

Medina Park Commission Meeting Minutes
July 15, 2015
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The Park Commission of Medina, Minnesota met in regular session on July 15, 2015 at 7:00 p.m. at Medina City Hall. Park Commission Chair Steve Lee presided.

1) Call to Order

Commissioners Present: Steve Lee, Madeleine Linck, Lori Meehan, Robin Reid, John Jacob, Dino DesLauriers, and Nate Pearson

Commissioners Absent: None

Also Present: City Planner Dusty Finke, Public Works Director Steve Scherer and Assistant to City Administrator Jodi Gallup

- 2) Additions to the Agenda:** Lee requested adding “Grant Applications” to the agenda. *A motion was made by Linck and seconded by Jacob to add “Grant Applications” to the agenda at the end of the meeting. Motion passed unanimously.*

3) Approval of Minutes:

• **June 17, 2015 Regular Meeting**

- Page 2 – Hunter Lions Park – ~~widen~~ clear path
- Page 3 – Hunter Lions Park – yellow ~~warning tracks~~ fence covers
- Page 3 – Maple Park – determined ~~not investing~~ not to invest

A motion was made by DesLauriers and seconded by Meehan to approve the minutes from June 17, 2015 as amended. Motion passed unanimously.

- 4) Public Comments** (on items not on the agenda): None.

5) City Council Update

Lorie Cousineau was not able to attend the meeting, but had prepared a written City Council Update from the June 2nd and 16th meetings that Gallup read to the Park Commission.

6) Stonegate CD-PUD General Plan & Preliminary Plat – Park Dedication Review

Finke presented the staff report for Stonegate (Property Resource Development Corporation, Inc.), which has applied for a Conservation Design Planned Unit Development (CD-PUD) General Plan and Preliminary Plat. The applicant is proposing a 42 lot CD-PUD on approximately 170 acres on a property located east of Homestead Trail and west of Deer Hill Road and Morningside Road. The primary access to the site would be off Homestead Trail, though the development would connect to Deer Hill Road.

Finke explained that under a CD-PUD the code allows more flexibility than the regular standards in order to act as an incentive to preserve ecological resources, wildlife

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corridors, scenic views, and rural character. He noted that the CD-PUD allows a benefit of up to 200% of the density allowed in a standard Rural Residential subdivision.

Finke noted that the subject site is predominately farm field and wetlands. He noted that Deer Hill Road and Morningside Road both terminate on the eastern side of the property and the property is adjacent to Homestead Trail on the west. The City of Orono is to the south of the site.

Finke stated that the property is zoned Rural Residential and it is guided for Rural Residential in the Comprehensive Plan. He noted that rural development is allowed at an aggregate of one unit per ten acres and one unit per five acres of suitable soils, but the CD-PUD allows flexibility including density bonus.

Finke stated that the proposed 42 lots range between 1.28 to 2.63 acres in size, plus the pool lot. He noted that the base density would allow for approximately 22 lots. The CD-PUD allows up to 200% bonus based on how well the proposed development achieves conservation objectives over conventional development and the applicant is proposing 190% bonus.

Finke stated that 30% of the total buildable area is required to be in conservation areas and the applicant is proposing 30.3% of buildable area which is 38.47 acres and an additional 36 acres of wetlands and 8 acres of wetland buffer. He noted that outlot E contains recreational area. He explained that conservation areas should be interconnected and conservation easements must be provided over the area and held by a qualified entity. He also noted that a preliminary land stewardship plan had been provided by the applicant.

Linck questioned if all the wetlands would be protected in the conservation easement. It was noted that all the remaining wetlands would be protected.

Finke stated that the applicant is proposing a turf trail to the west and north which is generally in alignment with the proposed trail in the Comprehensive Plan. It was noted that the Comprehensive Plan also showed a natural study area on the northern portion of the property. Three trail corridors in the Comprehensive Plan were included in the Master Park and Trail plan and two of the trail corridors were not included in the Master Plan.

Finke explained for Park Dedication purposes, the city can require 10% of the buildable land which would be 13.24 acres, 8% of the market value at a maximum of \$336,000 or a combination. He explained the number for various possible dedication options:

- Deer Hill Trail segment and NE corner = 1.57 acres (11.9%)

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- Connection to Morningside
 - North-South Option A = 0.89 acres (6.7%)
 - East-West Option B = 0.46 acres (3.5%)
- Connect between Option B and applicant proposed trails 0.95 acres (7.2%)
- Paving Option B is approximately 17.9% of total dedication

It was noted that Minnehaha Watershed District will likely hold the conservation easement and they were concerned with Option A because it bisects the conservation area. They were okay and less concerned with Option B.

Finke noted that the applicant has requested turf trails, private amenities and that the protected conservation areas be considered when calculating park dedication and that no additional fee be charged.

Finke reviewed CD-PUD objectives and stated that the Planning Commission recommended that the applicant did not meet these CD-PUD objectives.

Pearson asked that the applicant define their open spaces, wooded acres, restored prairies, and wetlands.

Reid questioned if the City would usually give Park Dedication credit for private amenities? Finke noted that State Statute says cities shall give due consideration for open space, recreational, or common areas and facilities open to the public. He said it doesn't require it to be acre for acre.

Jennifer Haskamp, Planning Consultant with SHC, LLC, introduced herself and the project team working with the applicant.

Haskamp summarized the park and open space related items in the contingent settlement agreement for this property. She noted the following:

- Wetland delineation was to use the 2011 boundaries. The north 80 acres were approved and they updated delineation on the southern 90 acres.
- The conservation area could not be less than 30% per the city definition.
- A land stewardship plan will be prepared and three acres of additional wetland restoration will be included in the central area.
- The public trails will be dedicated in compliance with those identified in the trail plans. Trail dedication will be credited against park dedication fees.
- Due consideration for park dedication credits related to conservation areas may be considered by the city.

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Haskamp stated that the concept plan detail in the contingent settlement agreement included:

- 42 Rural Residential lots, sized from 1.0-2.5 acres.
- Approximately 31% of upland buildable area dedicated for conservation area.
- 2011 wetland delineation used as a base.
- Public trails on site are consistent with City's park and trail master plan adopted on March 18, 2014.

Haskamp stated that the applicant's goals and objectives are the following:

- Consistency with the contingent settlement agreement.
- Incorporate staff and council comments from the contingent settlement agreement negotiations related to the draft concept plan.
- Meet the goals of the conservation design ordinance.
- Listen to comments and concerns of staff, park commission, city council and neighbors.
- Create an exceptional conservation development with integrated networks of public and private trails and open space.

Haskamp stated that the summary of key points on the preliminary plat are as follows:

- 42 lots, ranging in size from 1.39 acres to 2.63 acres.
- 52.8% of gross site dedicated in conservation easements.
 - All conservation easements in separate outlots.
 - 30.3% upland buildable.
 - 1.5% private open space.
- 47.2% developed area.

Haskamp noted that the applicant's proposed turf trails align with the trails shown in the City of Medina's Park and Trail Master Plan that was adopted on March 18, 2014. She also noted that the applicant has no objection to dedicating an easement on the northeast corner of the site for a future trail. She also noted that there is an existing paved regional trail along County Road 6 that runs through the applicant's property in Orono which is directly to the south of this site. She stated that the applicant believed this regional trail accommodates the needs of these residents to connect to Baker Park.

Haskamp showed a map of the proposed trails and noted that the public trails on the north 80 acres match the objectives of the Comprehensive Plan and the 2014 Park and Trail Master Plan. She also noted that the private turf trails in the southern corridor of the conservation areas meets the objectives of the City's Conservation Design Ordinance.

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She noted that the reason for private trails in the southern corridor is to best establish good prairie restoration. The private trail network would change in different locations in different years to solve different objectives to maintain the prairie.

Haskamp stated that the applicant is working with Minnehaha Creek Watershed District to hold the conservation easement on the site. She stated that Minnehaha Creek Watershed District preferred private turf trails in this area and noted that they absolutely did not want bituminous trails.

Haskamp reviewed the landscape plan, showing a possible nature area per the Comprehensive Plan in the northeastern corner of the site. She noted that outlot D would be a community pool and gathering space which was located in the southern part of the site. She noted that outlot E is the half-moon shaped lot which would be split between passive recreation open space and short grass prairie, divided with a public trail.

The Park Commissioners questioned if all the areas that Haskamp described should be considered for Park Dedication. Haskamp discussed the site tabulations that were in the applicant's narrative for the buildable upland conservation area, community pool, wetlands and wetland buffer areas.

Haskamp explained the Land Stewardship Plan which states that they will restore the CRP prairie grasses similar to the diversity level that was planted on-site between 1997 and 2007. The plan will show areas of protection including the existing Tamarack and Hardwoods.

Pearson noted that he needed to leave the meeting to catch a flight out of town. He stated that he was concerned with the quality of the nature areas being preserved and wanted more information on what it looked like.

Leslie Witterschein, Attorney with Monroe Moxness Berg, introduced herself as the Attorney representing the applicant. She wanted to remind the Park Commission of Minnesota Statute 465.35 Subd. 2b regarding Park Dedication. She noted clause (d) states "in establishing the portion to be dedicated or preserved or the cash fee, the regulations shall give due consideration to the open space, recreational, or common areas and facilities open to the public that the applicant proposes to reserve for the subdivision." She also noted that Minnesota Statute 465.35 Subd. 2c references the "Nexus." She noted that clause (a) states "There must be an essential nexus between the fees or dedication imposed under subdivision 2b and the municipal purpose sought to be achieved by the fee or dedication. The fee or dedication must bear a rough proportionality to the need created by the proposed subdivision or development."

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Witterschein stated that per Minnesota State Statute, the city shall give consideration for the following:

- 38.47 acres of buildable upland conservation area.
- 43.93 acres of unbuildable conservation area.
 - 3 acres of wetland restoration.
 - Approximately 8 acres of wetland buffers which are buildable.
- 1.86 acres of open space including the community pool.
- 1.73 acres on the northeastern corner of the site.
- Areas for public trails on the northern 80 acres.
- Areas for private trails on the southern 90 acres.

Witterschein noted that the above areas exceed 52% of the gross site.

Witterschein ended her presentation by stating that the national park standards are 1.5 acres per 100 residents. She noted that the proposed development is 42 households at approximately 3 people per household which equals 126 people.

Cindy Piper, 2905 Willowood Farm Road, addressed the Park Commission. She stated that she has been riding horses on the subject property for a number of years while under various different ownership. She stated that she is concerned if the trails were turned over to the Homeowners Association because they will eventually get tired of horses. She questioned if the public turf trails would be open for horseback riding.

The Park Commission confirmed that horses would be allowed on the public turf trails and asked the applicant if the future property owners would be aware of the horse trails prior to buying the property. The property owner confirmed that future homeowners would be aware that horses were allowed on the public turf trails.

Piper questioned if the public turf trails could go around the back side of the homes along the edge of the wetland buffer instead of going through the front yards adjacent to the road. She noted that the homeowners were not going to like the horse poop in their front yards. She felt like the backyard trail would feel more rural residential and better accommodate the horses.

Piper noted that horseback riders currently cross this property at Deer Hill Road. Discussion occurred if that was currently a public right-of-way.

Susan Seeland, property owner, stated that the Deer Hill Road access is currently the subject of litigation. She also noted that she was absolutely opposed to the trail going

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through people's backyards. She confirmed that the front yard trails shown on the plan will be public turf trails for horses.

Peter Rechelbacher, 1242 Hunter Drive, stated that he had recently purchased the Reimer property which is west of the northern portion of the subject site. He stated that he had a major concern with the proposed trail access point in the northwest corner of the site that ends at his property. He stated that he also is working with Minnehaha Creek Watershed District to put a conservation easement on his property to preserve the Maple Basswood forest, Tamarack and wetlands. He stated that he did not want horses riding through his property.

Lee questioned if there was a spot on his property that made sense to connect a trail. Rechelbacher stated that it was all wetlands.

Reid questioned if Rechelbacher was planning on developing the site. Rechelbacher stated that he plans to build a single home on the site and the remaining site would remain intact.

Haskamp noted that it was important for the applicant's development to have access to Baker Park from his property or the Deer Hill Road access to the south of his site.

Piper agreed with Rechelbacher that it would be difficult to access Baker Park from his property.

Lee stated that when the Park Commission reviewed the concept plan in February, they stated that they would like to see a connection from this development to Medina Morningside.

Haskamp mentioned that she did not think the February Park Commission minutes were accurate stating that she knew there was some discussion, but did not think there was a unanimous decision.

Lee reaffirmed that he would still like to see a trail connection from this site to Medina Morningside for these residents to access the city's well established neighborhood park in Medina Morningside and for the Medina Morningside residents to be able to access Baker Park. He asked Haskamp what she would suggest for a trail connection to Medina Morningside.

Haskamp stated that she would suggest private turf trails and nothing else.

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Scherer felt that a bituminous trail made the most sense to connect the Medina Morningside residents to a road within the proposed subdivision.

Haskamp reiterated that Minnehaha Watershed District was completely against bituminous.

Haskamp stated that the applicant's residents would be able to access Medina Morningside Park through private turf trails.

Lee stated that the private turf trails would not allow Medina Morningside residents to access Baker Park and the existing regional trail along County Road 6 is too far out of the way for the residents on the west side of the Medina Morningside development.

Lee suggested to have a paved trail run straight south from Medina Morningside and then down and around the conservation area so it does not bisect it. Haskamp noted that additional hardcover was not good for the site either.

Seeland stated that she would have been more willing to work with the city on this trail connection, but she has not been able to work well with the city. She went into a lengthy explanation on the history of her property. She noted that her and her husband bought the property in the 1990's as an investment property and it was a farm at that time. She said that Hennepin County had approached her in 1997 to establish prairie grasses on the site, which she thought would make her site more desirable. Later, her property showed up on all the DNR maps as a native mesic prairie and it was untouchable. She explained that she served on the open space task force to better understand the city's processes. She also submitted a concept plan during the Comprehensive Plan review and no one would consider it. She stated that she had no choice but to plow her fields and turn it back into farmland.

Reid questioned if a short public turf trail would work to connect to Medina Morningside.

Witterschein reminded the Park Commission that the trails needed to be flexible to establish the prairie.

Discussion occurred on the direction the Park Commission wanted to go with this application. There was a general consensus to take the northeastern corner of the site for a future overlook when the adjacent property developed. It was also noted that an easement could be taken for the northwestern trail segment in case the western property developed in the future, but the trail did not have to be developed at this time.

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Witterschein stated that a trail connection to Medina Morningside could not be required because the contingent settlement agreement stated that the applicant only had to show the trails based on the 2014 Park and Trail Master Plan.

Finke clarified that the exact language in the contingent settlement agreement says “city trail plans” and did not specifically state the 2014 Park and Trail Master Plan.

Haskamp stated that she could sense a motion was getting ready to be made and asked that if a recommendation to connect to Medina Morningside was going to be made that it not be done through a side yard, but connect in the open space directly to the road.

A motion was made by Reid and seconded by Meehan to recommend that the turf trail be installed as shown, minus the northern branch, but take the easement for the northern branch and to recommend a public connection from Medina Morningside to the road in the subject site. Motion passed unanimously.

A motion was made by Meehan and seconded by Linck to recommend taking the northeastern corner overlook easement. Motion passed unanimously.

A motion was made by Lee and seconded by Jacob to recommend taking dedication per the recommended easements and have the City Council give due consideration for the private recreation and amenities. Motion passed unanimously.

7) 2016 Capital Improvement Plan

Gallup reported that she had updated the attached Capital Improvement Plan based on the Park Commissions’ recommendations at the June meeting. She asked the Park Commission to review the updated document to double check its accuracy and if there were any final recommended changes before it was approved.

DesLauriers stated that he felt the city should pay for the dugout covers out of Park Dedication funds because it was a safety issue. He noted that the previous Hamel Athletic Club (HAC) president had put together quotes and the project should cost around \$5,000 per field for tarp covers. He suggested budgeting \$25,000 out of Park Dedication. It was noted that if HAC wanted hardcovers they could pay for the difference.

Jacob noted that \$1,000 should be added for the fence rail covers at Hunter Lions Park.

Lee requested that Scherer contact Three Rivers Park District to see if the City could purchase a used snow machine from them for the sledding hill at Hamel Legion Park.

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Jacob questioned if the city would need a mower to maintain the future turf trails. Scherer stated that we should wait until the trails are installed before purchasing, but it is something to consider.

Gallup noted that a resident had requested that the city add a splash pad or public swimming pool because there are none within miles of Medina. She showed pictures of splash pads in other metro communities.

Linck asked Gallup to inform that resident that Orono Schools has a pool available to the public for a small fee.

The Park Commission encouraged Gallup to do additional research on splash pads to consider for the future.

A motion was made by Reid and seconded by DesLauriers to recommend approval of the Capital Improvement Plan with the noted revisions. Motion passed unanimously.

8) Grant Applications

Lee stated that he would like the Park Commission to start looking at possible grant applications for 2016. He reminded Gallup to ask the Park Commission for help with future applications.

9) Staff Report

- Monarchs & Milkweed – Gallup reported that she had met with Connie Fortin with Fortin Consulting and she had suggested that the city create a policy when maintaining city property and acquiring new property to help create and protect habitats for the Monarchs and other pollinators.
- The Park at Fields of Medina – Gallup showed pictures of the construction progress at the Park at Fields of Medina. She also noted that the grand opening event will be on Wednesday, August 26th at 6:00 p.m.
- Lakeshore Park Signs – Gallup reported that she had met with Reid and they looked at all the signs within Lakeshore Park. They had come to a conclusion that the exotic species sign was too hidden and should just be removed. They also determined that a large display case was not appropriate for that site, but the “Park Rules Sign” should be updated to look more aesthetically pleasing.
- Gallup reported that the Public Works Department had cleaned up the access to the prairie area in Hunter Lions Park, added new woodchips to Morningside Park, Hunter Lions Park, and Lakeshore Park, removed the extra picnic tables from Hunter Lions Park, and removed the deteriorating sign at Holy Name Park.
- Scherer reported that a portion of the County Road 101 trail had been rebuilt and paved. He also noted that he plans on seal coating the entire trail with the remaining funds in the budget.

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10) Adjourn

A motion was made by DesLauriers, seconded by Jacob and passed unanimously, to adjourn the meeting.

The meeting was adjourned at 9:45 p.m.

Minutes prepared by Jodi Gallup.