



## *City Council Memorandum*

**To:** Mayor Fasbender and City Council  
**From:** John Hinzman, Community Development Director  
**Date:** February 5, 2024  
**Item:** Resolution: Convey Property to HEDRA – SW Corner of Pleasant and South Frontage Rd

### **Council Action Requested:**

Adopt the attached resolution conveying a 3.94 acre parcel located at the southwest corner of Pleasant Drive and South Frontage Road to HEDRA for future sale and development. A simple majority is necessary for action.

### **Subject Parcel:**

The 3.94-acre property is located north of 12<sup>th</sup> Street, directly east of Dakota CDA's Hastings Marketplace Townhomes, and across Pleasant Drive from Westview Mall. Property is vacant with a portion of the property used for stormwater drainage. The City has received a Letter of Interest to acquire the property for \$850,000 from CBRE on behalf of Mint Development LLC (Rob Barse) to develop for a national retailer.



### **Council Committee Review**

The Planning Committee of City Council (Chair Fox, Folch, and Leifeld) reviewed the potential sale and development of the property at the January 22, 2024 meeting. Committee members were generally supportive of selling the property for private development. At the meeting, the Committee also reviewed sale of a similar property located directly to the north (east of Pleasant Hill Library) and did not recommend doing so at this time, directing City staff to consult with Dakota County for potential interest.

### **Advisory Commission Review**

Upon action by the City Council, HEDRA would consider sale of the property at the February 8, 2024 meeting.

### **History**

The property was dedicated forever as “Public Land” by Leonard C and Rosella Bauer per the recoding of the Bauers 2<sup>nd</sup> Addition Plat in 1968. It is unclear why the property was designated as such.

The City Attorney’s office has concluded that the parcel could be sold for private development and not be subject to the public use restrictions. Although the plat identifies the land as “public use forever”, state statutes limit that restriction to 30 years. The public use provision expired in 1998.

### **Zoning and Land Use**

The parcel is zoned R-1 Low Density Residential and guided for Mid Density Residential Development in the Comprehensive Plan. A Comprehensive Plan Amendment and Rezoning would be needed to accommodate commercial development.

### **Analysis**

- **Does the City see a future public use for one or both parcels?** Staff is unaware of any planned public uses.
- **Prominent Location.** The parcel is located near the Pleasant Drive and Highway 55 stoplight and are in the vicinity of other commercial development.
- **Land Use Changes.** The parcel would need a comprehensive plan amendment and rezoning to accommodate commercial development.
- **Availability of Commercial Development Land.** Along the Highway 55 corridor there are approximately three vacant land sites presently marketed for commercial development. They are all owned by Nick Conzemius and located near the north side of Highway 55 and General Sieben Drive and range from 1-2 acres in size.
- **Ponding.** The site presently contains stormwater drainage facilities for neighboring parcels. Future site development would likely need to accommodate for present and future stormwater needs.

### **Attachment**

- Resolution

HASTINGS CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING THE CONVEYANCE OF PROPERTY TO HASTINGS ECONOMIC DEVELOPMENT AND REDEVELOPMENT AUTHORITY FOR REDEVELOPMENT PURPOSES**

Council member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**WHEREAS**, the City of Hastings (“City”) owns certain real property located in the City of Hastings, County of Dakota, State of Minnesota, legally described as follows:

All of the parcel dedicated as Public Land on the plat of Bauer’s Second Addition recorded on August 29, 1968 as Document No. 352204;

EXCEPT that part dedicated as Parcel 259P on the Minnesota Department of Transportation Right Of Way Plat No. 19-89 recorded on August 29, 1989 as Document No. 901710;

AND

EXCEPT that part dedicated as Outlot A and South Frontage Road on the plat of Hastings Library Addition recorded on September 21, 1993 as Document No. 1153376.

*Abstract Property*  
PID: 19-13401-04-101

(“Property”); and

**WHEREAS**, the Property was dedicated as public land more than 50 years ago; and

**WHEREAS**, pursuant to Minn. Stat. 500.20 subd. 2a, the public land restriction automatically expires after 30 years and the City may dispose of property pursuant to City Code; and

**WHEREAS**, the Property is developable and the City desires to have the Property developed; and

**WHEREAS**, the Hastings Economic Development and Redevelopment Authority (“HEDRA”) is the proper public entity to convey property to future buyers and developers for redevelopment purposes; and

**WHEREAS**, the City desires to convey the Property to HEDRA for redevelopment purposes; and

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Hastings as follows:

1. That the Property is no longer encumbered by the public land restriction pursuant to Minn. Stat. 500.20 subd. 2a.
2. That the conveyance of the Property to HEDRA is in the public interest of the City and its people, furthers its general plan of economic development and furthers the aims and purposes of Minn. Stat. Sections 469.090 to 469.108; and the appropriate officials are authorized to take such action so as to effectuate such conveyance.
3. That said sale has no relationship to the City’s Comprehensive Plan and therefore the Hastings City Council has dispensed with the requirements of Minn. Stat. § 462.356, Subd. 2, that may require the Hastings Planning Commission to perform a Comprehensive Plan compliance review of said sale that may constitute a disposal of real property pursuant to § 462.356, Subd. 2.

Council member \_\_\_\_\_ moved a second to this resolution and upon being put to a vote it was adopted by the Council Members present.

Adopted by the Hastings City Council on February 5, 2024, by the following vote:

Ayes:  
Nays:  
Absent:

\_\_\_\_\_  
Mary Fasbender, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Murtaugh, City Clerk

STATE OF MINNESOTA            )  
COUNTY OF DAKOTA            )        ss.  
CITY OF HASTINGS             )

I, the undersigned, being the duly qualified and acting City Clerk of the City of Hastings, Minnesota, DO HEREBY CERTIFY, that I have carefully compared the attached copy of Resolution No. \_\_\_\_\_ - A Resolution Approving the Conveyance of Property to Hastings Economic Development and Redevelopment Authority for Redevelopment Purposes, with the original on file in my office and the same is a full, true and complete transcript therefore.

WITNESS, my hand as such City Clerk and the corporate seal of the City of Hastings this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Kelly Murtaugh  
City Clerk

SEAL

(Top 3 inches reserved for recording data)

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**QUIT CLAIM DEED**

**Business Entity to Business Entity**

DEED TAX DUE: \$1.65

DATE: \_\_\_\_\_

FOR VALUABLE CONSIDERATION, the City of Hastings, a Minnesota municipal corporation ("Grantor"), hereby conveys and quitclaims to the Hastings Economic Development and Redevelopment Authority, a public body corporate and politic organized under the laws of Minnesota ("Grantee"), real property in Dakota County, Minnesota, legally described as follows:

All of the parcel dedicated as Public Land on the plat of Bauer's Second Addition recorded on August 29, 1968 as Document No. 352204;

EXCEPT that part dedicated as Parcel 259P on the Minnesota Department of Transportation Right Of Way Plat No. 19-89 recorded on August 29, 1989 as Document No. 901710;

AND

EXCEPT that part dedicated as Outlot A and South Frontage Road on the plat of Hastings Library Addition recorded on September 21, 1993 as Document No. 1153376.

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Check here if all or part of the described real property is Registered (Torrens)

together with all hereditaments and appurtenances belonging thereto.

TOTAL CONSIDERATION IS LESS THAN \$3,000.00.

Check applicable box:

- The Seller certifies that the Seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: [...].)
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor  
City of Hastings

By: \_\_\_\_\_  
Mary Fasbender  
Its: Mayor

By: \_\_\_\_\_  
Kelly Murtaugh  
Its: City Clerk

State of Minnesota, County of Dakota

This instrument was acknowledged before me on \_\_\_\_\_, 2024, by Mary Fasbender as Mayor and by Kelly Murtaugh as City Clerk of the City of Hastings, a Minnesota municipal corporation.

(Stamp)

\_\_\_\_\_  
*(signature of notarial officer)*

Title (and Rank): Notary Public

My commission expires: \_\_\_\_\_  
*(month/day/year)*

THIS INSTRUMENT WAS DRAFTED BY:

Korine L. Land, #262432  
LeVander, Gillen & Miller, P.A.  
1305 Corporate Center Drive, Suite 300  
Eagan, MN 55121  
651-451-1831  
TITLE NOT EXAMINED

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

Hastings Economic Development and Redevelopment Authority  
101 – 4<sup>th</sup> Street East  
Hastings, MN 55033