

CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY
STATE OF MINNESOTA

Minutes of the Regular Meeting
Held Monday, February 4, 2008

Pursuant to due call and notice thereof, the regular meeting of the City Council, City of Mendota Heights, Minnesota was held at 7:30 o'clock p.m. at City Hall, 1101 Victoria Curve, Mendota Heights, Minnesota.

- CALL TO ORDER** Mayor Huber called the meeting to order at 7:30 p.m. The following members were present: Mayor Huber, Councilmembers Duggan, Krebsbach and Schneeman. Councilmember Vitelli had notified Council that he would be absent.
- PLEDGE OF ALLEGIANCE** Council, the audience and staff recited the Pledge of Allegiance.
- AGENDA ADOPTION** Councilmember Krebsbach moved adoption of the revised agenda for the meeting.
Councilmember Duggan seconded the motion.
- Ayes: 4
Nays: 0
- APPROVAL OF MINUTES** Councilmember Schneeman moved approval of the minutes of the regular meeting held on January 15, 2008.
Councilmember Krebsbach seconded the motion.
- Ayes: 4
Nays: 0
- CONSENT CALENDAR** Councilmember Krebsbach moved approval of the consent calendar for the meeting, along with authorization for execution of any necessary documents contained therein.
- a. Acknowledgement of the January 22, 2008 Planning Commission Minutes.
 - b. Acknowledgement of the Building Activity Report for January 2008.
 - c. Acknowledgement of the December 2007 Treasurers Report.
 - d. Authorization for Temporary Liquor License, St. Thomas Academy.
 - e. Authorization for Purchase Order for Purchase of Heavy Duty $\frac{3}{4}$ Ton Pickup Truck and Plow.
 - f. Authorization for Purchase Order for Purchase of Bobcat.

- g. Approval of Tabling Planning Case 07-45; AT&T Cell Tower Sublease.
- h. Adoption of Resolution No. 08- 06, "A RESOLUTION AUTHORIZING LIMITED DEER CONTROL BOW HUNT ON PRIVATE PROPERTY DURING FUTURE STATE DEER HUNTING SEASONS."
- i. Approval of the List of Contractors.
- j. Approval of the List of Claims dated February 4, 2008 and totaling \$325,104.66.

Councilmember Duggan seconded the motion.

Ayes: 4

Nays: 0

PUBLIC COMMENTS

Mr. Paul Portz, 1056 Avanti Drive, announced that on Thursday evening, February 7, Climatologist and Meteorologist Mark Seely, from the University of Minnesota, would conduct a lecture at City Hall on climate changes evidence in Minnesota. He explained the lecture is free and that refreshments would be served. He noted the University of Minnesota Alumni Association sponsors the event. He advised that the lecture begins at 7:00 p.m. and is open to the public.

Councilmember Duggan explained that Mark Seely frequently appears on public radio regarding weather statistics and that he is very knowledgeable.

COMMISSION AWARDS

Mayor Huber presented awards to former Commissioners Missie Hickey for 6 years service on the Parks Commission, Chris Dolan for 6 years service on the Planning Commission, Ellsworth Stein for 15 years service on the Airport Relations Commission and Dick Spicer for 20 years service on the Parks Commission.

Commissioner Spicer thanked the Mayor, Council and staff for their assistance during his term of service. He reviewed the accomplishments of the Park Commission during his tenure, giving special thanks to Guy Kullander for his planning and preparation for all the projects presented to the Commission. He also thanked the members of the Parks Commission that he worked with over the years.

HEARING: 2008 STREET RECONSTRUCTION PROJECT

Mayor Huber opened the public hearing to receive comments on the 2008 Street Reconstruction Project for Callahan Place. Public Works Director McDermott explained that in June, 2007 Council authorized staff to prepare a feasibility report, which was accepted by Council on January 15, 2008 and at that time Council set the public hearing for this evening. She stated the proposed project

includes watermain repairs, storm sewer, aggregate base, concrete curb and gutter and bituminous surfacing. She advised the street currently has a failing bituminous surface. It was originally constructed in 1969 and overlaid in 1974 at its current width of 29 to 30 feet. She stated the proposed street widths will match the existing and be approximately 30 feet wide with the addition of concrete curb and gutter.

Ms. McDermott explained that the purpose of the public hearing is to determine if staff should move forward with plans and specifications. She reviewed financing sources for the project and stated the total project cost is estimated at \$911,335, which includes 30 percent indirect costs for legal, engineering administration and financing. She stated that funding sources proposed are \$248,000 special assessments and \$442,575 general taxes and \$220,760 to come from the water utility and storm water utility fund.

Ms. McDermott explained that city policy provides that 50 percent of the costs be assessed to the benefiting property owners. She stated the total assessable street costs are \$556,000 and that 50 percent of that amount would be assessed to 31 units, bringing the cost close to \$9,000 per unit. She noted that projects were also proposed for the Avenues and Kay/Walsh neighborhoods and to bring this project more in line with those assessments, staff recommends an \$8,000 per unit assessment. She displayed a map showing the assessable parcels with driveways onto Callahan Place.

Ms. McDermott stated that an informational meeting was held in January, 2008 that was very well attended. She reviewed the proposed project schedule as follows: if Council orders the plans and specifications this evening, staff would return for approval of the plans and specifications in April, open bids in April, begin construction in May, and complete construction through the summer with the final lift of bituminous placed in summer of 2009.

Councilmember Duggan commented that this street is approximately two feet wider than the Avenues.

Mayor Huber asked for questions and comments from the audience.

Ms. Judy Hilsten, 666 Callahan Place, asked for an explanation of the storm water system and exactly what catch basins are.

Engineer McDermott explained there is existing storm in Marie already and the proposed storm sewer will run along the south side

of Callahan. Catch basins are placed every few hundred feet. They are actually a grate that will be located within the curb line to catch the water as it runs down the street.

Mayor Huber stated that one of the things about curb and gutter is that the curb system works hand in hand with the catch basins. There is no point in having catch basins without curb and gutter.

Mr. Jerry Schiltgen, 646 Callahan Place, stated that he attended the informational meeting and there was some discussion about the type of curbing. His opinion is that there should be a real curb, not something that will make it easy for people to drive up onto his lawn.

Ms. McDermott responded that staff is proposing the barrier type curb.

Mr. Jim Mazone, 640 Callahan Place, stated that Warrior Pond is directly behind Callahan. He asked if it is possible and legal to have any of the water from the street drain to the pond.

Ms. McDermott responded that staff has not finalized the storm sewer design. There is already an outlet from South Lane and to bring the storm sewer from this neighborhood to Warrior Pond, construction would probably have to go through someone's yard. It is something staff can look at if the neighborhood wants it.

Mayor Huber stated that if the water was directed to Warrior Pond, it may help to keep water in the pond, but the offset may be water coming from the storm system directly into the pond may not be the best ecologically for the pond.

Public Works Director McDermott stated that if Council moves forward with the plans and specifications, staff will conduct another informational meeting after preliminary plans are drawn up so that staff can talk more with the neighborhood about the details.

There being no further questions or comments, Councilmember Duggan moved to close the public hearing.
Councilmember Schneeman seconded the motion.

Ayes: 4
Nays: 0

Councilmember Krebsbach stated that there were concerns at the public meeting about the curb and about how the assessment was arrived at.

Ms. McDermott responded that there was one resident who preferred the mountable curb, but she believes the majority of the people in attendance wanted the barrier curb. There were also some questions about unit assessment versus front footage.

Councilmember Krebsbach commented that one of the newspapers reporting on Edina or one of the other Minneapolis suburbs stated that they assess the full street reconstruction amount. She was really proud of Mendota Heights because the city has come with a balanced approach so that it isn't so onerous. It is a shared cost and a shared benefit to the city.

Councilmember Duggan moved of Resolution No. 08-07,
"RESOLUTION ORDERING OF IMPROVEMENT PROJECT
AND PREPARATION OF PLANS AND SPECIFICATIONS FOR
STREET RECONSTRUCTION IMPROVEMENT ON
CALLAHAN PLACE."

Councilmember Schneeman seconded the motion.

Ayes: 4
Nays: 0

CASE NO. 08-01, HAGGERTY Council acknowledged an application from Ms. Maureen Haggerty for variances for an addition and porch canopy at 790 Ridge Place. Council also acknowledged associated staff reports.

Assistant Sedlacek stated that it is common in this neighborhood for the homes to have a 20 foot setback. This home has an existing non-conformance. The applicant is asking for two variances to put a cover over the front step and an extension to the east side of the home. On the east portion of the lot there is an unused right-of-way and also unused right-of-way on the south. The issue they are dealing with is that they are already into the front yard setback and they are having difficulties with weather and would like to cover their front step. They would also like to do an addition at the east end of the home which would extend the non-conformity that currently exists. The applicant asked him to show a drawing that if the right-of-way did not exist, the string rule would allow the addition to the side of the home. There is an existing 3 season porch that will be demolished as well as another porch off of it that will be demolished as well as part of the project.

Councilmember Schneeman moved adoption of Resolution No. 08-08, "A RESOLUTION APPROVING A NINE AND ONE-HALF FOOT VARIANCE AND A SEVEN FOOT VARIANCE TO THE FRONT YARD SETBACK AT 790 RIDGE PLACE."

Councilmember Duggan seconded the motion.

Ayes: 4

Nays: 0

CASE NO. 08-02, PASTER
ENTERPRISES

Council acknowledged an application from Mr. Ken Henk on behalf of Paster Enterprises for concept plan review at 750 Highway 110 (Mendota Plaza). Council also acknowledged associated staff reports.

Assistant Sedlacek stated that the process before Council tonight is to look at the ideas the developer is proposing and give them feedback that they can use in terms of their formal applications for wetland permits, rezoning, preliminary plat and PUD. The purpose this evening is to give them some useful feedback as to how this project might fit with the character of the neighborhood and community. The project has been discussed at length with Council. They have provided drawings of what the current proposal will look like. The Planning Commission wanted to bring up some key considerations. They are excited about the prospect of redeveloping the property but wants the project to fit within the community. The addition of the right-turn lane to T.H. 110 reduces the amount of green space as the applicant measures it from the existing pavement. They asked that the pedestrian ways through the property be better defined and they also proposed the idea of proof of parking rather than constructing all of the parking now. They also asked for a formal traffic study and the applicants stated that they would be willing to participate in the study. The commission would like buildings closer to TH 110 rather than the parking lots. They addressed the idea of moving the retail building from Lot 5 and combining it with the building on Lot 6 as a means to create some parking on the south side. They also requested more detail on Outlot A to ensure that the ponding area and the benches and gazebo structure would be a really usable space. They asked for more specific information on what the renovation of the existing Mendota Plaza will look like. The Planning Commission reminded the applicant that this property is one of the city's last undeveloped sites and that it can be viewed by a lot of people coming through Mendota Heights as a "front yard" to the community. They urged the applicant to think about what that front yard in Mendota Heights is presenting to the world.

Assistant Sedlacek informed Council that a letter has been submitted from Dodge Nature Center recognizing the fact that they would like more input into the process especially given the pending agreement they have with Dakota County to be held under conservation

easement that would turn that into public nature preserve not private. They would like to look at the plans a little more closely.

Councilmember Duggan stated that in the earlier (September) letter from Paster Enterprises they indicated that they had the support of the Dodge Nature Center in relation to what they are proposing in terms of setback and buffering. The new letter from Dodge Nature Center indicates some extensive concerns.

Councilmember Schneeman pointed out that the Pasters had met with Dodge Nature Center in August of 2007 so all of this information is new to the nature center, so they would like to comment on it.

Councilmember Krebsbach stated that the plan is supposed to have 33% green space. She asked about park dedication versus a park contribution and how many acres the dedication would be.

Assistant Sedlacek responded that there has not been any negotiation yet over park dedication but staff feels that it might be appropriate to have Paster construct the trail access to the site and then stick to the monetary park dedication of 10% of the total value of the land after the platting process.

Public Works Director McDermott stated that collection of the park dedication fee will be covered in the developers agreement. For "The Summit" development, the fee is being collected as they sell the properties.

Councilmember Krebsbach asked if the park dedication, if land, would be over the whole PUD. Mr. Sedlacek responded that the city would have to define the land that it wants dedicated as park.

Public Works Director McDermott stated that staff will have to determine if there was any park dedication paid in the past on the building that is there. Responding to a question from Councilmember Krebsbach regarding trails, she stated that Paster is proposing a trail system through the property but staff is also looking at a trail along South Plaza Drive and along Dodd to make some connections along the roadways. If they build them along the right-of-way the city would credit the total park dedication fee for the cost of the trails. There will not be a trail along T.H. 110 because there is one on the north side.

Mr. Howard Paster stated that the shopping center was built in 1971 and Paster has owned it since 1986. In 2005 they purchased the 8

acre parcel just to the east of the center from MnDOT. He showed the concept plan that was submitted in August 2007 and stated that the main response Council had then was to create less of an open parking field and break up the sea of asphalt, to redirect the main road away from the store fronts of the existing shopping center and to commit to a housing element in the development and define it in greater detail. A subcommittee of Councilmembers Vitelli and Duggan, city staff and Northwest Associate Consultants was formed. At the first meeting NAC came up with their plan based on the Council comments prior to the subcommittee meeting. Their plan had a tree-lined boulevard from Dodd to T.H. 110 with a median. It had 38,000 square feet of buildings in the northeast section of the development, where Paster had previously proposed three buildings of about 20,000 square feet. NAC had some changes with the child care building Paster had proposed. They reduced the ponding area from what Paster had initially proposed and the proposed child care location was replaced with a three to five story housing structure 60,000 to 100,000 square foot range along South Plaza Drive at the back of the shopping center. They also created an access point between BP Amoco and the shopping center. As the result of the Councilmember comments during the subcommittee meetings, it was decided after the second meeting that no further meetings were needed, and Paster came up with a revised (current) plan. The changes that were made to the previous plan are at the southwest corner of the site. They changed the shape of the office building and are proposing a three story office building. The child care center has been realigned to make it parallel to South Plaza Drive. They defined the housing area in the two acre parcel across from the Dakota County HRA site. They took the footprint of a four story, approximate 100 unit structure somewhere else in the city and superimposed it on the plan. An office/retail building has been added to the southeast corner of the site and screened the two outlot buildings off of T.H. 110, Lots 3 and 4, with some additional trees and berming to minimize the impact of the parking areas that are being proposed in front of those lots. The main roadway has been reconfigured. It extends all the way from the main entrance to the new right-in, right-out and continues south to South Plaza Drive. They have limited the curb cuts into the parking areas and added additional landscaping throughout the property to break up the sea of asphalt and create smaller parking fields. The parking requirement has been reduced from what is required by the existing code and they are proposing 5 spaces per 1,000 square feet of building area. They also added several areas of green space in the parking lot. They will also have sidewalks connecting all the buildings and hopefully connecting to the existing off-site trails.

Mr. Paster stated that on the proposed plan the pond has been reconfigured to increase the surface area. They are making some attempts to reduce the modular retaining walls. He is very excited about the public plaza that has been increased along the south side of the pond area between McDonalds and the two buildings that will go up along T.H. 110. Some of the outdoor seating at the restaurant has been reconfigured. He showed pictures of what the plaza might look like. If all goes well and city approvals are granted, they propose to begin construction on the Phase I site plan in early summer of this year. That would include the 7,200 square foot restaurant building on Lot 3, the 7,200 square foot retail building, the 14,800 square foot free-standing Walgreens building on Lot 1 at the entrance off of Dodd, which will require removal of the western portion of the existing shopping center and relocation of the existing tenants. Phase I also includes remodeling the remainder of the existing shopping center and construction of the pond area in Outlot A and the roadway connections between Dodd Road, Highway 110 and South Plaza Drive. It will also include landscaping and hardscaping, sidewalks and lighting in the full built-out area. They would grade and seed the future developable parcels along the south and east perimeter of the property. The balance of the site would be developed as the market dictates, based on the master plan presented this evening.

Mr. Paster stated that the future phases will be contained in the southern five platted parcels. Those phases include a 7,200 square foot restaurant building just south of the first two buildings in Lots 3 and 4, a 15,000 square foot retail office building just south of that, a 10,000 square foot child care building behind the existing center off of South Plaza Drive and a 3 story 36,000 square foot office building and a proposed four story residential building with approximately 100 units with underground parking for either senior housing or market rate housing. Mr. Paster briefly reviewed a history of Mendota Plaza and a timeline for redevelopment. He stated that in the summer of 2005 Paster purchased the eight acres from Mn/DOT and in the spring of 2007 the Planning Commission recommended approval of the concept plan to the Council and then Paster Enterprises ended up withdrawing that proposal and beginning the subcommittee process last fall. Their hope is to be in a position to go through the rezoning and plan approval process this spring and begin the and grading and utilities in June, 2008 and starting the shell buildings for the east retail on Lots 3 and 4 later this summer with build-out in March of 2009. They would also start the remodel of the existing center in October, 2008 with completion in March of

2009. They would not be able start the Walgreens building until March of 2009 because they have to tear down a portion of the shopping center and relocate existing tenants before they can start on that portion. The hope is that in May of 2009 tenants would be able to open up on Lots 3 and 4. The Walgreens would open in November, 2009. He anticipates that the senior housing would occur in 2010, the office parcels in 2011 and the child care center in 2012. He reviewed slides on the site design, stating that they have tried to integrate everything so that it is one cohesive development. The main access will still be ~~the~~ off of Dodd Road with new connections to South Plaza Drive. The new internal roadway will be the primary access through the site. It has been designed to maximize the amount of pedestrian access. The new MnDOT area will be leveled and graded and the elevation on the northern portion will be elevated and the southern portion will be lowered. The existing ditch will be replaced with an underground concrete pipe to allow for more efficient grading on the roadway and building placement. The size of the detention pond has been increased and he feels it will be a real amenity to the development. It will be the central focal point. There will be a gazebo area on the south end of the pond and outdoor seating on the west side of the restaurant. The pond will be ringed with a decorative railing and will include a water fountain. He anticipates that the restaurant building will be two tenants, although it may be one. Landscaping will consist of deciduous, coniferous, ornamental and shrub plantings. The entrances to the property will be heavily landscaped. The landscape plan will exceed city requirements and 33% of the site will be open space landscaped areas. He reviewed an example of the site lighting. The roadways will contain ornamental lightings. There will be a new 35 foot pylon sign at the new right-in/right-out at T.H. 110. The two existing pylon signs will be refurbished and the columns will be modified to tie into the new building architecture. They are also proposing monument signs on South Plaza Drive to identify the users of those parcels. The new restaurant and retail buildings will contain brick and stone and stucco like materials with 12 foot high glass store fronts with metal sun shades and awnings. There will also be sidewalk pavers and corner tower features. He reviewed renderings showing the proposed building elevations. The trash areas at the rear will be screened.

Mr. Paster reviewed the concerns expressed by Council at the previous meeting on this matter. Paster engaged in a market study for senior housing and market rate housing and that report came back favorable. Paster is making a commitment that there will be a housing element on at least the two acre parcel in the southeast

corner of the development. He has been meeting with senior housing developers for the past year and is still investigating that based on the study. The senior housing development will tie into the overall development. It will be a four story building with underground parking. If there is to be assisted living, there must be at least 150 units. He reviewed the building alignment along T.H. 110, on Lots 3 and 4. The structures proposed are only 25 and 40 feet closer to the road than McDonalds. The Village at Mendota Heights buildings along Highway 110 are 165 feet from Highway 110 and the buildings on Lots 3 and 4 are between 160 and 170 feet from Highway 110. Another concern of Council was the rezoning from all of the business and residential uses to the Mixed Use PUD designation. He believes that question has been addressed in that there are office, residential, retail, and even child care that seems to be an appropriate mix of uses in a mixed use development. Another concern was the relationship with other properties. He has been meeting with McDonalds representatives. It is important that the site revisions are not going to negatively impact them in any way. He has also met with Jeff Whelan from BP Amoco. They will be impacted in that some of the area to the south of that building, that they are using for parking through a land lease with Paster, will be landscaped area. Both Paster Enterprises and BP Amoco realize that there will need to be some other place on the property to accommodate that parking. Mr. Whelan is excited about the plans for the shopping center and would like to look at improving his property as well. Mr. Paster met with Dakota County CDA about a month ago and thinks they are excited about the plans. He met with Dodge Nature Center today and feels that in concept nothing has changed since their last meeting. Paster Enterprises is still committed to screening the property and both Paster and the DNC are willing to continue discussions to work out the issues. The 200 foot buffer that MnDOT controls now separates the shopping center from the DNC property but DNC has the underlying fee on that buffer. Another Council concern was what would be done to the existing building. The portion of the building that will be demolished is the portion Snyders occupies now. Subway, the chiropractor and the cleaners will need to be relocated. Remodeling of the existing building will be tied to the new buildings. All of the walkways will be very well lit and will connect all of the buildings. There will be a central plaza area on the south side of the pond that was not there previously. Another concern was the amount of parking on the overall area. Parking has been reduced from seven to five spaces per 1,000 square feet of building area. Parking for the sit down restaurant area is proposed at 15 spaces per 1,000 square feet of building area. Parking for the child care building is at 4 spaces per square foot of building area.

Mayor Huber asked for Council comments and questions.

Councilmember Duggan asked about the trip generation for the second and third phases of the development. If the project is as successful as it is hoped, there may need to be a traffic light at South Plaza and Dodd. Council needs to know who would be paying for that. He is particularly concerned that McDonalds and BP Amoco are not included in the trip generation information. The Planning Commission was concerned about the right-in, right-out. Will there be a deceleration lane on T.H. 110. Since people can only turn right to go east onto the highway, will there be an acceleration lane onto the highway.

Mr. Aaron Hemquist, from RLK, responded that there will be a slow down lane to allow traffic to pull off from the main flow on the highway to come into the site. As he works through MnDOT on the details, he will discuss an acceleration lane.

Councilmember Duggan stated that he would like to see the estimated traffic figures for phases two and three so Council can know what the impact will be on South Plaza and the BP Amoco entrance. He asked if the entrance immediately south of the BP Amoco will be narrower.

Mr. Hemquist responded that the entrance will actually be expanded a bit. There will be two dedicated inbound lanes and the south entrance to BP Amoco will be closed.

Councilmember Duggan stated that McDonalds would like to see a queue lane going along the south end of their property between the two entrances. They currently have stacking on the south side of their parking area between their two entrances. One of Council and staff's initial concerns was that McDonalds and BP Amoco be included in the overall development if reasonable possible. BP Amoco was very disappointed that they would be losing their parking on their south side. He feels that a lot more is being put on this site than the site should contain in relation to the new image of downtown. It is much too dense and he would like to reduce the density by removing the Lot 5 building entirely and move Lots 3 and 4 buildings back to 40 feet so that their front would be no closer to T.H. 110 than the north corner of the McDonalds building. That will preserve some existing green space. It is possible that the 7,200 square feet of retail space on Lot 5 could go on top of Lot 6. He calculated 90,350 square feet of all of the proposed buildings, not

including the residential. He wants the Paster family to be successful and believes that approval of even five or six buildings will dramatically increase the value of the site. If one looks at either end, this site is book-ended by Dodge Nature Center to the east and the golf course to the west. What is being proposed does not really complement those two areas. By removing Lot 5 entirely and moving the buildings back on Lots 3 and 4 gains back the green space that is already there. The strongest comment he read in the Planning Commission minutes was preserving the green space to the north. That would preserve the book-ending and still give Paster the commercial space they are interested in adding to the site. He also is concerned that if the ditch is removed, the city planner calculates about 40,000 square feet of additional developable space is gained. There is currently the ditch and a 100 foot buffer on either side. If Council did not support the proposal and did not want to lose the wetlands, Paster would not be able to build within that area. He feels that the plans that have been brought forward to date by Paster are addressing concerns Council has put to them. He strongly hears keeping the swath on T.H. 110 open. To do that the buildings on Lots 3 and 4 need to be moved back and Lot 5 needs to be eliminated.

Councilmember Krebsbach stated that she had asked that the building not start ahead of McDonalds and that there be a buffered sight line from Crown Point so that people coming down Highway 110 aren't looking down on roofs. That has been addressed somewhat with coniferous trees at the triangle. The buildings as proposed go 25 and 40 foot beyond McDonalds. The landscaping along Highway 110 has been addressed. Her question is what percentage is the green space added by McDonalds and Amoco.

Mr. Hemquist responded that the calculations were done only on the Paster property.

Councilmember Krebsbach asked if requests from the adjoining property owners will cause that landscaping to go away. Mr. Hemquist responded that Paster wants the buffered area between the uses.

Councilmember Krebsbach stated that perhaps the road needs to be moved closer to the building closest to DNC with a double row of trees to buffer the DNC. She feels that the shopping center will take away from the experience at the DNC. Mr. Paster responded that he will work with DNC to create that barrier. The desire from DNC

would be that there would be a row of coniferous trees and native shrubs.

Mr. Hemquist stated that the east retail on Lot 4 through the access road on the east and up into the Mn/DOT property, they are about 80 feet from the property line to the building with trees on either side of the road. There will be one or more rows of coniferous trees to buffer DNC from the shopping center.

Councilmember Krebsbach stated that she is looking for a real strong green buffer closer to McDonalds.

Councilmember Schneeman stated that the one thing she wants to know about the original center is on the south side, they propose masonry walls. She would like to see the back look just as nice as the front and finished the same way when it is remodeled. She does not know what Paster can do to help Amoco about parking the cars they repair. That does detract from the center. She asked if soil borings have been done where the Snyders is. She feels that should be reconciled. She understands that a lot of grease went into the basement and that could be a real problem. She asked Mr. Paster to share the market study with Council. When Council was working on Town Center, Council picked out all of the lighting, etc., and really felt a part of it. She asked if the office buildings are going to be two story and if retail could go underneath with office above. Mr. Paster responded that they are proposing a three story office building on Lot 9. It would be difficult to put retail in the first floor.

Councilmember Schneeman asked if Paster is building the restaurants for someone or building them to lease.

Mr. Paster responded that they would be building the buildings on Lots 3 and 4 to lease to a restaurateur.

Mayor Huber stated that when he looks at the southern end of the development there is a lot of square footage of space and the parking looks thin. Relative to the potential housing building, he thinks Council needs to know early on what type of housing Paster is talking about. If it is true senior housing the need for cars might be different from a different type of residential property and there is no place for parking if it is not senior housing. He does not want to put a future Council in the position where Council agrees to this and some other type of housing is proposed that demands more parking and there is no place to put it. He wants a clear understanding and clear and firm development plan as to exactly the housing style and

parking. He stated that from his experience, quality tends to be timeless. In his opinion, retail is very transitory. What is hot today or looks good today is gone in the blink of an eye. Everyone has seen developments and redevelopments that didn't work and some that do work. Quality works. Finishing off the back of the structure adds quality and Council has required in all developments that they must look good, not just for the success of the current owner but also for the next person. In his opinion, the classic, timeless look to a development makes it more permanent. He shares the concern about overall density and the closeness of the two structures to T.H. 110 and what the development will look like from across the highway. What will it look like at street level from T.H. 110 and from Dodd Road. He shared the concern over traffic on South Plaza Drive.

Councilmember Duggan stated that the proposal indicates parking between the buildings and T.H. 110 and that is the worst thing that could be done – people passing on Highway 110 seeing two or three rows of parked cars. If they see an attractive building recessed in a lot of greenery they will think it looks interesting and they may want to come back. Council would like to see something more unique than just another strip mall. He asked if \$200 a foot construction cost is out of line.

Mr. Paster stated that it varies depending on the size and type of structure.

Councilmember Duggan stated that at \$200 a foot for the 90,350 square feet is \$18 million in additional cost that will go onto the site not counting the housing. He stated that Council supports what Paster is trying to do but wants more green space.

Mr. Paster responded that the \$18 million is at his cost.

Mr. Paster presented an alternate plan. He stated that he has heard the Council and Planning Commission concerns about green space off of Highway 110. There has to be parking if the restaurant is to succeed. The new plan pushes the 7,200 square foot building parallel to Highway 110 and pushes it back, removing all of the parking that is in front. It creates the pond area with the beautiful views of the water off of T.H. 110 for that building. The plan is an alternate that removes all of the parking Councilmember Duggan is talking about and pushes the building back further than the McDonalds and creates green space along the highway and places the parking further south from the restaurant building.

Councilmember Duggan asked that the plan be submitted to the planner and city staff. He stated that the water element is significant. His concern is that the creek can dry up. How would the fountain be kept working, since it depends on the water coming through the creek? He would also like to see what the city is getting in relation to approval. When he looks at over \$18 million in cost and increased valuation, it is reasonable for Council to ask Paster to spend a few more dollars to better show Council what it is they are doing. With computerization, there could be a better picture of the water elements and building elements. The water element is a key to what Paster would like to do to the area and they should do whatever they can to enhance it so that it does not dry up. He would like to see an engineering design showing how they would get added water there.

Mr. Hemquist stated that the ditch is an outflow for an upstream basin and it is dry when it does not rain. It will be designed to be lined with on-site materials or off-site materials that do not let water infiltrate into the ground so that it holds water. It may be necessary to supplement the water with a well.

Councilmember Duggan asked at what point is the city responsible to be sure the pond is safe. He wondered if Council wants to see a decorative fence all the way around the pond. He would like a better picture of what is proposed. He would like to see a map that shows just the pedestrian pathway aspect and how it flows through the development. He asked if the lights are shining down over the path or if they are ground lights. He has not seen that information.

Mr. Hemquist stated that it is proposed to light the interior walkways with shepherd hook lights about 12 to 14 feet tall. In the parking lots, the lights will be a little bit taller.

Councilmember Krebsbach stated that people would absolutely not want to lose the Amoco and she wants to know where they will park the cars. Are there other spaces where the green space could go so that Amoco can continue to park there. She still would like to see a tree buffer on the northwest corner. People would rather find a place than have it stick out.

Councilmember Duggan stated that Amoco has been an asset to the community and to cramp them would be an anathema. He asked who would pay for the sanitary sewer line if it needs to be relocated. Engineer McDermott stated that the developer would have to pay for

the relocation of the pipe that is on his property. The city will have to relocate some of the sewer on the CDA site.

Councilmember Schneeman asked if the Walgreens will be down low when one comes down Dodd.

Mr. Paster responded that the elevation will not change from the parking elevation that exists now. They will build the building for Walgreens and lease it back to them.

Councilmember Duggan stated that some of the neighbors south of South Plaza are concerned about building height lines. One of their concerns was whether any of the three or four story buildings will be higher than the existing buildings on the south side of South Plaza Drive. A Planning Commissioner was concerned for the detail for the new entrance from South Plaza Drive. It is a steep drop, and he would like to see the engineering. He would also be curious about getting the overall traffic for the entire site and what would happen if everything is very successful and there are suddenly huge traffic problems. He asked who would have to solve the problem – traffic lights are not cheap.

Councilmember Krebsbach asked what will happen to the bonfire. Mr. Paster responded that he will work with the city on that.

PAR 3 STAFFING

Council acknowledged a memo from Assistant Sedlacek regarding Par 3 hiring. Mr. Sedlacek stated that the city purchased the golf course in 2007 with the intention of operating the course. Last year the course was run as status quo, with the city taking on the existing golf course staff as part-time, seasonal city staff. It was a successful season there is a lot of potential for success on the site.

Mr. Sedlacek stated that there are three options for staffing for the upcoming season. They are to develop an agreement with the Minnesota Golf Course Superintendents to run all phases of the golf course operation, to contract with a turf company to conduct maintenance operations and hire a clubhouse manager and clubhouse staff, or to maintain the status quo. The primary issues are the level of control the city would have and the level of expertise. There would be a wealth of resources with the Minnesota Golf Course Superintendents, but to get that the city would have to give up some control. Contracting with the turf company (Jerry Murphy), would give the city a lot of expertise and a gem of a resource. He would only want to run the turf side of things. If it were to be all city staff, there would be ultimate city control but the opportunities for success

would be limited to the individual who is hired. Staff is recommending that the city contract with Jerry Murphy to handle the maintenance operations and hire a clubhouse manager who can focus on filling up the green spaces and making sure customer service is ensured. The fall back would be to go with all city staff and find a clubhouse manager in an application pool.

Councilmember Krebsbach stated that it is too early to add more city staff. She would want to go with contract expertise.

Assistant Sedlacek responded that he is hoping that the city staff can still be part-time seasonal. The manager last year worked a high of 30 hours per week. The challenge is that there are a number of improvements that could be made and a high-spirited individual might really might want more hours and it could end up turning into a full-time position. It is not now anticipated that it would be full-time.

Councilmember Krebsbach stated that she would like the contracted expertise and part-time staff but not full-time.

Councilmember Schneeman stated that if the city gets someone really good it would really be a plus for the city because the course would make more money.

Mayor Huber stated that he would want to contract with the turf company and to have a clubhouse manager who would reach out to the leagues and do some things while there is still snow on the ground to protect the revenue stream.

ADJOURN

There being no further business to come before Council, Councilmember Schneeman moved that the meeting be adjourned. Councilmember Duggan seconded the motion.

Ayes: 5
Nays: 0

TIME OF ADJOURNMENT: 10:00 p.m.

Kathleen M. Swanson
City Clerk

ATTEST:

John J. Huber
Mayor