

Adopted Minutes Regular Council Meeting March 19, 2013

Mayor Slavik called a Regular Meeting of the Plymouth City Council to order at 7:00 p.m. in the Council Chambers of City Hall, 3400 Plymouth Boulevard, on March 19, 2013.

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

ABSENT: Councilmember Stein.

STAFF PRESENT: Administrative Services Director Callister, City Attorney Knutson, Park and Recreation Director Evans, Public Works Director Cote, Community Development Director Juetten, Police Chief Goldstein, Senior Planner Doty, and City Clerk Engdahl.

Plymouth Forum

There was no one present to address the Council.

Presentations and Public Information Announcements

(4.01) Presentation of 2012 Plymouth Metrolink Driver Awards

Catherine Kedzif, Plymouth Advisory Committee on Transit Chair, Paul Buharin, First Transit General Manager, and Mayor Slavik presented the 2012 Plymouth Metrolink Driver Awards to Dollian Davis and Michael Brinkley.

Approval of Agenda

Councilmember Willis requested that the Council go into closed session after the regular meeting to receive a status of negotiations for the City's collective bargaining units.

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

Consent Agenda

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

(6.01) Resolution Approving Disbursements ending March 9, 2013 (Res2013-074).

(6.02) Resolution Renewing Refuse Hauler Licenses for the Period of April 1, 2013 through March 31, 2014 (Res2013-075).

(6.03) Resolution Approving a Site Plan Amendment from BWBR Architects to allow an Expansion of the North Parking Lot at St. Jude Medical at 5050 Nathan Lane North (2013006 - Res2013-076).

(6.04) Resolution Approving Revised Amended Contract with Stantec Consulting Services Inc. for Well No. 17 Project (10024 - Res2013-077).

(6.05) Resolution Approving Payment No. 5 and Final for Annapolis Lane Street Reconstruction Project (11002 - Res2013-078).

(6.06) Resolution Ordering Preliminary Engineering Report for the Dunkirk Lane Mill and Overlay Project (13007 – Res2013-079), Resolution Receiving Preliminary Engineering Report, Ordering Preparation of Plans and Specifications, and Calling for a Public Hearing for the Dunkirk Lane Mill and Overlay Project (13007 – Res2013-080), Resolution Approving Plans and Specifications, and Ordering Advertisement for Bids for the Dunkirk Lane Mill and Overlay Project (13007 – Res2013-081), Resolution Declaring Cost to be Assessed, and Ordering Preparation of Proposed Assessment for the Dunkirk Lane Mill and Overlay Project (13007 – Res2013-082), Resolution for Hearing on Proposed Assessment for the Dunkirk Lane Mill and Overlay Project (13007 – Res2013-083), and a Resolution Authorizing “No Parking” on Dunkirk Lane from County Road 6 to Medina Road (13007 – Res2013-084).

(6.07) Resolution Ordering Preliminary Engineering Report for the Creekside of Plymouth Edge Mill and Overlay Project (13009 – Res2013-085), Resolution Receiving Preliminary Engineering Report, Ordering Preparation of Plans and Specifications, and Calling for a Public Hearing for the Creekside of Plymouth Edge Mill and Overlay Project (13009 – Res2013-086), Resolution Declaring Cost to be Assessed, and Ordering Preparation of Proposed Assessment for the Creekside of Plymouth Edge Mill and Overlay Project (13009 – Res2013-087), and Resolution for Hearing on Proposed Assessment for the Creekside of Plymouth Edge Mill and Overlay Project (13009 – Res2013-088)

(6.08) Resolution Approving Final Plat and Development Contract for GWS Land Development of Plymouth LLC for “Terra Vista 2nd Addition” for Property located at the Intersection of Dunkirk Lane and 59th Avenue North (2013008 - Res2013-089) and a Resolution Adopting Assessments for Trunk Sanitary Sewer and Water Main for Terra Vista 2nd Addition (2013008 – Res2013-090).

With all members voting in favor, the motion carried.

Public Hearings

There were no public hearings.

General Business

(8.01) Comprehensive Plan Amendment to Reguide 12 Parcels to LA-R2 and 2 Parcels to P-I for Properties West of Dunkirk Lane and South of County Road 47 (2013002 and 2013003)

Senior Planner Doty reported on a Comprehensive Guide Plan amendment to re-guide 12 parcels to LA-R2 and 2 parcels to P-I for properties located west of Dunkirk Lane and south of County Road 47. The Planning Commission voted 3-2 to recommend approval of this request. The Planning Commission stated a concern about the density range of two to four units per acre for this site, given the site's grade and tree coverage. Staff responded that other properties with comparable grade and tree coverage have been developed recently in Plymouth. Staff added that the Comprehensive Plan has allowances to go below the required density range of a guiding if there are environmental reasons to do so. Staff added that a rezoning application would be required at the time of a future development, which would provide the City with a high level of discretion when reviewing a development plan.

Councilmember Stein stated usually when the Council considers this type of application, there is a development request before them. Community Development Director Juetten stated in this situation, there are a number of property owners. They wanted to see what the guiding potential would be so they could talk to developers. Due to the natural features and trees, it made more sense to have a goal in place prior to having a developer put together a full design on how they might develop the property. This would be very expensive due to the topography of the land.

Councilmember Stein stated he prefers to see a proposal first so the Council can see how the homes would fit on the property. Community Development Juetten stated the properties east of Dunkirk were all guided before proposals were presented. Many times, the guiding is done prior to the development proposals. He explained with the Terra Vista development, there was a blending of density to reach the guiding which could also be done in this area. He stated all developments have to meet the guiding unless there are natural features that prevents developers from accomplishing that requirement.

Councilmember Willis stated if the Council approves the re-guiding for these properties, then there is no assurance that these properties will be developed by any particular order or any number of developers. There might not be a PUD, open parcels might come in and want higher density, and lower density for that portion of the property that has topographical concerns. He stated he's trying to determine what approach benefits the public the most. If these properties were going to be developed as a PUD, he has a higher level of confidence. The Council has

higher level of control on how the whole area is developed. Therefore, he's not as confident approving the Comprehensive Plan amendment this evening.

Councilmember Black stated she's curious as to why the applicant, Minnesota Lane Professionals, is requesting this amendment.

Jeff DeCesave, representing Minnesota Lane Professionals, stated they are a real estate company. He stated the challenge is many of the parcels are smaller in size, from five to 10 acres. All 11 property owners have signed the application. The goal is to get some common direction with the owners and then to follow with strategic buyers. If they don't have uniformity and strategic alignment, it becomes more costly and difficult to develop. By doing the Comprehensive Plan amendment first, it provides the City with a lot more flexibility in entertaining future applications for development. Also, moving west of these properties, it helps to get this re-guided for extension of water and sewer services for Dunkirk Lane and extension of Peony Lane. Lastly, he stated it's not economically viable for one developer to plat the area.

Councilmember Willis stated if this amendment is approved this evening, the properties will be developed more quickly. Mr. DeCesave it would be phased in over time. There would be a master plan in place and done systematically rather than a patchwork approach.

Councilmember Willis stated the goal is fine, but he's more concerned how the City addresses the development through design so it protects the designs of the land in this area.

Councilmember Johnson stated she's more hesitant in going to LA-R2 guiding as that can mean up to four units per acre. Community Development Director Juetten commented that the Metropolitan Council desires three units per acre no matter where. Mr. DeCesave stated the two to four units per acre allows flexibility for balance between what the City and the Metropolitan Council desires.

Councilmember Black stated she's more comfortable with LA-R1 guiding as LA-R2 could weaken the City's position with respect as to what could happen in this area taking into consideration the natural resources.

Councilmember Stein stated if there's not a unified master plan for the whole area, it's hard to control the density as development plans come forward.

Councilmember Bildsoe stated he supports the requested Comprehensive Plan amendment as he sees the value of putting it all together.

It was noted that the Council has until May 3 to act on this application. The Council suggested that Mr. DeCesave meet with staff to discuss the Council's concerns that have been expressed this evening and to work on a systematic plan for this area.

Motion was made by Councilmember Johnson, and seconded by Councilmember Willis, to table this item to April 23. With all members voting in favor, the motion carried.

(8.02) Ordinance Amending Chapter 9 of the City Code Concerning Dogs Running at Large

Police Chief Goldstein reported on an ordinance that would make the City Code clearer requiring pet owners to keep dogs on leash on ice.

Motion was made by Councilmember Black, and seconded by Councilmember Willis, to adopt the Ordinance Amending Chapter 9 of the City Code Concerning Dogs Running At Large (Ord2013-09). With all members voting in favor, the motion carried.

(8.03) Written Comments Regarding Xcel Energy and Great River Energy Certificate of Need for Hollydale 115kV Transmission Line Project

Councilmember Black stated she has provided to the Council at their places this evening an amended copy of the proposed letter that staff prepared.

Motion was made by Councilmember Black, and seconded by Councilmember Willis, to approve the amended letter. With all members voting in favor, the motion carried.

Reports and Staff Recommendations

(9.01) Legislative Update

Administrative Services Director Callister provided an update on the bills that staff is tracking.

Mayor Slavik requested that another letter be sent to Congressman Paulsen and U.S. Senators Franken and Klobuchar regarding a third lane on I-494 through Plymouth. The Council supported this request.

(9.02) Future Study Sessions

The Council scheduled the following study sessions:

1. April 9 following regular Council meeting: Quarterly update with the City Manager
2. April 16 at 6:00 p.m.: Discuss DEA assignment and infrastructure improvements at Highway 55 and County Road 101)
3. April 30 at 6:00 p.m.: Preliminary budget meeting
4. May 14 at 5:30 p.m.: CPR Training for Council

Councilmember Black invited the Council and residents to the April 10 Environmental Quality Committee meeting where the water management plan for the Bassett Creek Watershed District will be discussed.

Adjournment

Mayor Slavik adjourned the meeting at 8:25 p.m. The Council went into closed session to receive a status of negotiations for the City's collective bargaining units. This meeting was held in the Medicine Lake Room with all Councilmembers, Administrative Services Director Callister, Public Works Director Cote, Park and Recreation Director Evans, and City Clerk Engdahl present. The meeting was adjourned at 8:55 p.m.



Sandra R. Engdahl, City Clerk