

Meeting Date: 02/08/2021

By: Tim Gladhill, Community Development

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### Information

#### Title

Authorize Staff to Submit Application to Legislative-Citizen Commission on Minnesota Resources, and Minnesota DNR for Tree Preservation for Riverstone South (Project No. 19-152); Case of Capstone Homes

#### Purpose/Background:

The purpose of this case is to authorize Staff to prepare 2 Applications pertaining to the planned Tree Preservation Area within the proposed Riverstone South Development.

As part of the early planning stages of the proposed Riverstone South project, the City Council agreed conceptually to seek outside, third-party funding to supplement the efforts to preserve up to 7-acres of the existing forest within the project. This was intended as a value-added opportunity on top of the trade-off for smaller lots, for the preservation of trees above the minimum requirements of City Code. Seeking additional funding to bring into the project, was viewed as a bonus and as a means to show the City's commitment to this project—while balancing neighborhood concerns, and in consideration for a Comprehensive Plan Amendment to allow for smaller lots. It may be further noted, that the proposed tree preservation area would also reduce the Developer's clearing, grading and infrastructure costs significantly, with a similar or greater number of net lots in the end.

#### Notification:

Notification is not required.

#### Observations/Alternatives:

Attached to this case is the approved Planning Framework that outlines the parameters for tree preservation amongst other policy topics.

From the Framework document's Purpose and Introduction: *"This is a visionary document to help guide policy discussions. This is not the official land use plan for the area nor carries any legal entitlements. This is not the official land use plan for the area nor carries any legal entitlements."*

The approved Planning Framework lays out seeking outside funding by the City, with the implied support of the Developer. An alternative would be to acknowledge the de facto 'transfer of development rights' and the associated benefits to the Developer the tree preservation area provides, and not seek outside funding for the project. Approval of this case supports the intent of the Planning Framework.

#### Funding Source:

Funding for the Tree Preservation Area is a combination of 'transfer of development rights' in which the City traded smaller lots in exchange for tree preservation/density transitioning along with potential grant funding along with a cash contribution to the Developer.

#### Recommendation:

Staff recommends that the City Council authorize Staff to prepare and submit Grant Applications for either or both, Legislative-Citizen Commission on Minnesota Resources (LCCMR) and DNR Natural and Scenic Areas Grants.

#### Action:

Motion to authorize Staff to prepare and submit Grant Applications for LCCMR as well as DNR Natural and Scenic Areas Grants.

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### **Attachments**

LCCMR Information

DNR Natural and Scenic Areas Information

Planning Framework

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### **Form Review**

**Inbox**

Mark Riverblood  
Tim Gladhill (Originator)  
Kurt Ulrich  
Form Started By: Tim Gladhill  
Final Approval Date: 02/04/2021

**Reviewed By**

Mark Riverblood  
Tim Gladhill  
Kurt Ulrich

**Date**

02/02/2021 01:54 PM  
02/03/2021 10:01 AM  
02/04/2021 02:28 PM  
Started On: 02/02/2021 09:48 AM