



COTTAGE GROVE PLANNING COMMISSION
12800 Ravine Parkway South
Cottage Grove, MN 55016

August 26, 2024

COUNCIL CHAMBER - 7:00 P.M.

The Regular Meeting of the Planning Commission was held in the Council Chamber and telecast on Local Government Cable Channel 16.

1. CALL TO ORDER

Frazier called the Planning Commission meeting to order at 7:00 p.m.

2. ROLL CALL

Pradeep Bhat-Here; Ken Brittain-Here; Jessica Fisher-Here; Evan Frazier-Here; Eric Knable-Here; Derek Rasmussen-Here; Emily Stephens-Absent.

Members Absent: Emily Stephens

Staff Present: Emily Schmitz, Community Development Director; Riley Rooney, Associate Planner; Zac Dockter, Parks & Recreation Director; Tony Khambata, City Council Liaison

3. APPROVAL OF AGENDA

Knable made a motion to approve the agenda. Fisher seconded. The motion was approved unanimously (6-to-0 vote).

4. OPEN FORUM

Frazier opened the open forum and asked if anyone wished to address the Planning Commission on any non-agenda item. No one spoke. Frazier closed the open forum.

5. CHAIR'S EXPLANATION OF THE PUBLIC HEARING PROCESS

Frazier explained the purpose of the Planning Commission, which serves in an advisory capacity to the City Council, and that the City Council makes all final decisions. In addition, he explained the process of conducting a public hearing and requested that any person wishing to speak should go to the podium and state their full name and address for the public record.

6. PUBLIC HEARINGS AND APPLICATIONS

A. Lot Split at 9016 Kimbro – Cases MS2024-016 & V2024-016

Al Stewart has applied for a minor subdivision to subdivide a 6.45-acre parcel of land located at 9016 Kimbro Avenue South into two lots, a 3.1-acre parcel with the existing house and structures and a 3.35-acre buildable parcel, and a variance from the minimum 180-foot lot width at the road.

Rooney summarized the staff report and recommended approval based on the findings of fact and subject to the conditions stipulated in the staff report.

Frazier asked if there were any questions for staff.

Brittain stated this looks familiar; have we seen this application before? Rooney replied no, but in the spring we saw a separate minor subdivision for an almost-identical parcel, just further south on Kimbro, but it has a similar layout. So, it will look very familiar.

Fisher asked so when construction starts on the new parcel, will there be a required easement for that driveway since it will service both parcels? Rooney replied yes. So, the Right-of-Way is already taken along the road so they'll have a Right-of-Way easement that will happen, but they already have that requested along Kimbro Avenue. Fisher asked because they'll have to drive on Parcel A to get to Parcel B from that particular access, correct? Rooney replied no, so they'll still have their existing access down here, so each of the parcels will have their own. Fisher said right, but will Parcel B still be able to access their parcel through Parcel A, or will that be completely separated? Rooney replied no, that will be completely separated.

Brittain stated the drawing appears to show a connection point from that barn area to Parcel A's driveway; is that not going to be there? Rooney replied I don't believe so, but perhaps the person here on behalf of the applicant can answer that more specifically.

Bhat asked so why is that requirement there if they have an 80-foot minimum requirement for the approach? Rooney replied it's essentially there to ensure that the lots are buildable for a future subdivision once utilities are built in that area. So, we just want to make sure that we're keeping with the intent of the District to provide Low-Density areas. So, by having the wider frontage, usually you're just going to have a wider lot in general; sometimes when there are subdivisions to divide the land, we will go shorter if it makes sense within our Code. But typically we do want them larger, so that the lot is lower in density in general.

Frazier asked if the applicant would like to approach the podium and add anything additional.

Todd Olin said I'm with Land & Resource Consulting, I'm here on behalf of Al Stewart. Just a couple of additional details, Riley did a really comprehensive job of revealing all these. To answer the question if there is a connection there, there will have to be an easement over both the entrance on Parcel A and then a portion of Parcel B; but she's correct in that if there's no connection, no easements, and they will both have their independent accesses at the end of the day. What we were requesting is that both accesses on Parcel B be allowed to be maintained until a driveway is necessary on Parcel A, then we'd close the other one. So, at the end of the day, it would remain with one access per lot.

Olin said one of the items I just want to point out, and I don't know if there's two different things on the agenda to discuss, the plan itself and maybe the variance. On the variance, what we're trying to do is save some character here; there's a couple of outbuildings, they're farm-type buildings, and I wouldn't say they're a staple of Cottage Grove, but they're there and they've been there for a long time. What we'd like to do is be able to conform to all of the area community standards with the exception of the frontage and be able to save those barns and the existing house and the septic that goes with the existing home. The configuration that you have on Parcel A is really a rendition that could be, but it really is dependent on when a building permit is requested, as there will be an architect that would design that to fit into that lot. We went out and did some soil borings to make sure that those areas do work and do perk; so, we're not creating a situation where we're going through all these steps to do a split that doesn't work at the end of the day anyway. The last thing I wanted to point out was under all other bulk area standards, the intent is followed with the exception of that frontage. Because we have 6.6 acres and change and your minimum lot standard size is 3 acres, and then of course there are setbacks and everything else that applies, but we can conform to all those things with the exception of that frontage and still following intent. Olin said I'm here for questions if you have any.

Frazier asked commissioners if there were any questions for the applicant.

Rasmussen stated it sounds like you guys did your homework with the soil borings and all that investigation. I'm just looking at this drawing, and there seems to be a lot of grade change. I can't really tell if it's going down or up, but I think it's down, but the house fits on that hill and the septic without any concerns. It seems like it's kind of all built on a hill is what it looks like here. Olin replied that's correct. The grade falls somewhat gently away from the road, but then once it gets behind the existing septic and barn, then it kind of flattens out and then does rise towards the west. I picked a point where it tucks into the hill so they'd have a view out over the lower area, but again, the septic would work based on the grades. Of course, when we do septic, they have to remain native soils; what we do as a first step is we go out and we would in this case remove some trees but then fence them so nobody would drive over them and compact

them, and they would stay the way they are. So, we picked spots where we knew the grades would work. If there's a different configuration, they'll have to go through that again, and I suspect they will when the building permit is applied for. Rasmussen said I couldn't tell looking at this if it was sloped down or upwards, but hearing that it goes up makes a little more sense, thank you.

Frazier opened the public hearing.

I'm Chris Meyer, I'm the next-door neighbor, and I'm quite familiar with the lay of the land because I used to own that also. It's quite a drainage easement, pretty much where that new lot land is going to be. And where that driveway would be, there would have to be some area where that water can come through because in the spring when there's a big snow melt, it's like a river. I'm not too concerned about my property being affected, but I just had a question about how they would take care of that. Frazier asked okay, as far as the drainage easement goes, if they've taken care of that and thought of that? Meyer said when I was there, I did the split, 3 acres off, and the City came out and they told me if I ever had a problem with those 2 old outbuildings, I couldn't replace them because of the easement. So, that driveway is going to be in part of the drainage easement. So, I'm just wondering how it will be addressed.

As no one else spoke, Frazier closed the public hearing.

Frazier asked Rooney if she wanted to answer the question about the drainage easement and what's going on, on that side of the property. Rooney replied I am no engineering expert; however, from my perspective as a planner, the driveway meets all setbacks proposed for the District, so we don't have any concern, at least for setbacks, on our end. As for drainage, I would probably typically defer to a drainage expert, perhaps Todd Olin can answer some questions; otherwise, we can always ask. Schmitz stated so with drainage, we'd certainly look at that with a driveway permit within the Right-of-Way; we certainly wouldn't allow for construction of a driveway or any infrastructure that would impact drainage into an adjacent property. We'll have to do some looking into the easement that I'm not familiar with, so we'll need to dig into that to be sure that anything that's proposed isn't impacting a condition of an easement that exists. Frazier stated I guess my concern is at this point, there's no proposal to actually build on this property. So, what we're looking for is just making sure that this split that we're making is making two buildable lots; so, I guess the concern at this point is do we believe that this drainage issue may cause an issue with buildability on the property or are we confident that this is not going to be an issue, as far as getting to the point where now we're talking about a driveway that can't be there. Schmitz replied no, I'm certain that there's a way that we would work through if there was a challenge as it relates to drainage. Frazier said all right, thank you.

Frazier asked if there were any further questions.

Fisher stated I don't have a question, but I just wanted to speak on the variance because variances are typically granted when there's some sort of hardship that isn't made by the person who owns the property. Considering where the septic line is and you had mentioned it specifically, so I see what you did with the variance and why you're asking for it, and it makes sense to me. My only concern is going back to the easements, because everything's fine and dandy until someone drives on someone else's property and makes somebody angry; so, I would just be aware of that as they go through their approval process if that is going to stay connected like it looks like it is in the plan, that those agreements are clear because we don't want people fighting. Rooney replied we would want to ensure that those are taken into hand before a building permit is addressed on that parcel. Fisher stated and I would imagine if someone is going to build a driveway back there, they would build it so it wouldn't wash out every year; so, hopefully those things can be addressed as they go.

Frazier asked if there were any further comments or discussion from the commission; there were none.

Fisher made a motion to approve the minor subdivision and variance at 9016 Kimbro, subject to the conditions stipulated in the staff report. Rasmussen seconded. Motion passed unanimously (6-to-0 vote).

7. PRESENTATION

A. Preserve.Play.Prospers Campaign

Dockter stated I appreciate the opportunity to talk to you tonight about the Preserve.Play.Prospers Plan, which is basically an opportunity for our residents to vote on reinvesting in the parks and outdoor spaces in Cottage Grove. Parks and recreation is a point of pride in Cottage Grove and we see that in how our facilities are being used and how

the growth of those facilities are being used; I'm sure you as commissioners see it, that every time we build a neighborhood, people are pretty excited to get their new neighborhood park and use the facilities, whether its trails, park facilities, programs, events, or whatever it is. We're seeing that growth in Cottage Grove with the growth of the community and just with the excitement of the investments we've made. It's getting harder and harder to make those capital investments, so we always take a lot of pride that our oldest and smallest parks are just as well maintained as our largest and newest parks; but it's those capital investments that kind of catch up to you, those multimillion dollar investments that are just hard to keep up with. We haven't had a parks capital referendum in over 40 years, as 1984 was the last time we had one of those. We've been doing a lot of studying, trying to figure out what residents want in their Parks & Recreation system. If you go on the website, there are like 5 or so different surveys; the most recent was the 2022 survey, which was called the Reimagine Recreation Survey. But we kind of compiled all those different surveys and all that different data, and we came up with a list of what we thought the community wanted in their Parks & Recreation system for today and then also in the future. And then we tried to put those into three distinct projects; so, really what I want to make sure the commissioners know and what the community knows is that this wasn't a knee-jerk reaction; this is 5, 10 years in the making. These studies go back 10 years, so it's taken a lot of work and a lot of listening to the community, trying to get to a point where we think we're asking the community to vote on something that we think they want. So, introducing the Preserve.Play.Prospers Plan, based on the feedback we had three projects at \$36 million that we're asking the community to consider. The three projects are: Upgrade and enhance Hamlet Park; Create a new 33.3-acre, nature-based park at Mississippi Dunes Park; and Transformation of the River Oaks Golf Course and Event Center into a year-round recreation destination for all ages.

Hamlet Park: Is our oldest and largest park in Cottage Grove. The proposed \$17 million plan for that project specifically would:

- Upgrade the playground equipment
- Build a new four-season recreational building
- Install a small splashpad
- Create a new skateboard park
- Build an amphitheater
- Create an art walk/sculpture garden with benches and informational kiosk
- Add a synthetic turf sports field with lighting in the existing location of the current soccer-football complex
- Finish the south baseball park complex by constructing those last two baseball fields and the additional parking lot
- Finishing off the roads and trails and landscape that go with all of that

Mississippi Dunes Park-Create the First Public Park Along the Mississippi River: This is an opportunity to create recreational access to the Mississippi River in Cottage Grove, as we just recently acquired 33.3 acres through some grants and different funding mechanisms. This \$13 million investment would:

- Restore and preserve natural habitat, which is probably over 80 percent of the property is actually preserving and restoring natural habitat on the shoreline and up into the land
- Build up the shoreline along the river
- Provide recreational river access for canoes, kayaks, small boats, and fishing; it is a shallow area down there, mostly 2-to-3 feet deep, but there is a channel that goes from Mississippi Dunes park land out to the main channel that's about 6-to-7 feet, so we can get smaller vessels out there
- Construct new and enhanced existing walking and hiking trails
- Create a nature-based playground
- Provide space for outdoor classrooms
- Build an interpretive learning center
- Add facilities for nature activities and picnicking

Transform River Oaks Golf Course and Event Center: One of the things I want to make sure is noted here is you're not going to hear a lot about golf; River Oaks is a golf course and Event Center, but we're trying to find different ways for the community to use it. We love River Oaks Golf Course, people use it in a myriad of ways, and we want to make sure we get more people down there using it in different ways. The proposed \$6 million plan would:

- Install multisport simulators
- Add pickleball/event court in the bocce ball area; bocce ball wouldn't go away, it would be a complement to that

- Create a new winter mountain biking 5-km. course, which could also be used for running 5Ks and cross country
- Upgrade the building, with the simulator we'll be connecting the two buildings so that we can seamlessly work between both buildings for food and beverage service, too
- Enhance the patio dining area
- Build a 9-hole Himalayan putting green course designed for all skill levels

Dockter said the Preserve.Play.Prosp. Plan is designed to invest in parks and recreation and deliver activities and offerings that our residents want. We're trying to find a responsible way to do it with the taxpayer money; to fund the proposed investment, the City's asking the residents to consider a half-percent Local Option Sales Tax as part of the general election on November 5. Each project needs to stand on its own merits: So, Hamlet Park is \$17 million, Mississippi Dunes is \$13 million, and River Oaks is \$6 million, all of which total \$36 million. That's spread out over a 25-year period. If all of the projects were to pass, it doesn't mean all of these projects will get funded and would be done in the first year; they would be done over the course of time, depending on how that revenue comes into the City.

Local Option Sales Tax: One thing about the Local Option Sales Tax is first of all, it's a half-percent local sales tax and it's taxed just like any other product or service in the community.

- Over 31 percent of the contributions would come from outside of Cottage Grove, so nonresidents would be contributing over 31 percent of the revenue. That's data from the University of Minnesota study, an independent study done by them that basically offers how much of nonresident-generated revenue there would be. We think that number will grow over time, as the community grows, as industry grows in Cottage Grove, etc.
- The average resident would be at about \$23 per year in sales tax. Just for reference, it's a half-cent for every \$1 spent, or 50 cents on \$100.

Dockter said I think it's important to know that you are probably spending your money on other Local Option Sales Tax projects across the metro; so, this is just a quick map of communities that either have a Local Option Sales Tax in place or are considering a Local Option Sales Tax in the coming election. So, you can see it covers the metro pretty well, just for reference.

On the Ballot - One Project, Three Locations: Because the State requires that each project stands on its own merits, there are three questions on the ballot: So, Hamlet Park, Mississippi Dunes Park, and River Oaks will each have a separate question. It's important to know that if the residents vote for just 1 of those 3 projects, it's a half-percent sales tax; if they vote for all 3, it's still a half-percent sales tax. So, let's just say Hamlet Park were to be approved, and the other 2 projects were not approved, that revenue would obviously allow us to build the Hamlet Park project faster. Once you pay for that project, once you get to that cost of \$17 million, that tax is over, it goes away. So, if it takes 7 years, it takes 7 years; if it takes 20 years, it takes 20 years. Obviously, after 25 years, if you don't make it there, it still comes off. Dockter said with that, I will stand for questions.

Frazier asked if the commissioners had any questions:

Fisher asked so if they're all approved, is there a priority? Like, what's going to get funded first, second, and third? Dockter replied that's a great question; yes, so we actually do have a 3-tiered plan. Unfortunately, I don't have that with me, but each park has three different tiers of how we would bond. The first bond would be about \$16 million, and we would fund \$16 million of improvements across the 3 different projects. Obviously, if only 1 or 2 of the projects were approved, then we'd have to reprioritize again. But, yes, we have a 3-tiered system on how those would get implemented, trying to focus on what's going to have the greatest impact and most immediate impact.

Bhat asked how many responses did you receive for the questions that you sent out or the survey that you conducted? Dockter asked for the Reimagine Recreation survey? Bhat replied yes. Dockter replied for that particular survey, I want to say we were at over 2,500, but then there was also a project that we did with the middle school, and that was another 700 or 800; so, it was kind of a hodgepodge of numbers, but it was over 3,000 responses. If you go back to the community survey, I think with the community survey it was another 2,000 responses.

Rasmussen asked with the growth in Cottage Grove, has your budget been increasing with the tax base over the years and we're just not keeping up for these bigger projects, or how does that look? Dockter replied yes, so as the community grows and the levy grows to allow us to keep maintaining the facilities, it just doesn't allow for like the capital investments. As an example, I've been here for almost 25 years, and I used to build playgrounds for \$25,000, now they're \$100,000, and those are dollars that just, you still have to pay for fuel, you still have to pay for labor, you still have to pay for equipment, you still have to pay for seed and fertilizer. So, we're able to keep up with those things, it's

those big capital investments that we're just starting to fall behind on. And the City does a great job; we have a couple different funding mechanisms for some of those things, but it's these big-ticket items that we're struggling to kind of keep maintaining.

Frazier asked if there were any further questions or comments, but there were none. Frazier thanked Dockter for being here tonight and telling us about the plan.

Dockter said and if I may, there's one more thing: I always like to say there are no secrets. Everything's on the website, which is phenomenal, there are layers and layers of information. And if there's something on there that doesn't look right or doesn't smell right or you have questions on, please call me or email me; I promise you I will tell you the answer. At the end of the day, it's up to the people to vote, and we'll take it from there.

8. APPROVAL OF PLANNING COMMISSION MINUTES OF JULY 22, 2024

Rasmussen made a motion to approve the minutes of the July 22, 2024, Planning Commission meeting. Brittain seconded. Motion passed unanimously (6-to-0 vote).

9. REPORTS

A. RECAP OF AUGUST CITY COUNCIL MEETINGS

Schmitz provided a summary of actions taken at the August 7 and August 21, 2024, City Council meetings. Schmitz asked Khambata if he had anything else to add.

Khambata said we, as a Council, are working our way through the annual budget, which is always a long process. I just wanted to add with the Preserve.Play.Proper. Plan, I had gotten several questions about why we're doing it through Local Option Sales Tax; and the best answer I could give is because as much we as a community enjoy our parks, they are a nonessential service. So, just as we did with the Community Center that was proposed a couple years ago, whenever a big capital expenditure like this comes up, that is a little bit difficult to classify as infrastructure or roadwork, we always want to try to get the broadest feedback possible; and the best way to do that is by putting it on the ballot. Khambata said that's all I have to say about upcoming projects and budgets, but I'm open for questions, so if anybody has any questions, please throw them at me.

Frazier said thank you; he asked if there were any questions for Council Member Khambata, but there were none.

B. RESPONSE TO PLANNING COMMISSION INQUIRIES – None.

C. PLANNING COMMISSION REQUESTS – None.

10. ADJOURNMENT

Rasmussen made a motion to adjourn the meeting. Fisher seconded. Motion passed unanimously (6-to-0 vote). The meeting was adjourned at 7:35 p.m.