



City Council Memorandum

To: Mayor Fasbender & City Councilmembers
From: John Hinzman, Community Development Director
Date: March 20, 2023
Item: 2nd Reading\Adopt Ordinance - Annexation - Best Development (TH 316 & Michael Avenue)

Council Action Requested

Consider 2nd Reading and adopt an ordinance annexing a +/-71-acre parcel owned by Best Development Company located east of TH 316 and Michael Avenue. Action requires a simple majority of Council.

At the March 6, 2023 meeting, the City Council removed the adoption of the annexation ordinance from the table. The Council discussed maintenance of roads within the development, traffic impact on TH 316, and rent of proposed units. Neighbor Steve Engstrom expressed concern that the annexation may be premature, density was greater than previous development, and market for development. No action was taken with consideration to resume at the March 20th meeting.

The developer submits the annexation application in anticipation of future City Council approvals to generally allow for the number and types of residential unit within the conceptual plan. While no official approvals pertaining to residential construction are included in this application, the Council should be cautious in approving action on the annexation if it believes future land use changes to accommodate the concept plan are in question.

BACKGROUND

Annexation

Annexation involves the extension of the City of Hastings corporate limits and is regulated by [Minnesota State Statutes Section 414.033](#). A city may annex abutting unincorporated (township) property by ordinance upon petition of the property owner and a public hearing.

History

An application to annex the property was submitted by the previous developer Summergate in November 2021 to subdivide the property into 160 single family lots. The City Council held a public hearing and reviewed the request on January 18, 2022 and tabled the request on February 7, 2022 until an agreement could be reached for sale of the property and a new concept plan submitted for development. In late 2022, an agreement was reached with Land Equity Development for sale of the property and development of a mixed residential life-cycle community consisting of approximately 450 housing units.

Public Hearing Comments – January 18, 2022

During the public hearing questions related to installation of privacy fences for existing neighbors, displacement of wildlife, roundabout impact, noise, and traffic was received. Please see the attached meeting minutes for further information.

Neighborhood Meeting – January 26, 2023

Land Equity held a neighborhood meeting on January 26, 2023. The City provided a mailing list to all property owners within 350 feet of the property. Approximately 15-20 people attended the meeting. Neighbors shared concerns about the number and location of rental units, project phasing, public vs private amenities, effect on TH 316 traffic, and effect on South Pines Park

Planning Committee of City Council Review – January 30, 2023

The Planning Committee of City Council (Chair Fox, Folch, and Leifeld) reviewed the proposal at its January 30, 2023 meeting. Committee Members generally supported the plan and discussed the following:

- Site access at Highway 316 and Michael; want to ensure problems are not created that were recently solved with the reconstruction further north.
- Mitigate noise from TH 316 through use of berming or buffering.
- Role of the association in maintenance; which areas and items will the association maintain.
- Ensure there is adequate parking for guests in the twin and townhome areas.
- Developer seeks to sell land within Sand Coulee to DNR; no development to take place within it.
- Proposed rental rates are high; is there a market in Hastings?
- Future park needs will need further review.

Planning Commission Review – February 27, 2023

The Planning Commission reviewed the conceptual plan on February 27, 2023. Commissioners discussed public versus private facilities, park amenities, mixture of housing types, examples of similar developments in neighboring communities, traffic and parking, snow removal, impact on TH 316 traffic, and market for the development. No recommendation was requested from the Commission.

Neighborhood Notification

Notification of the Planning Commission review and City Council consideration of the annexation was mailed to all owners within 350 feet of the property. Comments received are attached to this report

Subject Property

The majority of the property is agricultural. The eastern 17 acres contains wooded slopes and is part of the Sand Coulee and is not planned for development. The property is guided for Low Density residential development within the 2040 Comprehensive Plan and is designated for municipal service extension (City Sewer and Water) within the planned Metropolitan Urban Service Area (MUSA) Plan. The Comprehensive Plan would need to be amended to change the land use designation from Low Density to Medium Density to accommodate the proposed development plan.

The following abuts the site

| | Use | Zoning | Comp Plan |
|-------|--|--|---|
| North | Single Family Residential South Pines Development | R-1 - Low Density Residence | Low Density Residential |
| East | Marshan Township Sand Coulee and Rural Residential | Marshan Township | |
| South | Marshan Township Rural Wooded Land | Marshan Township | |
| West | TH 316 - Redwing Blvd South Pines Development Hope Lutheran Church | R-1 - Low Density Residence Marshan Township | Low Density Residential & Institutional |

Proposed Improvement

Land Equity proposes the development of Walden at Hastings a life-style residential development of mixed densities including single family, twin home, townhome, and apartments. Concept Plans indicate the development of over 450 housing units. The developer has indicated that many (if not all) of the units are planned to be rented, however market conditions could change the amount that is eventually rented. Rentals would be managed professionally to maintain a cohesive and well-maintained neighborhood.

Environmental Assessment Worksheet (EAW)

The number of residential units triggers completion of an EAW to determine environmental impacts and whether a more encompassing Environmental Impact Statement (EIS) should be completed. The applicant will prepare the initial EAW draft for City review.

The EAW form consists of 20 questions that provide the information needed to determine if the project will have significant environmental impacts. In addition to the legal purpose of the EAW in determining the need for an EIS, the EAW also provides permit information, informs the public about the project, and helps identify ways to protect the environment. The EAW is not meant to approve or deny a project, but instead act as a source of information to guide other approvals and permitting decisions.

Traffic Study

The developer has committed to completion of an independent traffic study to determine the impacts of the proposed development prior to future land use approvals.

Land Use Approvals

Development of Walden at Hastings will include a number of land use actions by the Planning Commission, Parks and Recreation Commission, and City Council. Most land use approvals would also include a public hearing mailed to all property owners within 350 feet of the development. In general approvals would include:

- Annexation of Property
- Review of the EAW
- Comprehensive Plan Amendment, Rezoning, and Development Plan

- Preliminary Plat of entire property
- Final Plat and Site Plan for individual components

Initial Review Comments

The Development Review Committee (staff committee consisting of Planning, Engineering, Building, Fire, and Parks) reviewed the concept on December 6, 2022. Please see the attached review letter for further information.

Staff Analysis

- **Site Design** - Land Equity has employed the services of the [Rick Harrison Design Studio](#) to master plan the development. Harrison has designed countless subdivisions throughout the US and is a pioneer in innovative design methods to provide greater development connectivity, efficiency, and value.
- **Comprehensive Plan Amendment.** The 2040 Comp Plan would need to be amended from Low Density Residential to Medium Density Residential to accommodate development. Does the proposed increase in housing density meet the needs of Hastings?
- **Need for Affordable Housing and Townhome Options.** Many of the newly constructed single family detached homes in Hastings are not affordable to Hastings residents. It has been over 15 years since a new attached townhome development has been constructed.
- **Rental Housing.** Developer proposes most housing units to be rented instead owner occupied. This is a new concept for Hastings. The Council and public will likely have questions pertaining to the valuation of the project, effect on neighboring property owners, overall maintenance, and potential for individual home ownership in the future.
- **Market for Development and Phasing of Construction.** What is the market for this many development units and how will project be phased?
- **Existing Abutting Development.** The proposal abuts the existing single-family neighborhood of South Pines. How does the development impact existing development?

Attachments:

- Ordinance for Annexation
- Location Map
- Concept Plan
- Comments Received
- Minutes – January 18, 2022 City Council – Public Hearing Comments
- Development Review Committee Letter

ORDINANCE NO. 2023-__

**AN ORDINANCE OF THE CITY OF HASTINGS EXTENDING
ITS CORPORATE LIMITS TO INCLUDE CERTAIN LAND ABUTTING
THE CITY WHICH IS OWNED BY BEST DEVELOPMENT COMPANY
LLC**

PREAMBLE

WHEREAS, the City of Hastings has received a petition from Best Development Company, LLC (“Petitioners”) seeking annexation of land to the City of Hastings, and;

WHEREAS, the Petitioners have represented to the City of Hastings that they are the sole owners of property generally located north and east of TH 316 and Michael Avenue, and identified as PID 25-00200-51-012 and 25-01100-27-012. The property is legally described as follows:

That part of the South Half of the Southwest Quarter of Section 2, Township 114, Range 17, Dakota County, Minnesota lying north and east of CSAH #316, except that Parcel 16 MN DOT ROW Plat 19-138.

AND

That part of the west 100 acres of the Northwest Quarter of Section 11, Township 114, Range 17, Dakota County, Minnesota lying north and east of CSAH #316, except that Parcel 16 MN DOT ROW Plat 19-138.

WHEREAS, the property is unincorporated; it abuts the limits of the City of Hastings; is not included within any other municipality; is not included in any area that has already been designated for orderly annexation pursuant to Minn. Stat. 414.0325; and is approximately 71.0 acres in size, and;

WHEREAS, the City of Hastings held a public hearing pursuant to Minnesota Statutes 414.033, Subd. 2b, on January 18, 2022, and February 7, 2022, following thirty (30) days written notice by certified mail to the Town of Marshan (“Township”) and to all landowners within and contiguous to the area legally described herein to be annexed, and;

WHEREAS, provisions of Minnesota Statutes 414.033, Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

ENACTMENT

X-C-01

Section 1. The City Council hereby determines and finds that the property described above abuts the City of Hastings; that the area to be annexed is 120 acres or less, that the property is not included in any area that has already been designated for orderly annexation pursuant Minn. Stat. 414.0325; that the City of Hastings received a properly prepared Petition for Annexation signed by all of the owners of the property; and that the Petition for Annexation complies with all of the provisions of Minn. Stat. 414.033.

Section 2. The property is urban or suburban in character and is in need of City services which can be provided by the City of Hastings.

Section 3. The corporate limits of the City of Hastings are hereby extended to include the property described above and that same property is hereby annexed to and included within the City of Hastings as if the property had originally been a part of the City.

Section 4. The City Clerk is directed to file a certified copy of this Ordinance with the Minnesota Office of Administrative Hearings; Marshan Township; Dakota County and the Minnesota Secretary of State.

Section 5. Property taxes payable on the annexed land shall be paid to Marshan Township for year 2023, the year in which the annexation becomes effective, in accordance with Minn. Stat. 414.033, Subd. 12.

Section 6. The City of Hastings, pursuant to Minn. Stat. 414.036, shall provide reimbursement to Marshan Township to compensate the Township for loss of taxable property in the amount of eight hundred sixteen dollars and forty-eight cents (\$816.48) payable in two annual payments: (1) on January 2, 2024 in the amount of \$408.24; and (2) on January 2, 2025 in the amount of \$408.24.

Section 7. Pursuant to Minn. Stat. 414.036 with respect to any special assessments assigned by Marshan Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, there are no special assessments or debt incurred by the Township on the subject area for which reimbursement is required.

Section 8. This Ordinance shall become effective upon its passage, seven days after its publication, the filing of the certified copies as directed in Section 4 and upon approval of this Ordinance by the Minnesota Office of Administrative Hearings.

Adopted by the Hastings City Council on March 20, 2023, by the following vote:

Ayes:
Nays:
Absent:

ATTEST:

Mary D. Fasbender, Mayor

Kelly Murtaugh, City Clerk

(City Seal)

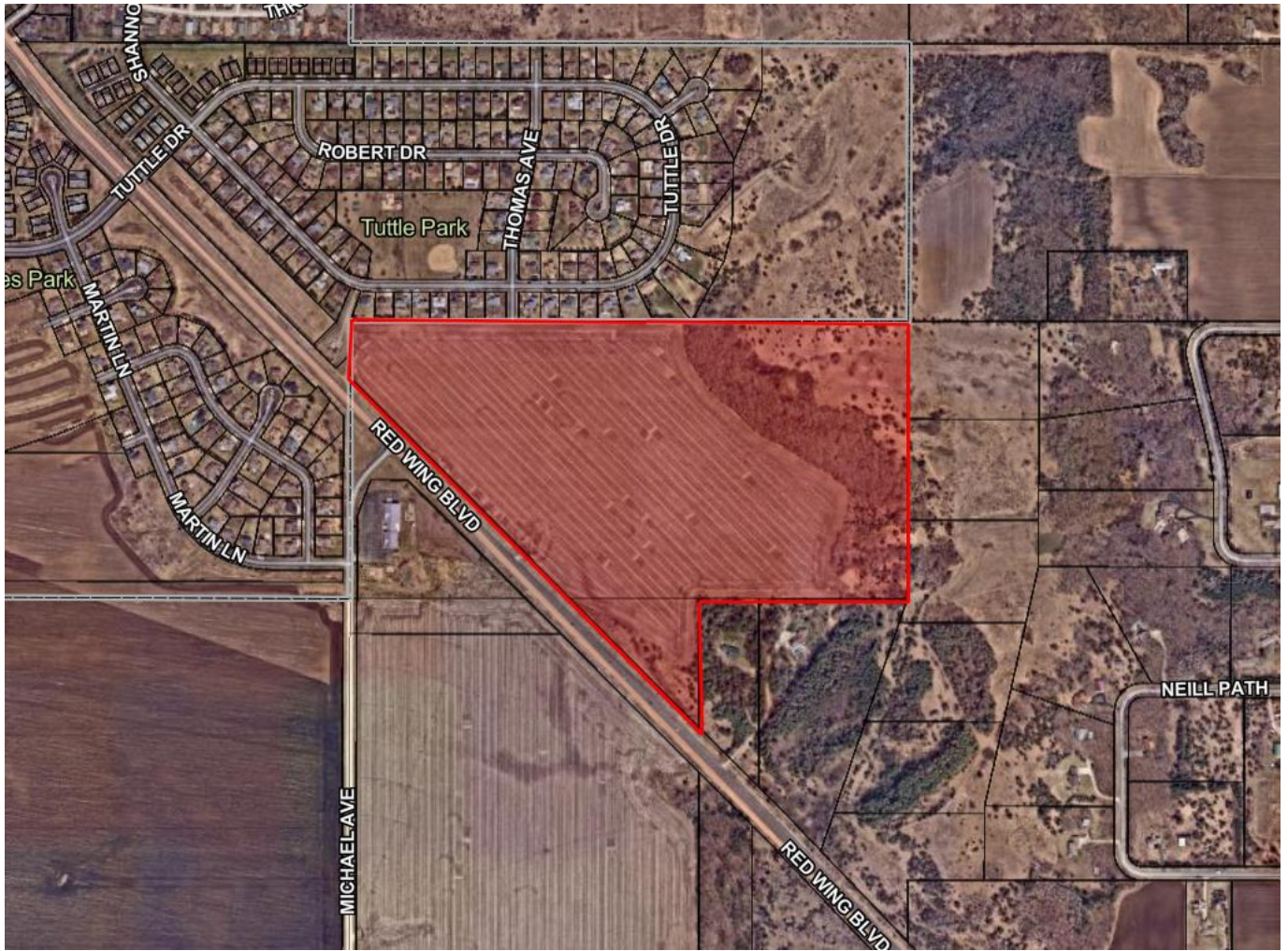
I HEREBY CERTIFY that the above is a true and correct copy of ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 20th day of March 2023 as disclosed by the records of the City of Hastings on file and of record in the office.

Kelly Murtaugh, City Clerk

(SEAL)

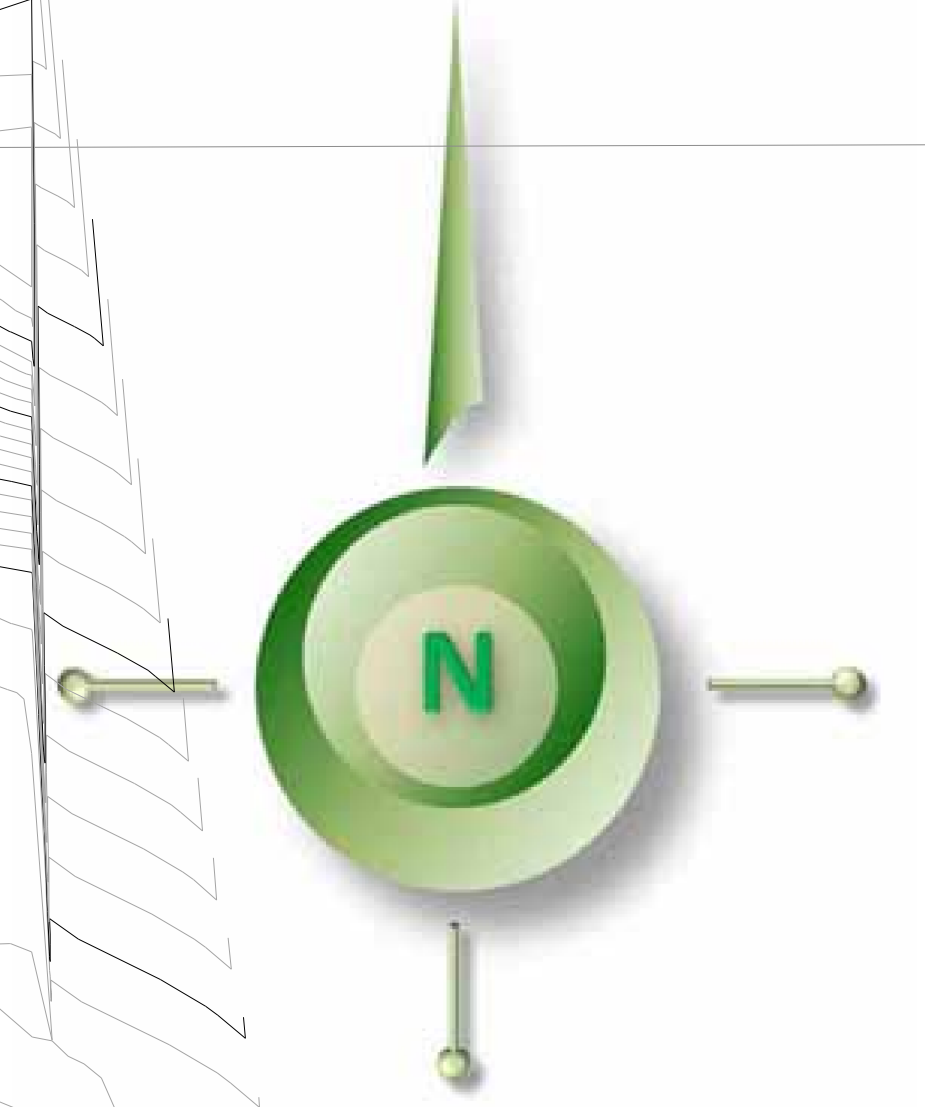
This instrument drafted by:
City of Hastings (JH)
101 4th St. E.
Hastings, MN 55033

LOCATION MAP



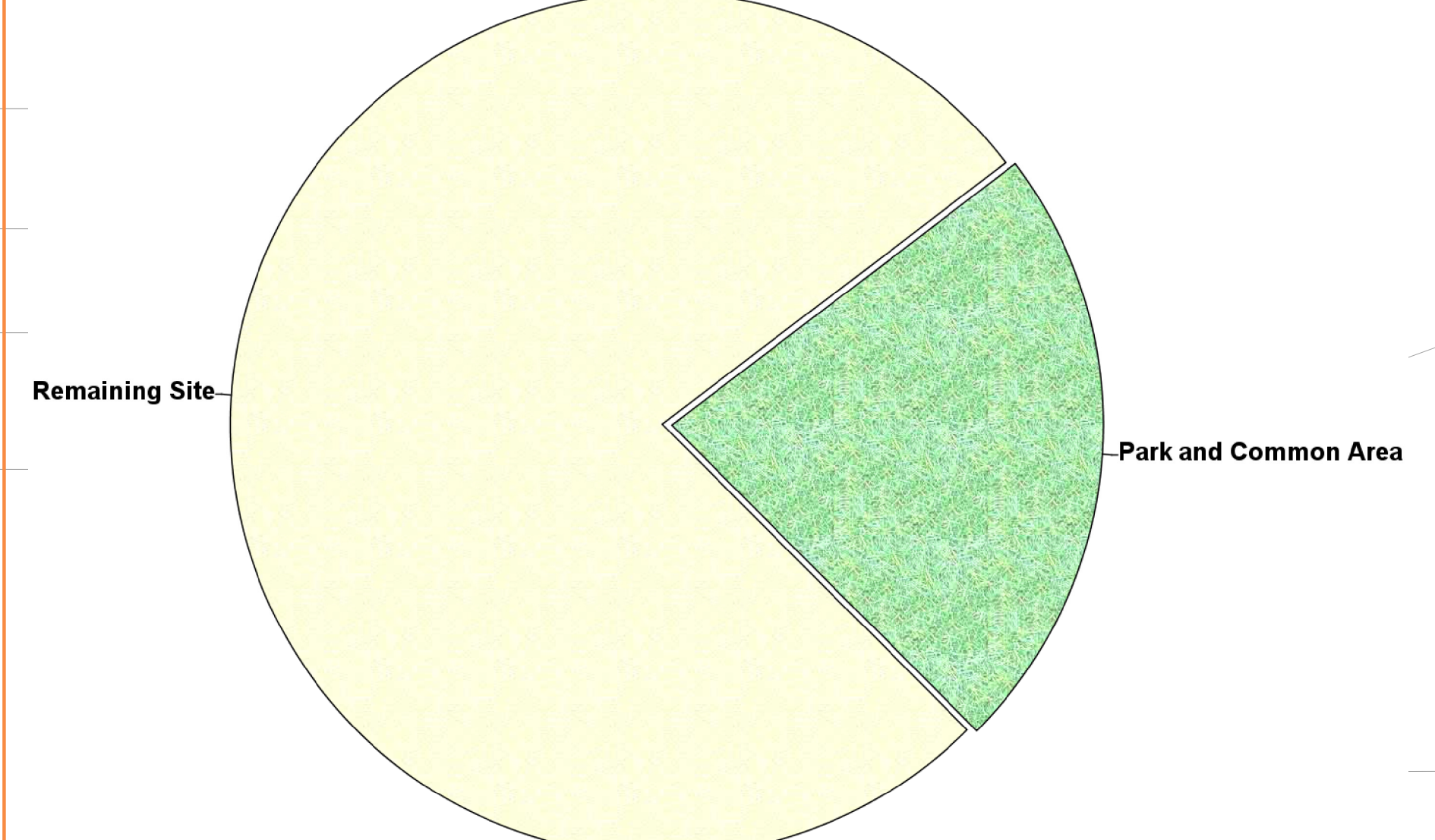


PRESERVE
764,029.9 ft²
(17.539713 acres)



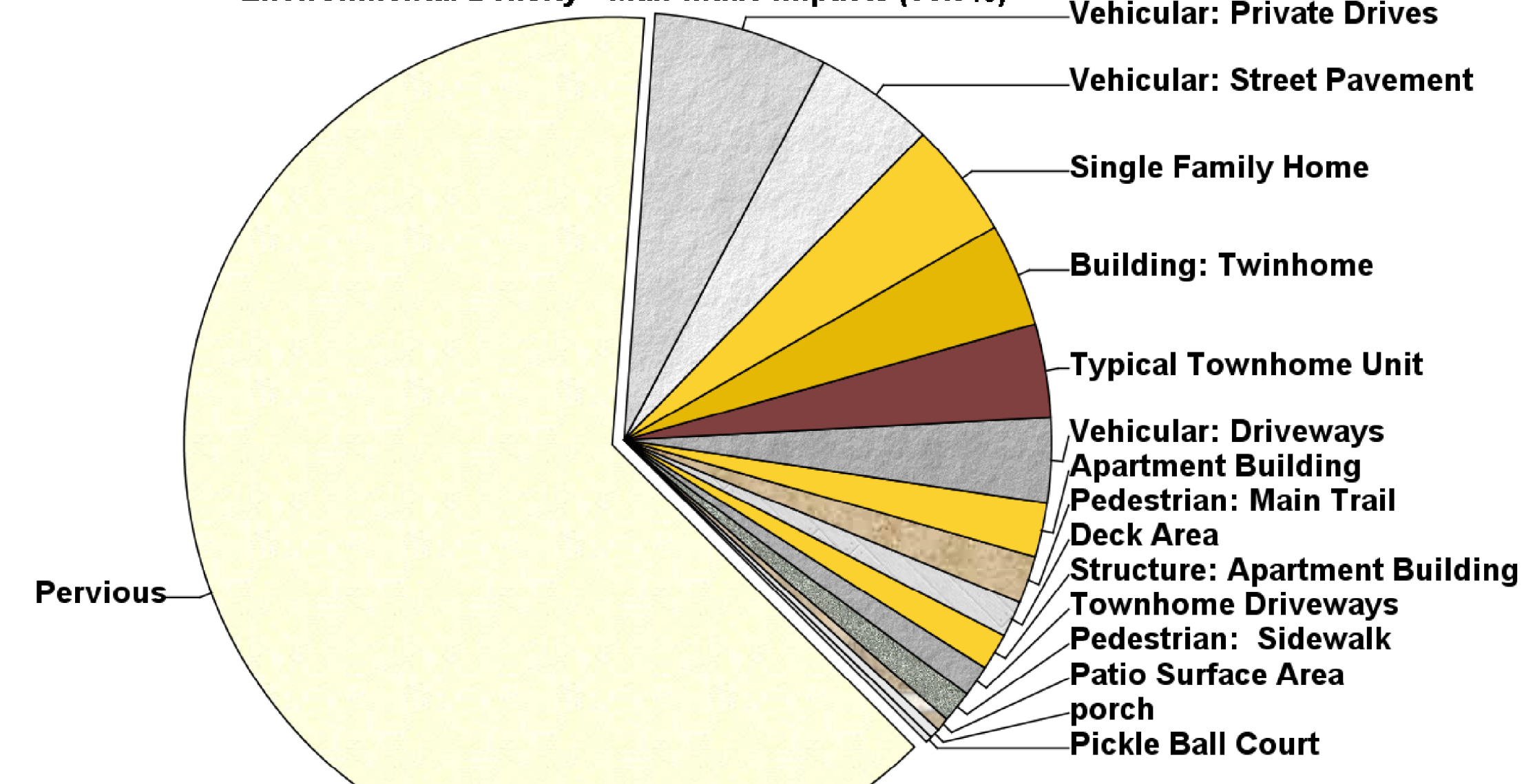
1" = 80 feet

Areas Compared To Site (22.8%)



Site Area: 2,333,122 ft² (53.5611 acres)
 Park and Common Area 22.8% 532,984 ft² (12.2356 acres)
 Remaining Site 77.2% 1,800,138 ft² (41.3255 acres)

Environmental Density - Man-made Impacts (36.3%)



| Total Site: 2,333,121 ft ² (53.5611 acres) | | | | | | | |
|---|------|-------------------------|----------------|-------------------------------|-------|---------------------------|-----------------|
| Pickle Ball Court | 0.3% | 6,160 ft ² | (0.1414 acres) | Porch | 0.4% | 8,936 ft ² | (0.2051 acres) |
| Patio Surface Area | 0.5% | 11,843 ft ² | (0.2719 acres) | Pedestrian: Sidewalk | 1.2% | 27,563 ft ² | (0.6328 acres) |
| Townhome Driveways | 1.2% | 28,439 ft ² | (0.6529 acres) | Structure: Apartment Building | 1.4% | 31,642 ft ² | (0.7264 acres) |
| Deck Area | 1.4% | 32,028 ft ² | (0.7353 acres) | Pedestrian: Main Trail | 1.8% | 42,064 ft ² | (0.9657 acres) |
| Apartment Building | 2.0% | 47,650 ft ² | (1.0939 acres) | Vehicular: Driveways | 3.2% | 75,153 ft ² | (1.7253 acres) |
| Typical Townhome Unit | 3.5% | 81,756 ft ² | (1.8769 acres) | Building: Twinhome | 3.9% | 91,289 ft ² | (2.0957 acres) |
| Single Family Home | 4.4% | 103,040 ft ² | (2.3655 acres) | Vehicular: Street Pavement | 4.5% | 106,115 ft ² | (2.4361 acres) |
| Vehicular: Private Drives | 6.6% | 153,748 ft ² | (3.5296 acres) | Pervious | 63.7% | 1,485,695 ft ² | (34.1069 acres) |

Length of Public Street Centerline = 2,695'

Conceptual Site Plan Study

71.1 Acres in Hastings, MN

Land Equity Development
 Aberdeen Lane Blaine, MN

Estimated Unit Breakdown:

| | |
|------------------------------|------------|
| Single Family @ 45' wide lot | 55 |
| Twinhome Units | 54 |
| Townhome Units | 68 |
| Apartment Units | 170 |
| Senior Units | 60 |
| Assisted Living Units | 60 |
| Total Units | 467 |



**Best Property Annexation– Walden at Hastings
Comments from Neighbors
City Council Meeting – March 6, 2023**

Betsy Winter – February 27, 2023

Hello,

I'm inquiring about the Walden of Hastings housing development being looked at for construction of 450 rentals on 316 and Michael Ave. Can you tell me if this will be section 8 housing with this development. Also, how would these residents get in and out of this development only using Michael Ave and 316?

Thank you in advance.

Betsy Winter

Resident of South Pines II

Steven and Tammy Engstrom – February 5, 2023

See attached letter

February 5, 2023

City of Hastings
101 4th Street East
Hastings, MN 55033

Steven & Tammy Engstrom
17162 Red Wing Blvd
Hastings, MN 55033
Re: Proposed Residential Development

To whom it may concern,

Regarding the residential development proposed by LandEquity Development, please make it a matter of record that we request a traffic control study on TH 316 / Red Wing Blvd.

The impact of the increased volume of traffic from a proposed development of this size is a significant safety hazard. The intersection of TH 61 (Vermillion Street) and 316 currently experiences backups, particularly during rush hour caused by southbound 61 traffic attempting to turn left onto 316 (Red Wing Blvd).

Also, northbound Red Wing Blvd traffic merging onto Vermillion Street is restricted to one lane as Vermillion Street expands to two lanes, causing confusion to those unfamiliar with the intersection.

The roundabouts installed on Red Wing Blvd. in 2021 have done nothing to address these problems. The heavy traffic on 316 was a topic of concern when the South Pines subdivision was annexed, and nothing has significantly changed since.

The proposed development entrances on Red Wing Blvd are also a concern. The one near Michael Avenue is in a 60 MPH zone. The proposed entrance further south near the hill has a blind spot to northbound Red Wing Blvd traffic and is also in a 60 MPH zone and there is no note of traffic control at either site.

Another issue is the impact on neighboring property owners. Along with our neighbor at 17150 Red Wing Blvd our request to the developer is a fence and buffer along our property lines. We also have concerns about the future of Outlot B. This is a non-buildable area that also borders our property and disturbing it could lead to adverse environmental and erosion issues.

I urge the City to be proactive on these issues and refrain from the often-used excuse that the road belongs to MNDOT and there is little we can do about it.

Please contact me with a written response. We plan to attend the upcoming meetings. I can also be reached at (651)829-4045

Thank you,

Steven Engstrom

**Hastings, Minnesota
City Council Meeting Minutes
January 18, 2022**

The City Council of the City of Hastings, Minnesota met in a regular meeting on Tuesday, January 18, 2022 at 7:05 p.m. in the Council Chambers at the Hastings City Hall, 101 East 4th Street, Hastings, Minnesota.

Members Present: Mayor Fasbender, Councilmembers Braucks, Folch, Fox, Leifeld, Lund and Vaughan

Staff Present: City Administrator Dan Wietecha
Assistant City Administrator Kelly Murtaugh
City Attorney Korine Land
Community Development Director John Hinzman
Public Works Director Ryan Stempski

Mayor Fasbender requested that a resolution declaring a local public health emergency be added to the agenda. All councilmembers approved adding the resolution.

Resolution No. 01-11-22 Declaration of a Local Public Health Emergency

Mayor Fasbender called for discussion on the resolution. Councilmember discussion on moving meeting to virtual in light of the current situation. Discussion about clarification on timeframe of the declaration and what meetings it covers.

Councilmember Vaughan motioned to approve as presented, seconded by Councilmember Folch. Ayes 6; Nays 0.

Approval of Minutes

Mayor Fasbender asked if there were any additions or corrections to the City Council workshop and regular meetings on January 3, 2022.

Minutes were approved as presented.

Comments from the Audience

Mayor Fasbender stated comments received via email have been distributed to all councilmembers and are acknowledged.

Donald King, 4146 Shannon Drive, posed a question about assessment for the new street and curbing with the Best development of the property at Hwy 316 and Michael Avenue.

Dan King, 17150 Red Wing Boulevard, requested a privacy fence at a prior meeting. He indicated that he did not get a certified letter about the development and the hearing and requested to get all future mailings about the development.

Hinzman, Community Development Director, indicated that other comments about the proposed annexation could be heard during the public hearing.

Consent Agenda

1. Pay Bills as Audited
2. Approve Financial Services Advisor Contract
3. Approve Work Order Contract with Primary Diagnostics

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<http://www.hastingsmn.gov/city-government/city-council/city-council-agendas-and-minutes>

4. Strategic Priorities 4th Quarter Report
5. Authorize Signature: Joint Powers Agreement – Dakota County CSAH 47 - Vermillion Acres
6. 1st Reading\Order Public Hearing: City Code Chapter 34 - Fees
7. 1st Reading\Order Public Hearing: City Code Chapter 70 – Micromobility Vehicles
8. Resolution No. 01-12-22 Order Public Hearing for CIP Bonds Planned for Public Works Facility
9. Water Service Repair Assessment Waiver – 3440 Cory Lane
10. Approve Fire Department Submission of Staffing for Adequate Fire and Emergency Response (SAFER) Grant
11. Approve 2022-2023 LELS Police Officer Union Contract
12. Resolution No. 01-13-22 Approve Gambling Premise Permit for Climb, Inc at Pub 55
13. Resolution No. 01-14-22 Acceptance and Appreciation for Donation to the Fire Department from the Fire Relief Association
14. Resolution No. 01-15-22 Approval of the 2022 Massage License Renewal for Natalie Briones
15. Resolution No. 01-16-22 Acceptance and Appreciation for a Donation to the Fire Department from James and Janice Webber

Councilmember Leifeld motioned to approve as amended, seconded by Councilmember Braucks. Ayes 6; Nays 0.

Public Hearing: Ordinance Amendment – Annexation – Best Development (TH 316 and Michael Avenue)

Hinzman explained the amendment request requires a public hearing, which was ordered in December. At the time, there was a concept plan and development agreement. The development agreement has since ceased. Best Properties (owner) would like to keep annexation moving and is in discussion with another developer. Hinzman indicated that movement on this annexation is premature at this time. Since the Public Hearing is scheduled tonight, he recommended not closing the hearing and table it until the next meeting February.

Mayor Fasbender opened the public hearing at 7:14 p.m.

Chris Reuter, 4134 Shannon Drive, expressed concerns about the annexation in relation to displacement of wildlife, roundabout impact, noise from construction and asked that a fence be considered between the existing homes and new development.

Jason Angerman, 4130 Shannon Drive, expressed concerns about the development as he has seen kids get hit by cars near the park, is concerned about increased usage of roundabout because of the Michael Ave/316 intersection. He asked if backyard gates will be replaced. He is concerned about the impact of this development on property values.

Katie Wiertsema, 581 Tuttle, is disappointed to hear of the development. She chose the home location to be near the countryside with wildlife. She expressed concerns about how people will cut through the neighborhood during construction and asked if it were possible to purchase land adjacent to her property.

Steve Engstrom, 17162 Red Wing Boulevard, encourage a focus on the traffic study from that area. He indicated points of concern include increasing vehicle traffic at the intersection of Hwy 61 and TH 316 and wants a plan for a park in the new neighborhood.

Council discussion on emails serving as public hearing comments until the public hearing closes.
Council discussion on the concerns about TH 316 access and communication with MnDOT.

Councilmember Lund arrived at the meeting.

Councilmember Folch motioned to table the public hearing, seconded by Councilmember Leifeld. Ayes 7; Nays 0.

Resolution No. 01-17-22: Approve Amendments to Resolution No. 8-09-08 Prevailing Wage on City Projects

Stempski explained that there are two amendments that he will be addressing. The first is the prevailing wage amendment and that the increase to \$175,000 per project aligns with State competitive bidding laws and the current policy allows no exceptions. This was recommended by the Finance and Operations Committees.

Council discussion of support for the increase and questions about when exceptions arise. Stempski explained that projects that utilize specialized labor or equipment is where prevailing wage does not come into play. Council discussion on determination of unique or specialized and how this is documented.

Councilmember Lund motioned to approve as presented, seconded by Councilmember Leifeld. Ayes 7; Nays 0.

Resolution No. 01-18-22 Approve 4th Street Water Tower Reconditioning Plans with Exception to Prevailing Wage Policy and Authorize Advertisement for Bids

Stempski transitioned to describe the unique reconditioning project that the City is working with a consultant on. The packet resolution delineates the unique nature of the project. They do not typically see prevailing wage language on this kind of project because of the unique/specialized nature of the project. There are only 4-5 contractors who can handle a project of this size. Adding that language would add about \$200,000 to the cost of the project. The Operations Committee recommended seeking exception to the prevailing wage policy. The City is seeking to get the work done this summer.

Council discussion on the length of project, partnership with the school district, and tasks that reconditioning entails for a water tower.

Councilmember Leifeld motioned to approve as presented, seconded by Councilmember Vaughan. Ayes 7; Nays 0.

Resolution No. 01-19-22 Special Assessment Deferral Policy

Wietecha explained that state law allows deferral of special assessments senior citizens, disabled or military persons for whom assessments would create a hardship, but also requires a written policy. Affects new assessments going forward and the City is paid when the property changes hands.

Council discussion on potential impact to those who purchase the property and support for offering this program.

Councilmember Folch motioned to approve as presented, seconded by Councilmember Vaughan. Ayes 7; Nays 0.

Approve Interim Wage Adjustments

Wietecha explained that while completing the Compensation and Classification Study is the goal, there are five positions that are further outside the majority of the many positions that are underpaid for the market. It is proposed that those outliers be brought closer to the other positions prior to the study. This was discussed at Administration Committee in December and January.

Council discussion on the work of the consultant, salary adjustments that have been made to date, and exploring retroactive pay when the study is complete. The Administration Committee supported addressing the outlier salaries ahead of the study.

Councilmember Fox motioned to approve as presented, seconded by Councilmember Leifeld. Ayes 2; Nays 5 – Braucks, Folch, Leifeld, Lund, Vaughan

Mayor Fasbender and Councilmembers made the following announcements:

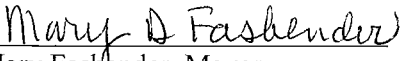
Announcements

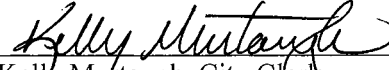
- Recycle your old lights with the Hastings Holiday Lights Drop Off Collection. Residents can drop-off their unwanted light strands at the Joint Maintenance Facility, 920 – 10th Street West, during the holiday season through February 1.
- We will have a virtual kickoff meeting about the new Community Investment Fund on Monday, January 24, for an overview of the program and to answer questions from local partner organizations.
- Snowshoe Guided Hike on Sunday, January 30, at Jaycee Park. Registration is required. Snowshoes, poles, and instruction will be provided. The event is free and offered in partnership with Dakota County Parks.
- The State of the City will be presented virtually again this year on Wednesday, February 2.

Meetings

- Arts Task Force on Wednesday, January 19 at 6:00 pm
- Public Safety Advisory Commission on Thursday January 20 at 6:30 pm via Zoom
- City Council Workshop – Police Department on Monday February 7 at 5:30 pm
- City Council meeting on Monday, February 7 at 7:00 pm

Councilmember Leifeld motioned to adjourn the meeting at 8:11 p.m., seconded by Councilmember Vaughan. Ayes 7; Nays 0.


Mary Fasbender, Mayor


Kelly Murtaugh, City Clerk



December 6, 2022

RE: Development Review Committee Review - Concept Plan - Land Equity Concept Plan - Best Property - TH 316

The Development Review Committee met today to review your concept plan for a mixed use residential development. City Staff included:

| | | | |
|----------------|---------------------------|--------------|--|
| John Hinzman | Community Dev. Dir. | 651-480-2378 | jhinzman@hastingsmn.gov |
| Justin Fortney | City Planner | 651-480-2381 | jfortney@hastingsmn.gov |
| Ryan Stempski | PW Director\City Engineer | 651-480-2368 | rstempski@hastingsmn.gov |
| John Caven | Assistant City Engineer | 651-480-2369 | jcaven@hastingsmn.gov |
| Travis Dunn | Building Official | 651-480-2375 | tdunn@hastingsmn.gov |
| Al Storlie | Fire Marshall | 651-480-6155 | astorlie@hastingsmn.gov |
| Jamie Stevens | Fire Inspector | 651-480-6158 | jstevens@hastingsmn.gov |
| Chris Jenkins | Parks and Rec Director | 651-480-6176 | cjenkins@hastingsmn.gov |

Below are items discussed at the meeting along with other preliminary comments:

- 1) **Sequence of Land Use Approvals** - The following path for land use approvals is recommended.
 - a) Pre-Application
 - Neighborhood Meeting
 - Meeting with Planning Committee of City Council
 - b) 1st Round - Initial Review
 - Annexation - Continuation of the existing tabled application.
 - Environmental Assessment Worksheet - The number of housing triggers completion of an EAW with review and submittal by the City or Township.
 - Comprehensive Plan Amendment - Change the Future Land Use from Low Residential to Medium Residential
 - Park Dedication - Meet with Parks and Recreation Commission to determine method of park dedication which may include physical land dedication, construction of facilities, or payment of cash in lieu of land.
 - c) Second Round - Approval of overall Site Development
 - Rezoning - Rezone Property to R-3 Medium Residential
 - Planned Residential Development - Hastings' version of a PUD.

- Preliminary and Final Plat - Prefer Preliminary Plat to encompass entire site. Various phases can be separate Final Plat applications. [See Plat Handout](#)
 - Development Plan Approval (Optional) - Concept Plan approval for the entire site that establishes certain parameters for future components pertaining to uses, density, parking, landscaping, architecture, phasing plan, etc. Future Plat and Site Plan components are compared against the Development Plan to more efficient approvals.
- d) Third Round - Individual Components
- Site Plan - All buildings over three attached units require Site Plan approval. [See Site Plan Handout](#)
 - Variance - Variance necessary for any cul-de-sacs exceeding 500 feet.
 - Shoreland Management Permits (if applicable)
- 2) **City Code** - Please find the following links to the City Code:
- a) Chapter 152 - [Stormwater Management](#) - Link to proposed ordinance update
 - b) Chapter 153 - [Shoreland Management](#)
 - c) Chapter 154 - [Subdivision Code](#)
 - d) Chapter 155 - [Zoning Code](#) - which includes the following:
 - 155.51 - Site Plan Procedure
 - 155.52 - Architectural Standards
 - 155.53 - Landscape Standards
 - 155.53.5 - Exterior Lighting
- 3) **Shoreland Management Regulations** - The Sand Coulee Flowage traverses the eastern end of the site. Development activities within 300 feet of the Flowage are subject to Shoreland Management Rules of the City Code.
- 4) **MN Dot Review** - Plans have been sent to MN Dot to review potential roadway accesses to TH 316 and any intersection improvements. Western entrance with cut across may warrant further traffic analysis – movements in this area may be dangerous in peak hour if vehicles are queueing. MNDOT approval required for allowance of second entrance. Is spacing sufficient? Do turn lanes need to be added?
- 5) **Traffic Study** - A traffic study will need to be completed as part of the EAW.
- 6) **People Movement Plan** - Mississippi River Regional Trail should continue along TH 316 via connection from adjoining northern subdivision. Please see [People Movement Plan](#) for further information.
- 7) **Multiple Family Facilities** - Please clarify the number of units in each building.
- 8) **Senior Living Facilities** - Please clarify whether buildings will be independent living or dependent living facilities

- 9) **Parking for Apartments** - Will apartment and senior living building incorporate underground parking?
- 10) **Overflow Parking for Townhomes** - Narrow streets combined with shorter distances between driveway entrances to the street will limit the availability for on street parking for overflow events.
- 11) **Electrical Vehicle Charging** - Will the site include any EV charging facilities.
- 12) **Rental** - Proposal for most (or all) of the subdivision to be rented instead owner occupied is a new concept for Hastings. The Council and public will likely have questions pertaining to the valuation of the project, effect on neighboring property owners, overall maintenance, and potential for individual home ownership in the future.
- 13) **Homes abutting North Property Line** - Existing single family homeowners that abut the north property line will scrutinize the type, value, and visibility of proposed homes that will abut their backyards.
- 14) **Private versus Public Facilities** - Wanting to understand high level anticipated long term maintenance split public versus private and what the association would be taking care of. Items include
 - a) Ownership Split of Streets/Trails/Utilities/Ponds/Green Space (Such as landscaped cul de sac areas)
 - b) How will landscaped center islands be protected/cleaned from snow plowing and storage
- 15) **Development Plans for Sand Coulee** - Clarify any trail or public access to the Sand Coulee area.
- 16) **Sidewalk Meander** - Proposed meandering sidewalk\trails along streets appear to extend beyond the public ROW and may impact the parking of vehicles within driveways. Further information is needed to ensure maintenance\ownership if outside ROW and limit impact to parking of driveway vehicles.
- 17) **Stormwater Irrigation** - Could water collected via stormwater treatment be used for irrigation.
- 18) **Lift Station** - Site is served by an existing sanitary sewer lift station. The number of proposed units will likely require the lift station to be upgraded.
- 19) **Utility Connections** - There was discussion of utility connections following the trail which meanders in and out of properties, applicant should clarify their intention here as this does not sound like an industry standard. Curb boxes for example should be placed at the right of way line regardless of trail location.

- 21) **Access Alignment** - East/west access through middle of multi-unit buildings does not appear to align safely with parkway entrance on west half of development.
- 22) **Association Maintenance** - How will the associations from adjacent phases/areas be operated together as one central entity? Currently have problems in other developments where separate associations are formed in one common development, City becomes inserted between as moderator.
- 23) **Building Permit Checklist** - Further information on building code requirements and checklists can be found [here](#)
- 24) **SAC Determination** - Please contact Metropolitan Council for a SAC Determination. Combined City\Met Council SAC\WAC is \$5,500 per unit.
- 25) **Solid Waste and Recycling** - Please see [Dakota County Ordinance 110](#) for further information on recycling requirements.

Please contact me with any questions at (651) 480-2378 or jhinzman@hastingsmn.gov.

Sincerely,

CITY OF HASTINGS



John Hinzman, AICP
Community Development Director
Encl.