

CITY OF ST. FRANCIS
CITY COUNCIL AGENDA
St. Francis Area Schools District Office, 4115 Ambassador Blvd. NW
January 3, 2021
6 p.m.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The regular City Council meeting was called to order at 6:00 p.m. by Mayor Steve Feldman.

2. ROLL CALL

Members Present: Mayor Steve Feldman, Councilmembers: Kevin Robinson, Joe Muehlbauer, Robert Bauer.

Members Absent: Councilmember Sarah Udvig.

Also present: Assistant City Attorney Dave Schaps (Barna, Guzy & Steffen), City Engineer Craig Jochum (Hakanson Associates, Inc.), City Administrator Joe Kohlmann, Police Chief Todd Schwieger, Fire Chief Dave Schmidt, Community Development Director Kate Thunstrom, Finance Director Darcy Mulvihill, Public Works Water & Sewer Supervisor Parish Barten, and City Clerk Jenni Wida, Liquor Store Manager John Schmidt, City Planner Beth Richmond.

Mayor Feldman: Before we go on here, I want something understood here through this whole process and you will have some time to talk tonight. There are 3 rules I have in my meetings, and I want you to understand this very much. Common respect, common courtesy, leave your anger at the door and bring your issues and concerns to us. If you cannot do that with civility, then my suggestion is put your coat on and walk out the door now. Does everybody understand that? Okay.

3. APPROVAL OF AGENDA

MOTION BY: MUEHLBAUER. SECOND: BAUER APPROVING THE REGULAR CITY COUNCIL AGENDA.

Ayes: Robinson, Muehlbauer, Bauer, Feldman

Nays: None

Motion carried 4-0; Udvig absent for vote.

4. CONSENT AGENDA

- A. City Council Minutes 12-20-2021
- B. Weber Inc-Pay Application #6
- C. 2022 Appointments
- D. Payment of Claims

MOTION BY: ROBINSON. SECOND: MUEHLBAUER APPROVING THE CONSENT ITEMS A-D.

Ayes: Feldman, Robinson, Muehlbauer, Bauer

Nayes: None.

Motion carried 4-0; Udvig absent for the vote.

5. MEETING OPEN TO THE PUBLIC

Mayor Feldman asked if anyone wanted to speak. Response was yes.

Feldman: Is this about the issue coming up here on Green Valley? We can wait until that comes up in the topic and then we will discuss it at that point. Okay? Anybody else besides that issue?

Speaker: Gene Rechtzigel. I am here to talk about the jurisdiction about having a court action with a lis pendens.

Feldman: Does it pertain to the Green Valley project?

Gene Rechtzigel: It is related but this is a separate issue.

Feldman: Name, address.

Speaker: Gene Rechtzigel, 6533 160th Street West. My surveyor, James Rydell, informed me that Green Valley has not done a survey on the ground and that pertaining that in this court action and of the lis pendens to determine the boundary limits on the ground that you may not have jurisdiction to go ahead with the Green Valley development plan. With a footnote, I want to state that on your own planning development there is a sentence, and I have kindly asked the staff to bring it up at these meetings, but they have not, I kindly asked them to bring up the fact that whoever prepares your development plan between them has a statement on there saying the land overlaps with other land owners and that court action needs to be taken, or it is recommended to be taken, and I am sure the staff has the exact wording on that. I actually drove over to the City and talked about that. But that is why I started this court action because we truly have a boundary dispute and my question for you and the rest of the Council is that do you have jurisdiction to do a development on someone else's land?

Feldman: And you are saying this is someone else's land. Who is someone else?

Gene Rechtzigel: It is my land, Gene Rechtzigel. My land abuts up against Green Valley Development and they are putting, without doing a survey on the ground, they are putting the development plan on my land. And the question is it lawful for this City to approve a preliminary development plan that includes my land with Green Valley Development. That is the question. I would appreciate an answer.

Feldman: All right, Dave, Joe has a comment.

City Administrator Joe Kohlmann: So, the court order would need to be done before the City Council Acts and that has not been done. So, the City Council does have the latitude to act.

Feldman: All right, Dave, what's your input?

Attorney Dave Schaps: It is our opinion that there is a current court case between the property owners. Separate from that, the action before the City Council tonight, the City is acting pursuant to Minnesota Statute 15.99 sub. 3d. There is no court order that we have received stating the City Council's action, and therefore, the City is still subject to deadlines of any land use application, and so again, it is our opinion that the City Council can review this application. One of the conditions of approval that is listed is that all title issues get resolved. If the title issues somehow change and the City Council has already given its approval, then the developer would have to come back to the City because something would have changed at this point. But the statute provides for an automatic approval if the City Council does not act. Therefore, it is our opinion that the City Council should hear the application.

Feldman: Craig, was a survey done on this?

City Engineer Craig Jochum: There was a survey done, and it is noted, as the gentleman said, that there are overlaps and gaps which do need to be resolved prior to final plat.

Feldman: All right, so not in the preliminary but the final plat?

Craig: I don't think the county surveyor will move forward if there are overlaps and gaps with the final plat.

Feldman: But there are questions on it now.

Craig: Yes, I mean it's not an uncommon situation. Descriptions on how the land is divided up is... they don't always coincide, so, again, that is where you get your overlaps and gaps.

Feldman: So, what I am asking you is, Dave, once again, we are saying that legally we can go through with preliminary part of this, but until it gets the final, all these concerns would have to be addressed.

Dave: That is correct.

Speaker: Can I just mention something briefly?

Feldman: Name and address of the city you live in.

Speaker: Zach Stadem, Apple Valley, 6533 160th Street West in Apple Valley.

Feldman: And that is the same for the gentleman sitting down. What city do you live in?

Rechtzigel: It is Apple Valley.

Feldman: Okay. When I ask for the city and address, it is the city you live in, not the land you own here.

Zach Stadem: Pertaining to the survey, we actually spoke with our surveyor this week and he contacted Green Valley surveyor, Erik, and they had a conversation about his survey and the last I heard back is their surveyor said he is going to go back out there because he did not see there is a fence line there and he told us that he is going to go back out there and redo it and look for this fence line. I am not sure how that affects things or what survey they have for you tonight, but I just thought you should know that.

Feldman: Thank you for that. Craig, do we have any information, other than a surveyor, we have not done any surveyor here.

Craig: Correct. Acre Land has been working for the developer.

Feldman: But once again, until those concerns are addressed, they can't make a final plat.

Craig: Correct.

Feldman: You are saying this is not abnormal?

Craig: It happens.

Feldman: All right, I am going to ask for the meeting opened to the public on any other issue besides this as we will get to that issue and we will discuss it at that time. So, anybody else here for any other thing besides Green Valley project? None? Okay. We are going to move on to Green Valley. First topic:

9. New Business

A. Green Valley Preserve 2nd Addition – Rezoning, Preliminary Plat, Subdivision Variances.

1. Resolution 2022-02 Approving a zoning Request; Ordinance 287 Rezoning.
2. Resolution 2022-03 Approving a Preliminary plat for Green Valley Preserves 2nd Addition.
3. Resolution 2022-04 Approving the subdivision variances.

City Planner Beth Richmond: Thank you, Mr. Mayor. Mayor and Council, before you tonight are the plats that pertain to Green Valley Preserve 2nd Addition development.

The plats for this plan before you tonight include rezoning from the A2 district to PUD based on the A2 district a preliminary plat and subdivision variances for road length and road width. The existing site is located south of Ambassador on the west side of the city. The site today includes 5 parcels which together make up about 146 acres, the northern 27 acres is used for farmland and then the remainder of the site is undeveloped open space and wetlands. That wetland you see on the screen is about 60 acres or about 40% of the entire site. There are large lots, residential lots that exist to the north and northeast and then the remaining surrounding land is undeveloped, open space and farmland. Property owner is requesting to subdivide the site into 14 residential lots and one outlot. That outlot would be covered with a conservation easement. As part of this development, a PUD is requested for the separation. Beth presented a map of the site. There is a public road that is proposed that runs south from Ambassador to provide access to each of the proposed lots. You will notice a good portion of that easement includes a lot of that wetlands area. The site is guided for agriculture use in the 2040 Comprehensive Plan. The intent of this land-use category is to protect natural resources and working agricultural land. That category has a maximum density of 1 unit per 10 acres which a site of this size will allow 14 units. The proposed development is proposing 14 units so the density requirements are met. They are also proposing to cluster the homes to the north and leave additional open space and preserving the wetlands and woodlands on that site within that conservation easement. Rural clusters is something that is recorded in the Comprehensive Plan as well. The site is currently zoned A2, the applicant is requesting a PUD for this site which would be based on the A2 district. There would be some flexibility in requesting lot area and lot length. These lots are still considered rural lots. The close lots range in size from 1.8 acres up to 27.5 acres. Each lot would be required to have its own services. Septic and wells are required on each of these sites.

There is a temporary dead-end public street that is proposed that runs from Ambassador to the south. This street has been located along the western property line as you move south here and that was done on purpose in order to allow potential future extension to the west if that is ever desired and needed. The applicant is requesting to create this street with a rural design so that means this would have a narrower paving width but would still be paved. It would have a gravel shoulder and then a ditch system as opposed to curb and gutter. So, there are variances requested for roadway length and roadway width that are associated with the layout from what was shown here and that rural section. Because this site abuts Ambassador, which is a county road, Anoka County reviewed the proposed development and provided their comments. There would be required an eastbound right turn lane into this development and a westbound bypass lane. Those would be something that are the applicant's responsibility to install.

Touching on the conservation easement, the applicant is proposing a 62-acre conservation easement. That would be over all the outlot A. The easement would be held by the city and as mentioned to preserve natural features on the site. This area is not intended for public use. It would be more aimed at as a passive open space idea. The applicant has provided a 30-foot access easement for the City so that the City

would be able to maintain that site and ensure the site is being maintained as open space as opposed to being development.

I did want to touch on the snowmobile trail. There is an existing snowmobile trail recognized by the DNR that runs through this property. That trail is proposed to continue as part of this development with slight modification. So, instead of being on private property, that trail is proposed to be within the public right of way so that it would be more sure of being a feature. Once it runs through that right of way, it could run through lot 9 and then it would join that conservation easement area. The snowmobile club did review this proposal and provided a letter of support which is included in the packet.

Landscaping for residential lots are required 2 trees per lot. That has been provided as the landscaping plans that city has received. The City has also discussed having a buffer along Ambassador and that meets the northern most lot, lot 1, just to protect that lot from the traffic, the noise, the lights that might be going along Ambassador.

As a pending development, the idea is to give flexibility from the zoning standards in exchange for public benefit. Staff's opinion of this application has provided the public benefit. First, the applicant is providing a large conservation easement which preserves natural features in a passive open space setting. Second, the applicant is requesting to cluster these homes without adding additional density. That is something that reduces the environmental impact of the development and it also decreases the amount of infrastructure that is required for that site to be constructed. Thirdly, the applicant is proposing to preserve that snowmobile trail and move a good portion to a public arena which would allow it continue in the future.

The planning commission reviewed this project at their September meeting. At that meeting, the public could attend and brought concerns relating to traffic and safety, existing farming use of this area and they were opposed to allowing lots that were less than 2 acres in size. Planning commission did table it at that meeting and they wanted more information about the public street, about landscaping and lot buildability, as well as comments. ... So, this item was brought back after the October Planning Commission meeting where a second public hearing was held, and again, we heard similar concerns about traffic and safety as well as discussion about that snowmobile trail and the proposed public benefit of the PUD. After the Planning Commission's discussion, there was a motion to recommend denial of the project that was entertained. That motion to deny failed 3 to 6. Again, that motion to recommend denial failed. There is not an official recommendation of approval or denial for these plans from the Planning Commission. However, Staff does recommend approval of rezoning, the preliminary plats, and a subdivision variance with conditions.

Council action is requested tonight on this item. Again, Council's options are to approve the request, deny the request or table them and ask for additional information. If these items are approved tonight, then the rezoning ordinance will go for a second reading, the next meeting this month, and would be effective in February. I put suggested

motions on the screen here and they are also in your packet on page 33. I did want to note for the suggested motion #1, after the Council packet was sent out, Staff made a small provision that was left out of that draft ordinance. As part of that ordinance, Staff would write a stipulation that waves the requirement for sidewalk along a public street. That is something that Council is allowed to do, and Staff feels that it is appropriate given the nature that this is a rural section. With that, I will pause and take any questions.

Feldman: In this road here, there is a variance request from 1500 to 1900 square feet?

Beth: That is correct.

Feldman: And this is basically not by city requirements because it is in a rural area and it would be paved though?

Beth: The road would be paved, yes.

Feldman: And then there is a buffer like you said for the noise I saw in one of the pages in the packets along Ambassador.

Beth: Yes, that is a condition that Staff is asking.

Feldman: Is the applicant here tonight?

Speaker 1: Yes, right here.

Feldman: Why don't you come up here. Name, address and the city you live in.

Speaker 1: My name is Eric Vickaryous, I live in Ham Lake, Minnesota, Green Valley.

Speaker 2: Josh Savageau , Oak Grove, Minnesota, Green Valley.

Speaker 3: Terry Buchanan, Shoreview, Minnesota, Green Valley.

Feldman: Do you have any comments you want to bring forth to us on this project yourself before we start the conversation here?

Eric: On the survey issues in question, basically, there is a gap or an overlap in lot 1 . So, on the west side, basically what happened is you have one property description that came from one side of the section and that is the Green Valley property description. And then on Gene's property, the description came from the other side of the section and they are based on a perfect world, so a quarter mile is supposed to be 1320, and they did not put the original survey and sometimes a section can be a little long, sometimes a little short. So, the actual property, the gap or overlap, it is a common thing and the difference along those jagged lines, it just means a matter of feet and we are not here arguing where that is, it is just a matter of how it was described. I noted it

on the survey to protect Green Valley and also to protect Gene, the adjacent land owner, that there is an issue that has to be figured out before the plat is approved, before we actually do the plat on it, we have to do it. We have to figure out where that gap is and resolve it somehow. Then, the other question, another thing Gene brought up about the fence line. There is an old cattle fence that is well off the property line and we do have the history on it and the fence in question, it was an old cattle fence. The whole issue I know of is the gap and the overlap of the descriptions.

Feldman: Okay, so you are aware of these concerns and you are addressing these concerns.

Eric: Correct.

Feldman: Kate, our Community Development Director, sent me some other plans that were discussed and past exhibits. When I looked at these plans, these exhibits that were sent to me, it seems like this is the only way you can actually end up having a wetland there and a conservation area. The other plans look to me that the wetlands would be gone and so would the conservation area be gone. Is that right? From what I saw here in these other past exhibits that you sent me? Pretty much the layout, you want the 14 10 acre lots. There would be no wetlands or conservation area.

Kate Thunstrom: Correct, so Mayor and Council, earlier today I sent you one of the original concepts that Green Valley had brought forth that shows 16 lots on the acreage and down to the 14 different lots and what it was it would work a house into a corner with those wetlands but there would be no conservation easement and it still would allow—a developer can fill in wetlands if they so choose by paying the state or developing wetlands in another area, so those types of designs are typical if you are going to do that type of work, but after working with Staff, that is how we developed the concept that we are working on tonight.

Feldman: Right, but wetlands serve a purpose.

Kate: Correct.

Feldman: Just like the forests in South America and all that are filtering it for Earth, just like the coral reefs are a purpose to the environment, wetlands serve a purpose. You can fill them in, but are you doing the right thing by doing that? I guess my point is here, and just passing conversation here, this layout that you are proposing is the one layout where the wetland is retained while the conservation area—

Terry Buchan: One of the things I wanted to mention too is the snowmobile trail in the different plan. That would be more owners that would be cutting across their property, and therefore, they could stop the snowmobile trail. Our plan is to try to keep it there as long as we can for public use.

Feldman: I saw a letter that they wrote. Is there anything else you guys want to mention here?

Terry Buchanan: No, we can take any questions.

Feldman: Let me start with the Council. Do you have any questions? Joe, do you have any questions.

Joe Muehlbauer: I don't have any questions, I guess. The boundary line issue, that sounds like that is a dispute between you guys and Gene.

Terry: Correct.

Feldman: Kevin?

Kevin Robinson: I do not have any questions. I am on the same line as Joe.

Feldman: Rob?

Rob Bauer: No questions for Green Valley, no.

Feldman: Okay, so you understand the concerns we have here. You are addressing those concerns and you have addressed the snowmobile concerns and other concerns I read here?

Josh Savageau: Yes, Title is working on those outlots.

Feldman: Thank you gentlemen. I want to take some comments from the public, all right? But I want to do this in an orderly fashion and I don't want to go crazy about this all night and increase documentation because there is one segment here, by the way, that I want to point out that I read here. I will tell you quickly here. What you say in here that the people who are doing this application do not live here. So, at this point, I am just curious, to raise your hands of the people that own property here but do not live in our City. Raise your hands. You own property here but do not live in our City. One—I know you just said you live in Apple Valley and Gene lives in Apple Valley so that is 3. Anyone else?

Jodi Curtis: I am 3 miles from here.

Feldman: You own property in St. Francis but do you live in St. Francis?

Jodi Curtis: No.

Feldman: Okay, that's 4. Because I can say again, one of the things I saw here in this power point as I read this before I came to the meeting during the day here, it says here

about our questioning the fact that Mr. Buchanan and his people, his Staff, do not live here in the City but neither do some of the property owners here.

Jodi Curtis: Right. We were just wanting to talk through it as a group and Phil is going to kick it off. It will be orderly. What was stated in the 10/20 meeting is that all the money would stay here and there was some miscommunication on that. It was just to follow-up that the money would stay in St. Francis.

Feldman: Well, the money stays here in the sense of property tax. There are no rate users because they are not hooked to our system here but it is septic and well. Let's start out in an orderly way. Try to bring up some new points, new points would be better than the same old points but let's see what you can bring up to us.

Philip Thompson: 6448 Ambassador Boulevard. We are going to do this as quickly as we can because I know it is big document that we have here. I am going to let some people address some areas there and then I am going to speak a little bit more later on so. So, I am the property owner directly to the east of this development. We realized that this area would get developed. We just ask that would stay on the comp plan that was recently approved in 2020. I won't go through each bullet point but it was denied by the Planning and Zoning.

Beth: That is incorrect.

Feldman: It was tabled.

Beth: A motion to deny was on the table, that motion failed.

Feldman: It was tabled in September and October and then voted on in October and it was a 3-3 which failed.

Phil: Which goes down as denial.

Beth: No, it is a failed motion.

Phil: Thank you for that correction. So, there was not unanimous approval for that. Obviously, by doing this, I don't know how that would take into account the Sugar Bush, Sugar Hills Trail on that. I have personally spoken to the neighbors in the area, and I have gone around talking to people with agricultural land that had purchased more than 10 acres and not one of them has said they are in favor of this. The people, all going out from where I live, they bought that all with the understanding, they said, well, we thought that was supposed to stay 10 acres, and yes, you are correct that is supposed to stay 10 acres out there. There are a few other things here, I can go through that. I am not the best speaker. I am going to let Jodi say a couple things here. She can give her name and address. There are a few other things I want to highlight.

Feldman: Just tell us what page you are on as you move forward.

Jodi Curtis: Jody Curtis. I live in Zimmerman, Minnesota. My daughter lives right here. I am about 3 miles from her house. We tried to pull all of our thoughts and all our questions and all our concerns on paper just so it is easier to understand. We have the reason to deny the resolution of rezoning. The proposals go against the ordinance where a lot of people spent a lot of money.

Feldman: What page are you on, ma'am?

Jodi: Page 2. We have 4 reasons why to deny that. One is around the 2040 plan. There is no benefit to allow the variances, the flexibility from zoning standards would not be necessary if they came to the table with 10 acre lots. We are trying to problem solve as a group.

The proposal, on page 3, HKGI, they created the 2040 plan with community involvement at a cost of \$70,000. It was approved by everybody. It was unanimous by this group. It was just approved in 03/2020 and all the rural covenants and local ordinances are everything we are following. We are trying to be consistent with our development. On slide 4, is a point. There will be no new benefits. Wetlands is green space. You are looking at a group of people that lost space. Obviously, we love space. There is no additional conservation design principal stated. Viewing is a benefit but it does not allow variances of such of what is being proposed today. The snowmobile trail, continuing that is not a new benefit and is not a reason for a variance either. It is currently available, but if you have a snowmobile trail going down here and in the stated memo that was stated, the snowmobile association said they try to avoid streets because of safety issues. Here you have 14 homes. They would go down one side with kids playing, smaller space and not enough green space and on the other side. In fact, we had some examples of if you had the proper size then the snowmobile trail could go up along the side of the property. So, there are ways to work around this.

On page 5, there are a lot of negative impact and consequences and concerns. I know in your packet it says there were no safety hazards or concerns but there are. It does not appear that the 13- to 20-year Sugar Hills Trail is where we have considered. It has not been shared. Many of these people walk and ride bikes on that side of County Road 28 and that would be a benefit, definitely a benefit for everyone to have the Sugar Hills Trail and a safe place to walk, bike and jog and those kinds of things. There are significant changes that are out of character in that 4.25 miles. This whole 4.25 miles there is not one turn lane, not even on County Road 71. This spot here to all the way there is not one turn lane. There is a turn lane here and the turn lane comes into this beautiful facility as you can see it. There are 7-8 driveways, shared driveways approaches, there are 2 tar roads that do not have this street. So, this development is out of character for the area and what people wanted. It eliminates expenditures from an existing resident that put concrete up to the approach. It removes a buffer from that existing resident. It changes the setting and it allows—this process where we spend a lot of time and money, community feedback, all the hearings and everything you guys have to do which we are learning about here, but all of that 2040 plan that you guys did,

we are going to say we are going to put it aside and we are going to let an application of process of developer and investor change our ordinance for this development and set that aside and it sets a really strong precedence and it is not a good one.

Feldman: Before you go on, ma'am, Beth explain this so we get this aired out here on this 2040 Comp Plan, okay?

Beth: The 2040 Comp Plan guides this area for agriculture use. That allows for the protection of open space. It also allows for working agricultural land. The associated zoning district with that planned use category is typically the A2 district. That allows single family homes as a permitted use. On this site, the density is a maximum of 1 per 10, 1 unit per 10 acres and that is the maximum allowed. That allows this site to have 14 lots. That is what is proposed. So, this does not go against the Comprehensive Plan, it is consistent with the Comprehensive Plan, both in terms of density and in terms of what it is doing and as far as preserving natural resources, like clustering those lots to the north.

Feldman: So, the maximum on the 2040 plan 1 per 10 acres. And this is within the 10 acres because you have 14 homes on it, this is 14 homes. This is one thing I want to clarify here because I read this too by the way. It is the 1 per 10 and then this is a planned unit development so it is still 14 and the lesser of all the lots is 1.78 acres. It is just under 2 which is about 8000 square feet. The top one I think is 27.27 acres and an acre is 43,560 square feet. They are not city lots. A city lot is just under 11,000 square feet so about 10,780 I think it is. I live on a 13,000 square foot, so these lots, even the smallest lot, is 7, 8 times bigger than what I have. So, what I am saying to you just to clarify out there, it is not a city lot. The smallest lot is 1.7 acres and the reason these lots are bigger is because you have to have an alternative septic site to the primary site. So, they are all bigger on just that. It goes from 1.78 up to 27.27. Another thing I want to mention here, as you mentioned your concern about wildlife and wetlands, this one plan, as I mentioned before as those gentlemen got up, this plan is the one thing that designates a conservation area and perpetuity and leaves the wetland area alone. Any other one, it is a fill in of the wetland and you lose that. This you don't.

Phil: Not completely. Some of those far lots down in there would encroach upon it there.

Feldman: Is that true?

Beth: There is a portion of the wetland on the furthest lot, it is called lot 9 I think, yes, as you can see on that. This lot 9, the larger lot 9, snakes through here. So, there is a portion that would be within the wetland right there.

Feldman: But not the buildable part of it?

Beth: There is a buildable part to the north which is access to the cul-de-sac. There is upland over here as well on the west side.

Feldman: And would ever be approved to build on?

Beth: It is part of lot 9, yet it could be the idea that the house would be placed near the cul-de-sac, that you don't have to cross the wetland and pull that in.

Feldman: That is the only lot that appears to be that way?

Beth: I mean, there is the wetlands that comes through these lots

Feldman: Well, that's no different than drainage easements on lots too. You buy a lot that you think is bigger but there is a drainage easement on it does not make it a whole lot. Drainage easement can't be changed or modified for drainage. All right, just for clarification as you go on here.

Jodi: They are asking for variances being requested so you wouldn't have to do variances and when you have 10-acre parcels you have a lot of green space between and this group of people love space and they like conservation with nature. This also would impact the likelihood of farmers and how the property will be reused. On slide 6, Rebecca is going to talk because she lives right here and she is going to talk about her concerns that haven't been addressed.

Rebecca: Rebecca Curtis. I live at 6481 Ambassador Boulevard Northwest which is directly across the street from the proposed development. This proposal will significantly impact me in more ways than one. One, having County Road 28, well it is currently like 140 feet from my house. You are going to add a bypass lane plus the angle of the road and then I am going to be 15 feet from the road. I am below grade, that is going to be a potentially dangerous situation for me. It is going to make it really hard to create a buffer from the road. Any kind of trees, especially in a below grade situation, any kind of tree is going to make it really hard for me to see out of driveway to turn basically onto the road. There are dangers in putting extra road there. Even though the bypass lane and the turn lane are meant to create a safer environment, it is really not that much safer on an east to west road when the bypass lane is also a turn into my driveway. I could be using the bypass lane to turn into my driveway and somebody can be using it as a bypass lane and they don't see that I am slowing down and I get creamed. It is a very scary thought. Also, if I am making a left-hand turn into my driveway and with one lane of cars it is already kind of scary. It is a steep, sharp turn. I would have to go slow to take that turn. They come flying over the hill, that could be a potential issue, especially if I am pulling a trailer. And then I would have to cross 4 lanes of traffic to get my mail. There are a lot of issues with the proposed road restructuring. There is also going to be an increased amount of headlight pollution coming from that development and it is going to be shining into my house every day. In the wintertime. It goes directly into my upstairs window and that is 14 houses worth of cars, most people have 2 cars, people having kids. The amount of people coming from their houses, there is going to be a lot of traffic and noise and light into my house.

Feldman: But ma'am, if there were 14 lots—14 10-acre lots then that is not a problem. It is only a problem with the way it is subdivided right now. You are telling me headlights and all that stuff is pertinent but 14 10-acre lots you will find, the 14 lots that are from 1.78 up to 27.27—

Rebecca: We are saying that if there is the wetland space, we are thinking that if you have less houses in this area. In a perfect world, if that was all buildable and it wasn't wetlands there would be a bigger difference between, maybe space out the houses, but traffic would still be an issue. That part wouldn't change if you cut 14 houses. We can reduce that and reduce having the amount of clusters if you have it all spaced out where there are 5 maybe 6 houses there.

Joe Muehlbauer: The developer would still have the option to possibly fill in the wetlands.

Rebecca: That would again bring up the noise and traffic issues. The amount of houses regardless...the proposed development as it is with the amount of houses as it is, the amount of traffic that would go past my house, that is never going to change unless they reduce the number of houses there.

Feldman: But the 2040 Comp Plan is 1 per 10 acres of the 14. This plan calls for 14. It is just the size of the lots aren't 10 acres. They are 1.7 acres up to 27.27 so it is still 14 houses, that is all there is. Whether it is on designated 10-acre lots or on the breakdown I just mentioned. It is still 14, that is all there is. So, the headlights on 10 acres on land versus 1.7 acres is still the same headlights. I am just saying to you, I understand your concerns, but it is 14 of 14.

Rebecca: I am not disputing that. I am just saying that with how they have it set up with that number of houses...will create a high influx of traffic. If they did less houses, if they spread out the houses. I am saying if they did less houses overall, they kept the wetlands, they have less houses overall, there is half the amount of traffic. That is all I'm saying.

Feldman: I think she is saying something about another concept, Plan B was like, was that 6 houses or something like that?

Beth: They are allowed by our Comp Plan and our code right now to have 14 lots on the site. It is up to the property owner how many lots they would like to put on that site. They are allowed up to 14.

Feldman: And this conservation area cannot be touched by perpetuity, right? Am I right on this? Gentleman?

Green Valley: Yes.

Feldman: And your idea of the wetland, what is your idea for the future of the wetland?

Green Valley: The wetlands...what we have proposed is an easement 20 feet beyond the wetland to help protect the wetland and additional conservation easement and on our plans, we proposed zero wetland impacts.

Feldman: Because wetlands are important.

Green Valley: Yeah. Like an individual cannot fill wetlands. As a private landowner, you cannot fill wetlands. You can get in trouble if you were to fill a wetland. I am just saying some people to do, but we are staying away from all the wetlands.

Feldman: And this one design you have as I mentioned before, locks those 2 properties [] pretty much up. The conservation area and perpetuity cannot be touched and this wetland cannot be touched. Individually.

Green Valley: Correct.

Feldman: Because a concern of you by the way is your wildlife, concern for wildlife and that, what I am saying it is addressing that. Am I right or wrong?

Green Valley: Correct. Basically, the plan shows outlot A which is, I don't know, what is that 60 some acres. Actually, all the lots in the wetland are in block 2, there is far more being preserved by our plans because we are dedicating public drainage that is far beyond the wetlands. I don't know what the actual area calculation is, but I am guessing we are saving 80 some acres.

Feldman: But it also the fact, the reason I bring this up to Council, it is like a drainage easement on a city lot. A drainage can be part of your land as far as a bigger lot and a real estate agent will sell all your size of your lot, but that drainage easement cannot be touched or tampered damage in any way.

Beth: There will be a drainage and utility easement. That covers the wetland itself as well as the wetland bufferage, the 20-foot strip beyond.

Feldman: And protects the wetland.

Beth: That is the intent. That is the purpose of it.

Feldman: But as I am trying to wage these people a chance, she has been on a city lot that cannot be adjusted, tampered with at all. It is there for a purpose for drainage. It may be part of the land you bought but it is not to be restructured or recharged or anything like that. So, that is what this is talking about here. Wetland cannot be changed.

Phil: What I am saying though is this is not uncommon for somebody who buys some property but the wetland on your property so to say we are going to combine it all so

that we conserve—this is what the A2 zone is, is that we buy the land and there is a wetland on your land and you have to stay off it. That is why we say a minimum of 10 acres to do this. I farm this area and on the southernmost part of my property that I farm is wet. I cannot get that because that—it doesn't show on their plan that it is actually wet there but it encroaches further. Regardless of that, when we all buy property out there, we understand that you buy property, you buy 10 acres, some of it is wetland, you cannot touch it. Granted, they are trying to do this so that they can cluster some houses, that is why we want the zone unchanged. We are asking, put 10 houses on there, but keep the zoning as it is. It was set 1 per 10. Keep it 1 per 10. That is what we are just asking. It was approved—we are just asking the City Council to uphold the standard that we all purchased on and you signed off on. That is all we are asking.

Feldman: I understand exactly what you are saying and the Council has been approached on this for other developments that we have heard, by the way. Let me ask you this, sir. How long have you lived here?

Phil: 8 years on this property. 44 years total. I grew up on a farm just adjacent to this.

Feldman: So, 44 years in total. 8 years on this property. I am just trying to figure this out, because the 2040 Plan that we worked on started when? When did we start working on this?

Kate: 2018.

Feldman: 2018. And it got filed in 2020. So, when you bought it 8 years ago, the 2040 Plan wasn't even in conceptual thinking yet.

Phil: No, but it still was 9 out of 10 acres out there at this time. It still had to be a minimum of 10 acres. Ever since I have lived in this area, it has always been a minimum of 10 acres. Always. That hasn't changed. Even the Comp Plan didn't say it, City ordinances said it had to be at least 10 acres on this side of Seelye Brook.

Kate: Mayor, Council, again, with the Comp Plan, the 1 in 10 acres is in net density. So, you can look around the City and there is a smaller lot, I want to say to the west of this even, that is less than 10 acres. It was divided at one point. However, if that parcel was to come forward and wanted to subdivide further, that land is taken into consideration so that parcel is already taking 5 acres and said, okay, here is 1 of our 10, 1 per 10. So, it is net density. This is very common all over the city we have done this. We've got these developments that have continually moved out in the same fashion as we are doing now. It is not uncommon but it is that overall net density whether they put 10 or 14 10 acres or they put 14 in a cluster, this property owner is allowed 14 properties on his 147 acres.

Feldman: Let me ask you another question. If this development were to go through, how does this affect the farming. Are you going to be affected that?

Phil: Yes, it would be. Now, I have safety concerns. I got a little kid playing right next to my field. Toys out there wreck my equipment. What if I run over a kid in the tractor? I farm at night a lot of times. Do I have to now watch out for who I'm going to run over out there? If I put cattle out there, do I have to watch out that a kid is not going to be electrocuted on an electric fence? There are a host of things. Now if I go spread manure out there, they are going to say that thing stinks over there. I don't want it here. People who live in rural areas understand this is part of it spread the houses out. Those are just a couple of points.

Feldman: To be honest with you, that is a far-reaching point.

Phil: No, it's not.

Feldman: That's like saying to me I live on a street and I put a stop light in I am going to get more traffic and accidents here. I am not trying to justify it at all, but what I am saying to you is try to bring up reasonable, reasonable problems that we can grasp reasonably. Like, we have had one development here in the past year on agritourism that said there was going to be more toilet paper flying around or this flying around or that flying around. Try to make it reasonable so we can comprehend the reason behind it. Not just some far-fetched, well the whole world is going to cave in and fall. It's not.

Phil: We have had people and I have had farmers bail up toys in their equipment. I have had people do that. We have had people come to that. There are some things we have to be concerned about because there is going to be with this cluster of houses, there are going to be complaints that I am out there farming after hours. And then for me to spread fertilizer or herbicide, that has to stay a minimum distance from private lots. So, now that is going to affect where I can fertilize, how close I can fertilize to the edge of my property. That is real. And companies will not come and spread fertilizer knowing there are houses that close or walls that close. That is a big deal. That would take out a lot of my property to not be able to fertilize. Those are just some of the things that are real and will happen. I don't think the City Council can guarantee there is not going to be a real impact on my farming practices. There is no way you can do that.

Jodi: The going to 1 part in 10 to 1.7 acres is an 82% reduction on kind of what we are. I know there are a lot of lots but you have 13 that are under 8, 12 under 7, 10 under 5.63, 9 under 8.2 and 4 under 1.97. Then the lot with this is a lot different.

Jodi: 82% for reduction and for the other one it is more like 50%. We stayed up all night making sure we have everybody's feedback in here. The PUD I know was mentioned on here that we saw the plans for the turn lane. Before we get to this, this lot right here in the corner. It's been on all the decks, making sure there is no noise and light pollution. There has been a lot of concern over this lot making sure there is a berm, making sure there is light and noise and things considered for this resident that is not here. But there was mention in the last presentation that they would reach out and share and try to figure out something. Nothing has been done there so far. It changes

the character. The bypass lane hasn't even been drafted out. We saw the turn lane right here but not the bypass lane. There are a lot of questions he had on where things fit.

Rebecca Curtis: Voiced concerns on the impact of her driveway

Community Development Director Kate Thunstrom: Mayor and Council, the Ambassador Boulevard is a county road. Any of the street improvements cannot go outside the existing right of way. As you can see on page 14, the map, you will see kind of how the property goes up and then it indents up kind of to a curve. That is where Green Valley developed the first 40 acres, this same development team did that 40 divided into the 3 lots. That bump out was required by Anoka County for transportation and it puts another road would default to the north, that is the path it would take with that right-away bump right there.

Joe Muehlbauer: So, the road to that white line is the county easement that they have already.

Kate Thunstrom: That is why they required her driveway come off at that point to not create any additional individual access points. What Anoka County is trying to do is get as many of these access with the multi-homes kind of concept like a major road.

Joe Muehlbauer: She mentioned a roundabout...

Kate Thunstrom: Anoka County is requesting a westbound bypass and eastbound turn lane.

Scott Curtis: We expect the whole reason for that bypass lane is, if somebody is turning into the development, they can swerve off into the bypass lane. Well, by swerving off into the bypass lane, they are swinging right at her house. The road is at least 6 feet above her driveway, so if someone goes off the road they are not stopping, they are going right at her house. I can stand there and the road is definitely above my head when I stand on her driveway.

Scott Curtis: I'm sorry, Scott Curtis, 25155 Lawn Street. I'm Rebecca's father. All I'm saying is it is the pavement. Yes, I'll be working on that in slopes but the pavement, that is their design standard 12 feet.

Feldman: Well, it's closer to the driveway, not the house.

Scott: It's close to the house too.

Kate Thunstrom: Mayor, you come to a creek. Still, that bump, again, Anoka County is trying to align our whole north-south system. That bump out in that brown picture is where we head south, would be the development to the south.

Jodi Curtis: Stated that they have only seen one plan and have not seen any other plans.

Feldman: What I am not understanding here, and forgive me for being stupid, but if it is 14 10-acre lots or 14 per 1.78 up to 27.27, it is still 14. Is it still going to be the bypass and everything else is still going to be there. So, what changes, other than the size of the lot if everything else is the same.

Jodi: But the plans haven't been there. They haven't been drawn in. There are plans for the turn lane, there are not plans for the bypass. There are plans to protect this person right here from the noise and light pollution but not here. It just feels a little lopsided, right? We are raising concerns and safety concerns. Yes, some of that might be there but if we were 10-acre lots and we have to work within our means, work within the ability of what our land that we purchased, that we knew what we were purchasing, then if there is a lot of wetland, this would stay wetlands. It would stay federally protected.

Feldman: Trust me here. The 2040 Plan says this guy can put in 14 houses on 10-acre lots, am I right on this? 14 x 10. So now, he is not doing that. He is going to give a conservation area and a wetland area, right? And he is still going to do 14 homes which the 2040 Plan says he can do. It is just like having 10-acre lots, there is going to be 1.78 out of 27.27. I am trying to ball this into an acceptable situation here. What I don't understand is 14 is 14.

Beth: The questionability from the zoning codes they are asking tonight is lot area and lot fit. Those are the only flexibilities they are asking for from the zoning. The other flexibilities they are asking for from the subdivision correlate to that road, meaning they are narrower and longer.

Muehlbauer: My question, I guess, is a different way to say it than you are saying it is whether it is 14 on a small portion or they spread it out and they decide to fill in the wetlands and do all that stuff, to me, I am a huge fan of property rights. Whatever you do on your property, I don't mind, and you do with it, it's yours. That is kind of the stance I think for some of the people up here...that is where it comes in to me. Whether it is 14 on a small portion or 14 on a large portion and they decide to fill in those wetlands, who am I to tell them, we say we can't do this and then they decide to fill in the wetlands, now you are losing the wetlands and it is still 14. The complaints we have heard so far, how does that change if the developer so chooses to put 14 on a larger portion or a smaller portion, how much of your concerns change. The headlight pollution would be the same. Less houses, that is kind of beyond us as far as I'm concerned. The curb and the bypass stuff, that would stay the same whether they did it with big lots or not. The bypass lane, unfortunately, would still be there. There are a lot of things so far—and I do want to applaud you guys for putting in the work and the stuff you guys did. I know when we started, I went up with sheet a paper. I was very ignorant what I was talking about. I had no idea. I went and passed it out to a bunch of people, didn't understand there was a big a Met Council, and city sewer and water and

learned the hard way that I didn't know what I was talking about. Came back in 2 weeks with a lot more knowledge. But the work you put in, I do appreciate it. I admire you guys put this much effort into. But that is where I am wondering is what is the difference, based on the concerns that have been presented so far, maybe there is more to it, and I understand the concern with the farmland and whatnot. That to me, that is a hard one for me too. Where is it your responsibility to put a fence up to keep people out of your yard from now until then or is it the other people's responsibility. It should be, obviously, whoever's kid it is to keep out of your yard in my opinion too, but we do have that land and whether there are 14 houses spread out or 14 houses close by, it would be the similar scenario. It might be less kids per acre or whatever along a certain side and I can understand that. But what is the difference between the cluster or the spread out. As far as all these concerns it still would be the same amount of traffic, same amount of just about everything so far.

The residents continued to voice their concerns on traffic issues, noise and light pollution and safety issues.

Residents included:
Carolynn Thompson
Kevin Denker
Ranie McAllister
Michael Watroba

Kate Thunstrom: Mayor and Council, I know we have gone over several of the concerns, but I really want to bring it back to what we are really here asking for approval. This land owner has met the comprehensive plan. They are asking for rezoning to appeasement. This allows the cluster. If they were creating a development in which the road was 1500 feet and there was 1 unit per 10 acres and they didn't request a rural standard for their roads, they wouldn't be here arguing many of these points because it would be allowed. So, what they are here before us tonight and they are requesting is:

1. The ability to rezone it to appeasement to approve the cluster development.
2. The preliminary plat approval which is the overall, what their step is tonight. The variance for the temporary dead end is narrower than 32 feet and I want to point out this is a temporary dead end. If the development, the properties to the south were to develop in any way, this road is an extension. It is a temporary dead end. They are requesting it at 1900 feet instead of 1500 feet which is acceptable. The rural road standards are because we are not requesting the sidewalk and we are not asking for curb and gutter at this time. If the development to the south was to become something someday, we may need that curb and gutter. At this point, for this development for this current step we are taking tonight, those are really the 3 things we are looking for. A rural road longer than 1500 feet, narrower than 32 feet and rezoning it to appease.

Feldman: When you say narrower than 32, what is it, 26? And were they required to pave it or leave it as gravel.

Beth: No, this is required to be paved. The pavement would be 24 feet.

Feldman: I have to say here, and I want the Council to have a say, but I have a concern here on the County with their bypass and that road. We have no control over County but could the County look at this in a different light? Have they seen it and did they come out here and tallied the height difference and her property to the road itself? That doesn't make sense to me.

Kate Thunstrom: Mayor and Council, Anoka County is the one that approved the driveways for the properties to the north so it is individual driveways. They approved the subdivision to the north to create those 3 lots. Green Valley is not the last property that is going to develop along Ambassador and I suspect each one of these properties that develop along Ambassador to create a new city street is going to require some type of turn lane and bypass until Ambassador is of a size where someday it may be 4 lanes wide. I think in the reality of it, as our city grows and the growth continues to the west, it is going to be a bypass and a turn lane until the road really demands some type of intersection consoles or even more. This is the next phase from the last development and that is what they are requesting at this time. But Anoka County is the one who has approved all of the driveways to the north and they are requiring the turn lane and bypass lane. They are aware of all of those parameters.

Feldman: Kevin, do you any comments at this time that you have been taking notes on?

Kevin: Not really. I am just staying until it is time to vote. I can see where that is the situation as that is where my assembling block was to begin with it. I have driven out there 4 times and up and down the street. To me, again, facts aside and ordinances aside, it does not fit there to me. Now, if it is something bigger and I can see, I came from the country as well, and 1 house per 10 acres is awesome, the houses out there are awesome but what 2040 says current net density means he can do what he can do, it is just whether we have the power of the pen to say we don't want to do that at this time or we can vote our feelings at that point. As far as, I talked to Kate earlier about the conservation easement again. A man's property or a person's, a woman's property. The conservation easement, to me that is kind of a buoy. It is going to be a visual thing. It is there now. It will be there, if this goes through, it will be there anyway. But who is going to get to use it? It won't be for the city's benefit, it won't be for the residents' benefits, even the people who already live there. I am, my emotions aside, the facts remain—to me it does not belong there. Be an oasis, the one gentleman said it is just out there all by itself. Sometimes it might come sooner there will be more stuff coming through. We don't always agree on everything here at the front desk but to me it is just going to be an oasis out there. I don't know if it belongs. It does have a rural feel and somebody thinks we talked about earlier, the rural feel in some areas. I live in an area that used to be a farm area as well. I lost anywhere from 2-1/2 to 7-1/2 and you go around Roanoke those are what, 2-1/2 acres in there, and some of those areas. You

can talk about semantics and math and density and what not, again, legally he can do that. My feelings aren't that way right now.

Rob Bauer: The way I feel is I agree with Joe a lot about a person can with the property that they want but this development in my eye it looks like we want to get the most value for the best piece of property, and to me, I agree with Kevin it does not fit. I understand what you are saying. You want to do 10 acres on a buildable piece and they keep the wetlands preserved. You might get 5 houses down that road. I'm not for changing variances to put a 24- or 26- foot road where it should be a 32-foot road. You are turning in and out of a county road with a turn lane and a bypass lane to a 24-foot or a 26-foot road when it should be 32. If it stinks, it stinks. This one does for me. I would have to I to wait for a vote.

The residents continued to voice their concerns on traffic issues, noise and light pollution and safety issues.

Feldman: Listen, everybody, we have given this 2-1/2 hours. We have to move on and we have other things on the Council agenda. If this is agreeable to Council, this is what we are going to do. Josh are you going to address the berm issue with this lady and address that other issue of the burden of the dirt you are going to be moving by excavation. Address these issues and come back to us on 01/18 I believe it is—

Kate Thunstrom: Correct.

Feldman: Let's see what you can work out on that and see if we can get this worked out. From what I gather from Staff, you have been a very workable developing company so you will talk to her about the berms, talk about the other areas of the berms, see if we can work this out and come back on 01/18. Once again, we have to look at the bigger picture of the city. We're not just slam dunking, I'm not just taking this and saying screw you, we're not doing it. OK? That was done to us on the waste water site back in 2016 and we promised we would never do that ever again. Right now, we are trying to work this out for what is best for the city, best for you, and best for everybody concerned.

MOTION BY: MUEHLBAUER SECOND: BAUER TO CONTINUE THIS MEETING FOR GREEN VALLEY PRESERVE 2ND ADDITION – REZONING, PRELIMINARY PLAT, SUBDIVISION VARIANCES

Ayes: Bauer, Robison, Feldman, Muehlbauer

Nays: None

Motion Carried: 4-0

Feldman: Everyone, thank you for your input. That is what government is all about.

Joe Muehlbauer: If anybody wants to email me their phone number or whatever, I can give you call and talk to you about anything. All of our emails are on there. I believe everybody tries to get back to you. Emails are on the website.

B. Platinum Land – Concept Plan

Beth: Before you tonight is a Concept Plan review for the site between Highway 47 and the Rum River, just north of Ambassador. The Concept includes the residential, commercial and open spaces.

Muehlbauer: Is that the former Swiss Landing?

Beth: Correct. This is the former Swiss Landing. That Concept came before you in late 2019 so that has been updated. This includes 112 acres east of Highway 47 between Ambassador and 241st. The site today is undeveloped. It is farmland and woodlands and wetlands. The site does have some natural features that constrain the development. There is steep topography along the river, both on the north side and as it moves southwest through the property. There are several wetlands on the site and the eastern third below this ridge is within the flood plain. The concept itself proposes 295 residential units of varying use space. There is one 2-1/2 acre commercial parcel that is proposed down on the southern end of the site. There are 2 unbuildable outlots that are located across the river. Those are just part of the existing properties today. They are both within the flood plain. The site is guided commercial along Highway 47. It also guided higher density residential as we move to the east.

Overall, for the residential portion of the site, the comp plan requires there is density here between 7-60 units per net acre. The concept plan that's proposed shows 5 units per net acre, so a slight decrease there. There would need to be a comprehensive plan amendment if something like this concept were to come through and that would be both to handle the commercial, the fact this commercial strip along 47 is proposed to be reduced to that 2-1/2 acre lot which is a reduction of about 20-25 acres of commercial land. The other piece of that potential comp plan amendment would be to lower the density so you would be looking medium density. The use mix itself is that commercial site on the south portion of the land. The residential use mix is spread between different type of usage. There is a single unit detached homes proposed along the river, attached townhomes that are in the central area of the site and 105-unit apartment located along Highway 47. That follows the pattern of higher density towards the highway and tapered to the lower density toward the river. Today the site is known as B2, general business and R3, high density residential. The B2 is along 47, residential is further to the east. The applicant is looking to rezone the entire site to a planned unit development (PUD) that allows a mix of uses. We would be getting flexibility with a lot area with setbacks as part of that. The site is located within the Urban Rum River Land District more stringent requirements for development in this district to ensure the quality of the Rum River is maintained. These standards include vegetative standards, lot size, setback standards and they require any PUDs to be approved by the DNR and they require conditional use permits for any public roads that are in that site. We did have

the DNR take a preliminary look at this and they provided us with high level comments. Mainly what they are looking for, for any development on that site to preserve the steep slopes in the area as well as the existing vegetation along the river.

The concept shows a 25-acre or so site of park and open space along the eastern most third of the property. Anything east of this blue line is within the flood plain so the majority of that will have spaces within the flood plain. As we were doing our review, the DNR mentioned there is a conservation easement over the eastern most parcels outlined in red. That conservation easement is fairly strict. It prohibits public access and also prohibits any development.

This entire area is included in the comprehensive plan, the Park chapter as part of park search area #2, this area, the entire site and then the area to the northern city property values. That park search area is looking for a park somewhere in an area that contains neighborhood facilities and possible tie-ins with the river. City Council, tonight, direction on our discussion on this item and what exactly should the open space look like in this site would be very helpful to Staff and the Applicant.

There are sidewalks that are required along the side of every public street in the City but that would also be required in this development. One of the items that Staff noted through our review, a trail segment could be completed on that very southern end along Ambassador to help with the streets and trail connectivity. Discussion about the open space and trails in this area, where would it be possible and where would you like to see them, are trails something important.

The development is showing to connect into the City street network from two points. On the north end, that is 241st and south end it is on Ambassador. On 241st, the applicant suggested a land slot that you can see in orange. The reason would be to obtain land from the northern neighbor in order to provide appropriate right of way for the 241st-County 47 intersection. At this time, the northern neighbor told us they are not interested in that land slot which could affect—

Feldman: Can I ask you something here on that area of 47-241 on that east side of this neighbor on the 8 acres he owns, is that tan section, is that what they felt we would need?

Beth: This corner here along Highway 47 is the developer, applicant would be obtaining and they would be giving up that corner.

Feldman: But that small section of that gentleman's 8 acres is what we need to make that road in sync with the west side of 241-47?

Beth: That matches. MN DOT also reviewed this process and provided some comment. They recommend a traffic study precede the development. They would be looking for turn lane at 241-47 intersection. They requested the apartment building

entrance be moved so it is at least 500 feet away from that intersection. Now it is sitting at about 250 feet.

Muehlbauer: It would be closer to that first house?

Beth: Correct. It would move further to the east. The access point on Ambassador is located closer than what we feel to be desirable to Highway 47 at that intersection. There are some site constraints in that area with a steep slope and wetlands in this eastern corner that really prohibits that road from moving any further to the east. Staff has asked to move it as far as possible but understand that that's really not much there. Anoka County did provide comment as well. They would be looking a right left-bound turn lane be required and they also talk about limiting access here because of the closeness at this point. There is adequate parking proposed for the apartment building as well as single family homes. Guest parking that is part of the townhomes was not addressed in this concept but is something that will be addressed in the future and something the Planning Commission mentioned they would really like to see.

The site is supposed to be served by city utilities today the northern most utilities are at Ambassador and 47 intersection so this would be bringing them up through the development.

Our Planning Commission reviewed this at the December meeting. They discussed the need for parking for the townhomes and they talked a little bit about the open space and what that could look like. They are supportive of trail or something that gets the public to the river and then they discussed the idea of the comprehensive plan in our land use and were very comfortable with revising to reduce commercial and decrease residential density.

Tonight, we are not looking for any specific Council action. We are looking for Council to provide feedback on the concept between staff and the applicant and include discussion items on the screen for talking points.

Feldman: I will start this off with a couple concerns I have is this road that the County is talking about on Ambassador on that southern portion. Right now, they are looking at if that is questionable right now because that entrance to it is so close to 47. I understand, but that is close. Would they just relocate it farther down on Ambassador going east or what do you think?

Beth: Their initial comments are a right in and right out access point to limit the traffic hits that area. That would be something the applicant would work with the County on for further support.

Feldman: Because there had been talk about a roundabout at that intersection in the past. The County does want a roundabout there. That is a concern I think has to be addressed. Then this ROW, right of way, bothers me a lot, that sliver of land is a holdup but I understand this person is not in agreement of doing a trade with the lot that was

proposed to him. Let's see what the City may be able to do, because that is important. Even though you mention in the packet, I talked with Kate earlier, there is a phase in—this is 295 units. It is going to be phased in no matter what. Nobody is going to build this out in 1 year. It will be phased in just like in Rivers Edge and the other ones. That right of way is going to have to be addressed, one way or another. As far as, I know they proposed apartments there, but if we did not approve apartments, I imagine townhomes or something would go in that area? Something would be built? Is that right or wrong?

Beth: I guess I don't need to speak for the applicant but yes, the idea is to develop the entire site. If an apartment building doesn't go there, something else will.

Feldman: What I am happy about is it is finally getting to the point of being talked about. It has been a number of years. As I first approached the City and talking to Dwight Wirz on his property there so we'll see if at this point we have a developer. As I said, 241 is going to be an issue we are going to have to address one way or the other as I don't agree that holdout there for disrupting progress in the City. The way that road is designed on the south end is very close to a roundabout if it comes in. We have to make sure the County will, we will make them aware of it. The trail, we all know how we feel about trails. Trails and parks, that is big stuff. That is my take on it. I like the mix of it. Kevin, your comments on this?

Kevin Robinson: On that corner where the northern individual is not interested, if they cut into their own property and curve that down a little bit.

Beth: Likely not. When you are talking about a state highway, they want the intersection to align.

Kevin Robinson: Another concern is south side, commercial side, my thought could anything be there, not a Kwik Trip or this or that, some light pollution, etc etc, would you want something like that in a residential area? If it is commercially labeled, they can do what they want. You have seniors living in some of those slab on grade areas to the south that is my concern. As far as the density portion. Beth, when you say you had scaled it back to make it more applicable or did they want more than what was there. This is the maximum we can ask.

Beth: The current comp plan allows anywhere between 7-60 units per net acre on the site. They are proposing less than that. They are proposing with the concept plan 5 units. It would be a request for an amendment to scale back the density.

Feldman: Where? They have 124 acres, right?

Beth: 112. But it is net density.

Feldman: So, this is 112 and you said 5.

Beth: 58 is the net, so at least 58.

Feldman: 58 x 5 is what you are saying?

Kevin Robinson: I was all for trails on the southern portion of that as it is going into the river. DNR, what do know about them as far as, you saw what happened on the east side of the river. What impact will it have on the west side of the river here?

Beth: This is part of the Urban Rum River Management District so not the rural.

Feldman: The rural is on the west side. This is on the east.

Beth: No, other way around. This has less stringent requirements but there are still requirements. It would be something we would need to start discussions with the DNR early which is why we sent the concept to them to make them aware.

Feldman: They don't have the ability like they have on the other side.

Kevin Robinson: Is the applicant in the audience? Can I ask what you envision as far as designating those commercial areas. What was your thought process there?

Applicant: Mr. Mayor and Members of Council, my name is Darren Lauzon and I represent Platinum Land Developer of this parcel. Thanks for opening the door and have a discussion. I appreciate it. I will get to your question in one second. This is the concept stage or sketch plan stage and really, they are sometimes hard to distinguish. We are asking for a pretty significant step back in density from 7-60 down to 5. We have asked for a pretty significant reduction in commercial land from –

Beth: It is about 25 to 2-1/2

Applicant: Those are place holds. I am here to show you how we approach this site, very schematically and get your feedback. I don't know what that south parcel is today. It is right now a place holder for commercial and much reduced portion of commercial. I think we will probably come back under the PUD for this just because of the townhome components are tougher to meet and so forth but we could restrict those land uses on the commercial corner if that was desirable but we set out quite simply to say we don't want to do 5 times this number of units. How do we best develop this site? Let's not kid ourselves, that is all low land down there. The last plan you saw was all private park. If you excluded that and got that the same, took the outland area single family up against the most protected areas, the transition to detached townhome one way or in to start addressing the City's desire and resulting in a little more density. Then we switch to multifamily quads, we've got sixes under two, and then the apartments and commercial are on the highway district. That is our board brush approach to how we would like to proceed. We would like to get your feedback to see what you would like to see because we put an entire plan together. The roundabout was the first I have heard today, but what I think we would probably do is to reach out to Anoka County to see if they had concepts to make sure we are leaving room for the right of way for that. That is why we

are here today. My first reaction on the project of Andover up against Martin's Meadow open space 400 acres around it, we extended all those trails to our open spaces and made it part of the project. We would certainly be open to a public component, natural trails down on that low area access to the river. If the City doesn't want the burden of that component, we would certainly revert to the last plan that's private. One thing that puts us in a better position is we will have an HOA over most of this property.

Kevin Robinson: Can you read that last part for me?

Applicant: One thing that makes this a little more unique is there will be a homeowner's association over this project so we have an entity that we could make the responsible for that private park if that is what they are actually wanting. Right now, I heard trails and river access was a desired component, we are more than happy to work with the City on making that happen. If there is no desire there for maintenance and liability issues, we will circle back and make it a private park that last sketch plan. If I could just address the traffic issues, on the north side, we had one brief discussion with that neighbor to the north. Initially, he was open to swap because it got him more land adjacent to his home and buildings there. After the Planning Commission meeting, he approached our broker and said he no longer wants the land trade. We are not done talking to him, we will keep working on it. It is a key piece that has to align. We need that right of way. If we were unable to reach an agreement, we would propose to dedicate all of our right of way and put a temporary cul-de-sac in there until such time.

Feldman: I have a question for Dave. What's the legal action the City could take on something like this. From what I am understanding with eminent domain type of situation like that where there is a gain for the good of the public and of course this development and on the plus side for development like this is rate users on city, sewer, water and property tax. So, what concerns me is this sliver of land, a little piece of land, to hold up a whole development on getting a road, and I am just wondering about that.

Dave Schaps: The property would be specifically blocked because a road needs a build through.

Feldman: That entrance of 241 on the east side has to match the entrance on the west side of 241. This sliver of road here, this sliver of dirt, is a holdup.

Joe Muehlbauer: He said he temporarily could not do that right away.

Feldman: What I am asking here, they offered to trade a lot, give him a free lot. But this gentleman backed out of that. So, that little sliver of that on the north section towards 47 as you see is what holds that from being an entrance in on the north side.

Dave Schaps: That is something the City could take a look at but I would say the first thing we do is go back to that land owner and say—

Feldman: Absolutely. I guess what I am saying to you is a sliver of land holding up a whole development that can benefit the city and rate user fees and tax dollars for a sliver of land seems to be more of a personal thing and not a benefit to the whole project.

Joe Muehlbauer I would recommend you go to the private party.

Joe Kohlmann: We could get you a legal memo.

Dave Schaps: Correct. There are a lot of things that are involved.

Feldman: I hope the private party is going to work it out. Negotiation is the best way to go. I hate to see something—a cul-de-sac won't serve it the way it should be served. Unless the road goes there and matches the west side, the people wanting a cul-de-sac is ridiculous. That is one way in, one way out coming up the south end of development. That's ridiculous. People don't buy into developments like that. You have to go all the way in and come all the way out. Location, accessibility and parking make developments make business and what you are doing is cutting out key out of another entrance point which over a sliver of land which to me is an abuse on ownership of that property. So, negotiate if you can, but my opinion is we should look at, if we have to, look at it from a different perspective.

Dave: Certainly, we can do that. I think in 2005 there was additional restriction that was placed by the Legislature that states generally roads are something that the government can pursue.

Feldman: I'm just giving you my thoughts.

Applicant: Thank you for that. As Councilmembers phrased it, if it can be resolved in private side that is the easiest. We can potentially reduce it as well. If you notice the little wedge shape that exists, we propose to dedicate that on our side, it is dedicated already on the opposite side, we could get by without that wedge and somebody with the state would have to take that piece to do the intersection.

Feldman: The last swap to me was a pretty good deal. If it was me, I would have grabbed that in a heartbeat.

Applicant: When we come back in the next sketch maybe we will just do an inset plan alter the layout, how that would look temporarily. The only comment I guess the Planning Commission, none I am concerned about, the only one that was worth mentioning was their concern it was too busy. Of course, I am not sure what that meant entirely. Again, I want to go back and restress this could have 5 times the number of units on here which would be busy. We are actually asking for a reduction in density that is allowed. We have softened this one up quite a bit. These are all place holders. One apartment here of roughly 100 and change units, one commercial use, a mix of 1-2-3 different residential types.

Feldman: Commercially you talked about, I know Kevin is concerned and all that, but the opinion of what goes in a commercial has to benefit the residents there to be like block traffic to it. I know that for a fact over like in Andover on Hanson Boulevard across from City Hall, when I built there years ago there was nothing there and now you have the strip mall area which is pretty convenient for the people who live there. You can do it right, beneficial and not be a detriment. Any other comments:

Joe Muehlbauer: They said you wanted a reduction in the amount of units. What is pictured here right now? Is that all 7?

Applicant: So, this is 5 units per acre total.

Joe Muehlbauer: What we are looking at right now?

Applicant: Right. The 2 zoning classifications you had in there were 7 to 60. So, we are asking for 5—

Joe Muehlbauer: I just wanted to know if what we are looking at is what we are talking about.

Applicant: Yes.

Joe Muehlbauer: And if you did have a cul-de-sac, you could jump onto one end to at least have an out. I know how Todd feels about that.

Robert Bauer: My question would be it is state highway so some portion of that level B on both sides of 241st to line up could be assumed the State could take that over versus a land swap. But go private party. I don't see it as a show stopper putting a cul-de-sac in there looking at the concept. I thought we could only have so many homes per cul-de-sac. It is a beautiful layout. If you had 2 cul-de-sacs on the end and no way out that is way too many houses per one cul-de-sac and that is basically what that picture would be if we cannot get that second entrance and that would—I would buy in there if it was right in and right out with only one access. It to me would be a show stopper. I am concerned about the DNR part. Beth, did you mention something about you can't have any public access there? How can we make this grandiose looking trail if we can't be on there?

Beth: That is a good thing to discuss tonight. So, you are right. That cannot be public access. There is not a lot you can do on that area. It doesn't mean they couldn't use this park to the south and go up and go up here. There are options. But that is something we really want your feedback on tonight. Typically, when we talk about public parks and park dedication, we don't accept a plan that is undeveloped. This land is developed. That said, if trails are something that is very important in this area and they do want every bit of that but we want to get the feel from you tonight about what do you think makes the most sense here? Is it private because there is already that

easement or would you like to see some sort of public effort as part of this development?

Robert Bauer: What I would like instead of that cul-de-sac and I am just playing the devil's advocate, looking at the old picture and we have a park or something right in those areas—

Joe Muehlbauer: That was similar to this though.

Councilman: That is private and then just blocking that off to maybe 6 or 12 parking spots to access the trail. I would love to see a little dog park there or a frisbee course through that whole piece. I don't know what kind of permission we would need from the DNR. The first part over there by the blue is the frisbee golf and the first 8 holes and the last 8 holes if we get the DNR approval, per se. Something like that as far as a frisbee golf course. I see one over in Coon Rapids which is really cool where it kind of goes through that area. I like parks to be able to be not 100% accessible only to the residents who live there. I want there to be somewhere we can park; other residents can come in there without cluttering up these 3 or 4 residents' cul-de-sac trying to get to some sort of park trail.

Feldman: How does that work with an HOA and private?

Applicant: In my mind, it would either be similar as you see here, little to no parking because it is a private park and HOA manages and owns it and it is just as previously proposed to a private park. Or it is a public park and we create some parking and we give partnership to the City however you want down there. You cannot really co-mingle those.

Joe Muehlbauer: How does that even affect liability.

Applicant: That one does not have an easement. That is its own parcel. So, if you took that as park, you would take the land itself. The red part restricts it—you just can't use it for public use, trails and that. Half the land is available to trails and use and about two-thirds of the shoreland is available for public use. It is just that red area that cannot be touched.

Feldman: If it was private, the HOA handles it and controls it. You can't have public and HOA and private together. It has to be either/or. So, I guess that will come back to us.

Applicant: It doesn't change development much at all. It is just we probably pull the cul-de-sac that is parked in there and open the doors for what you would like that to be.

Feldman: What is most important is it is a park. Whether it be private or public, there is a park in the development so kids have time to play in their area.

Robert Bauer: That entrance on Ambassador, I don't think right in, right out is the best for that many residents. I think you are going to need to be able to turn left on Ambassador Road.

Beth: Mayor and Council, that is something, again, Anoka County is providing comment on the concept plan. That is something we discuss with the applicant. We totally expect there is a conversations between the County, City and applicant. As far as what that looks like, especially looking at the needs of this development and how the site is laid out, we see some sort of 2-access points in this development. It would be something we would be working through.

Feldman: We know they have been talking about a roundabout for years.

Robert Bauer: I see that entrance as being very wide. Right for people to turn in, a turning lane so people can go left and a right-turn left so they can out to Ambassador out of the development and then with the entrance of the commercial park further in as well. That is kind of how I see it if that is push for approval.

Feldman: Anyone else? Okay. Thank you.

Applicant: Thank you!

Beth: If there are any other comments, I just want to make clear that you have time. This is the time to help with the design or help figure out what that design looks like. And I said it to the applicant to spend a good chunk of money designing those plans so what we are saying tonight matters.

Joe Muehlbauer: I like what I see. Basically, I don't see any issue. I think the biggest issue is going to end up having the County and State with the road and entrances. That is just my opinion.

Feldman: I hope you can negotiate, but otherwise we'll look at other things.

Robert Bauer: I would like the DNR question to be asked. Then we can figure out if we want to go public or private on the larger portion. Even this concept looks great. It shows a park trail going in the DNR part that we can't even access. I feel like I am looking at something that is not usable.

Beth: So, you want clarification on what exactly can happen? We do have a copy of that easement. The DNR provided that to us. We can share that with you.

Robert Bauer: I would like to ask the DNR what we can do on that. Can we do a frisbee park, per se, or is there very minimal, and what do these parks look like? Are they paved, are they woodchipped? I don't know even how far back, what that looks like.

Kevin Robinson: The river front property there, would you consider trading any of that northern section for an apartment and have a high rise where people could actually get a view? I think of Champlin. You go down near the Mississippi River and they really went balls to the walls.

Beth: There is a height allotment. The height that is allowed is 35 feet. Allowing anything more, anywhere near the water, they are going to have a problem.

Robert Bauer: How do they do it? 150 feet from the Mississippi River? See what I am saying, I don't think we are playing with the same rule.

Group: You are not.

Kate Thunstrom: With the Rum River Scenic Rules, we are not only bound by the height of our structures but the visibility from the river. We do have a different set of rules.

Kevin Robinson: On that apartment though, a part in the northern sector that would be nice for again not to take place of senior housing but people who are leaving the neighborhood or downsizing. Within the Ponds North area, they have a lot of areas where people are now snowbirds and they are gone. They are small, functional, inexpensive and reasonably priced and they look very nice aesthetically. An apartment in the area would really disturb our seniors, 55 and up.

Applicant: We just want to get something reasonable with density and share with you what would make up that entity.

Feldman: Thank you, Beth. Thank you for everyone's patience here tonight. Thank you so much. We knew it would be a long one.

C. East Shop Site Rezoning – 1st Reading; Ordinance 288

Beth: Mayor and Council, before you tonight is a rezoning request for the East Shop Site, south of Bridge Street, east of The Rum River. Staff is requesting that you move to rezone this 2-1/2-acre site from the R3 high density residential zoning district to the B1 central business district in order to conform with the comprehensive plan. The comp plan has guided this site for commercial use this area is part of the Bridge St. commercial corridor. The current zoning today is R3 high density. Site is outlined in white on the screen. When the zoning map was updated earlier in 2021, that site was zoned R3 following a proposal for senior housing on that site. That applicant has since walked away and the site remains undeveloped and Staff would like to rezone the site to what its natural matches the Comp Plan. Planning Commission reviewed this request at their December meeting and recommended approval of the rezoning and the suggestion motion on your screen.

Feldman: No, I feel it is a good move because we have another assisted living project going on 47, and if there is one here there is not going to be two here, so changing it back to business is probably the smarter way to go. I am for it. Joe?

Joe Muehlbauer: Nothing to add.

Kevin Robinson: Nothing to add

Robert Bauer: Nothing to add.

MOTION BY: MUEHLBAUER SECOND: BAUER. TO ADOPT EAST SHOP SITE REZONING – 1ST READING; ORDINANCE 288.

Ayes: Bauer, Muehlbauer, Robinson, Feldman

Nays: None

Motion Carried: 4-0

Feldman: Thank you, Beth. Thank you everybody. I can't thank you enough. We all knew it was going to be a long one but we have to give the public time to talk to us and they had time to talk to us. They had time for planning and zoning. It gives them time to talk to Council. It is the right thing to do, we try to do right here as much as possible. We will see how long it works, and hopefully, they will be able to negotiate between them, but we gave them the full time they deserve. Patience is a virtue.

D. 2021 Code Revisions

Beth: Thank you, Mr. Mayor. This is my last one tonight. The City Code was revised, the adopted City Code was revised last April. Since that time, Staff has been monitoring the Code and how it works as we review requests, questions and applications throughout the year. As part of that, we have identified several housekeeping tax amendments that we want to put before you tonight and reflects to amend the code to clean up. The amendments include the Site Plan Review Process, Principal Uses, some changes to the Accessory Uses, Chapter 8 in the City Code and then some amendments to the Definitions. Beth reviewed each amendment.

Site Plan Review: Current procedure that is applicable today does not distinguish between principal and accessory building. We require any of you with nonresidential structure and multifamily structure to go through the Site Plan Review process with the Planning Commission as well as the Council. This seems to be overly onerous for accessory buildings. The Staff would like to amend it to declare by when the full Site Plan Review process is necessary We have added text here specifying principal buildings as opposed to principal or accessory.

Principal Uses Table, specific the uses of animal boarding, shelter, daycare center and rural event center. For animal boarding, that is something that is currently allowed in the permitted use in the A2 district. Staff is proposing that is switched to committed as standard and that be held with standards that are already posted there. The rural

event center, this is a use that is permitted with standard stay in the A2 district. However, the standards reference the need to obtain an interim use permit. We would like to match the consistency there and make that an interim use in the A2 district.

We will get into the Accessory Use Amendment. They cover a variety of uses. I will talk about each of these. First is the idea an accessory agricultural building. Agriculture buildings are something that are required by state statute. However, requirements that pertain to the agricultural buildings are currently mixed in in our Accessory Structure Provision so it makes it hard on the Staff and Public when they are trying to understand what they need to do. It makes it hard for us to decipher exactly what we did. We are proposing to separate accessory ag buildings as a home specific use so they have their own specific standards that we can deal with them appropriately. Those are proposed in A1, A2, and urban reserve. Definition of agricultural accessory building is the need for Minnesota Statute. Accessory structures have changes proposed there as well. The first would be to clarify that no accessory structures are allowed on non-residential property within the urban sourced area. Staff does not do requests through the year of nonresidential property forms 2, 3 4 structures and that is something that seems to be would not be appropriate in the city and would like to clarify that. All residential homes are required to have a garage that is at least 440 sq feet. That is an average 2-car garage size. This is something that currently requires urban service area but not in that rural. We would like to clarify. Finally, we would be modifying this portion of the code to remove the provisions that the old agricultural building.

Next one deals with the keeping of animals, all of the regulations are currently split between chapter 8 and chapter 10. It makes it hard for staff and the public to find where the requirements are that people need to adhere to. We are proposing to allow the keeping of animals in the rural residential and the R1 where they are today and expanding that to the R2 area as well. These are all areas that are large lots. They would be able to keep animals and bees. We want to make sure that opportunity isn't lost with them. The other piece would be to isolate the keeping of chickens so that is not tied in with the animals. That would be its own separate use which is permitted.

Short-term vacation rentals is the next use. Staff has proposed a requirement here about needing to obtain a rental license through the City for any of these types of uses. The reason for that is it will give the City basic information it also gives the City the ability to revoke that license and stop that use if there ever comes a nuisance or problem.

Accessories within business industrial districts we have proposing several applications, first we will be removing accessory structures with standard use in B1 and B2 and that goes along with not allowing accessory structures on any non-residential property within the urban service area. Second modification is to remove the use that is compost structures and fire piles. That is currently allowed in the business and industrial districts and then thirdly we would request that we add an accessory use that says use is incidental to the principal use.

Definitions – the first definition that staff is proposing to add is about significant trees. When a development comes in they are required to a landscaping plan. They are required to do a tree survey to show us which significant trees are proposed to be removed or saved. Right now, our code doesn't say what a significant tree is. The definition for attached townhouse or rowhouse dwelling, currently the definition allows for a maximum of eight units for this type of use but it doesn't have a minimum.

Feldman – I browsed through it and this where I trust your expertise. I was telling Kate earlier that anytime you can take gray areas on anything and make it more clarified and understood by the public so there isn't reasoning one way or the other, learning is always a good plus. I've dealt with codes for 25 years and they are a pain. So this is the best way to do it. I'm all for it.

Joe Muehlbauer: Housekeeping is great.

Kevin Robinson: Housekeeping and reorganization is good as long as changing makes it easier to navigate.

Robert Bauer: Is this the first reading, because that is not how I am interpreting it on the agenda.

Beth Richmond: Yes, this is the first reading.

MOTION BY: MUEHLBAUER SECOND: ROBINSON TO APPROVE ORDINANCE 289 AMENDMENTS – 1ST READING TO DIVISION THREE ADMINISTRATION PROCEDURES IN THE ZONING CODE AS PRESENTED BY STAFF.

Ayes: Bauer, Muehlbauer, Robinson, Feldman

Nays: None

Motion Carried: 4-0

MOTION BY: BAUER SECOND: MUEHLBAUER TO APPROVE ORDINANCE 290 APPROVING AMENDMENTS PERTAINING TO PRINCIPAL USES IN DIVISION 4 BASE ZONING DISTRICTS OF THE ZONING CODE AS PRESENTED BY – 1ST READING

Ayes: Bauer, Muehlbauer, Robinson, Feldman

Nays: None

Motion Carried: 4-0

MOTION BY: BAUER SECOND: ROBINSON TO APPROVE ORDINANCE 291 APPROVING ACCESSORY AMENDMENTS USE DIVISION 4,6, AND 7 AS PRESENTED BY STAFF - 1ST READING

Ayes: Bauer, Muehlbauer, Robinson, Feldman
Nays: None
Motion Carried: 4-0

MOTION BY: MUEHLBAUER SECOND: BAUER TO APPROVE ORDINANCE 292
APPROVING AMENDMENTS TO SECTION 8- 3 ANIMALS OF THE CITY CODE AS
PRESENTED BY STAFF – 1ST READING

Ayes: Bauer, Muehlbauer, Robinson, Feldman
Nays: None
Motion Carried: 4-0

MOTION BY: MUEHLBAUER SECOND: FELDMAN TO APPROVE ORDINANCE 293
APPROVING AMENDMENTS TO DIVISION 2 DEFINITIONS OF THE ZONING CODE
AS PRESENTED BY STAFF. – 1ST READING

Ayes: Bauer, Muehlbauer, Robinson, Feldman
Nays: None
Motion Carried: 4-0

10. MEETING OPEN TO THE PUBLIC

None one came forward.

11. REPORTS

None.

12. COUNCIL MEMBER REPORTS

Robinson – nothing to report
Muehlbauer – nothing to report

Bauer – nothing to report

Feldman – A couple things to add. The liquor muni did the fire retard spray and foam on the new addition. We'll get that test and get that proofed so test seal with be permanent. Tomorrow we will finish up the cabinetry where the wine tasting areas are and I am meeting with Parish and Miles are architect on Wednesday to start off the final invoices and hopefully put an end to this thing. I am very glad that it turned out as well as it did. We made all three holidays by the way, Thanksgiving, Christmas, and New Year's Eve. Staff did a great job. Again, I want to thank everybody here for you patience tonight. We had to give the public their due here to talk to us, we have done that and we'll see where it goes from here on the 18th.

Once again, I want to wish everyone a Happy New year. Thank you for all the hard work you do for us. I know it's not easy at times.

13. UPCOMING EVENTS

January 10, 2022- Work Session - 5:30 pm at City Hall

January 17, 2022 - City Offices Closed in observance of Martin Luther King Day

January 18, 2022 - City Council Meeting

14. ADJOURNMENT

Mayor Feldman adjourned the meeting at 9:36 pm.