

**Park and Recreation Commission Minutes Excerpt  
November 09, 2017**

**5.02: Preliminary Approvals related to proposed North Fork Meadows subdivision; Case of Paxmar, LLC (Project No. 17-126)**

- 1. Introduce Ordinance #17-16 Approving a Conditional Zoning Amendment to Planned Unit Development**
- 2. Adopt Resolution #17-10-276 Authorizing Conditional Rezoning Agreement**

Parks and Assistant Public Works Superintendent Riverblood noted this item also a recommendation related to park dedication and trail fees.

Community Development Director Gladhill reviewed the North Fork Meadows project. He noted this has gone through an extensive amount of public engagement and has undergone significant changes. This still requires a zoning amendment, using a tool called a Planned Unit Development. There needs to be a public benefit in order to approve a PUD. While the City has the ability to approve the project through the zoning amendment process, there is no obligation to do so. The City and Planning Commission has asked for compelling reasons to change the code.

Mr. Gladhill continued that in terms of park dedication, the proposal and staff recommendation is the cash contribution. The Council also wants feedback regarding the concept of a public benefit. In this case, what is proposed is securing the land necessary for the Lake Itasca Greenway, which this Commission is well aware of the planning efforts. There is no additional cost to acquire that.

Mr. Gladhill indicated that the property owner, Hageman Holdings, holds the land currently and would sell the land to Paxmar in order to facilitate development. The Planning Commission believes the Greenway is an adequate public benefit for the additional 30 lots that would be created with the zoning amendment.

Mr. Gladhill advised that staff, City Council, and Planning Commission have emphasized that with the increased density, the developer should must improve both transitional landscaping as well as wider and deeper lots. Staff will continue to push this suggestion throughout the process.

Mr. Gladhill summarized that staff is asking for the Park and Rec Commission's recommendation as to whether the acquisition of the Greenway corridor is sufficient public benefit for the additional 30 units, for a total of 97 units. Originally, 70 units would have been sustained by this type of project.

Mr. Gladhill noted the table tries to quantify the various benefits to the public. The monetary value of the Greenway acquisition is hard to determine, as some of it is not buildable and is affected by state regulations. He noted there is some value in the City owning that property versus having wetland protection regulations to enforce on private property.

Mr. Gladhill noted the Council asked whether the Greenway corridor could have been acquired through park dedication channels for land dedication channels that have not been used frequently

lately. He explained that the property to be acquired is not on the parcel being proposed for development. It is on a parcel for a future business park. This site was originally planned for Legacy Christian Academy. The approval process and infrastructure proceeded, and then the Academy ultimately decided to stay in their existing Andover location.

Mr. Gladhill continued that as such, with that transaction, there was a degree of park dedication that was contributed with this, and there were 4 acres of property in this general area. The idea was to use it for park purposes or sell it on the private market, with the cash proceeds going into the park dedication fund. A good portion of the park dedication has been satisfied. It is not likely that the City can require through normal park dedication requirements this same degree of corridor preservation and planning as possible through the PUD. The Planning Commission does recommend proceeding with this PUD. He noted that there are members of the public present at this meeting tonight.

Chair Bennett opened up discussion for the Commission.

Commissioner Sis asked about the 4 acres related to the Legacy Christian Academy proposal that ultimately did not come to pass.

Mr. Riverblood noted the location of the 4 acres is on the SE quadrant of Puma and Alpine Drive. He noted there was uncertainty about the development of this area, which may push back the Greenway. He reinforced staff undertook a lengthy process relative to park programming and park solutions that residents wanted. A mailing went out to 1,500 to 1,800 residents. Almost universally, people embraced the idea of the Lake Itasca Greenway and the Lake Itasca Community Park. This Commission recommended and the Council approved purchase of that land. Mr. Riverblood concluded that it is staff's recommendation that the Greenway fulfill this long-term endeavor by virtue of calling it that public benefit such that a PUD is acceptable to the City.

Chair Bennett concurred that the Greenway is a significant public benefit and will be an amazing amenity both for the subdivision and to the community as a whole. Cash contribution is the way to go on this project.

Chair Bennett invited audience participation from anyone desiring to speak.

Mr. Riverblood apologized staff did not put together a couple sample motions. He stated it sounds like the Commission is supportive of the PUD. He suggested, therefore, a motion to recommend that City Council approve the plat as presently shown with park dedication and trail fees being satisfied as a cash contribution, predicated upon being a Planned Unit Development.

Motion by Commissioner Sis, seconded by Commissioner Tchuinkwa, to recommend that City Council approve the plat as presently shown with park dedication and trail fees being satisfied as a cash contribution, predicated upon being a Planned Unit Development.

Motion carried. Voting Yes: Chair Bennett, Commissioners Sis, and Tchuinkwa, Bayer, and Leistico. Voting No: None. Absent: Commissioner Trappen.