating he likely would not want the water to go into his drainfield.

Mr. Frome replied it was his understanding that the water would stay in year round.

Chair Hark closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Klein, second by Commissioner Wippermann, to approve the request for

a conditional use permit to exceed the maximum impervious surface allowed on a property, for the property located at 8956 Almquist Way, with the conditions listed in the report.

Motion carried (9/0). This item goes to the City Council on October 13, 2014.

LORI BARR – CASE NO. 14-38Z

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a rezoning of the property from A, Agricultural (5 acre minimum) to E-1, Estate (2.5 acre minimum), for the property located at 10133 Barnes Trail. 42 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant's property is 5.37 acres in size and currently has one single-family home on the site. The property owner would like to subdivide the property to create a 2.5 acre building site for her daughter; however, Agricultural zoning requires a 5 acre minimum lot size. The applicant is therefore requesting a rezoning of the property from A, Agricultural to E-1, Estate Residential. If the City approves the rezoning, an application to subdivide the property would then be filed along with a variance from the minimum lot width requirements. The proposed rezoning would be consistent with the Comprehensive Plan as the property is guided RDR, which allows for minimum lot sizes of 2.5 – 5.0 acres. Even though there are E-1 lots to the north, the proposed lot fronts and functions with the Blair Estates neighborhood to the south, west and east which are all 5 acres or greater in size. Staff believes that if the rezoning is approved it would set a precedent for other lots in the area. Staff recommends denial of the request as they believe the requested rezoning would be a spot zoning and represents a higher density rural residential zoning into the Blair Estates neighborhood. Staff received emails from two residents opposed to the request.

Opening of Public Hearing

Lori Barr and Triina Barr, 10133 Barnes Trail, advised they were available to answer any questions.

Chair Hark asked if they read and understood the report.

The applicants replied in the affirmative.

Triina Barr advised that the specific home location had not yet been determined and she was willing to look for a location that would provide privacy to the neighbors.

Dave Franke, 2324 – 99th Street, stated he lived directly north of the subject property and was opposed to the request. He advised that they built their home on this lot because of its privacy and seclusion, and that constructing a home at the proposed location would have a negative impact on his property value and privacy.

Commissioner Klein asked Mr. Franke if his lot was subdivided from a larger lot.

Mr. Franke replied it was not; all the neighboring lots were 2.5 acre properties. He advised that his lot was the last to be built on and he purchased it with the knowledge that all the lots behind him were five acre properties which would provide a private country setting.

Commissioner Klein noted that the Comprehensive Plan allows the subject lot to be 2.5 acres in size.

Jon Jancik, 2290 – 99th Street, stated trees or a berm would not protect him from the proposed additional home because he lived on a hill. He stated that approving this request would completely change the nature of the neighborhood.

Chair Hark closed the public hearing.

Planning Commission Discussion

Commissioner Wippermann stated that while he understood why the family would like to subdivide and allow another home to be built for a family member, it would clearly be spot zoning and would set a precedent.

Commissioner Lissarrague stated he understood the neighbors' concerns because they purchased their homes knowing that particular location was zoned for 5 acre lots.

Planning Commission Recommendation

Motion by Commissioner Maggi, second by Commissioner Wippermann, to deny the request for a rezoning of the property from A, Agricultural (5 acre minimum) to E-1, Estate (2.5 acre minimum), for the property located at 10133 Barnes Trail, on the basis of spot zoning.

Motion carried (9/0). This item goes to the City Council on October 27, 2014.

WALMART (FREDRIKSON & BYRON) – CASE NO. 14-41PUD

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for an amendment to the PUD conditions of approval and development contract allowing extended hours on Thanksgiving and the Friday after, for the property located at 9165 Cahill Avenue. 41 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that Walmart is proposing a permanent change to their hours of operation to allow it to remain open after 11:00 p.m. on Thanksgiving into the Friday after Thanksgiving. In 2009 and 2011 Walmart made one time requests to the City Council for these same hour extensions. Council denied both requests based on allowing hour extensions being inconsistent with the original conditions of approval. In 2012 and 2013 Walmart made the same request and Council approved the changes. Staff is not aware of any issues this has raised and has supported the hour change since this is one of the only stores in the city that has limitations on hours of operation. An hour of operation extension would require an amendment to the PUD as well as the development contract. Parking lot lighting would also be allowed to remain on during this period.

Chair Hark asked if staff was aware of any complaints received the years Walmart was allowed to have extended hours.

Mr. Hunting replied he was not aware of any complaints.

Opening of Public Hearing

Susan Steinwall, Fredrikson & Byron law firm, 200 S. 6th Street, Minneapolis, and Luke Nordquist, Walmart Manager, 9165 Cahill Avenue, advised they were available to answer any questions.

Chair Hark asked Ms. Steinwall and Mr. Nordquist if they had read and understood the report.

The applicants replied in the affirmative.

Paul Mandell, 8320 Cleadis Avenue, advised that he was on the Planning Commission when Walmart was first proposed and limited hours of operation was a condition of approval. He was opposed to a permanent change, stating it could lead to future requests for additional holiday extensions.

Chair Hark closed the public hearing.

Planning Commission Discussion

Commissioner Klein stated he wanted to assist Walmart as much as possible and had always supported their requests for extended hours of operation on Thanksgiving.

Commissioner Scales asked for clarification that no other retail establishment in the city had similar limits to their hours of operation.

Mr. Hunting replied that he could not recall any other similar situation.

Commissioner Wippermann stated he supported the request and would like to help out businesses; especially considering all the empty storefronts in Arbor Pointe.

Chair Hark stated he supported the request based on the fact that there were no complaints received by staff and no one from the neighborhood voiced any opposition.

Planning Commission Recommendation

Motion by Commissioner Gooch, second by Commissioner Klein, to approve the request for an amendment to the PUD conditions of approval and development contract allowing extended hours on Thanksgiving and the Friday after, for the property located at 9165 Cahill Avenue.

Motion carried (9/0). This item goes to the City Council on October 27, 2014.

DEANOVIC – CASE NO. 14-22PUD (tabled from the September 16 meeting)

Public Hearing (continued)

Allan Hunting, City Planner, advised that staff would address some of the questions received from Planning Commissioners, as well as provide additional information.

Tom Link, Director of Community Development, discussed the Regional Roadway Visioning Study. The study looked at traffic in Inver Grove Heights, Eagan, Sunfish Lake and Mendota Heights, as well as traffic coming in from the surrounding area. The purpose was to look at a variety of roads and highways in northern Dakota County and identify the traffic and transportation improvements that would be necessary in the next 20-30 years. Eight different agencies were involved and what they looked at for this part of the City was the interchange. Five different alternatives were looked at; two of which proposed a variety of county roads and city streets rather than an interchange. The other three alternatives proposed an interchange; two with an interchange at Delaware and one with the interchange north of the 70th and Argenta intersection. The last alignment was chosen as the preferred alternative because it would reduce traffic volumes on city streets and county roads, provide traffic relief for the existing Robert Street and Dodd Road interchanges, would improve safety on I-494, would have less impact on wetlands and residential neighborhoods, and would be more consistent with the comprehensive plans for the surrounding cities.

Commissioner Robertson asked if there had been any discussion of curving the realigned Argenta Trail to avoid the Leitch Estates neighborhood but still come back to the same proposed interchange location on I-494.

Mr. Link replied that the study did not specify an exact alignment of Argenta Trail and that additional analysis would be necessary.

Commissioner Robertson asked if approval of this request would set in stone the alignment as shown on the diagram.

Mr. Link replied that one of the conditions of approval would lead to an analysis of where the best alignment would be and what the impact would be on specific properties. That study would include a technical portion as well as public participation.

Commissioner Maggi asked how the timing of the completion of the existing residential development coincided with the timing of the study and approved comprehensive plan showing the long-time vision for Argenta Trail being 4-6 lanes wide.

Mr. Link replied that the Leitch Estates neighborhood was platted decades ago, and discussions of the need for an interchange and additional transportation improvements went back to at least 2000. The discussion prior to the visioning study had assumed that Argenta would be a four lane county road. The traffic engineers concluded in the visioning study; however, that in 20-30 years it may be required to be a six lane road.

Commissioner Lissarrague asked if it was common for studies to anticipate interchanges so far into the future.

Mr. Link replied in the affirmative, stating that transportation studies such as this typically looked out at least two decades.

Commissioner Wippermann asked staff to comment on Metropolitan Council's recent addition of this I-494 interchange into their future project plans.

Mr. Link responded that additional work has been done since the completion of the visioning study in 2010, including approval by the Federal Highway Administration of a warrant analysis and a Metropolitan Council determination that the interchange was consistent with Appendix E. He noted that additional analysis would be necessary before an interchange would occur, including further environmental and engineering approvals.

Commissioner Klein asked for clarification that a potential Argenta Trail interchange location was shown in the current comprehensive plan.

Mr. Link replied in the affirmative, stating it was shown on the previous comprehensive plan as well.

Commissioner Klein asked for clarification of whether the bridge crossing over to Delaware would remain.

Mr. Link replied in the affirmative, stating an east-west connection between the Delaware bridge and the new Argenta alignment would be created. He advised that Sunfish Lake and Mendota Heights had concerns, but eventually they supported and approved the study.

Commissioner Klein asked if the road connecting Delaware and the Argenta Trail interchange

would be on the north side of I-494.

Mr. Link replied that it would be on the south side of I-494. He advised that if the transportation infrastructure was done correctly the impact on the existing roads would be lessened.

Mr. Hunting stated there had been previous discussions between the applicant and the attorneys regarding how to speed up the discussion of the Argenta Trail alignment. It was suggested that a separate comprehensive plan amendment to the transportation plan be processed that would provide a public process to get input on the alignment and try to place the location of Argenta Trail. If Council chose to go that route it could be way to address some of the neighbors' concerns. He advised that the City and the County have also started a joint study of Argenta Trail south of 70th Street; this is anticipated to be completed by February 2015. That study would identify that alignment and help the City and County identify the impact and alignment of Argenta Trail with the Leitch Estates/Blackstone Ridge developments. Condition #29 addresses this issue.

Mr. Hunting stated that concerns were raised at the last meeting regarding the proposed sewer alignment following 69th Street through the Leitch Estates neighborhood. He advised that another possible route was an alignment on the south side of 70th Street. This option would be more costly, but could work. If Council chooses that option the issue of a second access to the Ponds development would have to be addressed.

Mr. Hunting presented the recently adopted Northwest Area Park Plan. No parks are anticipated on any of the three subject parcels.

Chair Hark asked if the park plan was aspirational at this point.

Mr. Hunting replied in the affirmative, stating it was a starting point and there were a number of steps that would be required before any of the identified parks would come to fruition.

Commissioner Robertson stated it is important to have parks within walking distance, and asked if there was a way to assure that a suitable park would be provided for the anticipated number of families at a location convenient to them. She asked what options were available should the developer choose to give a cash contribution rather than land for a park.

Mr. Hunting advised that even with land dedication there was never an assurance of where the park would be located. He advised that because parks are multiple acres in size, acquisition by the City is typically necessary for parks to occur. He advised that the proposed park locations had the necessary features suitable for the type of parks desired.

Commissioner Klein asked if the park dedication fees could be used towards park maintenance.

Mr. Hunting replied it was only used for land acquisition for parks.

Commissioner Maggi asked if sanitary sewer could be put in to serve the Blackstone Vista development only, or did all three developments need to be approved at the same time.

Tom Kaldunski, City Engineer, replied that in order to serve that entire development they at least have to get to the lift station proposed at 70th Street. Once that lift station goes in it would also provide service to the Ponds development.

Commissioner Maggi asked at what point the sanitary sewer extension would impact existing homes.

Mr. Kaldunski replied that existing property owners would not be impacted until the sewer went from the Ponds or the lift station location to the Ridges development.

Commissioner Maggi asked what the additional cost would be to install the sanitary sewer south of 70th Street rather than along 69th.

Mr. Kaldunski replied that the additional cost of construction would be approximately \$350,000; however, the cost of right-of-way acquisition would likely range from \$750,000 to \$2M dollars.

Chair Hark asked if there were engineering differences between the two.

Mr. Kaldunski replied that the sewer depths south of 70th Street would be deeper than those in the 69th Street alignment.

Commissioner Klein asked homes would have to be purchased for either alignment.

Mr. Kaldunski replied they could likely avoid homes in the northern alignment but there would likely be a garage, trees, and septic systems within the right-of-way.

Commissioner Klein asked if the City would have to pay affected homeowners to move their septic systems.

Mr. Kaldunski replied in the affirmative.

Commissioner Klein asked if homes would have to be purchased for the southern alignment.

Mr. Kaldunski replied there were no buildings in the right-of-way for the southern alignment. An alignment even further south could be considered to avoid buildings.

Commissioner Lissarrague asked for clarification that the alignment north of 70th Street would be less expensive, but the alignment south of 70th Street would be less intrusive to property owners.

Mr. Kaldunski replied that the construction costs would be cheaper to the north, the right-of-way acquisition to would be cheaper to the north, but more buildings would be affected to the north.

Commissioner Lissarrague asked if more people would be affected with the northern alignment.

Mr. Kaldunski replied that more buildings would be affected by the northern alignment but more property owners would be affected with the southern alignment.

Commissioner Maggi asked for clarification of whether either of the alignments would be primarily to feed the Ridges development.

Mr. Kaldunski replied in the affirmative.

Mr. Hunting advised that the revised Blackstone Ridge plans show improvements to the open space, connectivity, and 100 foot corridor; however, additional improvements are being recommended. He then addressed questions from Planning Commission members, with the first one being whether any studies had been done or were required relating to noise mitigation along 70th Street. He advised that the comment in question was a standard statement included in all review letters addressing the fact that there could be additional noise and that the developer should consider that in their plan. He advised that the Ponds development would have the greatest impact of the three neighborhoods as there were a number of homes along 70th Street.

The Planning Commission could add a condition requiring further noise analysis be done to determine whether noise mitigation should be done (i.e. screening, berming, etc.). The second question related to the County's recommendation that the Ridges be platted as an outlot for future development because of the uncertainty regarding the realignment of Argenta Trail. Mr. Hunting advised that that option would be more difficult for the City as they have to consider the preliminary PUD plan rather than just the plat. The third question was in regard to whether emergency vehicles would have the ability to turn around on the private road segments in the Ponds development. Mr. Hunting advised that a condition of approval requires that all plans be subject to the review and approval of the Fire Marshal. If changes are needed they will be addressed with the final PUD. The fourth comment was regarding wetlands. He advised that the wetlands have been delineated on all three sites, and have been reviewed and approved through the WCA process. There is no impact to any of the wetlands being proposed. There was also a question as to why the application was to this point with there being so many unanswered issues. Mr. Hunting advised that landowners have the right to apply for a development, and once they do the City has a limited time to take action. Staff has therefore done the best review they could with the information available, and have included the outstanding questions and studies necessary in the conditions of approval. There was another question raised regarding looking at each of the developments individually versus all at once. He advised that he was unaware of any regulations prohibiting the three developments being submitted simultaneously. He stated that for the most part each of the developments can stand on their own individually; however, there are some instances where all three must be combined in order to meet the standards. Because this is a PUD and a unique area, staff does not have major concerns and feels this is another way to look at flexibility.

Commissioner Maggi asked if there was a precedent in the City of allowing multiple developments to combine in order to meet the impervious surface requirement.

Mr. Hunting replied they had not received anything like this before. He advised that another question had been asked regarding the comprehensive plan amendment language regarding the exception neighborhoods. He advised that staff purposely used language which would allow the City Council flexibility if they chose to run the sanitary sewer through the 69th Street neighborhood. He noted that the three developments were in Independent School District 196.

Commissioner Robertson noted that at the last public hearing several individuals indicated that they had received prior official notification from the City or the County that their properties in Leitch Estates would not be subject to sewer and water impacting their neighborhood. She asked if staff was aware of any such records of correspondence.

Mr. Hunting replied that he was not aware of any such correspondence. He advised that notification of meetings could have been sent; however, as this issue would have been brought up during discussions regarding the most recent comprehensive plan.

Commissioner Robertson asked for clarification that approving the request tonight would not include approval of a specific sanitary sewer alignment.

Mr. Hunting replied in the affirmative, stating that the sewer alignment would be a City Council decision.

Chair Hark asked if that was true of the Argenta Trail alignment as well.

Mr. Hunting replied in the affirmative.

Commissioner Maggi asked staff to review the options for the Argenta Trail realignment.

Mr. Hunting advised that the County has indicated they need 200 feet of right-of-way in order to meet the traffic demands of a potential six lane road. The options he is aware of at this point is running all 200 feet on the Leitch Estates properties, running all 200 feet on the Ridges property, or straddling the property line between Leitch Estates and the Ridges.

Commissioner Maggi asked how the realignment would affect the three proposed developments.

Mr. Link replied that the Argenta Trail alignment would affect only the Ridges development; not Ponds or Vista.

Commissioner Simon asked for clarification of the power line and right-of-way locations on the sketch plan.

Dan Schmidt, Sathre-Bergquist, 150 South Broadway, Wayzata, pointed out the power line and easement locations.

Commissioner Wippermann asked if anything had changed since the last meeting regarding the necessity for a collector street study and policy decisions being made prior to the City making a recommendation on subdivision plats impacted by these issues.

Mr. Hunting replied that the conditions of approval require that the Council address the collector streets, right-of-way acquisition, and funding for the street construction.

Commissioner Wippermann questioned how the Commission could make a recommendation without a policy since the report states a policy should be in place before the City makes any recommendation.

Mr. Hunting replied that Commissioners would have to decide if they were comfortable with approving it with a condition that Council addresses those issues.

Ian Peterson, Vice-President of Ryland Homes, advised that Jim Deanovic, owner of the subject parcels, was also present. He provided a brief history of the request and why there were three different parcels. He advised that when they started the Blackstone project Ridges was the only piece of property owned by Mr. Deanovic. They had analyzed numerous routes for getting service to this property from 70th Street and Highway 3. It was then recommended that they look at servicing this property by extending sewer from the Argenta Hills development. In order to do that the City needed a pump station site so they began purchasing additional parcels in order to service Blackstone Ridge. He advised that it is a very complicated development. First and foremost they are looking at density requirements for this area. Blackstone Ridge is currently guided for 230 units; 110 single-family homes and 120 multiple-family homes. The proposed plat is for 115-120 single-family homes and they had a difficult time getting them to fit. He questioned how they could fit in an additional 120 multiple-family homes. Mr. Peterson advised that when the comprehensive plan was approved townhomes represented 50-65% of the market. Currently townhomes represent only 10% of the building permits in the Twin Cities area. He advised that there is sanitary sewer at 70th Street and Highway 3 and sanitary sewer at Argenta Hills. That pipe has been there for numerous years and has not spurred development. The proposed developments will touch 12 adjacent properties and will allow for future development. Transportation requirements must also be considered, as well as stormwater, natural resource, and open space requirements. The Vista property is currently guided for 99 single-family homes plus four acres of industrial development. They are proposing 78 single-family homes and question how they would find room for an additional 12 units plus four acres of industrial property. They have been working with City and County staff for two years on this complicated development. In addition Bolten & Menk did the trunk utility study, Kimley-Horne is reviewing their development plans, EOR reviews

the stormwater requirements, WSB completed a traffic study, and the original study was done by Bonestroo. He advised that some portions of the properties were heavily wooded and some had steep slopes which would require massive amounts of earthwork. He felt it was a good overall plan considering all the pieces of the puzzle, it would provide \$5M dollars worth of trunk utility fees, over \$1M dollars in park fees, and reforestation of over 1,000 3-inch trees. The County will only grant one access point to each development. He advised that until such time as they want 69th Street to go through, they could provide a median off of 70th Street to provide one way in that would alleviate a potential connection on 69th Street. In regard to parks, he advised there is a piece of property that is going to be heavily treed and zoned Commercial Industrial that could potentially be used as a trail headway or potential open space.

Martha Zachary, 6921 Arkansas Avenue, asked for clarification of whether the City currently had right-of-way for the extension of 69th Street and also whether that road would benefit a private development.

Mr. Hunting replied that acquisition of right-of-way would have to take place if they were to extend 69th Street. City Council would have to make those decisions after reviewing and analyzing the development. The 69th Street extension would benefit the developer; however, extending the main pipe would also allow the City to service additional properties.

Ms. Zachary asked if a road must go in to connect the sewer.

Mr. Hunting replied he did not believe so.

Ms. Zachary stated that the road would go right through her property and asked for clarification that the road would be a benefit to the private developer.

Mr. Hunting replied in the affirmative.

Ms. Zachary stated she was opposed to the request, would have to cross a road to get to the other side of her property, had no intention of selling her property, and did not believe the property could be taken by eminent domain.

Jillian Weber, 6863 Arkansas Avenue, asked for clarification regarding a letter she received from one of the County Commissioners regarding the 69th Street proposal. The letter stated that the connection of 69th Street to the existing County Road 63 would only be considered as temporary due to spacing conflicts and that the southeast corner of the plat would not support construction of a roadway due to severe topographical and drainage issues.

Mr. Hunting replied that it would be considered temporary at this point because of the unknown nature of the final Argenta Trail realignment.

Ms. Weber stated she called the City prior to moving in and was told that sewer and water would not be an issue. After moving in she was told they wanted to put a hiking trail in by her home, and now a roadway and sewer and water are proposed.

John Todd, 6689 Argenta Trail, asked staff where the potential park referred to earlier would be located in proximity to the existing Argenta Trail.

Mr. Hunting showed the location, stating it would be east of the existing Argenta Trail.

Mr. Todd noted that a home would be affected by that potential park. In regard to the Ponds development, Mr. Todd asked if the proposed homes would meet the setback guidelines as the

homes appeared to be close to the shoreline of the lake.

Mr. Hunting advised that the body of water in question was actually a DNR wetland rather than a lake and therefore the homes would have to comply with the wetland buffer setback requirements.

Mr. Todd stated it was more like a lake than a swamp. He advised that building homes close to Franke Lake could be problematic because of the soft ground and he asked if there had been any consideration of the implications of the wetland being used by the DNR as a fish hatchery.

Mr. Hunting replied that he has had no discussions with the DNR regarding that subject.

Mr. Todd advised that he signs off on a DNR agreement every year in regard to it being used as a fish hatchery and he hoped that practice would not be disrupted by development. He stated this proposal seemed to be premature and should not be discussed until the location for Argenta Trail and other roads had been determined. He noted that earlier in the evening the Planning Commission denied a request for a lot subdivision after hearing from neighbors that they had purchased their lots because of the privacy and seclusion. He asked that that be taken into consideration with this request.

Donna Schneider, 3470 E. 102nd Street, stated her family owns property to the west of 70th Street and Argenta Avenue. She questioned how anyone could envision what the assessments would be on the existing landowners with so many unknowns regarding the road location and sewer alignment, and she worried that the cost could potentially force people out of their homes. She questioned whether townhomes would blend with the existing large acre country lots and whether they were respecting the long-time existing residents and their wishes.

Joe Vogel, 6963 Arkansas Avenue, stated that 70th Street would likely be expanded and affect his property. He questioned why the development had to be so dense, he found it difficult to believe that the proposed development would not raise water levels on Franke Lake and the wetland, and he stated there likely would be no room for street parking on 69th Street if the road was only 25 feet wide. He suggested they work with the county to make decisions that are respectful to the current neighborhoods. Eleven homes out of 16 between the Ponds and Argenta would be impacted by the 69th Street extension and he suggested putting sewer and water under 70th Street instead, stating the topography would be better than that of 69th Street or south of 70th Street. He asked if sewer and water ran under any County roads in the City.

Mr. Kaldunski advised that the City had discussions with the County regarding using 70th Street for the utility alignment. In those discussions Dakota County stated they would not issue a permit to put sewer and water underneath the road because there were numerous improvements planned for that road and too many unknowns at this time.

Mr. Vogel asked why County representatives were not present at this meeting, and stated the proposal was premature at this time and unfair to the existing residents.

Jim Abbott, 6720 Argenta Trail, stated a few years ago he put an addition onto his home and the City was very concerned about green space. He asked what had changed in the past couple years that green space was no longer a concern.

Mr. Hunting advised that he could not recall Mr. Abbott's specific request.

Nicola Abbott, 6720 Argenta Trail, stated the request was in regard to impervious surface. She advised that they have two properties; a 1.5 parcel and a two acre parcel. They decided to turn their existing deck into an addition. City Council approved their variance from maximum

impervious surface with the condition that they put in a rain garden. She questioned how the City could be so concerned about the green space on her 3.5 acre lot yet consider allowing the small proposed lots. She was concerned about the agricultural and environmental impact regarding the loss of existing mature trees and the plan to replace them with 3" caliper trees. She stated it would take years for them to mature and they would not have the same root structure, stability, ability to clean air, etc. She stated they purchased their land 32 years ago and plan to live there for the rest of their lives. The plan to put a road through their property and take it away from them makes them feel helpless and abused. She stated she met with the developer after the last meeting and he said he was tired and if the City wanted to put the road through his property they should buy it from him so he could move on. She requested that the city buy the property rather destroying the lives of the existing residents.

Joe Blackfelner, 6736 Argenta Trail, stated perhaps the land that Mr. Deanovic purchased did not fit with the City's plans for the area.

Jill Joseph, 1735 – 70th Street West, stated that the proposed road would be 10 to 20 feet from their front door, over their septic tank, and through their second garage. She stated they have a long driveway and having an easement through it would destroy their property and result in a road going through the middle of their property. There is talk of putting a walking trail in their front yard as well. She stated she was not opposed to development, but felt the developer should make it work without disrupting neighboring private property.

Debra Van, 6660 Argenta Trail, asked for clarification of Condition 29 stating that final plat approval was subject to approval by the City of a comprehensive plan amendment to the transportation plan to the effect that realigned Argenta Trail would not be placed on the plat of Blackstone Ridge.

Mr. Hunting stated the Argenta Trail alignment study would not be completed until early next year and the question was is there an alternate way to look at that alignment and try to move the development along quicker.

Ms. Van asked how a development could be planned until the County determined the location of Argenta Trail and stated they were putting the cart before the horse and sacrificing the existing neighborhood for the new development.

Chair Hark asked if one of the reasons they were being asked to make a recommendation at this time was because of the application deadline.

Mr. Hunting replied in the affirmative, stating the City's 120 day deadline was approaching and by state statute the City Council must take action on October 13.

Commissioner Maggi asked for clarification of Condition 29 which implies that Argenta Trail would not end up on the Blackstone Ridge property.

Mr. Hunting replied that the condition gives City Council the ability to approve the Ridges plat if they want to make the decision that the alignment go to the west.

Commissioner Scales asked if that was staff's recommendation.

Mr. Hunting replied that the condition was advising that if Council chose to put Argenta Trail to the west it would require a comprehensive plan amendment to the transportation plan.

Ms. Van stated the person she spoke with at the County stated that the Argenta Trail alignment was a County decision rather than a City decision.

Mr. Hunting replied that it was a joint decision.

Ms. Van stated it was premature and should not be approved at this time.

Mark Van, 6660 Argenta Trail, asked if a new water tower would be necessary.

Mr. Kaldunski replied that no water tower is planned for this area as the existing water towers would supply adequate water pressure.

Mr. Van asked when the wetland applications were submitted.

Mr. Hunting replied they were delineated sometime in the summer and submitted and reviewed in July and August.

Mr. Van asked if they took into account the new high water levels that the DNR has been registering over the course of the summer.

Mr. Hunting replied that he was unsure of whether they used the new numbers or not, but that the DNR has an established Ordinary High Water Mark for their wetland and for Franke Lake. He advised that the City had a consultant review the wetland boundaries as well.

Mr. Van stated that with the extensive rains this summer a new high water mark should probably be considered.

Mr. Kaldunski stated that the City has elevations associated with its Northwest Area Ordinance that are higher than the Ordinary High Water Mark being referred to. The City regulates to a mark beyond the area in question.

Mr. Van questioned why Argenta Trail would be planned for six lanes when a major arterial such as 70th Street was only planned to be four lanes wide.

Mr. Kaldunski explained that the north-south Argenta Trail has projections of over 30,000 vehicles per day whereas 10,000 – 12,000 vehicles per day are anticipated for the east-west 70th Street.

Mr. Van asked where 30,000 vehicles would be coming from and why they would need six lanes on the northern portion.

Mr. Kaldunski replied that the road is planned to be six lanes from I-494 down to Highway 55, with a four-lane planned south to Yankee Doodle. There is also a possibility of a road going even further south to Rosemount, Empire Township, etc.

Ms. Abbott asked how the City would determine the value of the existing homes if this were to go through and the property owners would lose their homes. Would the City assess the value based solely on square footage or would they take into consideration the fact that the lots are private wooded properties in close proximity to the airport, MOA, etc.

Chair Hark advised that financial decisions were not under the purview of the Planning Commission.

Kyle Van, 6818 Argenta Trail, showed a photograph of 69th Street taken June 19 after a rain event. The photo showed the road, driveways, and yards under water. He stated this was the new high water mark and he was not sure if the City plans reflected that. Next he showed a map looking at

the different homes that would potentially be affected if Argenta Trail was constructed on the west side of the power lines. He advised that it was his understanding that the map showed only 150 feet of right-of-way, so an additional 50 feet would be necessary. In addition to that there would be a 50 foot setback on each side, as well as a 37.5 foot right-of-way from the centerline of the power line. He advised that this would potentially affect 337.5 feet of property rather than the 200 feet referenced earlier. This would take out a majority of the neighborhood. Mr. Van pointed out that the proposed development must meet the zoning requirements of the comprehensive plan; however, the comprehensive plan also states that the City should focus on preservation and maintenance of existing neighborhoods, and there is a policy in place to ensure that new development areas be compatible with size and scale of existing adjacent neighborhoods. He asked what the setbacks were for the proposed 67th Street and if it was only planned to connect up with the new Argenta Trail or if it was going through the existing neighborhood to the current Argenta.

Mr. Hunting advised that the Collector Roadway Study shows 67th Street as an east-west collector street ending in an intersection with Argenta Trail. Whether it continues to the west is unknown at this time.

Deborah Van, 6660 Argenta Trail, asked if all necessary information had been forwarded to the consultants, as Kimley-Horn and EOR stated they would provide more complete comments when additional information was available. They also state that because the impacts to the regional basins in the Blackstone Ridges are significant they should be addressed before the development is considered for further review or approval.

Mr. Kaldunski advised that in addition to the conditions from the Planning and Engineering departments, the applicants must also comply with the issues laid out in the consultant memos. He advised that because not all the information has come in, staff reserves the right to review the stormwater manual plan on the Ridges. He advised that from an engineering perspective the developer has made progress with the new concept. Because there are some outstanding concerns, the Planning Commission is to consider the approval items outlined in his memo as part of the preliminary PUD.

Joe Vogel, 6963 Arkansas Avenue, stated that the proposed density would affect water retention, storm sewer, roads, and the wildlife corridor, and he asked the City to work with the County to reduce the density requirements and do what is good for the residents. He stated that lowering the density would ease many of the issues and avoid destroying neighborhoods. He questioned why they only had two months to discuss this request when it had been planned for two years.

Dick Roberts, 1655 – 68th Street West, recommended that the developer be required to identify the conservation easements by signage, including those around the wetlands.

Commissioner Klein noted that one of the conditions of approval requires that the developer mark the conservation easements with a stake.

Mr. Roberts stated it referred to open space, but easements around wetlands should also be identified. The easements should also be included on all deeds to make sure that new owners were made aware of the conservation easements during the transfer of property. He asked the engineer what the proposed right-of-way was for 70th Street.

Mr. Kaldunski replied that County maps indicate a 150 foot right-of-way for four lane roads which is what 70th Street is anticipated to be in the future.

Mr. Roberts asked if those maps were in any of the documents that were presented.

Mr. Kaldunski replied that a map was included in his first email and letter that he wrote as City Engineer.

Mr. Hunting advised that the plat shows a 75 foot half right-of-way dedication on all the plats abutting 70th Street; 150 feet total.

Ian Peterson brought up a map to show Mr. Roberts.

Mr. Roberts asked where the runoff would go for the roadway.

Mr. Peterson replied that at such time as the County builds that roadway they would likely take care of their own runoff.

Mr. Roberts questioned where the runoff from 70th Street or County Road 63 would go, stating it has to be managed as part of our wetlands. He stated the City needs to make sure there is a plan in place for managing the water when it passes through that area, the three PUD's should be managed separately in regard to wetlands, he was disappointed that the developer sacrificed part of the wetland to save two development units, they should ensure that the restrictions placed on these properties is conveyed to new owners, he noted that the engineering report states that the Ridges does not meet the ownership requirements, he questioned why there was no discussion regarding meeting the Minnesota noise requirements for roadways, and he was concerned that the developer may not have the experience necessary to develop in low impact areas such as the Northwest Area.

Chad Hagman, 6710 Argenta Trail, asked if the new high water marks from the DNR were reflected in the proposed plans.

Mr. Kaldunski replied that the DNR had not shared any new data with the City. He advised that the Northwest Area Hydraulic Study and other documents guiding this area were more stringent than the DNR's.

Commissioner Klein noted that the stormwater study was done because the City did not want to run pipe to the Mississippi River.

Mr. Kaldunski stated it would have been much more expensive to run pipe to the river and therefore the City put ordinances in place to protect the regional basins.

Mr. Hagman questioned how there could be no wetland impact when the developer has stated that the project will be a massive earth moving endeavor. He stated he enjoyed the rural setting of his neighborhood and was opposed to selling his home to the City or County to benefit a private developer.

Tracy Zahn, 6714 Argenta, noted that the proposed development would not benefit the Inver Grove Heights schools; the developments were in the Eagan school district.

Mary T'Kach, 7848 Babcock Trail, Chair of the Inver Grove Heights Housing Committee, stated that the Housing Committee officially recommends denial of the request for the following reasons: 1) it is an unjustified leapfrog development, 2) there is no affordable housing or workforce housing proposed, 3) there could be potential loss of current homes in the area that are more affordable than many of the existing homes in the City, 4) it would result in a significant reduction in high density housing, industrial, office park, and community commercial space in an area of the City in which infrastructure is planned, 5) a reduction in tax base, economic development opportunities,

and potential job creation, and 6) inconsistency with the comprehensive plan and this development being a spot zoning. Ms. TKach stated that the lack of density and commercial space in this particular situation is concerning, especially given the proximity of the development to Highway 55 and 35E, a new interchange at I-494, the airport, current and future retail to the west, and the potential for a transit-oriented development given that it is on a future six-lane major road. They recommend waiting for a better development and believe that building sewers, roads and other infrastructure before obtaining a viable long-term plan would be irresponsible and could put taxpayers on the hook for millions of dollars.

Jim Zentner, 8004 Delano Way, a member of the Housing Committee, called attention to the Metropolitan Council's Fair Housing Policy Plan which discusses the integration of housing into transit way planning and development. He stated it was likely that Argenta Trail and 70th Street would eventually include some kind of transit, and he stated federal dollars would not come to this community to fund a transitway system without affordable housing in the corridor. He stated affordable housing is critical to the wellbeing of the community.

Commissioner Maggi asked Mr. Peterson what the backup plan was should the County decide to put all the Argenta Trail right-of-way on the Ridges property.

Mr. Peterson displayed a map showing the wetlands and regional basins as they pertain to the Ridges property. He stated it is his personal opinion that the County will eventually determine that the corridor cannot go through the Ridges because of the existing powerline and regional basins. They would negotiate with the County, however, if they wanted to purchase a portion of the Ridges property for the corridor.

Chair Hark closed the public hearing.

Planning Commission Discussion

Chair Hark stated Commissioners could approve, deny, or send the request on without a recommendation, or the developer could offer an extension.

Commissioner Maggi stated that whoever builds first in this area would face some of these challenges. She advised she would be comfortable moving Vista and Ponds forward, but not Ridges because of the many unknowns, especially the realignment of Argenta Trail.

Commissioner Simon stated the City spent many years putting together the stormwater manual which establishes standards for the Northwest Area. A key factor in the stormwater design was to keep the water at the source. After reading comments from EOR, Kimley-Horn, and City engineering staff, it appears as if the design for most of the proposed development relies primarily on curb, gutter, and pipes rather than the low-impact design approach provided for in the Northwest Area manual. She stated the application was premature as there were a number of large outstanding issues that needed to be addressed, including completion of the Argenta Trail Alignment Study, adoption of a collector street policy, and a funding source for connection fee shortage, Argenta Trail construction, and right-of-way acquisition. She felt they would be setting a precedent by allowing the developer to stray from the stormwater manual standards for low impact development in the Northwest Area, and she encouraged the City to resolve the bigger issues before moving forward with this project.

Commissioner Gooch stated he could not approve the request unless the Ridges development was separated out, stating the road location had to be determined before moving forward with that portion of the development.

Commission Robertson stated she had similar concerns regarding the Argenta Trail alignment, and

would also like further analysis to be done in regard to the sewer and water location and the potential for it to go through Leitch Estates which was previously considered an exception neighborhood.

Commissioner Wippermann advised that he could not disregard the previous commitment made to the Leitch Estates neighborhood in regard to them being exempt from sewer and water, and therefore could not approve the request.

Commissioner Klein suggested moving the application forward and letting City Council make a determination since many of the Planning Commissioners seemed inclined to deny the request.

Commissioner Robertson stated that as a member of the Planning Commission she believed they needed to do due diligence and not move an item forward to avoid making a recommendation.

Planning Commission Recommendation

Motion by Commissioner Klein to move the request forward without a recommendation.

Chair Hark stated he supported Commissioner Maggi's recommendation to make a recommendation regarding the Vista and Ponds developments, but not the Ridges because of the many unknowns.

Commissioner Lissarrague stated he could not support the request because of the many important outstanding issues.

Chair Hark noted that there was a deadline as to when the City had to take action on the request.

Commissioner Maggi stated because the bulk of the issues related to the Ridges development only, she would recommend moving the Vista and Ponds developments forward.

Commissioner Scales stated with all the issues discussed tonight he would not support a motion to approve.

Motion by Commissioner Scales, second by Commissioner Robertson, to deny the request for a Preliminary Plat and Preliminary PUD Development Plan for a three part residential PUD on three separate parcels consisting of 305 residential units on single-family and townhouse lots, a rezoning of the parcels to R-1C/PUD and R-3B/PUD in the Northwest Area Planned Unit Development, a Comprehensive Plan Amendment consisting of the following changes: 1) land use map change for Blackstone Ridge from LMDR, Low-Medium Density Residential and MDR, Medium Density Residential to LDR, Low Density Residential, 2) land use map change for Blackstone Vista from LMDR to LDR and from IOP, Industrial Office Park, MDR, CC, Community Commercial to LDR; and in the alternative, the additional Comprehensive Plan Amendments are being proposed: 3) amending the land use plan to add the following land use categories: 1) LDR-NWPUD, Low Density Residential Northwest Area PUD and 2) MDR-NWPUD, Medium Density Residential Northwest Area PUD including new text for these categories, 4) amending Chapter 7 of the Comprehensive Plan relating to the future sewer and water map for the Northwest Area, and 5) amending Chapter 2 relating to changes to the exception neighborhood Leitch Estates noted in MUSA Expansion Exceptions, for the property located along the north side of County Road 26 near the Eagan border, east of the intersection of Argenta Trail, and County Road 26 and on the west side of Argenta Trail, south of County Road 26, due to there being too many unknowns and for the other reasons listed.

Commissioner Klein stated there was a lot of remaining work that would have to be done with this request, and he noted that there was no second to his original motion.

Motion carried (5/3 – Klein, Maggi, Hark, with one abstention – Simon). This item goes to the City Council on October 13, 2014.

Chair Hark called for a recess at 10:25 p.m.

Meeting resumed at 10:31 p.m.

JEFF LEYDE – CASE NO. 14-22PUD

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a preliminary and final plat for a three lot, one outlot multiple and single family subdivision, a conditional use permit for a senior housing multiple-family development, a conditional use permit for building height in excess of 35 feet, a vacation of certain street and alley right-of-way within the plats of Oakland Park and Nabersberg Addition between 49th and 50th Street, for the property located along Brent and Bryce Avenues between 49th and 50th Street. 63 notices mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant has submitted an application to construct a 52-unit two-story senior housing development along with two single-family lots. He advised that last April the applicant made application for a comprehensive plan amendment and rezoning as the property was guided and zoned for single-family residential. At that time both staff and the Planning Commission recommended denial. The request then went to City Council. The Council tabled the request and directed the applicant to apply for a conditional use permit for a senior housing development. This way, if the Council supported the comprehensive plan and rezoning change, they could also approve a specific site plan for senior housing development.

Chair Hark asked if the zoning issue was still with Council.

Mr. Hunting replied in the affirmative. The plat consists of three buildable lots and one outlot; one lot for the senior housing project, two single-family lots, and an outlot that would be utilized for stormwater. The first conditional use permit would be to allow a 52 unit multiple family development. The site would have both underground and above ground parking, and the main access would be onto the Bryce Avenue cul-de-sac which would be constructed by the developer. All traffic would then exit onto 50th Street. Because a second access is desirable, an emergency access is proposed to go up to 49th Street. The second conditional use permit is to allow a structure greater than 35 feet in height. Heights are measured from the first floor ground to the mid-point of the roof. In this case the land is lower in the back so the height must be measured from that lowest elevation. The project also has very steep pitched roofs, which adds to the overall height of the building. The total overall building height at the front side of the building would be 37 feet and 47 feet on the rear side. The building is oriented to have the least impact on the existing housing to the west. The applicant is also proposing to vacate the existing unimproved right-of-way for two alleys and what would be Brent Avenue within the proposed plat boundaries. Being that staff previously recommended denial of the comprehensive plan amendment and rezoning, staff makes no recommendation on this request. The project was reviewed against the zoning ordinance and stormwater requirements, and they meet those standards with the exception of a couple changes that are reflected in the conditions of approval.

Commissioner Klein asked if the mature trees would remain on the lot and if so, what was the height of those trees and what species were they.

Mr. Hunting replied that the applicant could best answer that question.

Jeff Leyde, 14931 – 108th Street South, Hastings, showed a map identifying the significant trees that have to be saved or be part of a reforestation plan if they are removed. He advised that they are trying to retain as many trees as they can, with the revised landscape plan showing a tree buffer around most of the proposed building.

Commissioner Klein asked how tall the trees were.

Mr. Leyde replied approximately 35 feet. He advised that there were significant trees around the perimeter but not on the interior because the site was previously farmed.

Commissioner Lissarrague asked for clarification of the applicant's original proposal.

Mr. Hunting advised that the applicant was originally proposing a comprehensive plan amendment and rezoning to allow a three story multiple family building.

Opening of Public Hearing

Bill Dumond, 4922 Boyd Avenue, stated that the back of his home would abut the end of the proposed building and that currently he looks over the top of the existing trees when standing in his two-story home. He noted that for a significant portion of the year there would be no leaves on the trees and therefore would not provide a buffer. Mr. Dumond stated the subject property was surrounded by single-family homes and he asked the Planning Commission to recommend denial of the request based on this being a spot zoning, similar to the Lori Barr request discussed earlier tonight. He stated this request required a comprehensive plan amendment as well whereas the Lori Barr request did not.

Chair Hark noted that the Planning Commission was not making a recommendation on the zoning tonight as they had considered it at their last meeting. He asked the applicant if he had read and understood the report.

Mr. Leyde replied in the affirmative.

Chair Hark closed the public hearing.

Planning Commission Discussion

Commissioner Robertson asked for clarification that the subject property was surrounded by single-family homes.

Mr. Hunting replied in the affirmative.

Commissioner Robertson asked for clarification of whether the Planning Commission still had input on the rezoning request or if it was now at the City Council level.

Chair Hark advised that previous to Commissioner Robertson's appointment to the Commission, the Planning Commission had considered and recommended denial of the request for a comprehensive plan amendment and rezoning on the basis of it being spot zoning. The applicant is now asking for approval of a preliminary plat, conditional use permits, and a vacation of right-of-way, to which the Planning Commission has the option to approve or deny.

Mr. Hunting advised that the Commission also had the option to move it forward without a recommendation, which is what staff has done. He advised that staff felt it was difficult to make a recommendation on a plan that they did not feel fit in this location.

Chair Hark asked if ideally this request would have come in at the same time as the rezoning and comprehensive plan amendment requests.

Mr. Hunting replied that applicants have the option to request the land use change first and come back later with a site plan, or they can do everything at once.

Commissioner Maggi stated it would seem strange to approve the preliminary plat for a proposal that the Commission feels is spot zoning.

Commissioner Wippermann asked if the Council had approved the previous rezoning request.

Mr. Hunting replied that it was tabled and would be considered on October 27, along with tonight's request.

Commissioner Lissarrague stated his recollection was that there were two key issues; the proposed building being three stories in height and the potential for the property to be rezoned to multiple-family without a specific plan in mind. He noted that a specific plan was now being proposed and it was revised to a two-story building. He asked if there was any other potential use for the land.

Commissioner Maggi replied it could be used for single-family housing, which is what it was zoned for.

Planning Commission Recommendation

Motion by Commissioner Maggi to forward the request for a preliminary and final plat for a three lot, one outlot multiple and single family subdivision, a conditional use permit for a senior housing multiple-family development, a conditional use permit for building height in excess of 35 feet, a vacation of certain street and alley right-of-way within the plats of Oakland Park and Nabersberg Addition between 49th and 50th Street, for the property located along Brent and Bryce Avenues between 49th and 50th Street on to City Council without a recommendation.

Mr. Leyde stated in his opinion the only other option for this land would be for the City to use it for a regional basin.

Commissioner Klein seconded the motion.

Motion carried (5/4- Gooch, Robertson, Simon, Scales). This item goes to the City Council on October 27, 2014

The meeting was adjourned by unanimous vote at 11:00 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary