

Adopted Minutes Regular Council Meeting August 9, 2011

Mayor Slavik called a Regular Meeting of the Plymouth City Council to order at 7:03 p.m. in the Medicine Lake Room of City Hall, 3400 Plymouth Boulevard, on August 9, 2011.

COUNCIL PRESENT: Mayor Slavik, Councilmembers Bildsoe, Murdock, Black, Willis, and Johnson.

ABSENT: Councilmember Stein.

STAFF PRESENT: City Manager Ahrens, City Attorney McDowell Poehler, Fire Chief Kline, Park Director Evans, Public Works Director Cote, Community Development Director Juetten, Administrative Services Director Portner, Police Chief Goldstein, Volunteer Coordinator Maas, Senior Planner Drill, and City Clerk Engdahl.

Plymouth Forum

There was no one present to address the Council.

Presentations and Public Information Announcements

(4.01) Presentation by County Commissioner Jeff Johnson

County Commissioner Johnson provided an update on Hennepin County's budget and the new communication facility to be located in Plymouth.

The Council requested his support for improvements to County Road 47 and widening of I-494.

(4.02) Recognition of John Kaminski and Paula Baird Kaminski

The Council recognized John Kaminski and Paula Baird Kaminski for their significant volunteer contributions to the City.

Approval of Agenda

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Johnson, to approve the agenda. With all members voting in favor motion carried.

Consent Agenda

Regarding item No. 6.09, Councilmember Bildsoe asked if there would be a street light in the parking lot. Park Director Evans replied no.

Motion was made by Councilmember Willis, and seconded by Councilmember Johnson, to adopt the Consent Agenda that included the following items:

- (6.01) Regular and Special Meeting minutes of July 26.
- (6.02) Resolution Approving Disbursements ending July 30 (Res2011-253).
- (6.03) Ordinance Amending Chapter 4 of the City Code Concerning Building Construction Regulations (Ord2011-24).
- (6.04) Resolution Approving a One-Year Extension of the Development Approvals for the Rottlund Company Inc. for the Reserve 3rd Addition for Property located West of Cheshire Parkway and North of 55th Avenue North (2008003 – Res2011-254).
- (6.05) Resolution Approving a Final Plat and Development Contract and Development Contract for “Spring Meadows 2nd Addition” for Property located at 5550 Dunkirk Lane (2011019-F - Res2011-255) and Resolution Adopting Assessments for Trunk Sanitary Sewer and Water Main for Spring Meadows 2nd Addition (2011019-F – Res2011-256).
- (6.06) Ordinance Amending Chapter 21 of the City Code to Classify Roughly 5.6 Acres of Land located in the Southeast Quadrant of County Road 9 and I-494 and to Establish a Planned Unit Development District (2011037 – Ord2011-25), Resolution Approving Findings of Fact (Res2011-257), and a Resolution Approving a PUD General Plan for Cornerstone Auto Resource for “Cornerstone Auto PUD” for Property located in the Southeast Quadrant of County Road 9 and I-494 (Res2011-258).
- (6.07) Resolution Authorizing Agreement with Three Rivers Park District relating to the Trillium Woods Development (2011058 – Res2011-259).
- (6.08) Resolution Approving Change Order No. 2 for Athletic Field Lighting with Kilmer Electric (Res2011-260).
- (6.09) Resolution Approving Bid for the Plymouth Dog Park Parking Lot and Water Improvements (Res2011-261).

With all members voting in favor, the motion carried.

Public Hearings

(7.01) On-Sale 3.2 Malt Liquor License Application for Uchu LLC, d/b/a Uchu Peruvian Cuisine, 4130 Berkshire Lane North, Unit B

City Clerk Engdahl reported on the request of Uchu LLC, d/b/a Uchu Peruvian Cuisine, for an On-Sale 3.2 Malt Liquor License at 4130 Berkshire Lane North, Unit B.

Mayor Slavik opened the public hearing.

Mayor Slavik declared the public hearing closed.

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Willis, to adopt a Resolution Approving On-Sale 3.2 Liquor License for Uchu LLC, d/b/a Uchu Peruvian Cuisine, 4130 Berkshire Lane North, Unit B (Res2011-262). With all members voting in favor, the motion carried.

(7.02) Vacation of Drainage, Ponding, Street and Utility Easements within the Southwest Quarter of the Southeast Quarter of Section 5-118-22, Spring Meadows Second Addition Plat

Public Works Director Cote reported on the proposed Vacation.

Mayor Slavik opened the public hearing.

Mayor Slavik declared the public hearing closed.

Motion was made by Councilmember Black, and seconded by Councilmember Murdock, to adopt a Resolution Authorizing the Vacation of Drainage, Ponding, Utility, and Street Easements within the Southwest Quarter of the Southeast Quarter of Section 5-118-22, except the West 33.00 Feet Thereof (Res2011-263). With all members voting in favor, the motion carried.

General Business

(8.01) Environmental Assessment Worksheet Petition for Crossroads Commons (Highway 55 and County Road 73)

Senior Planner Drill reported on July 26, a petition was received by the Minnesota Environmental Quality Board for an environmental assessment worksheet (EAW) for the proposed Crossroads Commons project. Receipt of the notice and petition suspends the City's review period for the proposed project and prohibits the Council from taking any official action on the proposed project until after the EAW question is resolved. Because preparation of an EAW is not a mandatory requirement, but rather discretionary, the Council has the option to deny the petition or order that an EAW be prepared. The Council has 15 working days to determine whether preparation of an EAW should be ordered.

He stated the petition requesting the EAW indicated that trees and wildlife habitat, wooded area, and storm water runoff would be impacted by the proposed development. Staff doesn't support the request for discretionary EAW based upon the following findings:

1. The petition fails to demonstrate that, because of the nature or location of the proposed project, the project may have the potential for significant environmental effects.
2. The project proposer has either addressed the environmental concerns indicated in the petition for the EAW, or the City would address them through code requirements and conditions if the project is ultimately approved. Therefore, the project would not result in significant environmental effects.
3. Storm water runoff would be addressed through the established development review and approval process.

Councilmember Bildsoe asked if the previous development plans for this site, which were more intense proposals, required an EAW. Senior Planner Drill replied no.

Len Lindalof, 620 Cottonwood Lane North, requested the Council to delay any action on the EAW until contact is made with the Department of Natural Resources (DNR) concerning the fish that come up in the creek, especially in the spring of the year.

Lauren Leith, 610 Cottonwood Lane North, stated she initiated the petition. She noted that previous plans for this property didn't come back to the southwest corner of the site. She noted the value of the wetland on this property and the flooding in the area due to the rerouting of the creek and rubble in the wetland. She's aware of the water quality pond to handle the runoff from the site, but she's unsure if that will break down the petroleum. Lastly, she's also concerned about the impact to the wildlife in this area. She requested the Council to proceed with an EAW.

Mayor Slavik requested staff to respond to the concerns that have been presented. Senior Planner Drill stated that the DNR was provided a copy of the development application, and they didn't provide any comments. Regardless of an EAW, if the DNR had concerns regarding the creek, that would be addressed with the development application. He stated that nothing will change in the southeast area of the wetland. If anything, there will be improvements to that area. Public Works Director Cote added the water quality ponds are designed to handle the breakdown of petroleum and bacteria.

Daniel Lafontaine, 11400 5th Avenue North, stated his home is adjacent to the creek. He stated his children would catch fish out of the creek in the spring before they filled it. Due to the filling, there has been compaction of wetland on that fill. The clay settles, the wetland rises up, and the trees die.

Senior Planner Drill stated Mr. Lafontaine's concerns will be addressed with the site plan stage of the development. The City Engineer has been working with the developer on maintaining the drainage on the site.

Councilmember Black asked if there are any soil borings from the site. Senior Planner Drill replied soil borings have been done numerous times. Those issues will be addressed with the streets and building permits for the site.

Motion was made by Councilmember Black, and seconded by Councilmember Bildsoe, to adopt a Resolution Denying a Petition Requesting Preparation of an Environmental Assessment Worksheet for "Crossroads Commons" – a Proposed Redevelopment of the Former Plymouth Shopping Center Site located South of Highway 55 between Cottonwood Lane and County Road 73 (2011060 – Res2011-264).

Councilmembers Bildsoe and Black stated that this development will be an improvement to the wetland, not a detriment. Water quantity on this site will be addressed through the site plan and development process. By relocating one of the buildings further to the north, the developer is preserving the trees.

Mayor Slavik stated she realizes there are neighborhood concerns, and those concerns will be made part of the discussion at the August 23 meeting when the Council discusses the preliminary plat and other development applications.

There being no further discussion and with all members voting in favor, the motion carried.

Reports and Staff Recommendations

There were no reports and staff recommendations.

Adjournment

Mayor Slavik adjourned the meeting at 7:57 p.m.



Sandra R. Engdahl, City Clerk