

1. Roll Call
2. Approve Minutes Of The July 8, 2019 Meeting

Documents:

[7.8.19 PARKS AND TRAILS COMM MEETING MINUTES.PDF](#)

3. Review Subdivision Ordinance

Documents:

[3 REVIEW SUBDIVISION ORDINANCE.PDF](#)

4. Potential 2020 Projects

Documents:

[9.16.19 AGENDA ITEM 4.PDF](#)

5. Commissions Desires On Programs And Events Presentation - November 2019

6. Chip Trail - Bear Park, Update

Documents:

[9.16.19 AGENDA ITEM 6.PDF](#)

7. Koehler Road Task Force Update - Hokens

8. Other Items

8.I. Commission Updates

8.II. Staff Updates

9. Set Next Meeting - November 2019 (Potential Discuss January 2020 Meeting)

10. Adjourn

Chairperson
Gerald Baldrige
Vice-Chairperson
Kent Hokens

The City of Vadnais Heights
800 East County Road E

Parks/ Recreation and Trails Commission
Pat Cruikshank
Sue
DeGardner

Vadnais Heights, MN 55127
Phone: 651.204.6000

Beth Jensen - Absent
William Johnson - Absent
Michael Werner - Absent
Toby FitzSimons, 1st Alternate
Kari Hauck, 2nd Alternate

Greg Urban, Council Liaison - Absent
Tim Sandvik, Staff Liaison
Jesse Farrell, Public Works Director

**MEETING OF THE
PARK, RECREATION & TRAILS COMMISSION
Monday, July 8, 2019 - 6:00 p.m. Bear Park**

Following a brief adjournment at appx 6:30pm, Meeting to resume at City Hall (appx 6:45pm)

MINUTES

1. Roll Call
2. Bear Park Tour
 - A. Brief discussion and inspection of newly installed playground equipment
 - B. Brief discussion and tour of existing field(s)/trail system, consider chip trail to Tessier
 1. Mr. Baldrige gave a brief history of the park and led the group on a walking tour including through city easement heading east from the park.
 2. Mr. Farrell thanked Mr. Baldrige for the history of the park.
 3. Commissioners discussed the considerations for a potential chip trail and asked Mr. Farrell if this can be a priority for the City. He noted it can. After receiving support, Mr. Sandvik noted that City staff would send out letters to residents immediately adjacent to Tessier Trail for input. The item would be revisited with updates at the September meeting. Ms. Hauck noted that when residents came together and presented the desire for improvements at the Bear Park playground to Council, it was a positive experience and saw satisfying results.
3. Briefly adjourn 6:31pm
4. Resume meeting – City Hall, approximately 6:43pm

5. Approve minutes of May 6, 2019 meeting
 - A. Recommendation to update Mr. Hokens title on the agenda to Vice Chair
 - B. Mr. Hokens motioned to approve, second Mr. FitzSimons. Passed unanimously
6. Recap of City Council Workshop – Chair and Vice Chair
 - A. Mr. Baldrige noted he was pleased by the meeting (Mr. Baldrige and Mr. Hokens met with the City Council at the June 18, 2019 Workshop) and it was a good opportunity to meet new Councilmembers. He noted Council was receptive and open-minded to Commission ideas and he believes that trails are understood by council to be a priority. Generally, pedestrian and biking improvements are understood to be a concern of residents.
 - B. Mr. Hokens stated a light at Heritage Park was a priority of Councilmember Morse. Historical signage and wayfinding signage was another project the Council would support and a good task for the Parks Commission in the future. He also noted he shared the Commission’s recommendation to remove the hockey boards (without replacement) at Westfield Park and Council would support the ongoing recommendations made for playground replacement.
 - C. Ms. Hauck asked if the ongoing list for recommendations for playground replacement has been updated. Mr. Sandvik responded that both Public Works staff and himself support the updating/replacement of the Koehler Meadows play structure in 2020 which has been previously established as next in line.
 - D. Mr. Baldrige as commissioners to establish priorities to address in the future (in no specific order, items discussed by all commissioners) – list of what commission views of priorities – can include
 1. Signage for dogs (Lilly Pond),
 2. Drainage at parks. (including, but not limited to Westfield).
 3. Explore/next steps at Bear/Trail
 4. Look for opportunities for signage (historical and interpretive)
 5. Staff recommendation on Westfield hockey boards is to remove and not replace
 6. Produce updated list of playgrounds for replacement
 7. Drainage issues generally (Mr. Farrell shared that this is a concern the City is working to address generally, and Parks and included in all considerations. This has become especially apparent in 2019 as it is a historically ‘wet’ year at the end of a historically ‘wet’ decade. As Bear was visited earlier in the evening, Mr. Hokens asked Jesse if there was a fault in the design of the trail near the ball field, Mr. Farrell said it was possible, and something his staff can examine).

7. Koehler Road Task Force – Alternatives Analysis Review

- A. Mr. Sandvik introduced the item and gave a brief history as to the process of how it was created through the Task Force and potential next steps.
- B. Mr. Hokens, who was present at the December 2018 Koehler Road Task Force meeting, noted not all considerations raised by the Task Force were included.
- C. Mr. Baldrige said he is interested to hear responses from neighbors/the Task Force.
- D. Mr. FitzSimons shared that a similar project located elsewhere had a primary concern of relocating mailboxes; in some circumstances they were incorporated into the trail.
- E. Mr. Farrell shared that all items within the boundaries of a potential trail/sidewalk would be considered including mailboxes, utilities, trees, and grading.
- F. Mr. FitzSimons noted there could be a potential loss of property for home owners.
- G. Mr. Farrell shared Ramsey County would likely participate as it is their facility.
- H. The Commission collectively discussed the following:
 - 1. Would like to know if Council supports any type of project here
 - 2. Pros and Cons of trails/sidewalks on the North vs South
 - 3. Barriers
 - 4. This section is limited in scope and it would be nice to continue this potential project further.

8. Parks Dedication Ordinance

- A. Mr. Sandvik introduced the item with a brief history.
- B. Mr. Baldrige stated that this specifically applies to the Parks Commission as staff is reevaluating whether or not Parks Dedication Fees are appropriate. He went on to say that this was last considered about 10 years.
- C. The Commission asked how this revenue is processed and whether or not the current approach is comparable to other communities. Mr. Sandvik noted that reevaluating this section of City Code is a part of the larger process, but staff is working to ensure our Code is compliant and our fees remain consistent with other communities.
- D. Mr. Cruikshank suggested staff go back and work through the process, the Commission agreed. Mr. Sandvik noted this will be considered by the Planning Commission as a part of a more comprehensive process and ultimately considered by the Council.

9. Recreation Update

- A. Mr. Sandvik introduced the item.

- B. Commission had general discussion with Mr. Sandvik noting the City is on pace to previous years and updated data will be provided by Ms. Everett at the November Commission meeting.
- C. Mr. Baldrige asked if the addition of facilities to Berwood Park (such as horseshoe pits, bocce ball, etc...) would increase parks use and if lack of equipment for those who don't participate on ball fields limits use.
- D. Ms. DeGardner asked about disc golf stations or other opportunities.
- E. Mr. Sandvik noted that staff intends to bring considerations for the November Parks Commission meeting including small projects as previously mentioned. The Commission stated they are happy to hear Ms. Everett will be joining the meeting.

10. Other Items

A. Commission Updates

- 1. Mr. Hokens noted Mahtomedi is looking into a skate park

11. Set next Meeting – September 2019 16th 6:30

12. Adjourn

- A. Motion by Mr. FitzSimons, second by Mr. Hokens, passed unanimously

Tim Sandvik
Assistant City Administrator

651.204.6013 *Phone*
651.204.6113 *Fax*
tim.sandvik@cityvadnaisheights.com

The City of Vadnais Heights
800 East County Road E
Vadnais Heights, MN 55127

Memorandum:

TO: Parks and Trails Commission

FROM: Tim Sandvik, Assistant City Administrator

DATE: Monday, September 16, 2019

SUBJECT: Vadnais Heights – Subdivision Ordinance - Parks Dedication Fees

Background

Staff has been working to revise and update various areas of the Vadnais Heights City Code in recent history. At the July 8, 2019 Parks, Trails, and Recreation Commission, staff presented existing language (specific to park dedication fees) and suggested it can be convoluted in areas.

As the City's statutory authority to collect park dedication fees and/or land is directed by the subdivision of land, the Vadnais Heights Planning Commission has taken the lead on reviewing all suggestions for updating language in the aforementioned areas as the Planning Commission and City Council review all subdivisions.

Attached to this memo, you will find staff's recommendations for updates along with documentation of the review process by the Planning Commission. Specific to parks dedication fees, please refer to lines 554 – 658 (starting on page 12).

Mr. Wall - Community Development Director, will present the item and answer questions. It is the goal for staff to present the item to the City Council on September 17, 2019 for consideration.

1 CITY OF VADNAIS HEIGHTS
2 COUNTY OF RAMSEY
3 STATE OF MINNESOTA

4
5 ORDINANCE NO. 734

6
7 AN ORDINANCE AMENDING CHAPTER 32 OF THE
8 CITY CODE, CONCERNING SUBDIVISIONS
9

10 The City Council of the City of Vadnais Heights does hereby ordain:

11
12 I.

13
14 Chapter 32, Article I, Section 32-2 (Definitions) of the City Code is hereby amended to read as
15 follows (strikethrough indicates deletions; underline indicates additions):

16
17 Sec. 32-2. - Definitions.

18
19 ...

20
21 Subdivider means an applicant or property owner that has applied to subdivide land in the city.
22 All references to applicant or owner in this chapter shall have the same meaning as subdivider.

23
24 ...

25
26 II.

27
28 Chapter 32, Article I, Section 32-6 (Minor subdivisions) of the City Code is hereby amended to
29 read as follows (strikethrough indicates deletions; underline indicates additions):

30
31 Sec. 32-6. - Minor subdivisions.

32
33 (a) Generally. The following land subdivisions shall be considered minor subdivisions and exempt
34 from articles II through IV of this chapter if all the following conditions are met:

35
36 ...

37
38 (2) The subdivision involves no more than three previously platted lots and results in no
39 more than three revised or new lots;

40
41 ...

42
43 ~~(5) The purpose of the subdivision is to divide up to three parcels into not more than three~~
44 ~~new parcels, or revise lot lines, or correct surveyor errors for up to three parcels which does~~
45 ~~not create any new buildable lots. Notwithstanding other conditions, a minor subdivision~~
46 application shall not be accepted if it represents the further subdivision or consolidation of
47 a lot which, itself, is the result of any subdivision or consolidation approved within five
48 years preceding said application.
49

50 (b) Administrative Minor Subdivision. The following shall qualify as an administrative minor
51 subdivision to be considered by the development review committee for approval/denial:

52
53 (1) Adjust a lot line to permit adding a portion of land to an abutting lot that will not create
54 a new buildable lot.

55
56 (2) Correct a surveying error.

57
58 ~~(bc)~~ Application. An applicant for a minor subdivision shall submit the proper application forms
59 made available by the city, including a certificate of survey and all required materials and fees.

60
61 ~~(ed)~~ Notice of hearing. Except an administrative minor subdivision meeting the conditions in (b)
62 above, No minor subdivision shall be approved until a public hearing on the matter has been held
63 by the city council. A notice of the time, date, place and purpose of the hearing shall be published
64 in the official newspaper at least ten days prior to the date of the hearing. A similar notice shall be
65 mailed at least ten days prior to the date of the hearing to each owner of an affected property and
66 property situated wholly or partly within 350 feet of the property to which the minor subdivision
67 relates. The city shall be responsible for placing and mailing such notices. The failure to give
68 mailed notice to individual property owners or defects in the notice shall not invalidate the
69 proceedings.

70
71 ~~(de)~~ Review and recommendation by the development review committee. A minor subdivision
72 application shall be reviewed by the development review committee to determine compliance with
73 the applicable requirements in this chapter. Applications meeting the conditions in (b) above shall
74 be approved or denied by the committee, with written findings prepared for the record. All other
75 qualifying applications shall be recommended for approval or denial, with findings prepared for
76 the city council.

77
78 ~~(ef)~~ Decision by city council. The city council shall consider the matter at its next regular meeting
79 after receipt of the report and recommendation by the development review committee, except for
80 applications meeting the conditions in (b) above. The city council may, by majority vote, deny a
81 minor subdivision by resolution with findings of fact, approve it by resolution, or table action to a
82 future meeting. The applicant shall be notified in writing of such action, including any conditions
83 of approval.

84
85 ~~(fg)~~ Filing; costs. The applicant shall be responsible for filing the minor subdivision and for
86 payment of associated costs.

87 88 III.

89
90 Chapter 32, Article I, Section 32-7 (Procedure to establish minor subdivisions) of the City Code is
91 hereby amended to read as follows (strikethrough indicates deletions; underline indicates
92 additions):

93
94 ~~Sec. 32-7. Procedure to establish minor subdivisions.~~

95
96 ~~The owners of proposed lots for a minor subdivision shall file with the city clerk a certificate of~~
97 ~~survey of the lots to be divided and pay the required fee, plus any required park dedication and~~
98 ~~stormwater fees. The certificate of survey shall show the dimensions of the lots, as measured upon~~

99 the recorded proposed property lines, all visible encroachments, a wetland delineation, all
100 easements of record, all proposed easements, all public and private utilities, and the proposed lot
101 division. A written description of the separately described tracts which will result from the
102 proposed subdivision shall be included on the survey.

103
104 (1) If the proposed subdivision complies with all the requirements of this section, it will be
105 reviewed by the development review committee with findings prepared for the city council. The
106 city council will consider the application at a regular city council meeting; written notice of the
107 meeting shall be sent to property owners within 350 feet of the proposed subdivision.

108
109 (2) If the proposed minor subdivision is approved, the city clerk and mayor shall sign the minor
110 subdivision and collect all fees. The applicant shall file the minor subdivision with the county
111 recorder or registrar of titles.

112 113 IV.

114
115 Chapter 32, Article I, Section 32-8 (Variances from subdivision regulations) of the City Code is
116 hereby amended to read as follows (strikethrough indicates deletions; underline indicates
117 additions):

118
119 Sec. 32-~~87~~. - Variances from subdivision regulations.

120
121 (a) The planning commission may recommend, and the city council may grant, a variance from
122 the standards of this chapter (not procedural provisions) where an unusual hardship on the land
123 exists. ~~when undue hardship may result from strict compliance.~~

124
125 (b) In recommending any variance, the planning commission shall prescribe any conditions that it
126 deems necessary or desirable for the public interest, to be considered by the city council. In making
127 its recommendations, the planning commission shall take into account the nature of the proposed
128 use of land and the existing use of land in the vicinity, the number of persons who reside or work
129 in the proposed subdivision and the probable effect of the proposed subdivision upon traffic
130 conditions in the vicinity.

131
132 (c) A variance shall only be considered when all the following exist:

133
134 (1) There are special circumstances or conditions affecting the property resulting from an
135 unusual ~~significant physical~~ hardship such as topography, soils, or shape of the property
136 that the strict application of the subdivision provisions would deprive the applicant/owner
137 of the reasonable use of the land or result in inequities, including, but not limited to,
138 inadequate access to direct sunlight for solar energy systems.

139
140 ...

141 142 V.

143
144 Chapter 32, Article I, Sections 32-9, 10, 11, and 12 (Requests for variance, Violations, Unit fee
145 for stormwater improvements, Consideration of public property) of the City Code are hereby
146 amended to read as follows (strikethrough indicates deletions; underline indicates additions):

147 Sec. 32-~~98~~. - Requests for variance.

148
149 ...
150
151
152
153 ...

Sec. 32-~~109~~. - Violations.

154
155 Sec. 32-~~110~~. - Unit fee for stormwater improvements.

156 The city council recognizes that each new development intensifies existing stormwater problems
157 and adds to future needs for stormwater improvements. To create a fund to assist in paying for
158 such improvements when needed, a developer shall pay an amount as provided in the city fee
159 schedule to the city the sum of \$100.00 per lot prior to ~~approval of~~ recording the final plat or
160 issuance of a building permit, ~~such sum to be maintained and to be used only for stormwater and~~
161 drainage maintenance and improvements throughout the city.

162
163 ...

164
165 Sec. 32-~~1211~~. - Consideration of public property.

166
167 **VI.**

168
169 Chapter 32, Article II, Section 32-43 (Generally) of the City Code is hereby amended to read as
170 follows (strikethrough indicates deletions; underline indicates additions):

171
172 Sec. 32-43. - Generally.

173
174 To facilitate the handling of plats and to establish a definite procedure for ~~the consideration of the~~
175 ~~many problems involved in~~ preparing and recording a plat to be approved and recorded, the
176 following procedure is approved by the city council:

177
178 (1) An applicant for a ~~minor subdivision~~ preliminary and/or final plat shall submit the proper
179 application forms made available by the city, including all required materials and fees for the
180 consideration of the planning commission and/or the city council.

181
182 (2) After receiving ~~tentative~~ approval of the preliminary plat, the ~~owner~~ subdivider shall enter into
183 a development agreement with the city ~~council~~ guaranteeing the improvement and development of
184 the property, in accordance with section 32-55 of ~~as described elsewhere in~~ this chapter.

185
186 (3) After entering into the agreements ~~required in subsection (2) of this section~~, the ~~owner~~
187 subdivider shall submit the final plats, in accordance with section 32-129 of ~~as described elsewhere~~
188 ~~in~~ this chapter.

189
190 (4) The final plats shall be recorded by the ~~owner~~ subdivider, at ~~his~~ the subdivider's expense, after
191 approval by the city council and all required state or county agencies. ~~having to do with these~~
192 ~~matters.~~

193
194
195
196

197 **VII.**

198
199 Chapter 32, Article II, Section 32-45 (Sketch plan) of the City Code is hereby amended to read as
200 follows (strikethrough indicates deletions; underline indicates additions):

201
202 Sec. 32-45. - Sketch plan.

203
204 Before submitting ~~the required~~ a preliminary plat for approval, the ~~owner~~ subdivider may submit
205 a sketch plan showing the general layout of blocks and streets as proposed for the subdivision.
206 This sketch may be submitted to the city clerk, ~~who, in turn, shall submit it to~~ for the planning
207 and/or parks, trails, and recreation commissions ~~for study~~ to review and determine whether such a
208 plan would be feasible and in compliance with the general rules and regulations of the city. The
209 ~~owner~~ subdivider is not required to submit a sketch plan, and the reports of the ~~planning~~
210 ~~commissions~~ on such a plan is are not binding on the city; In addition, ~~nor it shall not~~ it affect
211 subsequent considerations of the preliminary and final plats nor shall it be considered under the
212 applicable state statutes regarding review timelines. This service is offered to ~~owners~~ subdividers
213 in an effort to acquaint them with the rudimental principles of platting property in the city.

214
215 **VIII.**

216
217 Chapter 32, Article II, Section 32-46 (Park dedication determination) of the City Code is hereby
218 amended to read as follows (strikethrough indicates deletions; underline indicates additions):

219
220 Sec. 32-46. - Park dedication determination.

221
222 Before appearing at the planning commission hearing, the subdivider ~~shall~~ is encouraged to meet
223 with the city staff to review the applicable park dedication requirements, as in section 32-217, and
224 determine how they will be met. ~~At such meeting, the subdivider and city staff shall determine~~
225 ~~how they intend to meet the requirements of dedication of land or money for parks.~~ In the event
226 it is determined that land dedication may occur as part of the proposed subdivision, or at the
227 discretion of the city planner, the matter shall be forwarded to the parks, trails, and recreation
228 commission for review and recommendation, prior to action on the proposed subdivision by the
229 city council.

230
231 **IX.**

232
233 Chapter 32, Article II, Sections 32-47, 48, 49, 50, 51, 52, 53, & 54 (Preliminary plat, Fees,
234 Distribution of tentative plat copies, Clerk to deposit fee, Public hearing before planning
235 commission, Planning commission to report, City engineer, attorney, and planner, Preliminary plat
236 hearing before council) of the City Code is hereby amended to read as follows (strikethrough
237 indicates deletions; underline indicates additions):

238
239 ~~Sec. 32-47. - Preliminary plat.~~

240
241 ~~The owner shall file with the city clerk four copies of the preliminary plat and a cash fee to use for~~
242 ~~the expense of the city in connection with the approval or disapproval of the plat and the approval~~
243 ~~or disapproval of any final plat which may thereafter be submitted.~~

244
245 ~~Sec. 32-48. - Fees.~~

246 (a) The fee to be paid to the city clerk when a preliminary plat is submitted shall be as provided in
247 the city fee schedule.

248
249 (b) In addition to the fee for application for a preliminary plat, whenever the preliminary plat
250 contains more than four acres or ten lots, the applicant shall pay for engineering, legal and other
251 consultant expenses in excess of \$50.00, incurred by the city to process and consider the
252 preliminary plat application. The applicant, in such case, shall tender with their fee a cash deposit
253 or a surety bond in the amount specified in the city fee schedule to guarantee payment of this
254 obligation. In the event of such cash deposit, the clerk shall refund all unused portions of the
255 deposit in excess of \$50.00.

256
257 ~~Sec. 32-49. Distribution of tentative plat copies.~~

258
259 ~~Upon receipt of seven copies of a tentative plat, the city clerk shall refer one copy to the city~~
260 ~~planner, city engineer, and city attorney, and the remaining copies shall be filed in the city hall.~~

261
262 ~~Sec. 32-50. Clerk to deposit fee.~~

263 ~~The city clerk shall deposit any money received as fees under this article to the credit of the general~~
264 ~~fund of the city, and no money shall be refunded to the applicant, nor shall any additional charge~~
265 ~~other than the fee stipulated in section 32-48 be made or collected regardless of the cost of~~
266 ~~processing the plat.~~

267
268 ~~Sec. 32-51. Public hearing before planning commission.~~

269 ~~The planning commission's hearing on the preliminary plat shall be a public hearing, preceded by~~
270 ~~at least ten days' published notice of the same in the official newspaper and mailing notices to~~
271 ~~property owners within 350 feet of the proposed plat.~~

272
273 ~~Sec. 32-52. Planning commission to report.~~

274
275 ~~The planning commission shall report its findings to the city council within 60 days after receipt~~
276 ~~of the preliminary plat at a meeting of the planning commission, or the city council may take action~~
277 ~~without such report.~~

278
279 ~~Sec. 32-53. City engineer, attorney, and planner.~~

280
281 ~~The report of the city engineer, city attorney, and city planner shall be due within 15 days from~~
282 ~~receipt of such plat.~~

283
284 ~~Sec. 32-54. Preliminary plat hearing before council.~~

285
286 (a) ~~The city council shall approve or disapprove the preliminary plat within 90 days after referring~~
287 ~~it to the planning commission. Notice of the city council hearing shall be as set forth in section 32-~~
288 ~~51. The city clerk shall notify the subdivider that the plat has been approved or disapproved and if~~
289 ~~it has been disapproved, the notice to the subdivider shall state the reason for such disapproval.~~
290 ~~Approval of the preliminary plat shall not be construed to be approval of the final plat.~~

291
292 (b) ~~If approved, the city engineer shall authenticate the preliminary plat which was approved by~~
293 ~~the city council and the same shall be retained by the clerk.~~

294

X.

Chapter 32, Article II, Section 32-47 (Preliminary plat) of the City Code is hereby amended to read as follows (strikethrough indicates deletions; underline indicates additions):

(a) Generally. In accordance with the provisions of state law, the city council may, from time to time, approve subdivisions of land in accordance with the procedures of this chapter.

(b) Application. An applicant for a preliminary plat shall submit the proper application forms made available by the city, including all required materials and fees.

(c) Notice of hearing. No preliminary plat shall be approved until a public hearing on the matter has been held by the planning commission. A notice of the time, date, place and purpose of the hearing shall be published in the official newspaper at least ten days prior to the date of the hearing. A similar notice shall be mailed at least ten days prior to the date of the hearing to each owner of an affected property and property situated wholly or partly within 350 feet of the property to which the minor subdivision relates. The city shall be responsible for placing and mailing such notices. The failure to give mailed notice to individual property owners or defects in the notice shall not invalidate the proceedings.

(d) Review and recommendation by the planning commission. A preliminary plat application shall be reviewed by the planning commission. In its deliberations on the matter, the planning commission shall consider oral and written statements from the applicant, the public, city staff, and its own members. The planning commission may recommend approval, denial, or table the preliminary plat application. A written report shall be transmitted to the city council by the city planner on behalf of the planning commission stating its findings and recommendation.

(e) Decision by city council. The city council shall consider the matter at its next regular meeting after receipt of the report and recommendation by the planning commission. The city council may, by majority vote, deny a preliminary plat by resolution with findings of fact, approve it by resolution, or table action to a future meeting. The applicant shall be notified in writing of such action, including any conditions of approval.

(f) Requirements governing approval of a preliminary plat.

(1) The planning commission may recommend and the city council may require such changes or revisions as the city council deems necessary for the health, safety, general welfare and convenience of the city.

(2) The approval of a preliminary plan by the planning commission and the city council is tentative only, involving merely the general acceptability of the layout as submitted.

(3) Subsequent approval shall be required of the engineering proposals pertaining to water supply, storm drainage, sewerage and sewage disposal, gas and electric service, grading, gradients and roadway widths, and the surfacing of streets by the city engineer and other public officials having jurisdiction, prior to the approval of the final plat by the city.

342 (4) Stormwater drainage criteria and concepts shall be set forth in sufficient detail so as to meet
343 approval of the city engineer and all watershed and subwatershed governmental entities. It is
344 intended that the subdivider here set forth a general plan for control or diversion of stormwaters.
345

346 **XI.**

347
348 Chapter 32, Article II, Sections 32-55, 56, 57, 58, 59, 60, & 61 (Improvement agreements,
349 Estimated cost of improvements, Cash deposit or performance bond, Maintenance bond,
350 Improvements may be partial, Approval of work, Excess money to be returned) of the City Code
351 is hereby amended to read as follows (strikethrough indicates deletions; underline indicates
352 additions):

353
354 Sec. 32-~~55~~48. - Improvement agreements.

355
356 ...

357
358 Sec. 32-~~56~~49. - Estimated cost of improvements.

359
360 ...

361
362 Sec. 32-~~57~~50. - Cash deposit or performance bond.

363
364 ...

365
366 Sec. 32-~~58~~51. - Maintenance bond.

367
368 ...

369
370 Sec. 32-~~59~~52. - Improvements may be partial.

371
372 ...

373
374 Sec. 32-~~60~~53. - Approval of work.

375
376 ...

377
378 Sec. 32-~~61~~54. - Excess money to be returned.

379
380 ...

381
382 **XII.**

383
384 Chapter 32, Article II, Section 32-62 (Final plat) of the City Code is hereby amended to read as
385 follows (strikethrough indicates deletions; underline indicates additions):

386
387 Sec. 32-~~62~~54. - Final plat.

388
389 ~~After the subdivider has complied with all the foregoing requirements of this chapter, they may~~
390 ~~submit final plats to the city for approval. If the final plat substantially conforms to the approved~~

391 preliminary plat, review by the planning commission is not required, as determined by the city
392 planner. In addition to the customary plats and tracing that are required to be recorded in the county
393 offices of record, the subdivider shall furnish the city clerk with a tracing or transparent sepia and
394 two copies of the final plat.

395
396 (a) Generally. Final plats shall be drawn to conform to all the rules and regulations of the county
397 and existing state laws governing platting. An applicant may elect to apply for final plat approval
398 as part of the same application review process for a preliminary plat. If a final plat is considered
399 separately by the city council, the following procedures and standards shall apply.

400
401 (b) Application. Upon receiving approval of a preliminary plat, an applicant for a final plat shall
402 submit the proper application forms made available by the city, including all required materials
403 and fees.

404
405 (c) Review and recommendation by the development review committee. If the final plat
406 substantially conforms to the approved preliminary plat, review by the planning commission is not
407 required, as determined by the development review committee.

408
409 (d) Decision by city council. The city council shall consider the matter at its next regular meeting
410 after receipt of the report and recommendation by the development review committee. The city
411 council may, by majority vote, deny a final plat by motion with findings of fact, approve it by
412 motion, or table action to a future meeting. The applicant shall be notified in writing of such action,
413 including any conditions of approval.

414
415 (e) Time limit. A subdivider shall submit a proposed final plat to the city within two years of the
416 city's approval of the preliminary plat. Failure to do so will ~~void~~ shall void the approval of the
417 preliminary plat and require the subdivider to resubmittal under the applicable procedures, ~~and~~
418 renew the preliminary plat procedure.

419
420 (f) Recording. After the a final plat has been approved and signed, it shall be recorded by the
421 subdivider, at the subdivider's cost, in the county office of record within 60 days after the date of
422 such final approval by the city council.

423
424 **XIII.**
425

426 Chapter 32, Article II, Sections 32-63, 64, 65, 66 & 67 (Time limit, Clerk to submit plans, Review
427 before city council of proposed final plat, Resubdivisions, Subdivider to record plat) of the City
428 Code is hereby amended to read as follows (strikethrough indicates deletions; underline indicates
429 additions):

430
431 Sec. 32-63.—Time limit.

432
433 A subdivider shall submit a proposed final plat to the city within two years of the city's approval
434 of the preliminary plat. Failure to do so will void the approval of the preliminary plat and require
435 the subdivider to resubmit and renew the preliminary plat procedure.

436
437 Sec. 32-64.—Clerk to submit plats.

438

439 Upon receiving final plats, the city clerk shall submit them to the city council for final approval.
440 The clerk shall also submit a certified statement to the city council that the platting requirements
441 have been complied with and that the following items have been filed in the clerk's office:

- 442
443 ~~(1) A copy of the tentative plat.~~
444
445 ~~(2) A report from the planning commission recommending approval of the tentative plat.~~
446
447 ~~(3) Reports from the city engineer, including an improvement cost estimate as required by this~~
448 ~~article.~~
449
450 ~~(4) An agreement in accordance with section 32-57.~~
451
452 ~~(5) A record of cash deposit or a performance bond in accordance with section 32-57.~~
453
454 ~~(6) Reports from the city attorney, including a statement that the agreement and sureties therewith~~
455 ~~are satisfactory.~~

456
457 ~~Sec. 32-65. – Review before city council of proposed final plat.~~
458

459 ~~After the final plat has been received and determined complete by the city council, it shall, at its~~
460 ~~next regular meeting, approve or disapprove the proposed final plat. If the final plat is disapproved,~~
461 ~~the reasons therefor shall be set forth in the proceedings of the city council and reported to the~~
462 ~~person applying for such approval.~~

463
464 ~~Sec. 32-66~~55. - Resubdivisions.
465

466 Whenever an existing plat is resubdivided, the ~~owner~~ subdivider shall comply with all the
467 requirements of the chapters on platting deemed applicable by the city council acting upon the
468 recommendation of the planning commission.
469

470 ~~Sec. 32-67. – Subdivider to record plat.~~
471

472 ~~After the final plats have been approved by the city council and signed by the mayor and the city~~
473 ~~clerk, the subdivider shall record the plat in the county office of record within 60 days after the~~
474 ~~date of such final approval by the city council.~~

475 476 **XIV.**

477
478 Chapter 32, Article IV, Sections 32-125, 126, 127, 128, & 130 (Necessary data for preliminary
479 plat, Requirements governing approval of preliminary plat, Land subject to flooding or containing
480 poor drainage facilities, Soil tests, Final plats, Plat names) of the City Code is hereby amended to
481 read as follows (strikethrough indicates deletions; underline indicates additions):
482

483 **ARTICLE IV. – ADDITIONAL PLATS REQUIREMENTS**

484
485 ~~Sec. 32-125. – Necessary data for preliminary plat.~~
486

487 In addition to the data prescribed by state law, the preliminary plat shall include the required
488 materials and fees as specified on applicable application forms made available by the city.

489
490 ~~Sec. 32-126. Requirements governing approval of preliminary plat.~~

491
492 ~~(a) The planning commission may recommend and the city council may require such changes or~~
493 ~~revisions as the city council deems necessary for the health, safety, general welfare and~~
494 ~~convenience of the city.~~

495
496 ~~(b) The approval of a preliminary plan by the planning commission and the city council is tentative~~
497 ~~only, involving merely the general acceptability of the layout as submitted.~~

498
499 ~~(c) Subsequent approval will be required of the engineering proposals pertaining to water supply,~~
500 ~~storm drainage, sewerage and sewage disposal, gas and electric service, grading, gradients and~~
501 ~~roadway widths, and the surfacing of streets by the city engineer and other public officials having~~
502 ~~jurisdiction, prior to the approval of the final plat by the city.~~

503
504 ~~(d) Stormwater drainage criteria and concepts shall be set forth in sufficient detail so as to meet~~
505 ~~approval of the city engineer and all watershed and subwatershed governmental entities. It is~~
506 ~~intended that the developer here set forth a general plan for control or diversion of stormwaters.~~

507
508 ~~Sec. 32-1275. - Land subject to flooding or containing poor drainage facilities.~~

509
510 ~~(a) No plan will shall be approved for a subdivision which is subject to periodic flooding or which~~
511 ~~contains poor drainage facilities and which that would make adequate drainage of the streets and~~
512 ~~lots impossible. However, if the subdivider agrees to make improvements which that will, in the~~
513 ~~opinion of the city engineer, make the area completely safe for residential occupancy, and provide~~
514 ~~adequate street and lot drainage, the preliminary plan of the subdivision may be approved.~~

515
516 ~~(b) For all subdivisions in the floodplain, floodway and flood fringe boundaries, the regulatory~~
517 ~~flood protection elevation and the required elevation of all access roads shall be clearly labeled on~~
518 ~~all required subdivision drawings and platting documents.~~

519
520 ~~Sec. 32-1286. - Soil tests.~~

521
522 The city engineer may require soil tests prior to the final approval of any plat. These soil tests shall
523 consist of test holes to a depth necessary to determine the various types of soil to be encountered
524 before reaching a stable base. Such test holes, when ordered by the city authorities, shall be drilled
525 at the expense of the subdivider owner or developer, and the information disclosed shall be
526 furnished to the city council, together with a copy of the proposed plat showing the location of
527 each test hole. The information required by the city council shall include a report as to the various
528 types of soil encountered and their depths, the level of the groundwater and a seepage test and may
529 include additional information. The number of test holes to be drilled and their location on the
530 property ~~which that~~ is proposed to be platted will be as directed by the city engineer council ~~or~~
531 ~~their authorized representative~~. In questionable cases, the owner subdivider shall be required to
532 furnish to the city council a report from a recognized engineering laboratory as to the safety and
533 practicability of the use of the area for building construction, including the feasibility for
534 installation of sewage facilities.

535

536 Sec. 32-129.— Final plats.

537
538 (a) Final plats shall be drawn to conform with all the rules and regulations of the county plat
539 commission and existing state laws governing the platting of property in the county. To satisfy city
540 requirements, the final plat application shall contain the required materials and fees specified on
541 the applicable application forms made available by the city.

542
543 (b) For all subdivisions in the floodplain, floodway and flood fringe boundaries, the regulatory
544 flood protection elevation and the required elevation of all access roads shall be clearly labeled on
545 all required subdivision drawings and platting documents.

546
547 Sec. 32-13027. - Plat names.

548
549 No plat shall contain the name of any city (except this city) or town which is situated within the
550 county or any contiguous county.

551
552 **XV.**

553
554 Chapter 32, Article VII, Section 32-217 (Park lands and natural features) of the City Code is hereby
555 amended to read as follows (strikethrough indicates deletions; underline indicates additions):

556
557 Sec. 32-217. - Dedication of land for parks.

558
559 Pursuant to M.S.A. § 462.358, subd. 2, and because a development creates an additional need for
560 parks and recreation area, the city council shall require:

561
562 (1) For residential development.

563
564 a. That the developer dedicate to the city a portion of their site based upon the formula shown by
565 the following table. The area so dedicated shall be suitable for park and recreation use.

566
567 Formula for Land Dedication

Proposed Number of Dwelling Units Per Acre	Percentage of Site Which May Be Required for Park Dedication
2.0	9 percent
2.1—4.0	11 percent
4.1—6.0	13 percent
6.1—8.0	15 percent
8.1—10.0	17 percent
10.0+	Add one percent for each dwelling unit per acre beyond 10 and up to a maximum of 20 percent.

568
569 b. That the developer grant to the city for park and recreation purposes a sum of money in place
570 of the land dedication required in subsection (1)a of this section. The option of whether the
571 developer should dedicate either land or cash shall be at the discretion of the city council. Such

572 money shall be placed in a special fund for park and recreation use, shall be deposited with the
573 city clerk prior to approval of the final plat, and shall be refunded if the final plat is not approved.

574
575 e. That developers of sites of 20 lots/units or less in size are required to grant money in place of
576 land according to the following formula: \$1,500.00 per lot or unit.

577
578 d. That developers of sites of more than 20 lots/units grant money in place of land equal to a
579 percentage of the fair market value of the undeveloped site or in accordance with the dwelling unit
580 fee table above, whichever is greater. Such percentage shall be based upon the following table.
581 The value of the undeveloped site shall be determined by the city clerk by reference to current
582 market data, if available, or by obtaining an appraisal of the land from a licensed real estate
583 appraiser. The developer shall pay for the land appraisal. Such dedicated money shall be placed in
584 a special fund for park and recreation use, shall be deposited with the city clerk prior to approval
585 of the final plat, and shall be refunded if the final plat is not approved. At its discretion, the city
586 council, for good cause, may defer the payment of such dedication fee until the time of issuance
587 of the building permit.

588
589 Formula for Cash Dedication in Place of Land Development Sites of More Than Two Lots (Units)

Proposed Number of Dwelling Units Per Acre	Percentage of Appraised Undeveloped Land Value Which May be Required for Park Dedication
0—2.0	9 percent
2.0—4.0	11 percent
4.0—6.0	13 percent
6.0—8.0	15 percent
8.0—10.0	17 percent
More than 10.0	Add one percent for each dwelling unit per acre beyond ten up to a maximum of 20 percent

590 -
591 e. That if the amount of land dedicated to the city by the developer only partially fulfills the
592 requirements set forth in subsection (1)a of this section, the city council requires that the developer
593 apply the applicable formula in subsection (1)d of this section to the unmet portion of their
594 dedication requirement.

595
596 f. That the developer create, and a private entity maintain, some form of on-site recreation for use
597 by the site's residents, particularly pre-school children. This requirement may be in addition to the
598 dedication of land or cash for park and recreation purposes. The city council will review this
599 private recreation design during the preliminary plat approval process.

600
601 (2) For commercial or industrial development.

602
603 a. That the developer shall pay to the city a fee, as provided in the city fee schedule, for each 1,000
604 square feet of proposed building for any commercial or industrial use except those uses set forth
605 in subsections (2) b and c of this section.

606
607 b. The developer shall pay to the city a fee as, provided in the city fee schedule, for each 1,000
608 square feet of proposed building for uses as follows:

609 1. Warehousing;

610

611 2. Low labor intensive light manufacturing/assembly (one or less employee per 1,000 square feet

612 of structure);

613

614 3. Other low labor intensive uses.

615

616 e. The developers of hotels and motels pay to the city a fee, as provided in the city fee schedule,

617 per hotel and motel unit.

618

619 d. All such money must be paid prior to the issuance of the building permit.

620

621 e. The above shall apply to new buildings and additions to existing buildings.

622

623 (a) Authority. Minnesota Statutes Section 462.358, Subdivisions 2b and 2c permit the city to

624 require dedication of park land, or cash in lieu of land, as part of the subdivision process in order

625 to fulfill its plans for recreational facilities and open spaces. The city council shall determine

626 whether park dedication is required in the form of land, cash contribution, or a combination of

627 cash and land. To properly use this authority, the city will base its determination on existing

628 development, the need created by the proposed development, and the plan and policies of the city

629 embodied by the parks, trails, and open space component in the comprehensive plan.

630

631 (b) Condition of Approval. Park dedication, which includes dedication of park land or cash in lieu

632 of land, shall be required as a condition of the approval of any subdivision of land resulting in a

633 net increase of development sites. The planning commission and/or parks, trails, and recreation

634 commission shall recommend, as in section 32-46, in accordance with state law and the approved

635 plans and policies noted herein, either a portion of land to be dedicated to the public, or in lieu

636 thereof, a cash deposit of park dedication fees given to the city to be used **only** for park purposes,

637 or a combination of land and park dedication fees.

638

639 (c) Park Land Dedication Amount. The portion of land to be dedicated shall be up to 10% in all

640 residentially-zoned areas, and up to 5% in all other areas. However, the city council has the

641 authority to determine the applicable amount for each subdivision.

642

643 (d) Park Dedication Fees. The park dedication fee amounts shall be reviewed and determined

644 annually by city council resolution and established in the city fee schedule. Park dedication fees

645 shall be based on the new lots created in the subdivision, based on the number of new residential

646 units, or the average fair market value of the unplatted land for which park fees have not already

647 been paid. The value of the unplatted land shall be determined by the city clerk by reference to

648 the fair market value as determined by the Ramsey County Assessor's office as of the date of

649 subdivision approval, or by obtaining an appraisal of the land from a licensed real estate appraiser.

650 The subdivider shall pay for the land appraisal.

651

652 (e) Payment and Handling of Park Dedication Fees. Park dedication fees shall be paid before the

653 subdivision or final plat is filed with the Ramsey County Recorder or Registrar of Titles. All park

654 dedication fee amounts shall be placed in a special fund for park and recreation use only and shall

655 be deposited with the city prior to recording of the subdivision or final plat.

656

657 (f) Utility Dedications Not Qualified. Land dedicated for required street right-of-way or utilities,
658 including drainage, does not qualify as park dedication.

660 **XVI.**

661
662 This Ordinance shall take effect and be enforced from and after its passage and publication.

663
664 PASSED by the City Council of the City of Vadnais Heights, Minnesota, this ## day of
665 month, 2019.

666
667
668 _____
Heidi Gunderson, Mayor

669 ATTEST:

670
671 _____
672 Kevin Watson, City Administrator



Memorandum:

TO: Chair Cordes and Planning Commission Members

FROM: Nolan Wall, Planning/Community Development Director

DATE: August 27, 2019

SUBJECT: Planning Staff Report
Case 19-013: Subdivision Ordinance Amendments

Description of the Request

The City is proposing amendments to Chapter 32 of the City Code concerning Subdivisions, contained in the attached DRAFT Ordinance 734.

Discussion

The City is using its legislative authority when considering action on a City Code amendment request and has broad discretion; the only limitations are that actions must be constitutional, rational, and in some way related to protecting the health, safety and general welfare of the public.

Action Timeline

There is no applicable action timeline in this case due to the request being city-initiated.

Background

Staff presented the DRAFT Ordinance for discussion at the July meeting, with the intent of conducting the public hearing and presented the proposed revisions to the Ordinance at the August meeting.

Analysis

DRAFT Ordinance 734 contains the following revisions from the discussion at the July meeting (see attached, revisions **BOLDED**):

Section II

- Added language to prohibit successive minor subdivisions without platting (lines 45-48).
- Added a new section for administrative minor subdivisions (lines 50-57).
- Reinforced the need for certificate of survey as part of a minor subdivision application, as included on the application form (line 60).
- Added exemption language to public hearing notice for minor subdivisions (lines 62-63).
- Re-lettered and re-referenced certain sections (lines 59-86).

Section XV

- Removed “discretionary” language (line 625).
- Clarified “park dedication” means either land dedication or cash in lieu of land (lines 631-632).
- Added “up to” language to percentages (lines 639-640).

Public Hearing Notice

According to Chapter 38, Article II, Section 38-35(c) of the City Code, concerning code amendments, a public hearing notice must be published and mailed to any affected property owners within 350 feet at least ten (10) days prior to the Planning Commission meeting. The required notice was published in the August 14 edition of the Vadnais Heights Press and mailing to surrounding property owners is not applicable in this case.

Recommended Commission Action

Staff recommends the Planning Commission review the proposed amendments contained in DRAFT Ordinance 734 and make a recommendation to the City Council.

Action Requested

Staff recommends approval of the City Code amendment request contained in DRAFT Ordinance 734.

Attachment(s):

- DRAFT Ordinance 734
- DRAFT 07.23.19 Planning Commission minutes extract
- 07.23.19 Staff Report, without attachments
- Public Hearing Notice

427

428 Commissioner Jokinen inquired about barbed wire on top of the fencing and if that
429 requirement could be negotiated. Wall said barbed wire was currently on the interior
430 fence lot line but the exterior fence along Willow Lake would be the same black chain
431 link fence and shared a photo of the site outlining the west boundary line.

432

433 The motion carried.

434

435 E. Case 19-013: City of Vadnais Heights – Ordinance No. 734 – Subdivision
436 Ordinance Amendments

437

438 Planning/Community Development Director Wall staff presented the draft subdivision
439 Ordinance amendments for discussion at the July meeting, with the intent of conducting
440 the public hearing and presented the proposed revisions to the Ordinance at the August
441 meeting. He outlined the following revisions from the discussion at the July meeting that
442 included added language to Section II to prohibit successive minor subdivisions without
443 platting (lines 45-48); added a new section for administrative minor subdivisions (lines
444 50-57); reinforced the need for certificate of survey as part of a minor subdivision
445 application, as included on the application form (line 60); added exemption language to
446 public hearing notice for minor subdivisions (lines 62-63); and re-lettered and re-
447 referenced certain sections (lines 59-86). He outlined changes in Section XV that
448 removed “discretionary” language (line 625); clarified “park dedication” means either
449 land dedication or cash in lieu of land (lines 631-632); and added “up to” language to
450 percentages (lines 639-640). He noted the proposed amendments would go before the
451 Parks Commission as well for review and then to City Council for consideration.

452

453 Chairperson Cordes opened the public hearing at 8:18 p.m.

454

455 No one wished to address the Commission, Chairperson Cordes closed the public hearing
456 at 7:28 p.m.

457

458 Upon motion by Commissioner Bigelbach, seconded by Commissioner Cooper, it was

459

460 “RESOLVED, to recommend approval of Ordinance No. 734 amending Chapter
461 32 of the City Code, concerning Subdivisions.”

462

463 Commissioner Jokinen confirmed that Municode would review the proposed amendment
464 and correct any changes as necessary.

465

466 Chairperson Cordes commented that he did not believe park dedication should be
467 discretionary and should be established by Code as parks were very important in the
468 community.

469

470 The motion carried.

471

472 **NEW BUSINESS**

473

474 None.



Memorandum:

TO: Chair Cordes and Planning Commission Members

FROM: Nolan Wall, Planning/Community Development Director

DATE: July 23, 2019

SUBJECT: Planning Staff Report
Case 19-013: Subdivision Ordinance Amendments

Recommended Commission Action

Staff recommends the Planning Commission review the proposed amendments contained in DRAFT Ordinance 734 and provide direction on any additional revisions. No recommendation to the City Council is required at this time. A formal public hearing will be noticed for the August 27 regular meeting.

Description of the Request

The City is proposing amendments to Chapter 32 of the City Code concerning Subdivisions.

Discussion

The City is using its legislative authority when considering action on a City Code amendment request and has broad discretion; the only limitations are that actions must be constitutional, rational, and in some way related to protecting the health, safety and general welfare of the public.

Action Timeline

There is no applicable action timeline in this case due to the request being city-initiated.

Background

While processing recent applications, staff has identified several potential amendments to the subdivision process. The proposed amendments are intended to bring this chapter of the Code into a similar format as the zoning sections, update language to be consistent with state statutes, and streamline the review process for certain requests. Staff worked with the City Attorney and Assistant City Administrator on the park dedication sections and the Parks, Trails, and Recreation Commission was introduced to the issues at their July meeting.

Analysis

DRAFT Ordinance 734 contains the following major proposed amendments (see attached):

Section I – Definitions

- Adds “subdivider” definition – meant to be interchangeable with owner/applicant terms.

Sections II & III – Minor Subdivisions

- Eliminates redundant exemptions.

- Adds lot line adjustment and survey error exemptions, to be reviewed and approved administratively.
- Eliminates redundant procedures.

The existing minor subdivision process allows certain subdivisions to be reviewed by staff and sent directly to the City Council for approval, including a public hearing. Most minor subdivisions are either a simple lot split to create a new lot or a lot line adjustment between two properties. In most cases, the lot line adjustment only affects two properties and does not create a new buildable lot. Recent feedback from applicants and the City Council is that the current process is too cumbersome for such requests. The DRAFT Ordinance proposes to exempt lot line adjustments and survey corrections from the City Council approval, including a public hearing, in favor of administrative review and approval by staff.

Section IV – Variances

- Updates code language to reference “unusual hardships” to be consistent with state statute language.

Section V – Multiple Sections

- Renumbers sections 32-9 through 32-11

Section VI – General Requirements

- Updates general requirements

Section VII – Sketch Plan

- Allows Parks Commission review of a sketch plan, in certain circumstances.
- Clarifies that a sketch plan review does not trigger the statutory review requirements.

Section VIII – Park Dedication Determination

- Does not require a meeting with staff to determine the park dedication requirements.
- Requires review by the Parks Commission if the subdivision proposes to dedicate public lands.

Sections IX and X – Preliminary Plat

- Eliminates redundant procedures and combines them into a new section.
- Adds consistent procedural language as in the Zoning Code.

Section XI – Multiple Sections

- Renumbers sections 32-55 through 32-61.

Sections XII and XIII – Final Plat

- Combines and condenses requirements from other sections.
- Adds consistent procedural language as in the Zoning Code.
- Eliminates redundant procedures and combines them into a new section.

Section XIV – Additional Plat Requirements

- Eliminates redundant requirements.

Section XV – Park Dedication

- Eliminates existing formulas and procedures.
- Adds updated language to be consistent with state statutes.

- Proposed new formulas for land dedication and cash in lieu of dedication, which will be included in the fee schedule.
- Clarifies fees are to be paid before recording the Final Plat.

The City Attorney and Assistant City Administrator assisted in drafting this section. The existing standards have not been reviewed for some time to ensure consistency with other similar-sized communities. The proposed language is clear and will ensure equitable administration of the standards moving forward.

Public Hearing Notice

According to Chapter 38, Article II, Section 38-35(c) of the City Code, concerning code amendments, a public hearing notice must be published and mailed to any affected property owners within 350 feet at least ten (10) days prior to the Planning Commission meeting.

A public hearing notice will be published in advance of the August 27 Planning Commission meeting.

Staff Recommendation

Staff recommends the Planning Commission review the proposed amendments contained in DRAFT Ordinance 734 and provide direction on any additional revisions prior to next month's public hearing.

Action Requested

No formal action is required at this time.

Attachment(s):

- DRAFT Ordinance 734
- Chapter 32
- Parks, Trails, and Recreation Commission memo, dated July 8, 2019

337 “RESOLVED, to amend Item 1d, hours of operations, to restrict tenant access
338 between the hours of midnight and 5:00 a.m.”

339
340 Ayes – 7 Nays – 0

341
342 The amendment carried.

343
344 Commissioner Stump asked why we would not go back to how the code reads and have
345 the hours of 7 pm to 7 am.

346
347 The amendment carried.

348
349 The main motion carried unanimously.

350
351 **NEW BUSINESS**

352 B. Case 19-013: City of Vadnais Heights – Subdivision Ordinance Amendments

353
354 Planning/Community Development Director Wall said staff recommends the Planning
355 Commission review the proposed amendments contained in DRAFT Ordinance 734 and
356 provide direction on any additional revisions with formal public hearing noticed for the
357 August 27 regular meeting. The City is proposing amendments to Chapter 32 of the City
358 Code concerning subdivisions. He said while processing recent applications, staff has
359 identified several potential amendments to the subdivision process. The proposed
360 amendments are intended to bring this chapter of the Code into a similar format as the
361 zoning sections, update language to be consistent with state statutes, and streamline the
362 review process for certain requests.

363
364 Wall noted that staff have worked with the City Attorney and Assistant City
365 Administrator on the park dedication sections and the Parks, Trails, and Recreation
366 Commission was introduced to the issues at their July meeting. Staff recommends the
367 Planning Commission review the proposed amendments contained in DRAFT Ordinance
368 734 and provide direction on any additional revisions prior to next month’s public
369 hearing.

370
371 Wall reviewed the proposed amendments for minor subdivisions including definitions to
372 include ownership, add lot line adjustments and survey exemption, variances in reference
373 to unusual hardships, renumbering some sections and updates to general requirements.
374 He said the sketch plan review process would allow for Park Commission review but not
375 trigger statutory review and that park dedication determination of amounts and process
376 with preliminary plat consistent with procedural language and combining of multiple
377 sections with final plan review, additional plat requirements, and park dedication
378 language clean-up.

379
380 Chairperson Cordes spoke about inconsistencies with Line 18 and suggested adding “the
381 City Council can at its discretion determine whether park dedication should occur” to
382 indicate waiver of policy decision. He spoke about how commercial abuts residential and
383 the five percent of car lots dedicated as park land was not necessary at this point in the

384 City’s development and should be up to 5% or 10% and not at the discretion of the
385 Council. Commissioner Jokinen asked if line 652 should be xvi? Wall responded yes.

386

387 Commissioner Jokinen stressed the importance of park dedication and not having funds
388 go to the General Fund.

389

390 Chairperson Cordes said he has been impressed with work to replace equipment when
391 needed and suggested inserting the word “use” after “only” on Line 646.

392

393 Wall spoke about the memo he provided to the Parks Commission on the fee schedule
394 and other surrounding communities park dedication fees during the building process at
395 the time of plat.

396

397 Commissioner Jokinen spoke about how other cities in the past could require park
398 dedication fees from signage and asked what process was in place to ensure both property
399 owners of minor subdivisions were in agreement. Wall outlined how the application was
400 signed by both property owners and how property reports were received for title searches
401 which acknowledged understanding which was why staff was comfortable with
402 relinquishing formal approval and eliminating the public hearing requirement to
403 streamline the process.

404

405 **OLD BUSINESS**

406

407 None.

408

409 **GARCEAU CORNER TASK FORCE UPDATE**

410

411 Planning/Community Development Director Wall said the Garceau Corner Task Force has
412 completed three meetings with the first meeting included introductions and a site tour, the
413 second meeting included presentations on the property background, environmental
414 contamination, and tax increment financing from staff and consultants, and then the third
415 meeting included a developer roundtable and discussion of commercial/office redevelopment
416 scenarios and financial analysis. He said staff was pleased with the facilitation of the process
417 so far and that subsequent meetings will focus on residential redevelopment scenarios and
418 formulating a recommendation to the City Council. He added that Commissioners Bigelbach
419 and Jokinen and Councilmember Youker all serve on the Task Force and can provide their
420 feedback at the meeting. He said financial impact development scenarios were reviewed
421 with commercial office retail and a local restaurant owner provided input along with
422 senior housing and open space options and that the fourth meeting would include an
423 analysis of strengths, weaknesses, opportunities and threats with ultimate
424 recommendation to the City Council, adding they are using a facilitator to help the
425 process and ensure active collaboration and engagement.

426

427 Commissioner Bigelbach said she was impressed with the process, cooperation and open
428 forum, as no idea is a bad idea. She said the tour was interesting as it showed the hardware
429 store could be usable with a new roof for future grocery or restaurant and that the hardware
430 store appeared to be structurally sound. She said one take away was the location for a
431 destination restaurant could be difficult.

432

Tim Sandvik
Assistant City Administrator

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651.204.6113 *Fax*
tim.sandvik@cityvadnaisheights.com

The City of Vadnais Heights
800 East County Road E
Vadnais Heights, MN 55127

Memorandum:

TO: Parks, Recreation & Trails Commission

FROM: Tim Sandvik, Assistant City Administrator

DATE: Monday, September 16, 2019

SUBJECT: Identify Potential 2020 Projects

Background

Staff has worked to identify ongoing projects for the Parks, Trails, and Recreation Commission on a variety of scales. Some considerations that have been expressed by commissioners include:

- Wayfinding and Historical/Interpretive Signage
 - Both Mr. Wall and Mr. Sandvik have experience in this area, but request feedback from the Commission regarding desired signage.
- Plantings
 - Pollinator Gardens
 - Monarch Habitat
 - Water Management/Native Species
- Installation of small amenities
 - In previous meetings, Commissioners have expressed interested in exploring opportunities to implement small projects to increase parks participation.

Ultimately, this fall, staff is able to begin the budgeting and planning process for 2020, but is requesting established priorities from Commissioners. Additionally, some items may be eligible for grant funding, but in order to begin that process, staff is requesting direction from the Commission.

Tim Sandvik
Assistant City Administrator

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tim.sandvik@cityvadnaisheights.com

The City of Vadnais Heights
800 East County Road E
Vadnais Heights, MN 55127

Memorandum:

TO: Parks and Trails Commission

FROM: Tim Sandvik, Assistant City Administrator

DATE: Monday, September 16, 2019

SUBJECT: Chip Trail – Bear Park, Update

Background

Parks, Trails, and Recreation Commissioners have long expressed the desire to implement a ‘Chip Trail’ connection from Bear Park to Tessier Trail over City owned land. This project was discussed at the June Workshop of which the Commission’s Chair and Vice-Chair attended and Council gave their support to further explore the consideration. The July 8, 2019 Commission meeting included a tour of Bear Park and hosted a discussion on the chip trail of which the Commission ultimately supported.

Following the meeting, staff sent letters to all properties immediately adjacent to Tessier Trail and those projected to utilize a potential trail. Staff received feedback over the phone, in-person, and via email (emails are include below). Residents largely expressed support; however, some residents’ concerns included the consideration of wildlife, water mitigation, and increased traffic.

Tim,

I recieved your "Chip Trail" proposal in the mail yesterday. My girlfriend and I live on Tessier Trl (3791) and would love for this to happen. We take our doberman for walks, 2-3 times a week. We love Bear Park and the trail behind Bear Park. I think this is an excellent idea and we're all for it. There are several young couples (including ourselves) who recently, moved in the neighborhood. We all have dogs that would utilize this trail. If there's anything else you need from me please feel free to reach out.

Thank you,

Ryan Peterson

Hello Tim,

This email is in regards to the proposed chip trail between Bear Park and Tessier trail, we received the letter sent to the adjacent property owners. We are long time Vadnais Heights residents, we've live at 3863 Tessier Trail (directly across from city owned property for the proposed new trail) for over 25 years. I'm not opposed to trail, but I am concerned about the potential for increased traffic mainly because of the number of small children in the area.

I'm assuming there would be a trail entrance off Tessier, is that correct?

Are there plans for where trail users could park if they aren't walking from area near the property or is the plan to have them park on the street?

The map has yellow and red lines drawn that seem to show property lines, are those line actually (approximately) where the trail would be laid or would that be shown on a different drawing?

Are there more detailed drawings?

Are there public meetings planned for this proposal?

Thanks for your help!

*Regards,
Leonard Ott
3863 Tessier Trail*

Dear Tim,

Thank you for your letter about the chip trail. We currently have fast access to Bear Park as we can cross a neighbor's yard (419 and 428 Bruns Court) for quick access to the park (419 Bruns Court has been empty for more than 20 years). But we are not opposed, and imagine that others, with small kids, would be in favor. However, we are strongly opposed to connecting Tessier Trail to Colleen, and IF the chip trail could become a factor in that connection, THEN, for the safety of the kids playing on a winding road where a serious accident will be virtually guaranteed, we oppose the chip trail.

Please give us a call with any questions or concerns.

*Marc Al & Louise Livesay-Al
3854 Tessier Trail*

Tim,

I am a resident on Tessier Trail and oppose the idea of a trail through the wet lands to Tessier Trail for the following reasons:

-The Trail would diminish and destroy the wet lands that it would go through since people and their animals would inevitably stray off of the Trail into the Wet wands and on to the adjacent owner's

property. With this opens the door to claims against the owner if someone was to get injured when they left the Trail.

-The Trail would invite unwanted traffic into the Tessier Trail neighborhood and with this added traffic crime would increase. As you are probably aware there already has been quite a few car break ins in the neighborhood and this Trail would provide for the people doing the crimes a protected escape or access route.

-With a lot of the people in the neighborhood older with older kids this Trail would not be used by people in the Tessier Trail neighborhood to justify the costs of the trail.

-This Trail would reduce the privacy of the neighborhood with unwanted traffic from the park.

-The Trail would push the wild life (deer, turkeys, etc.) that use the wet land as areas to bed and feed out due to the increase in unwanted traffic through the area.

-Another thing this Trail will do is encourage pet owners to let their pets run free and relieve themselves in people's lawns on Tessier Trail and not clean up after their animals.

My family feels the taxes paid by city residents should be spent in much better ways than destroying wet lands and providing easy access for unwanted guests and crime to the Tessier Trail neighborhood.

Thank you,

Glen Gleason

Hi Tim,

In reviewing the city notice to the residences on Tessier Trail regarding possibility of a trail to Bear Park : being a resident on Tessier for over 20 years I have many times attempted to get to the park straight away. The problems I had come across is the land is "wet land" and holding water and unstable from area drainages. Where would the trail enter/exit these areas?

The map included in notice letter does not indicate where trail would be.

Thanks for your response.

Diane Husak

3859 Tessier Trail

Hello Tim,

My family just moved to Vadnais Heights last week!

We now live at 3847 Tessier Trail.

In meeting with our new neighbors, we were told of a Proposed "Chip Trail" which would connect our street to Bear Park via city-owned property. We are very much in favor of this idea! We have two small children (aged 3 and 5), one of whom has a disability. Being able to connect to the park from our street, which is a dead-end would be ideal.

Is there some way that we could vote on the initiative other than just voicing our favor? Can you provide any other details or a timeline? Any information would be valuable.

Thanks much!

-Rob Davis