

COON RAPIDS CITY COUNCIL MEETING MINUTES OF JULY 6, 2010

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OPEN MIC/PUBLIC COMMENT

Phil Rosar, 10640 Mississippi Boulevard, stated his objection to the City buying houses and competing with private enterprise. He stated he bought the house at 10299 Nightingale Street NW and fixed it up for about \$6,600. The house was originally listed at \$99,000, but because the City was involved, he ended up paying \$111,000. Mr. Rosar stated the City's Code Enforcement was extreme and Coon Rapids was getting a reputation that it was a bad place to do business. He questioned how the contractor for the Crooked Lake Home for Generations project could bid \$75,000 to fix up the house. He stated the sales price for the Home for Generations project does not include the amount of staff time involved. Mr. Rosar stated his opinion was that staff and Council did not have the expertise to be dealing in real estate and that those transactions should be left to private enterprise.

CALL TO ORDER

The first regular meeting of the Coon Rapids City Council for the month of July was called to order by Mayor Tim Howe at 7:07 p.m. on Tuesday, July 6, 2010, in the Council Chambers.

ROLL CALL

Members Present: Mayor Tim Howe, Councilmembers Denise Klint, Melissa Larson, Paul Johnson, Joe Sidoti, Jerry Nelson, and Scott Schulte

Members Absent: None

PLEDGE OF ALLEGIANCE TO THE FLAG

1. ADOPT AGENDA

MOTION BY COUNCILMEMBER SIDOTI, SECONDED BY COUNCILMEMBER NELSON, TO ADOPT THE AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

2. CONSIDER APPROVAL OF MINUTES:
- A. JUNE 15, 2010, WORK SESSION
  - B. JUNE 15, 2010, COUNCIL MEETING
- 

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER KLINT, FOR APPROVAL OF THE MINUTES OF THE JUNE 15, 2010, WORK SESSION. THE MOTION PASSED 6-0-1, COUNCILMEMBER JOHNSON ABSTAINED.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER KLINT, FOR APPROVAL OF THE MINUTES OF THE JUNE 15, 2010, COUNCIL MEETING. THE MOTION PASSED 6-0-1, COUNCILMEMBER JOHNSON ABSTAINED.

3. CONSENT AGENDA:
    - A. CONSIDER AGREEMENT FOR PROFESSIONAL SERVICES, 111<sup>TH</sup> AVENUE NW STORM DRAIN REPAIRS AND KUMQUAT STREET NW SANITARY SEWER REPAIRS, PROJECT 10-17
    - B. APPROVE CONTRACTS FOR ELECTRICAL INSPECTION SERVICES
    - C. APPROVE TEMPORARY BEER PERMIT FOR COON RAPIDS AMERICAN LEGION
    - D. AUTHORIZE JOINT POWERS AGREEMENT WITH THE STATE OF MINNESOTA/ANOKA RAMSEY COMMUNITY COLLEGE FOR SECURITY SERVICES FOR 2010-2011
    - E. AUTHORIZE JOINT POWERS CONSORTIUM AGREEMENT FOR HOME INVESTMENT PARTNERSHIPS PROGRAM
    - F. COMMISSION/COMMITTEE APPOINTMENTS:
      1. CONSIDER RESOLUTION 10-76 APPOINTING A DELEGATE TO THE NORTH METRO CROSSING COALITION
      2. CONSIDER RESOLUTION 10-77 APPOINTING A MEMBER TO THE COON RAPIDS DAM COMMISSION
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Councilmember Sidoti volunteered to serve on the Coon Rapids Dam Commission.

Councilmember Nelson agreed to serve on the North Metro Crossing Coalition.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER LARSON, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED FILLING THE APPOINTMENTS AS STATED ABOVE. THE MOTION PASSED UNANIMOUSLY.

4. T-MOBILE CENTRAL, 11707 ROUND LAKE BOULEVARD (CLASSIC BOWL), 10WC4:
    - A. PUBLIC HEARING, 7:00 P.M.
    - B. APPROVE WIRELESS COMMUNICATION ANTENNA TOWER PERMIT
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Planner Harlicker presented a memorandum to Council stating T-Mobile is requesting permit approval to increase the height a commercial wireless communication facility. The approved tower is 75 feet tall, and T-Mobile is requesting to increase the height to 90 feet. The tower is proposed on Classic Bowl property located at 11710 Round Lake Boulevard.

On November 7, 2009 the Council approved a 75 foot tall mono pole tower at 11700 Round Lake Boulevard. The applicant was Clearwire Communications. The proposal included three antennas internally mounted on the top of the 75 foot tower. The tower was designed to accommodate co-location opportunities for additional carriers.

T-mobile would like to co-locate on the tower. However, the co-location opportunity on the approved 75 foot tower is at 58 feet. To improve their coverage from this location T-Mobile would

like to increase the overall tower height, and the height of their antennas, by 15 feet to 90 feet. Clearwire's antennas will be at 90 feet and T-mobiles at 72 feet. The site of the tower will not change from the approved location. T-Mobiles antennas will also be internally mounted. The tower is located in a residential area; the maximum tower height allowed is 90 feet.

Surrounding land uses include an apartment building to the east, the bowling alley to the south, Round Lake Boulevard and a commercial building to the west and a vacant lot and an office building to the north.

The tower will be located on the north side of the bowling alley, next to the dumpster enclosure. The tower is set back 78 feet from the north property line, 122 feet from the east property line and 267 feet from the west property line.

The applicant is proposing to enclose the lease area with a chain link fence. On the original approved plan, the base of the tower and equipment cabinet were to be enclosed by a block wall to match the dumpster enclosure. The new site plan should include the block wall enclosure to match the dumpster.

City Code requires the City Council hold a public hearing on this matter and that a decision be made no later than Council's next regular meeting following this meeting date, unless an extension has been agreed to by the applicant. No extension has been requested and staff has no reason to request an extension. The application was compared to the criteria found in Chapter 13-1200 and it is in conformance with applicable City Code provisions.

Councilmember Schulte asked if T-Mobile requested an external antenna and if this would change their signal strength. Planner Harlicker explained the original request was for an internally mounted antenna.

Mayor Howe opened and closed the public hearing and assessment hearing at 7:16 p.m. since no one appeared to address the Council.

**MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER JOHNSON, TO APPROVE THE PROPOSED COMMERCIAL ANTENNA TOWER FOR T-MOBILE WITH THE FOLLOWING CONDITIONS:**

1. THE SITE PLAN MUST INCLUDE THE BLOCK WALL ENCLOSURE TO MATCH THE DUMPSTER ENCLOSURE.
2. THE EQUIPMENT CABINET BE PAINTED TAN.
3. ALL ANTENNAS WILL BE INTERNALLY MOUNTED.

THE MOTION PASSED UNANIMOUSLY.

A memorandum was presented from Captain Wise stating that as part of the grant requirements from the U.S. Department of Justice (USDOJ), Council is required to hold a public hearing for the recent grant award to the Police Department.

At the June 15, 2010, regular meeting, Council adopted Resolution 10-72 accepting a \$62,592 grant to four Anoka County communities from the USDOJ to be used toward the purchase of equipment related to safety, training and investigations. The Coon Rapids Police Department's share of this grant is \$22,865.10, and part of the grant requirements includes Council holding a public hearing.

These grant funds will be used to purchase firearms, ballistic bunkers, a thermal imaging camera, and other miscellaneous investigative equipment. All equipment purchased under this grant will help our officers be better able to quickly respond effectively to the public safety needs we are tasked with for our community. All of these purchases will be made as quickly as possible to have the maximum immediate effect for the public we serve.

This item relates to the Public Safety section of the City's long term strategic vision through the purchase of equipment that will improve the effectiveness of police officers in the arrest and prosecution of criminals.

There are no matching funds required; therefore, there is no budget impact.

Mayor Howe opened and closed the public hearing at 7:18 p.m. since no one appeared to address the Council.

**MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER NELSON, TO ADOPT RESOLUTION NO. 10-72 ACCEPTING THE U.S. DEPARTMENT OF JUSTICE GRANT. THE MOTION PASSED UNANIMOUSLY.**

**6. CONSIDER ADOPTION OF AN ORDINANCE REVISING CITY CHARTER, CHAPTER I-400, NOMINATIONS AND ELECTIONS, TO REFLECT RECENT CHANGES IN STATE LAW (ELECTION JUDGES AND CANVASS DATES)**

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City Clerk Anderson presented a memorandum to Council stating the Council is asked to adopt an ordinance amending City Charter Chapter 1-400, Nominations and Elections, Election Officials and Canvass of Elections.

The Legislature has increased the minimum number of election judges required to be assigned to a precinct from three to four.

The Legislature also changed the dates when local government must meet to canvass results of the primary and general elections. The language has been changed to require a meeting on the third day following the primary, or for 2010, on Friday, August 13<sup>th</sup>.

A meeting to canvass general election results must now be scheduled between the third and tenth day after the election, or for 2010, between Friday, November 5 and Friday, November 12. This means a special meeting will be needed, or the November 3 meeting could be rescheduled.

The required public hearing was held on June 15. A unanimous vote of all Councilmembers is required for adoption.

This item relates to Excellence in Governance by keeping the City's Charter current with state statutes.

The Charter Commission recommends adoption of the ordinance amending City Charter Chapter 1-400, Sections 1-403 and 1-405, amending the minimum number of election judges required and defining when Council must meet to canvass primary and general election results.

**MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SIDOTI, TO AN ADOPT ORDINANCE REVISING CITY CHARTER, CHAPTER 1-400, SECTIONS 1-403 AND 1-405, AMENDING THE MINIMUM NUMBER OF ELECTION JUDGES REQUIRED AND DEFINING WHEN COUNCIL MUST MEET TO CANVASS PRIMARY AND GENERAL ELECTIONS RESULTS, TO REFLECT RECENT CHANGES IN STATE LAW. THE MOTION PASSED UNANIMOUSLY.**

**7. CONSIDER ADOPTION OF ORDINANCE AMENDING ZONING MAP; 12031 PARTRIDGE STREET NW, PC 10-09**

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Planner Harlicker presented a memorandum to Council stating the City is requesting approval of a zone change from Conservancy to Low Density Residential 2 (LDR2). The property is a 38-acre parcel located south of 121<sup>st</sup> Avenue NW between Partridge Street NW and Osage Street NW.

In 2009 the City Council adopted its 2030 Comprehensive Land Use Plan, which guides future land use policies and decisions. The property proposed for rezoning is a 38 acre undeveloped parcel. On the previous plan this property had a land use designation of Conservancy; the current plan changed the land use designation to Low Density Residential. As part of the 2030 Comprehensive Land Use Plan, the city limited the Conservancy land use designation to lands in public ownership. Since this parcel is privately owned, the Council made a determination that the appropriate land use designation would be Low Density Residential. The Low Density Residential designation is primarily a typical single family home residential district. The Conservancy designation is primarily an open space category.

State statute requires that the zoning of a parcel be consistent with its land use designation. To bring the zoning map into compliance with the new land use map, several areas of the city need to be rezoned. This request is one of several rezonings that are needed so that the zoning map is consistent with the land use map.

The current zoning of Conservancy was consistent with the previous Conservancy land use designation. To make the zoning consistent with the current Low Density Residential land use designation, the zoning of the subject parcel should be changed to Low Density Residential 2

(LDR2).

The following uses are allowed in the LDR2 zoning district:

- One detached single-family dwelling unit per lot.
- Agricultural, except feedlots.
- Public uses or utilities, except major buildings, substations, towers, or high-voltage transmission lines.
- State licensed community residential facilities serving six or fewer persons, State licensed day care facilities serving 12 or fewer persons or group family day care facilities serving 14 or fewer children.
- Cemeteries and their accessory structures.
- Churches, private schools, nursing and boarding care homes, hospitals, sanitariums, rest, and similar institutions.
- State licensed community residential facilities serving seven or more persons or group family day care facilities serving 15 or more children.[Revised 9/5/95, Ordinance 1537]
- Feedlots, provided that a feedlot permit is obtained from the Minnesota Pollution Control Agency.
- Mining as regulated under Chapter 11-2000.
- Public buildings and major utility structures
- Private stables on less than five acres.
- Public and boarding stables as regulated under Chapter 6-300.
- Recreational facilities such as country clubs, community recreation buildings, golf courses, archery ranges, or trapshooting ranges.

On June 15th the Council introduced the ordinance for the proposed zone change. There were no comments or questions at that time.

At the May 20<sup>th</sup> Planning Commission meeting neighbors to the north spoke against the rezoning because it would increase traffic in the area. They wanted the zoning to stay Conservancy. The affected property owner, Gene Rogers, spoke against the rezoning. He believes the appropriate zoning would be Moderate Density Residential.

The Chair explained that there were no development proposals at this time and the rezoning was being proposed by the City so that the zoning would be consistent with the land use designation. The Commission voted 6:0 to recommend approval of the proposed rezoning.

This item relates to the Community Development and Redevelopment section of the City's long term strategic vision in since the proposed zone change to Low Density Residential 2 implements one of the land use decisions of the 2030 Comprehensive Land Use Plan. The Comprehensive Plan's goals and objectives include maintaining complete and balanced neighborhoods. This zone change supports that goal as well as the strategic vision of neighborhoods that are stable, safe, and connected with predominantly owner-occupied dwellings.

Mayor Howe questioned which designation prevailed, land use or zoning. Planner Harlicker

explained land use was first and foremost, with the zoning to remain in alignment.

Councilmember Sidoti asked if the floodplain designation on this site would allow for the site to be developed. Planner Harlicker stated it would be difficult for the site to be developed except for the northeast corner of the property.

Councilmember Nelson asked how many lots would fit into the northeast corner of the parcel. Planner Harlicker estimated that five or six lots would fit into this area, with a cul-de-sac.

Councilmember Klint questioned how many single family homes could fit onto the entire parcel. Planner Harlicker indicated with three units per acre this would be approximately 90 single family homes.

Councilmember Johnson asked what would be the maximum number of units on the site. Planner Harlicker stated the maximum number of units allowed would be seven units per acre or roughly 200 units.

Mayor Howe questioned if the property owner's tax base would change for the parcel with the rezoning of this property from conservancy to LDR2. Planner Harlicker indicated there would be a change.

Councilmember Schulte stated he did not want to see the site overdeveloped into a DISC Planned Unit Development (PUD).

Mayor Howe explained he was reluctant to change the zoning on this property due to the property's history. He wanted to be assured that only the northeast corner of the site could be developed.

Councilmember Johnson questioned if the rezoning had to be approved this evening or if the Comprehensive Plan and site history could be reviewed further before making a final decision.

**MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO DENY AN ORDINANCE APPROVING THE PROPOSED ZONE CHANGE FROM CONSERVANCY TO LOW DENSITY RESIDENTIAL 2 (LDR2) BASED ON THE FOLLOWING FINDINGS:**

1. THE PROPOSED REZONING TO LOW DENSITY RESIDENTIAL 2 IS CONSISTENT WITH THE PROPOSED LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL.
2. THE PROPOSED REZONING IS COMPATIBLE WITH THE ADJACENT LAND USE DESIGNATIONS AND LAND USES.
3. THE PROPOSED REZONING TO LOW DENSITY RESIDENTIAL 2 WOULD NOT HAVE AN ADVERSE IMPACT ON THE ADJACENT PROPERTIES.

City Manager Fulton stated the ordinance before the Council was a housekeeping issue based on the

approved Comprehensive Plan. A denial this evening would mean the Council would have to revisit the Comprehensive Plan to ensure there was a zoning alignment.

Councilmember Klint did not recall the exact conversation for this parcel and felt it should be reviewed further.

Mayor Howe stated a map of the entire City was reviewed by the Council and he recalled commenting on this property given its history. He had apprehension about changing the entire parcel's land use and stated he wanted to see the northeast section zoned LDR2 with the remaining portion to be conservancy.

City Manager Fulton suggested the Council postpone this item to a work session to allow for further discussion.

Councilmember Sidoti asked if LDR1 could be considered for this site as it would restrict the development of the site. He urged the landowner to be present when discussed by Council.

Councilmember Schulte stated he was for an LDR2 zoning as the floodplain designation would restrict development greatly.

Mayor Howe requested staff report back to the Council on the tax implications of rezoning the site to LDR2 and if this would become a burden on the property owner given the fact only 10% could be developed.

City Manager Fulton indicated staff would not recommend any type of development beyond LDR2 and felt the tax implications for the zoning change would be marginal.

Community Development Director Nevinski requested the Council postpone consideration of the ordinance to allow time for staff and Council to revisit this item versus denying the item altogether.

Councilmember Johnson withdrew his motion and Councilmember Klint withdrew her second.

**MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER JOHNSON, TO POSTPONE CONSIDERATION OF AN ORDINANCE APPROVING THE PROPOSED ZONE CHANGE FROM CONSERVANCY TO LOW DENSITY RESIDENTIAL 2 (LDR2) TO A DATE UNCERTAIN.**

Councilmember Nelson felt it would be valuable to have the landowner present when this issue is discussed further by the Council. Mayor Howe agreed.

**THE MOTION PASSED UNANIMOUSLY.**

8. RKL LANDHOLDINGS (PORT EVERGREEN), 94<sup>TH</sup> AVENUE NW AND

SPRINGBROOK DRIVE:

A. CONSIDER APPROVAL OF SITE PLAN, PC 10-07

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Planner Harlicker presented a memorandum to Council stating RKL Landholdings is requesting site plan approval to construct a 204 unit apartment building and 181 unit senior housing facility.

The applicant is proposing to construct a mixed residential development on 10.43 acres. The project consists of a 204 unit apartment building and 181 unit senior housing building. The apartment building is a mix of one and two bedroom units. The senior housing component includes 32 memory care units, 10 acute care assisted units, 48 assisted living units, and 98 congregate care units. The buildings are placed around the perimeter of the site allowing for the parking and large open area in the center. There is a large stand of mature oaks preserved in the center of the site. The applicant is also proposing to plat the property as two lots so that each building will be on its own parcel.

Issues

*Density*

The maximum density allowed in Port Evergreen is 30 units per acre. The applicant is asking for flexibility with respect to density to allow for the proposed 37 units per acre. Reducing the number of units would negatively impact the project. It would not result in additional open space. The applicant would most likely make the apartment a three story building instead of four. The site is within walking distance of Coon Rapids Boulevard which is a main transit corridor and is therefore a good candidate for increased density. Planning Commission recommends flexibility to allow the density of 37 units per acre.

*Parking*

Apartment Building

The code requires 459 total parking spaces for a 204 unit apartment building. Of those 459 spaces, 204 of them need to be enclosed. The parking ratio is 2.25 spaces per unit. The applicant is proposing to provide 313 parking spaces with 202 underground. The proposed parking ratio is 1.5 spaces per unit.

Senior Facility

The code requires 217 total parking spaces for a 181 unit senior housing facility. Of those 217 spaces, 43 of them need to be enclosed. The parking ratio is 1.2 spaces per unit. The applicant is proposing to provide 171 parking spaces with 107 underground. The proposed parking ratio is 0.94 spaces per unit.

Parking Flexibility

The applicant is basing the proposed parking ratio on past experience on other projects and the ITE Parking Generation Manual, 3<sup>rd</sup> Edition. The ITE Manual calculated the peak parking demand for 204 apartment units at 245 spaces (1.2 spaces per unit). The peak parking demand for 181 senior

units is 120 spaces (0.66 spaces per unit). The site plan includes more spaces than the shown in the ITE Manual. If parking becomes an issue, proof of parking is shown on the site plan for an additional 25 spaces. Additional spaces above the 25 could be provided if more of the open space area in the center of the site is converted to parking. The proposed parking ratios allow the applicant to preserve additional open space, exceeding what is required, and the large stand of oaks in the center of the project. There is also the possibility of shared parking between the two uses. Given the developer's previous experience with other projects, the parking calculation of the ITE Parking Generation Manual, the ability for shared parking, and being able to provide additional parking if needed, the Planning Commission is comfortable with the proposed parking. Deviations from the parking standards have been approved in the past (Menard's, Port Riverwalk and Real Life Coop) when the applicant has shown that they do not need the required number of parking stalls.

### *Park Dedication*

At the request of the Planning Commission, staff has examined different options for determining applicable park dedication fees. The park dedication required for this project is either land (2.85 acres) or cash in the amount of \$1,360 per unit. Since no public park land was proposed for this project, private recreational features were proposed, staff recommended cash in lieu of land. The applicant contends that since many of the residents of the senior facility would not be using the city parks, the senior units should not be counted in determining the park dedication requirement; the 204 apartments should be assessed for park dedication. Information from the applicant supporting this position is attached.

### Cash Park Dedication

The project consists of 385 units (181 senior units and 204 apt.). Park dedication requirement for multi-family projects is \$1,360 per unit. Using that amount, the park dedication for this project is \$523,600.

$$385 \text{ units} \times \$1,360 = \$523,600$$

### Credit for Private Open Space

The subdivision regulations allow for private open space to be credited towards the park dedication requirements. Where private open space for park or recreation purposes is provided in a proposed subdivision and such space is to be privately owned and maintained by the future residents of the subdivision, a credit of up to 25 percent of the requirements **may** be given, provided that the following conditions are met:

- (1) That such land area is not occupied by non-recreational buildings and is available for the use of all the residents of the proposed subdivision.
- (2) That required setbacks shall not be included in the computation of such private open space.
- (3) That the use of the private open space is restricted for park and recreational purposes by recorded covenants which run with the land in favor of the future owners of the property within the

tract and which cannot be defeated or eliminated without the consent of the City Council.

(4) That the proposed private open space is of a size, shape, location, topography, and usability for park and recreational purposes or contains unique national features that are important to be preserved.

(5) That the proposed private open space reduces the demand for public recreational facilities to serve the development.

The recreational land is about 32,000 square feet (about .75 acres). This land includes a playground, half-court basketball area, and a mature stand of oaks. This area was used in part as justification for allowing the increased density and parking flexibility.

If the Council finds that the private open space meets the five conditions listed above, the applicant could be given 25% credit towards their park dedication requirement. Twenty-five percent of the park dedication could be deducted from the total amount.

$$385 \text{ units} \times \$1,360 = \$523,600 - \$130,900 (25\%) = \$392,700$$

Land Dedication

The applicant is requesting that the private open space be used to meet a portion of the park dedication requirement. The following computation could be used towards that end.

Required land for park dedication ..... 2.85 acres  
 Proposed open space for park dedication ..... 0.75 acres  
 % of park dedication land provided ..... 0.75 ac./2.85 ac.=.263 (The .75 acres of open space provides 26.3% of park dedication requirement)  
 % of units equal to 0.75 acres..... 0.263 x 385 units = 101 units  
 Number of units that require park dedication ..... 385 units – 101 units = 284 units  
 Required amount for remaining park dedication.... 284 units x \$1,360 = \$386,240

**Park Dedication Options**

Alternatives	# of Units	Rate/Unit	25% credit for private open space	Credit for land *	Total Paid
Apartments & Senior Units	385	\$1,360	None	No	\$523,600
Apartments & Senior Units	385	\$1,360	Yes	No	\$392,700
Apartments & Senior Units minus credit for land	284 (385-101)	\$1,360	None	Yes	\$386,240 + 0.75 acres of land

\* NOTE: This option requires that the open space be public

At the May 20<sup>th</sup> Planning Commission meeting one resident spoke at the meeting. Gary Anderson, 224 94<sup>th</sup> Avenue NW, had concerns about traffic and asked for an explanation of the stormwater plan. The Commission discussed parking, density, landscaping and phasing.

### *Parking*

The Commission was concerned that there was not enough parking. The applicant explained how the parking calculations were arrived at and how the parking demands typically work. To address the Commission's concerns there will be reserved parking for visitors to the senior facility, the developer's agreement will include provisions to encourage use of the underground parking for the apartments, proof of parking was shown on the site plan and 94<sup>th</sup> Avenue NW will be signed "No Parking". Cross easements will be in place to allow shared parking and access.

### *Density*

The Commission asked about the increased density and what are benefits of allowing density and parking flexibility. The applicant explained that the project includes almost twice as much open space as required and the site plan includes preservation of a large stand of oak trees.

### *Landscaping*

The Commission discussed adding trees along Springbrook Drive and along the walking trail. They were also concerned about the lack of landscaping around the pond. The applicant said that trees could be added as well as additional landscaping around the stormwater pond. The Commission also asked about an adult recreation area. The applicant agreed to install a ½ basketball court adjacent to the playground.

### *Phasing*

The Commission was concerned about phasing the project, what happens if both buildings are not constructed and the need to ensure that all the amenities are installed. The Commission recommended a condition that all the amenities be installed in the first phase and that language be included in the developer agreement.

### *Park Dedication*

The Commission discussed the park dedication fee. Staff recommended that park dedication fee should be paid for the apartment units but not for the senior facility. There is a specific rate applicable for multi-family units but not for senior facilities. The Commission believed that the senior facility should be assessed same as the apartment and park dedication fees should be paid for all 385 units. They also asked that staff research other senior facilities. In 1999, a PUD for 64 assisted living units was approved for Epiphany Church. A park dedication fee of \$2,189 was assessed to the project. In 2001, the PUD for Real Life Coop was approved for 100 senior units. Park

dedication of \$76,000 was paid.

The Commission voted 6:0 to recommend approval of the proposed site plan.

This item relates to the Housing/Neighborhoods section and the Community Development and Redevelopment section of the City's long term strategic vision in the following ways:

- The proposed site plan implements one of the land use decisions of the 2030 Comprehensive Land Use Plan. The Comprehensive Plan's goals and objectives include maintaining complete and balanced neighborhoods. This site plan supports that goal, the Master Plan for Port Evergreen as well as the strategic vision of neighborhoods that are stable, safe and include well maintained life cycle housing options.
- The development is diversified and sustainable will help support a growing economic base along Coon Rapids Boulevard.

Planner Harlicker recommended approval of the site plan and reviewed several minor changes to the proposed conditions.

Mayor Howe questioned what the advantage would be to the City to move away from the recommended density for this site. Planner Harlicker stated there were great transit opportunities along Coon Rapids Boulevard, and there was a great amount of open space that would remain. For these reasons, the Planning Commission felt that design flexibility should be considered with regard to the proposed density.

Councilmember Sidoti thanked the Planning Commission for the work completed on this development and the fine recommendations made to the Council.

Councilmember Klint asked if the open space area would have benches or trails. She indicated she would like to see walking paths through the open space for the tenants. Planner Harlicker stated the underbrush would be removed, but no specific trails would pass through the open area. The space was not intended to be a fully developed park but rather green space. He explained a walking trail would serve the entire development around the perimeter of the development and would tie into existing sidewalks.

Mayor Howe felt the basketball court would be a bad fit for senior housing and suggested another use be put into this location.

John Harris, Harris Architects representing RKL Landholdings, stated the perimeter sidewalk would allow the seniors to enjoy a walking path without disturbing the topography and natural feel of the central open space. He indicated the basketball court was recommended by the Planning Commission and could be changed to a flexible hardscape area if Council desired. Mr. Harris requested the park dedication fee be reconsidered by Council as the open space within the development would be a private park for the complex.

Mayor Howe stated the open space within the development would serve the development's residents but would not be highly accessible to other residents in the City. He questioned if the development were phased which portion would be completed first. Mr. Harris indicated the senior housing building should be built first, but stated the market was dynamic and market forces may select one over the other. At this time, the proformas show the project in totality and not one over the other.

Councilmember Sidoti stated the City does have a need for senior housing and was in favor of adding another condition to ensure that the senior housing was built first or in conjunction with the apartment complex. Mr. Harris felt this was fair and did not object to this recommendation. His only concern was how the project would be financed, and RKL Landholdings would not want the entire development hindered by the order in which the buildings were constructed.

Councilmember Klint expressed concern about the snow removal for the site. She wanted to ensure that the neighboring properties were not disturbed by early removal. In addition, she did not want to see any parking stalls lost due to snow piles. Mr. Harris stated he was not an expert on snow removal but did not anticipate losing parking spaces for snow piles. Curt Quaintance, JR Hill Engineering, reviewed the locations snow would be piled for the development and stated excess snow could be hauled away with large snowfalls.

Mayor Howe requested the traffic flow be further reviewed. Mr. Harris stated the traffic flow was the first issue addressed and staff felt the infrastructure currently in place would handle the increased demand from the development. Ed Turhar, Wenk Associates, reviewed the site plan further explaining how traffic would flow through the development. He anticipated traffic would be fairly split between 94<sup>th</sup> Avenue NW and Flintwood Street NW.

Councilmember Klint questioned if the Fire Department has reviewed the site plan to ensure there was proper access. Mr. Harris stated the perimeter trail would have to be installed right away to allow for proper emergency vehicle access to the site. Community Development Director Nevinski stated access and emergency issues were reviewed by Fire Marshal Williams. The phasing of this site would be a paramount concern to ensure there was proper access for the Fire Department. Mr. Harris had no objection to completing the perimeter trail right away. City Engineer Vierzba suggested the Council require the trail access to be completed upon occupancy.

Councilmember Johnson requested the entire park dedication be collected for this development. Although this would be seen as open space it would be an amenity serving the residents of the adjacent buildings. He asked what the market rate would be for the apartment and senior housing rental rates. Mr. Harris stated senior housing market rate was lower in Coon Rapids than Maple Grove. The market study shows the average monthly rent rates to be \$1,250, with the lowest rate being \$950 and the highest \$1,650.

Councilmember Johnson expressed some concern regarding the parking situation and stated the weather may impact the amount of spaces available if employees choose to park outdoors. Mr. Harris indicated employees would be encouraged to park underground. He stated that historically, parking requirements for senior housing developments have been too high, as many of the residents

would no longer be driving. Mr. Turhar indicated the ITE data reviewed the entire development showing a peak demand for parking to be 365 spaces while 494 were provided. There would be an adequate supply split between underground and outdoor stalls.

Councilmember Klint questioned how deep the drainage pond would be and if this would be a concern for neighboring children. Community Development Director Nevinski stated this same concern was expressed by the Planning Commission and it was felt the developer should maximize the amenity. Mr. Harris estimated the pond depth to be four to six feet depending on rainfall. He reiterated that the Planning Commission recommended the pond become an amenity with trees, benches and plantings.

Councilmember Klint asked if the City would be liable if something were to happen at this pond. Assistant City Attorney Brodie indicated the City would not be liable even though Council would be requiring the developer to place benches around the retention pond.

Councilmember Nelson questioned who would maintain the trail around the perimeter of the building. Mr. Harris stated the property owner/manager would be responsible for maintaining the trail to ensure there was access for emergency vehicles. He suggested this be written into the developer's agreement.

Councilmember Klint understood the point that the senior living units would not be using the City parks in the same manner as the residents within the apartment complexes and questioned if the park dedication could be reduced.

Councilmember Schulte saw park dedication fees as an attachment to the land or number of units to assist the City in further developing the parks and trails to enhance the quality of life in Coon Rapids. He felt the expense should be spread evenly over the tax base.

Mayor Howe felt the park dedication fee was a fair rate in comparison to neighboring communities.

Councilmember Klint suggested the half-court basketball area be changed to a hard court play surface.

Gary Anderson, 224 94<sup>th</sup> Avenue NW, questioned how the 59% site coverage was established as he felt the number was much higher. He expressed concern about the increased density along with the view he would have of a four story building from his home. Mr. Anderson suggested the Council reconsider the parking situation as the senior housing facility may require more spaces than anticipated due to the number of visitors on nights and weekends. He felt additional thought should be put into the traffic flow as the adjacent neighborhood would be greatly impacted by the increased cars. Mr. Anderson indicated the single access to this site could be a safety concern. He stated it would be a huge adjustment for him and his neighbors to see the large development behind his home as he has been in the area for 42 years.

Mr. Anderson questioned what the property assessments were projected to be for the street

improvements along 94<sup>th</sup> Avenue NW. City Engineer Vierzba stated that because the street has no curb and gutter the expense would be slightly higher as these improvements were much needed. The assessment expense was estimated to be \$3,500 per lot.

Soneya Grover, 236 94<sup>th</sup> Avenue NW, stated she has been in her home for 13 years and enjoyed the quiet neighborhood. Her concern with the development was the increased traffic along with the safety to the adjacent property owners. She requested the Council consider the neighboring properties and how they would be affected by this large development.

Councilmember Klint questioned if school buses would fit into the complex or if the children would have to be picked up on 94<sup>th</sup> Avenue NW. Mr. Harris stated he was uncertain of the school district's pick up policy but felt the students would be picked up on 94<sup>th</sup> Avenue NW as this would be the safest alternative.

Councilmember Larson expressed concern about the lack of parking stalls and questioned where cars would go during snow removal events if both 94<sup>th</sup> Avenue NW and Springbrook were marked "No Parking". Mr. Harris stated he did not have an answer for this question as this was part of apartment living and the "No Parking" signs were placed as a condition on the development by the Planning Commission.

Councilmember Schulte indicated a great deal of snow removal takes place during the day when people were at work.

Mayor Howe suggested the apartment complex be reduced to a three-story building, which would address both the parking and density concerns. Mr. Harris stated the fourth story was added for economic reasons and the Port District was allowing for flexibility. If the additional story were removed, the project may not be feasible. The 37 units per acre are needed to support the development of the site.

Councilmember Schulte questioned if the applicant could review the impervious surface numbers further. Mr. Quaintance stated all rooftops, sidewalks, and parking lots were calculated into this percentage. He indicated staff has also reviewed these numbers and had no objection to the numbers provided.

Councilmember Johnson felt the development was a great opportunity to bring senior housing to the City. However, the adjacent neighborhood would be greatly impacted. He appreciated Mr. Anderson's comments as it gave the Council additional issues to consider as this item proceeds through the development phases.

**MOTION BY COUNCILMEMBER SIDOTI, SECONDED BY COUNCILMEMBER NELSON, TO APPROVE THE SITE PLAN FOR PORT EVERGREEN AT 94<sup>TH</sup> AVENUE NW AND SPRINGBROOK DRIVE WITH THE FOLLOWING AMENDED CONDITIONS:**

1. THE OWNER PETITION FOR EXTENSIONS OF PUBLIC IMPROVEMENTS TO BE INSTALLED UNDER CITY CONTRACT WITH COSTS ASSESSED TO THE

- DEVELOPMENT OVER A 5-YEAR PERIOD AND RELATED UTILITY EASEMENTS BE DEDICATED TO THE CITY BY THE DEVELOPER.
2. DEVELOPER MUST INSTALL A SIDEWALK ALONG 94TH AVENUE NW AND SPRINGBROOK DRIVE. THE SIDEWALK ALONG 94<sup>TH</sup> AVENUE NW MUST BE EXTENDED TO THE WEST PROPERTY LINE.
  3. CROSSWALKS WILL BE INSTALLED WHERE SIDEWALKS CROSS DRIVE AISLES.
  4. VEHICLE BARRIERS MUST BE INSTALLED AT BOTH ENDS OF THE WALKING PATH PER THE FIRE DEPARTMENT'S DIRECTION.
  5. A CROSS ACCESS AND PARKING AGREEMENT IS REQUIRED BETWEEN THE TWO LOTS.
  6. AN AGREEMENT ALLOWING BOTH LOTS USE OF THE OPEN SPACE MUST BE RECORDED.
  7. PARK DEDICATION IN THE AMOUNT OF \$523,600 (\$1,360/PER UNIT X 385) SHALL BE PAID AT THE TIME OF BUILDING PERMIT APPLICATION. STAFF WILL PROVIDE BACKGROUND INFORMATION TO COUNCIL ON PARK DEDICATION HISTORY FOR SENIOR HOUSING FACILITIES.
  8. APPROVAL OF PLANNING CASE 10-06 (PRELIMINARY PLAT).
  9. THE PLAN MUST BE REVISED TO SHOW FIVE TREES ALONG SPRINGBROOK DRIVE.
  10. EXECUTION OF A DEVELOPMENT AGREEMENT WITH THE CITY. THE AGREEMENT WILL INCLUDE THE FOLLOWING STIPULATIONS:
    - a. ALL SITE AMENITIES WILL BE INSTALLED IN THE FIRST PHASE
    - b. ENSURE APARTMENT TENANTS AND SENIOR HOUSING EMPLOYEES USE UNDERGROUND PARKING SPACES.
    - c. REVIEW PARKING ON AN AS NEEDED BASIS FOR THE PURPOSE IN ASSESSING IF PROOF OF PARKING SHOULD BE INSTALLED.
    - d. REPLACEMENT WITHIN TWO YEARS OF ANY DEAD EXISTING OR TRANSPLANTED TREES ON A PER CALIPER INCH BASIS.
    - e. SNOW REMOVAL ON EMERGENCY ACCESS
  11. A FENCE WILL BE INSTALLED BETWEEN THE PLAYGROUND AND THE PARKING LOT.
  12. A HARDSCAPE PLAY SURFACE WILL BE INSTALLED IN THE CENTRAL OPEN SPACE.
  13. 94<sup>TH</sup> AVENUE NW AND SPRINGBROOK DRIVE WILL BE SIGNED "NO PARKING".
  14. NO STORAGE OF RVs, BOATS OR TRAILERS IS ALLOWED IN THE PARKING LOT.
  15. A STOP SIGN WILL BE INSTALLED AT THE ENTRANCE AND 94<sup>TH</sup> AVENUE NW.
  16. BIKE RACKS WILL BE PROVIDED IN FRONT OF THE APARTMENT BUILDING.
  17. PLAYGROUND EQUIPMENT WILL BE OF COMMERCIAL GRADE AND WILL MEET CITY STANDARDS FOR PLAYGROUND EQUIPMENT.
  18. BENCHES AND ADDITIONAL LANDSCAPING, INCLUDING TREES, SHRUBS AND OTHER NATURAL PLANTINGS, WILL BE PLACED AROUND THE DRAINAGE POND.
  19. ADDITIONAL TREES, ORNAMENTAL AND OVERSTORY, WILL BE PLANTED ALONG THE WALKING PATH.
  20. THE PARKING SPACES IN FRONT OF THE ENTRANCE TO THE SENIOR BUILDING

- WILL BE RESERVED FOR VISITORS TO THE SENIOR FACILITY.
21. THE SENIOR HOUSING WILL BE BUILT FIRST OR IN CONJUNCTION WITH THE APARTMENT BUILDING.

Councilmember Klint felt the last condition was not necessary as the City should not be allowed to micromanage what the market calls for.

Councilmember Schulte agreed with these comments and stated financing may be obstructed if the City dictated which building had to be built first. He suggested the condition read that if the apartment building were built first the senior housing construction would follow within one calendar year. He said this would allow for financing to be worked out.

Mayor Howe indicated he would support this condition as he wanted to be assured the senior housing was constructed.

Councilmember Sidoti wanted to ensure that the critical needs of the community were being met, which at this time, was senior housing. He was reluctant to change his motion with the additional condition.

Councilmember Nelson indicated he was in favor of the site plan.

Councilmember Schulte was in favor of the site plan despite the additional condition and would support the motion.

Mayor Howe stated he was against the land use change for this site but felt the proposed plan was well done. He indicated the flexibility allowed for the increased density was too much and stated for this reason he would not be supporting the motion.

Councilmember Johnson questioned when the density change was made to the port area. Community Development Director Nevinski stated the zoning code was changed in 1982, but the port area density change to 30 units per acre was a significant jump from the existing code. This would be fairly dense but not too different from other apartment complexes.

Councilmember Schulte stated the flexibility allowed within this development would not set any precedent as the developer was providing additional open space, a private park and a perimeter trail. Each new case within the Port would have to be reviewed on a case by case basis.

Mayor Howe stated he had a hard time approving this item as well because of the assessments that would have to be assumed by the neighboring properties for the upgrades needed along 94<sup>th</sup> Avenue NW.

Councilmember Klint indicated 94<sup>th</sup> Avenue NW has not been upgraded and was in need of repair. The upgrades would increase the homeowner's property value.

Councilmember Johnson noted the neighborhood would be slated for upgrades in the next seven years whether or not this development was completed. City Engineer Vierzba indicated this was the case, and that the final assessed value would be reviewed further before set.

THE MOTION PASSED 5-2, MAYOR HOWE AND COUNCILMEMBER KLINT OPPOSED.

B. CONSIDER APPROVAL OF PRELIMINARY AND FINAL PLAT, PC 10-06

Planner Harlicker presented a memorandum to Council stating RKL Landholdings is requesting approval of a preliminary and final plat of Port Evergreen. The applicant proposes to subdivide 10.43 acres into two lots. Lot 1 will be 6.05 acres and Lot 2 will be 4.38 acres.

The area to be platted includes five single family parcels and an undeveloped lot. The single family homes and accessory structures should be removed prior to releasing the plat for recording. The plat is being proposed so that the senior housing facility and apartments building proposed in Planning Case 10-07 will be on separate lots.

At the May 20<sup>th</sup> Planning Commission meeting no one spoke at the public hearing. The Commission voted 6:0 to recommend approval of the preliminary plat.

This item relates to the Housing/Neighborhoods section and the Community Development and Redevelopment section of the City's long term strategic vision in the following ways:

- It will support the development of well maintained life cycle housing options such as the senior care facility and the market rate apartments. Each housing type appeals to a different housing niche and are integrated with a shared central open area and shared parking.
- It will enable a redevelopment project that includes diversified housing options that will help support future commercial development along Coon Rapids Boulevard.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SIDOTI, TO APPROVE THE PRELIMINARY AND FINAL PLAT FOR PORT EVERGREEN BASED ON THE FINDINGS THAT THE PROPOSED PLAT COMPLIES WITH SECTIONS 11-2223 AND 11-2224, AND THE LOT DIMENSIONS MEET CITY REQUIREMENTS, WITH THE FOLLOWING CONDITIONS:

1. COMPLIANCE WITH TITLE 11, CITY CODE OF COON RAPIDS.
2. PARK DEDICATION FOR THE TWO LOTS SHALL BE PAID AT THE TIME OF BUILDING PERMIT APPLICATION.
3. ALL COMMENTS FROM THE CITY ENGINEER MUST BE ADDRESSED.
4. REMOVAL OF THE EXISTING STRUCTURES ON THE PROPERTY PRIOR TO RELEASING THE PLAT FOR RECORDING.

THE MOTION PASSED UNANIMOUSLY.

C. CONSIDER RESOLUTION ORDERING PREPARATION OF FEASIBILITY REPORT, PROJECT 10-2

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Planner Harlicker presented a memorandum to Council stating RKL Landholdings has submitted a petition for public improvements to serve a proposed new high density housing site located north of 94<sup>th</sup> Avenue NW and east of Flintwood Street NW. Council is requested to order preparation of a feasibility report for the public improvements.

The Planning Commission considered the site plan and preliminary plat on May 20 and is recommending approval by the City Council on July 6. The proposed development will require extensions of sanitary sewer and watermain on the site to serve the two proposed buildings. The existing streets on 94<sup>th</sup> Avenue NW and on Flintwood Street NW are in very poor condition and need to be reconstructed as part of the public improvements needed for this development. The street work will affect neighboring properties with assessments. The next step in the project process is for Council to order preparation of a feasibility report.

This item relates to the Community Development and Redevelopment section of the City's long term strategic vision in the following way:

The City's development is diversified and sustainable with a growing economic base that supports high quality of life in neighborhoods and a strong, progressive business sector.

Councilmember Schulte suggested staff assess or appraise the adjacent properties to ensure the proper amount was assessed to the homeowners.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SIDOTI, TO ADOPT RESOLUTION NO. 10-2(2) ORDERING PREPARATION OF A FEASIBILITY REPORT AND DIRECTING STAFF TO ACQUIRE AN ASSESSMENT OR APPRAISAL OF THE BENEFIT. THE MOTION PASSED UNANIMOUSLY.

9. CONSIDER APPROVAL OF ADDENDUM TO RESIDENTIAL RENTAL LICENSE, CHRISTIAN RESTORATION SERVICES, INC., 1005 COON RAPIDS BOULEVARD EXTENSION

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Planner Harlicker presented a memorandum to Council stating the Christian Restoration Services is proposing to use the structure at 1005 Coon Rapids Boulevard Extension to provide a sober living housing facility.

In order to make reasonable accommodations under the Fair Housing Act, the City is proposing an addendum to the Residential Rental License. The addendum will allow the regulation of the number of people in the dwelling to prevent over crowding as well as operational criteria and rules that Christian Restoration Services has agreed to.

The addendum allows 20 residents in the 14 bedroom house. Christian Restoration Services' home rules and regulations are also memorialized. The home rules regulate issues such as who can reside at the facility, resident's behavior, and staffing.

This item relates to the Housing/Neighborhoods section of the City's long term strategic vision. The addendum includes provisions to ensure the safe operation of a sober living facility while comply with the Fair Housing Act.

The addendum provides for the reasonable accommodation of a sober living facility at 1005 Coon Rapids Boulevard Extension.

**MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER LARSON, TO APPROVE THE RESIDENTIAL RENTAL LICENSE ADDENDUM FOR CHRISTIAN RESTORATION SERVICES AT 1005 COON RAPIDS BOULEVARD EXTENSION. THE MOTION PASSED UNANIMOUSLY.**

**10. CONSIDER RESOLUTION APPROVING PLANS AND ORDERING AD FOR BIDS, PROPOSED STREET RECONSTRUCTION, SPRINGBROOK DRIVE NORTH OF 85<sup>TH</sup> AVENUE NW, PROJECT 09-6**

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City Engineer Vierzba presented a memorandum to Council stating the City Engineering Division has prepared plans for street reconstruction on Springbrook Drive from 85<sup>th</sup> Avenue NW to 1300 feet northerly. Council is requested to approve plans and order advertisement for bids.

Springbrook Drive, a collector street north of 85<sup>th</sup> Avenue NW, is 31 years old and is in need of repaving. Anoka County is proposing to reconstruct a portion of 85<sup>th</sup> Avenue NW in 2010 in the area of Springbrook Drive. The County project will include installation of new traffic signals at the intersection of 85<sup>th</sup> Avenue NW and Springbrook Drive, a centerline median on 85<sup>th</sup> Avenue NW with left-turn lanes for access to Springbrook Drive, and right-turn lanes. Council approved a JPA with Anoka County regarding the construction on 85<sup>th</sup> Avenue NW on April 20, 2010. The City is proposing to continue with the street improvement on Springbrook Drive, north of the County project, for a distance of 1,300 feet. The project would consist of replacing concrete curb that is in poor condition, installing public concrete sidewalk along the west side of the street, and paving a new bituminous surface.

Council accepted the feasibility report on May 4, held the public hearing and assessment hearing on June 1, and ordered the project on June 1. Four commercial sites are proposed to be assessed for the improvements. No one appeared at the public hearing. Bids are to be received on July 30 and Council would consider award of a contract on August 4. Construction would be completed in September. The construction plans have been approved by MnDOT as required to use our State Aid funds to help pay for the project.

The total estimated cost of the project is \$250,000. Assessments would generate \$46,142.72. The balance would be paid from the City's State Aid construction fund and from funds received from the City of Blaine who is in the process of proposing assessments to the Blaine businesses that access the street on the east side.

This item relates to the Transportation section of the City's long term strategic vision in the following way:

The City has an efficient and well maintained system of roads, sidewalks, and trails supported by a comprehensive and connected mass transportation system.

MOTION BY COUNCILMEMBER SIDOTI, SECONDED BY COUNCILMEMBER NELSON, TO ADOPT RESOLUTION NO. 09-6(8) APPROVING PLANS AND ORDERING AD FOR BIDS. THE MOTION PASSED UNANIMOUSLY.

11. DRIVEWAY PAVING PROGRAM, PROJECT 10-6:
    - A. CONSIDER RESOLUTION ORDERING PROJECT
    - B. CONSIDER RESOLUTION APPROVING PLANS AND AUTHORIZING QUOTES FOR CONSTRUCTION
- 

City Engineer Vierzba presented a memorandum to Council stating the Engineering Division has prepared a feasibility report and plans for proposed paving of unpaved driveways at various locations throughout the City. Council is requested to order the project, approve plans, and authorize obtaining quotes for the work to be done.

City Code requires that all residential driveways be paved. In 2003, the City proceeded with a driveway paving program (Project 02-34) and over 50 driveways were paved. Unpaved driveways still remain on some properties throughout the City. These homes are generally 50+ years old, built before the City required paved driveways as part of a building permit. The City sent informational letters to 56 property owners who were listed as not having a paved driveway. Owners were asked if they would be interested in being part of a City project whereby the City would contract for the paving work and all costs would be assessed to the owner's property over a 5-year period. The City received responses from 23 owners who were interested in the program. City staff met with these owners at their home and prepared plans and cost estimates for the owners to review. The City sent waiver forms for owners to sign if they were still interested in moving forward with the plan to pave their driveway. The City received 14 responses from owners who waived their right to a public hearing, agreed to be assessed, and gave permission for the City and City contractor to work on their property as needed to pave the driveway. Owners that did not sign the waiver form could not afford to proceed with the project.

Council ordered preparation of a feasibility report on February 16, 2010. A feasibility report is needed any time the City proposes to assess costs of a project. This project is necessary in order to bring properties into code compliance and is cost effective as all costs will be recovered through

assessments over a 5-year period. The project is feasible to construct.

The area of benefit is described as follows—

PIN 03-31-24-13-0115  
PIN 04-31-24-14-0052  
PIN 04-31-24-24-0035  
PIN 04-31-24-24-0036  
PIN 09-31-24-24-0004  
PIN 13-31-24-31-0012  
PIN 13-31-24-31-0071  
PIN 14-31-24-14-0050  
PIN 22-31-24-21-0012  
PIN 22-31-24-23-0006  
PIN 23-31-24-44-0006  
PIN 25-31-24-22-0016  
PIN 25-31-24-22-0051  
PIN 26-31-24-11-0046

The total estimated cost of the project is \$51,940. It is proposed to assess all costs to the benefiting properties over a 5-year period. A public hearing is not needed as all of the property owners have signed a waiver of right to a public hearing. The next step is to get quotes on the work to be done and proceed to construction. Five of the driveways will be concrete and those can be done under the City concrete repair contract where we have bid items for concrete driveway. Quotes will be obtained for bituminous driveways. Assessments would be approved by Council when all work is completed and actual costs are known.

This item relates to the “Community Development and Redevelopment” section of the City’s long term strategic vision in the following way:

The City’s development is diversified and sustainable with growing economic base that supports a high quality of life in neighborhoods and a strong progressive business sector.

**MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION 10-6(7) ORDERING THE PROJECT AND RESOLUTION 10-6(8) APPROVING PLANS AND AUTHORIZING QUOTES FOR CONSTRUCTION. THE MOTION PASSED UNANIMOUSLY.**

12. CONSIDER APPROVAL OF PRELIMINARY PORT MASTER PLAN FOR PORT CAMPUS SQUARE, COON RAPIDS BOULEVARD AND 111<sup>TH</sup> AVENUE NW, PC 10-15

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Community Development Specialist Brown presented a memorandum to Council stating the Council is asked to consider a Preliminary Port Master Plan for Port Campus Square.

On June 17, 2010, the Planning Commission recommended approval of an updated Port Master Plan to incorporate plans for a new ice arena and accommodate a future community center. The proposed master plan envisions relocating the intersection of 111<sup>th</sup> Avenue NW and Coon Rapids Boulevard to the east adjacent to a new City park. Realignment of this intersection also allows for assembly of parcels on the south side of Coon Rapids Boulevard for redevelopment as either commercial or residential uses. While the City's ice arena and future phases of a community center would occupy most of the land south of Coon Rapids Boulevard, residential development is planned near the intersection of Crooked Lake Boulevard and 109<sup>th</sup> Lane NW.

The land along the south side of 111<sup>th</sup> Avenue NW is planned for a combination of stacked parking for a future community center and mixed-use development. A new north-south public street connection is planned between 109<sup>th</sup> Lane NW and 111<sup>th</sup> Avenue NW. The area along the north side of Coon Rapids Boulevard is planned for either commercial or residential redevelopment, while much of the Family Center Mall site is planned for redevelopment as housing. Future land uses for the north side of Coon Rapids Boulevard largely reflect those proposed by the existing master plan for Port Campus Square. At full build-out, the Port Campus Square area could generate over \$160,000 in additional City tax revenues (2010 dollars).

If the Council approves the Preliminary Master Plan, the Planning Commission will consider a Final Port Master Plan in July, along with a text amendment to the Comprehensive Plan formally adopting the Master Plan. The Council will consider both items in August.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SIDOTI, TO APPROVE THE PRELIMINARY PORT MASTER PLAN FOR PORT CAMPUS SQUARE. THE MOTION PASSED UNANIMOUSLY.

13. CONSIDER APPROVAL OF SITE PLAN, ICE ARENA (CITY OF COON RAPIDS),  
11000 CROOKED LAKE BOULEVARD, PC 10-12

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Planner Harlicker presented a memorandum to Council stating the City of Coon Rapids is requesting site plan approval to construct an ice arena.

The City is proposing to construct a 58,000 square foot ice area. The arena will include one sheet of ice, seating for spectators, locker rooms and common area and parking for 233 cars. The arena will seat about 775 people. An outdoor rink is proposed on the east side of the facility. The main access is from Crooked Lake Boulevard with a second access from 109<sup>th</sup> Avenue NW.

At the June 17 Planning Commission meeting no one spoke at the public hearing. The Commission discussed the following items:

*Parking*

The Commission discussed the number of parking spaces and the parking ratio. The 233 parking spaces equal a parking ratio of about 3.3 spaces per seat. A survey was conducted of other arenas;

the range was 3 spaces per seat to up to 5 spaces per seat. It was explained that overflow parking will be available on the west side of the arena, in the existing parking lot, and the overflow parking will be connected via sidewalk to the main entrance of the arena. Overflow parking will continue to be available when future phases of the community center are completed.

### *Landscaping*

The Commission was concerned about maintaining the landscaping in areas that will not be irrigated. The permanent landscaped areas will be irrigated with the construction of the arena. The architect summarized how the remaining landscaping could be cared for with a maintenance program. The landscaping will also come with a nurseryman's guarantee good for two years.

### *Building Elevations*

The Commission thought that the east elevation should have a break in the wall, similar to the west elevation, to break up the long façade. That bump up would not be compatible with the possible construction of a second sheet of ice. The Commission then suggested changes in materials and colors to provide the needed relief.

The Planning Commission voted unanimously to recommend approval of the site plan.

This item relates to the Community Development and Redevelopment section of the City's long term strategic vision in that the site plan will allow for the redevelopment of an under utilized site. This will help sustain and encourage growth and other redevelopment along Coon Rapids Boulevard.

**MOTION BY COUNCILMEMBER SIDOTI, SECONDED BY COUNCILMEMBER JOHNSON, TO APPROVE ICE ARENA SITE PLAN AT 11000 CROOKED LAKE BOULEVARD WITH THE FOLLOWING CONDITIONS:**

1. THE PLAZA NEAR THE MAIN ENTRANCE MUST INCLUDE SEATING AREAS AND BIKE RACKS.
2. SIDEWALK CONNECTION MUST BE INCLUDED TO CROOKED LAKE BOULEVARD, 109<sup>TH</sup> AVENUE NW AND THE OVERFLOW PARKING TO THE WEST.
3. ALL PERMANENT LANDSCAPED AREAS MUST BE IRRIGATED.
4. THE EAST ELEVATION MUST INCLUDE VARIATIONS IN COLOR AND/OR MATERIALS TO BREAK UP THE EAST FAÇADE.
5. REPLACEMENT WITHIN TWO YEARS OF ANY DEAD EXISTING TREES ON A PER CALIPER INCH BASIS.

THE MOTION PASSED UNANIMOUSLY.

14. CONSIDER RESOLUTION 10-78 ELIMINATING A PLANNED UNIT DEVELOPMENT

(PUD) DESIGNATION, COON RAPIDS BOULEVARD AND 111<sup>TH</sup> AVENUE NW, PC  
10-14

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Planner Harlicker presented a memorandum requesting Council adopt a resolution eliminating the Planned Unit Development (PUD) designation for properties located on the south side of Coon Rapids Boulevard at 111<sup>th</sup> Avenue NW.

In 1971, the City approved a PUD to allow for the properties to be developed with the Target store, a grocery store, and the commercial development of smaller lots along Coon Rapids Boulevard. The City is now proposing to redevelop the area included in the PUD. The PUD allows for specific uses; in order for the properties to be used as something other than those allowed in the PUD, the PUD designation has to be eliminated.

The properties are located within Port Campus Square and the River Rapids Overlay District and have an underlying zoning of PORT, which will not be changed as a result of this rezoning. Changes to the current land use designations will be considered as part of the Port Master Plan. The PORT zoning, River Rapids Overlay District, the land use designations, and Port Master Plan will guide future development.

At the Planning Commission meeting held on June 17 no one spoke at the public hearing. The Commission voted 5:0 to recommend approval of the zone change.

This item relates to the Community Development and Redevelopment section of the City's long term strategic in that the zone change will allow for the redevelopment of an under utilized site and supports the objectives of the Coon Rapids Boulevard Framework Plan.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER LARSON, TO ADOPT RESOLUTION 10-78 ELIMINATING THE PUD DESIGNATION BASED ON THE FOLLOWING FINDINGS:

1. THE PROPOSED REZONING IS CONSISTENT WITH THE LAND USE DESIGNATION OF HIGH DENSITY RESIDENTIAL AND COMMERCIAL MIXED USE
2. THE PROPOSED REZONING IS COMPATIBLE WITH THE ADJACENT LAND USE DESIGNATIONS AND LAND USES.
3. THE PROPOSED REZONING WOULD NOT HAVE AN ADVERSE IMPACT ON THE ADJACENT PROPERTIES.

THE MOTION PASSED UNANIMOUSLY.

15. CONSIDER RESOLUTION 10-73 APPROVING APPLICATION FOR TRANSIT IMPROVEMENT AREA DESIGNATION FOR THE RIVERDALE TRANSIT SERVICE AREA AND APPROVING THE TRANSIT STATION AREA PLAN
-

Community Development Specialist Brown presented a memorandum asking the Council to consider a resolution approving submittal of an application to the Minnesota Department of Employment and Economic Development (DEED) to designate an area near the Riverdale Transit Station as a Transit Improvement Area (TIA).

In 2008, the Minnesota Legislature established a Transit Improvement Area Account, giving DEED the authority to award Transit Improvement Area designations to land near light rail, commuter rail, and bus rapid transit stations. While the account is currently unfunded, DEED is accepting applications to allow applicants to leverage and secure financing from other sources. Staff has completed an application for TIA designation for an area within a half-mile of the Riverdale Transit Station along the Northstar Commuter Rail Line. In 2008, the Council adopted the *Riverdale Station Area Transit Oriented Development Design Guidelines*, a conceptual plan to encourage transit-oriented development on vacant land owned by Anoka County near the station. Receiving TIA designation could strengthen the City's position to receive state or federal funds in the future to assist with implementation of the transit-oriented development plan. While development of the site is not imminent, Staff believes it is still beneficial for the City to apply for the designation at this time.

The Council is asked to consider a resolution supporting the City's TIA application and Station Area Plan, as well as authorizing the City Manager to execute subsequent agreements with the State to allow implementation of the plan. The Anoka County board's Public Works Committee is considering a letter in support of the City's application.

This item relates to the Development/Redevelopment section by growing the City's economic base and supporting a high quality of life.

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION 10-73 SUPPORTING THE CITY'S APPLICATION FOR A TRANSIT IMPROVEMENT AREA DESIGNATION FOR THE RIVERDALE STATION AREA, SUPPORTING THE TRANSIT IMPROVEMENT AREA PLAN, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUBSEQUENT AGREEMENTS AND CONTRACTS. THE MOTION PASSED UNANIMOUSLY.

16. 2010 ELECTIONS:

- A. APPOINT ELECTION JUDGES
  - B. AUTHORIZE EMERGENCY ELECTION JUDGE SUBSTITUTIONS
  - C. ESTABLISH ELECTION JUDGE SALARY
  - D. SCHEDULE MEETING TO CANVASS PRIMARY RESULTS
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City Clerk Anderson presented a memorandum to Council stating that pursuant to Minnesota election law and City Charter, Council must appoint election judges, set their salary, and schedule a special meeting to canvass the August 10 primary results. Staff is also requesting authority to appoint election judges during the time preceding the election.

Election judges are scheduled to attend mandatory election judge training in late July presented by Anoka County election staff. Most judges have been given their work assignments for August and November.

Minnesota Statutes require that election judges be appointed by the Council at least 25 days prior to the election. Staff is requesting Council authorize the City Clerk to make appointments and substitutions as necessary should the need arise in the 25 days prior to the election, or between July 7 and August 9, and October 8 and November 1. Election law allows emergency appointments on Election Day.

Staff proposes no change to the 2008 election judge hourly salary. The 2010 rates for judges would remain at \$9.00 per hour, with the assistant head judge at \$9.50 per hour and the head judge at \$10.00 per hour. Student trainees would be paid \$8.10.

Council is required to canvass the results of the primary election on the third day after the primary, which is Friday, August 13. The meeting can be scheduled at any time. The meeting will be brief and at least four Councilmembers must attend.

This item relates to Excellence in Governance by adhering to state laws and the City Charter.

City Clerk Anderson requested the Council set a time for the canvass on August 13. Mayor Howe suggested the meeting be held at 9:00 a.m.

**MOTION BY COUNCILMEMBER SIDOTI, SECONDED BY COUNCILMEMBER LARSON, TO APPROVE THE APPOINTMENT OF THE LIST OF ELECTION JUDGES; AUTHORIZE THE CITY CLERK TO APPOINT AND ASSIGN ELECTION JUDGES DURING THE 25 DAYS PRECEDING THE ELECTION IF SUBSTITUTIONS ARE NECESSARY; APPROVE THE HOURLY SALARY FOR ELECTION JUDGES AT \$9.00, STUDENT TRAINEE JUDGES AT \$8.10, ASSISTANT HEAD JUDGES AT \$9.50 AND HEAD JUDGES AT \$10.00; AND TO SCHEDULE A SPECIAL MEETING TO CANVASS THE RESULTS OF A PRIMARY ELECTION FOR FRIDAY, AUGUST 13 AT 9:00 A.M.**

Councilmember Johnson thanked all those who were willing to serve the community as an election judge. City Clerk Anderson stated over 270 people were serving as election judges this year.

Councilmember Nelson questioned if the City was making arrangements for a new polling location due to the closing of Sorteberg Elementary. City Clerk Anderson explained that the School District was allowing the City to continue the use of this site for both the primary and general elections.  
**THE MOTION PASSED UNANIMOUSLY.**

**17. CONSIDER RESOLUTION 10-75 REVISING THE IMPROVEMENT FEES IN THE PARKSHIRE HOUSING IMPROVEMENT AREA, 2980-3054 113<sup>TH</sup> AVENUE NW**

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Finance Director Legg presented a memorandum to Council stating staff is recommending the adoption of a resolution revising the amount of the fees imposed on the Parkshire Housing

#### Improvement Area.

In 2006 a Housing Improvement Area was established for the Parkshire Townhomes. An assessment was adopted based on an estimated amount of renovation to be completed on the 26 residential units. Work entailed roof, siding, asphalt and fencing replacement. The project is complete and the assessment can be revised to a lesser amount. Refunds will be issued to those who paid the assessment in advance of the work being complete.

The original resolution assessed over 15 years was for \$248,950. The total amount, including administrative fees should be \$200,675. The amount will be disbursed equally throughout the affected properties.

This matter aligns with the strategic vision as Housing Improvement Area financing of private townhomes encourages stable, safe well maintained life cycle housing options.

**MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION 10-75 REVISING THE IMPROVEMENT FEES IN THE PARKSHIRE HOUSING IMPROVEMENT AREA. THE MOTION PASSED UNANIMOUSLY.**

#### 18. AUTHORIZE PURCHASE OF FIVE PLOW TRUCKS

A memorandum was presented from Purchasing Clerk Lincoln stating staff is recommending the purchase of five replacement plow trucks.

Staff is recommending the purchase of five 2 ½ ton Freightliner M2 106V Chassis plow trucks (4 single axle and 1 tandem axle), a hook chassis, liquid deicing tank and other snow plow equipment off of the State Contract at a cost of \$796,897 before trade and taxes to replace five 2000 Sterling plow trucks as part of the normal replacement schedule. The trucks are used by the public works department primarily for snow removal purposes but also for the hauling of various materials during water main breaks, street repairs, tree trimming, and street sweeping projects. Staff plans to accept the total trade-in amount of \$130,000 for all five 2000 Sterling trucks.

The chassis' would be purchased from I-State Truck Center at a cost of \$367,126 and sent to Towmaster Truck Equipment to have equipment installed at a cost of \$423,443. The deicing equipment must be purchased from a third vendor, Varitech at a cost of \$6,328 to be installed by Towmaster. These costs are before tax is added.

This item relates to the Transportation section of the City's long term strategic vision as the purchase of these trucks is needed to meet the City's Transportation Objective. Although not expanding transportation options, it allows for the maintenance of street conditions at current levels.

The budget includes \$867,630 for this purchase net of trade in allowance. The total amount to purchase these plow trucks is \$712,746 after trade and tax. Therefore, funds are available for this purchase.

**MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER JOHNSON,**

TO AUTHORIZE STAFF TO PURCHASE FIVE 2 ½ TON FREIGHTLINER M2 106V CHASSIS PLOW TRUCKS, A HOOK CHASSIS, LIQUID DEICING TANK AND OTHER SNOW PLOW EQUIPMENT IN THE NET AMOUNT OF \$712,746 WHICH INCLUDES SALES TAX.

Councilmember Johnson requested staff look into purchasing any other necessary snow plow equipment due to the great savings this year. City Manager Fulton stated staff would look into this further.

THE MOTION PASSED UNANIMOUSLY.

19. OTHER COUNCIL BUSINESS

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Councilmember Sidoti requested the rail road tracks near Epiphany Church on Hanson Boulevard be reviewed by staff as the tracks heading north were extremely rough.

Mayor Howe mentioned that this past weekend the City ended its year-long celebration of 50 years as a City. He stated that approximately 1,000 students attended the All-Class Reunion and that it was a great event. He thanked all who worked on the All-Class Reunion Committee and the 50<sup>th</sup> Anniversary Committee.

20. ADJOURN

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MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER KLINT, TO ADJOURN THE MEETING AT 9:55 P.M. THE MOTION PASSED UNANIMOUSLY.

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Tim Howe, Mayor

ATTEST:

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Joan A. Anderson, City Clerk