# CITY OF NORTHFIELD, MINNESOTA CITY COUNCIL RESOLUTION #2002-338

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTHFIELD APPROVING A 69 ACRE CONCEPTUAL DEVELOPMENT FOR ARCON DEVELOPMENT; AND WAIVE THE REQUIREMENT FOR A CONCEPTUAL DEVELOPMENT PLAN FOR THE 9.70 ACRE PARCEL BY VERNON KOESTER, FOR ANNEXATION AND AUTHORIZING STAFF TO PREPARE A JOINT RESOLUTION FOR ORDERLY ANNEXATION WITH NORTHFIELD TOWNSHIP.

WHEREAS, Arcon Development, Inc (the "Developer") and Vernon Koester (the "Property Owner"), have made application to the City of Northfield for Annexation of 78.7 acres including a 69 acre conceptual development plan by Arcon Development, Inc, and a waiver for the requirement of a conceptual development plan for the 9.70 acre parcel by Vernon Koester; and

WHEREAS, the property is located in the south part of Northfield, west of the future extension of Maple Street, east of M.T.H. # 246 and north of C.S.A.H. #81; and

- WHEREAS, the land proposed for annexation is governed by a master orderly annexation agreement between the City of Northfield and Northfield Township (Resolution #2001-318); and
- WHEREAS, the information submitted by the Developer and Property Owner is consistent with the City of Northfield's annexation policy as defined in Chapter 34, Article III, City Code; and
- WHEREAS, a public hearing was held before the Planning Commission on October 28, 2002, to consider public testimony relative to the annexation and conceptual development plan and comments from the public were received regarding the amount of residential development occurring south of the city, the effects on Schools and loss of agricultural land; and
- WHEREAS, the Planning Commission has recommended approval to the City Council pursuant to Resolution #2002-61, for the Annexation of 78.7 acres for Arcon Development and Vernon Koester, including a 69 acre conceptual development plan by Arcon Development; and a 9.70 acre parcel by Vernon Koester.

NOW THEREFORE BE IT RESOLVED that based upon the findings in Exhibit "A", the City Council of the City of Northfield accepts the Developers application and supporting materials as complete; and

NOW THEREFORE BE IT FURTHER RESOLVED that based upon the findings noted in Exhibit "A", the City Council of the City of Northfield approves the Annexation of 78.7 acres, which is legally defined as:

THE NORTH ONE HALF OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 111, RANGE 19, RICE COUNTY, MINNESOTA.

NOW THEREFORE BE IT FURTHER RESOLVED that the City Council of the City of Northfield hereby approves the 69 acre conceptual development plan by Arcon Development for residential development including parks, stormwater ponds, and trails; and waivers the requirement for a conceptual development plan for the 9.70 acre parcel by Vernon Koester, subject to the following conditions:

1. Upon annexation, the property will be zoned Agricultural until such time as the area within the conceptual development plan is platted and when the property is platted, the property will be zoned in accordance with the approved land use designations for the area as well as according to the specifically proposed uses and densities.

- 2. As conceptual development plans are required to be preliminary platted within 5 years and as there are no plans to develop the 9.7 acre parcel located in the north/eastern corner of the annexation area within this time frame, the requirement for a conceptual development plan for the 9.7 acre parcel is waived.
- 3. The 9.70 acre parcel located in the north / west annexation area is approved for low-density residential development achieving 2.57 units/acre and shall include a connection between the two stub roads coming from the south and the east as shown on the conceptual development plan. Future development of land shall incorporate desirable features, such as the historic farmhouse, significant trees, and the southeast facing slope that provides sunlight and views.
- 4. An Environmental Assessment Worksheet (EAW) must be prepared and completed for the 78.7 acres prior to the City accepting an application for Rezoning and Preliminary Plat.
- 5. As part of the approval of the conceptual development plan, the Developer is required to deed the right-of-way for Maple Street to the City of Northfield prior to the City approving a joint resolution for orderly annexation with Northfield Township.
- 6. The treeline of evergreens along the western boarder of the annexation area and, as shown on the conceptual development plan, shall be preserved and maintained.
- 7. As the total park required for the development is 6.50 acres, the Developer is required to pay \$86,937.00 for the Park Development Fee.
- 8. Final design of the storm water ponds and drainage on the site will be reviewed and approved by the City Engineer at the time preliminary plat approval is requested.
- 9. All streets shall meet the minimum pavement and right-of-way width requirements of the Northfield Zoning Ordinance.
- 10. That 60% of the single-family and multiple-family lots shall have solar access.
- 11. The conceptual development plan shall be valid for five years from the date of approval. If the property within the conceptual development plan is not completely preliminary platted within five years of the date of approval, the conceptual development plan shall become null and void, unless it is extended as provided hereafter. It shall be the responsibility of the Developer to request and receive an extension of the conceptual development plan prior to expiration of the originally approved plan. The process for requesting an extension of the originally approved conceptual development plan shall be as follows:
  - a) At least 90 days prior to expiration of the approved conceptual development plan the Developer shall submit to City Staff a request for extension of the conceptual development plan expiration date. Such request shall include copies of the originally approved conceptual development plan, a letter explaining the reasons for the request and a summary of the actions taken based upon the approved conceptual development plan to date.
  - b) City Staff shall review the request based on the current policies, goals, and plans of the City at the time of the request, and forward it to the Planning Commission for a recommendation to the City Council.

- c) The Planning Commission shall base its recommendation to the City Council on such current policies, goals and plans of the City at the time of the request.
- d) The City Council shall either approve, deny or conditionally approve an extension of the expiration date for a specified period of time. The City Council may require changes to the conceptual development plan, if the plan for the areas not platted is in conflict with the policies, goals and plans of the City at the time of the request.

NOW THEREFORE BE IT FURTHER RESOLVED that the City Council of the City of Northfield hereby directs staff to prepare a joint resolution between the City of Northfield and Northfield Township regarding the proposed annexation and to submit it for approval to the City Council and Northfield Township Board anytime after March 13, 2003.

PASSED by the City Council of the City of Northfield this 2nd day of December 2002.

Attest:

Finance Dire ktor/City (

ouncil Member

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MEETING DATE: 12/02/02 CONSENT ITEM: 9 RESOLUTION #2002 – 338

ITEM:	Approval of conceptual development plan by Arcon Development consisting of 69 acres of residential development and waive the requirement for a conceptual development plan for the 9.70 acre parcel by Vernon Koester.
REQUESTED BY:	Arcon Development, Inc as Applicant and Vernon Koester, Property Owner.
SUBMITTED BY:	Peter Waskiw, City Planner
REVIEWED BY:	Planning Commission Susan Hoyt, City Administrator Joel West, Community Development Director Maren Swanson, City Attorney (underway)

### SUMMARY OF ACTION REQUESTED:

This City Council is being asked to approve a conceptual development plan by Arcon Development (the "Developer") consisting of 69 acres of residential development and waive the requirement for a conceptual development plan for the 9.70 acre parcel by Vernon Koester (the "Property Owner"), which will involve annexing a total of 78.7 acres of land from Northfield Township.

The Developer's conceptual development plan consists of 54 single-family lots, 144 row townhomes, 128 back to back townhomes and 13.2 acres of park; whereas the 9.70 acre parcel by the Property Owner consists of low-density residential development achieving a density of 2.57 units/acre. As conceptual development plans are required to be preliminary platted within 5 years and there are no plans by the Property Owner to develop the 9.7 acre parcel located in the north eastern corner of the annexation area within this time frame, the City Council is being requested to waive the requirement for the Property Owner to complete a conceptual development plan for the 9.7 acre parcel.

The 78.7 acre annexation area is located between the future extension of Maple Street on the east and the existing M.T.H. # 246 on the west and is north of C.S.A.H. #81. The 78.7 acres is governed by the Master Orderly Annexation Agreement between the City of Northfield and Northfield Township. Pursuant to recent annexations in Northfield Township and the terms of the Master Orderly Annexation Agreement, the annexation will be presented to the City Council no earlier than March 13, 2003. As part of the approval of the conceptual development plan and pursuant to City policy, the Developer is required to deed the right-of-way for Maple Street to the City of Northfield prior to the City approving a joint resolution for orderly annexation with Northfield Township. However, the Developer has voiced some concern about this requirement. Having the deed for the right-of-way for Maple Street will allow the City to locate the possibility on developers to locate the right-of-way for collector streets; and reduce the possibility that the right-of-way for collector streets be changed from that approved by the City Council.

The application meets the Comprehensive Plan, annexation policy and conceptual development plan requirements. The Planning Commission held a public hearing on October 28, 2002, for the annexation and conceptual development plan approving resolution #2002-61. Staff recommends the City Council approve the 69 acre conceptual development plan by Arcon Development; and waive the requirement for a conceptual development plan for the 9.70 acre parcel by Vernon Koester, subject to conditions.

## **INFORMATION:**

<u>City Responsibility/Authority:</u> Sec. 34-130 of the Northfield, Minnesota, City Code states that the City Council review and approve or deny the request for annexation and conceptual development plan. This action follows a public hearing held by the Planning Commission on the October 28, 2002, for the annexation and conceptual development plan. In addition, the proposed annexation is within the orderly annexation area that was created by a Master Orderly Annexation Agreement between the City of Northfield and Northfield Township.

Action to Date: The Planning Commission held a public hearing on October 28, 2002, for the annexation and conceptual development plan and approved Resolution #2002-61 on November 11, 2002, recommending that the City Council approve the conceptual development plan and annex the property to the City.

<u>Project Location</u>: The property is bounded by the future extension of Maple Street on the east and the existing M.T.H. # 246 on the west and is north of C.S.A.H. #81. (see Attachment - Exhibit F)

78.7
Agricultural
25 (Vern Koester's 9.7 acre parcel)
54 (Arcon Development conceptual development plan)
144 (Arcon Development conceptual development plan)
128 (Arcon Development conceptual development plan)

<u>Adjacent Property:</u> Single-family residential and City of Northfield park to the north, proposed Fargaze Meadows single-family and multi-family residential development to the east, and proposed Harvest Hills single-family and multi-family residential development to the west, and farmland to the south.

#### **FUTURE CONSIDERATIONS:**

*Deeds:* As part of the approval of the conceptual development plan, the Developer is required to deed the rightof-way for Maple Street to the City of Northfield prior to the City approving a joint resolution for orderly annexation with Northfield Township.

*Future Zoning:* Upon annexation, the property will be zoned Agricultural until such time as the area within the conceptual development plan is platted. When the property is platted, the property will be zoned in accordance with the approved land use designations for the area.

*Environmental Assessment Worksheet:* An Environmental Assessment Worksheet will need to be prepared for the property. The EAW process will involve declaring the EAW complete, a Public Hearing and final assessment. The EAW process will need to be finalized before the City accepts a preliminary plat and/or rezoning applications.

#### **RECOMMENDATION:**

The Planning Commission and Staff report recommend the City Council approve the conceptual development plan by Arcon Development for 69 acres of residential development and waive the requirement for a conceptual development plan for the 9.70 acre parcel by Vernon Koester.

#### Attachments:

Exhibit A	Proposed City Council Resolution #2002-338.
Exhibit B	Conformance of Request to Comprehensive Plan / Annexation Policy / Conceptual
	Development Plan.
Exhibit C	Planning Commission Resolution #2002-61.
Exhibit D	Photos of the Property.
Exhibit E	Conceptual Development Plan.
Exhibit F	Comprehensive Plan land Use Designations.
Exhibit G	Gross Residential Densities / Residential Type.
Exhibit H	Development Area and Adjacent Land Within 1/4 Mile Radius.
Exhibit I	Boundary Survey and Legal Description of Property Proposed For Annexation.

EXHIBIT B.

### Conformance of Request to Comprehensive Plan / Annexation Policy / Conceptual Development Plan:

**Comprehensive Plan:** The annexation and conceptual development plan complies with the Comprehensive Plan Future Land Use Map. The 78.7 acre annexation proposes 28 gross acres of single-family residential development achieving 2.8 units per acre and 50.7 gross acres of multi-family residential development achieving 5.4 units per acre. Accordingly, the proposed residential development in the entire annexation area conforms with future land use designations. The Transportation Improvement Plan in the Comprehensive Plan requires a future extension of Maple Street through to C.A.S.H.81. Accordingly, Arcon Development will be required to deed the right-of-way for Maple Street to the City of Northfield prior to the City approving a joint resolution for orderly annexation with Northfield Township. The Environmental Patterns Plan in the Comprehensive Plan shows a canopy trees site along the eastern side of annexation area along and adjacent to M.T.H. #246. The City can protect this treeline through appropriate conditions on the annexation approval.

*Future Land Use Map:* As identified in the Future Land Use Map, all the land in the annexation area is located within the Priority Growth Area and the Urban Expansion Area of the City of Northfield. The Future Land Use Map shows three different designations over the property, these being:

- Environmentally Sensitive Area / Open Space being the north/south swale through the property; and
- <u>Residential Lower Density</u> having 2 to 4 units per gross acre average, which is located in the south/east area below the Environmentally Sensitive Area / Open Space designation and down to the Priority Growth Area; and
- <u>Residential Higher Density</u> having 4 to 6 units per gross acre average, which is located in the north/west area above the 'Environmentally Sensitive Area / Open Space' and adjacent to the City Park and M.T.H. #246.

The Planning Commission requested that the Developer mix the types of housing and densities across the entire 78.7 acre annexation area. Accordingly, the annexation area proposes 28 gross acres of single-family residential development achieving 2.8 units per acre and 50.7 gross acres of multi-family residential development achieving 5.4 units per acre. As such, the densities of the Comprehensive Plan land use designations have been are achieved.

*Transportation Plan:* The Transportation Improvements plan shows a future extension of Maple Street through to C.A.S.H.81. Arcon Development will be required to deed the right-of-way for Maple Street to the City of Northfield prior to the City approving a joint resolution for orderly annexation with Northfield Township.

*Natural Resources:* The Future Land Use Map shows an 'Environmentally Sensitive Area / Open Space' designation along the swale running in a north/south direction through the development area. In reality, this area is actually a drainage swale created for farming purposes and has no environmental value, except as a natural swale. Despite that, the Developer has proposed to continue to use this natural swale for drainage purpose for the proposed development.

*Public Utilities:* Utility connections are available to the site and all utilities are adequately sized to handle the proposed development.

Annexation Policy: The annexation application conforms with the orderly annexation agreement between the City of Northfield and Northfield Township. As Heritage Development recently annexed approximately 80 acres into the City limits, the agreement provides a six months delay between large annexations. The City can annex this land after March 13, 2003. Accordingly, Staff recommend the City Council approve the conceptual development plan by Arcon Development for 69 acres and; a 9.70 acre Ghost Plat by Vernon Koester.

#### Legal Description:

The N1/2 of the SW1/4, Section 7, Township 111, Range 19, Rice County, Minnesota.

#### Annexation Area:

The area proposed for annexation is 78.7 acres, which meets the minimum 40 acre requirement.

Site Control: Arcon Development has provided a copy of the Contract for Deed for the property, executed between ARCON DEVELOPMENT, INC., (the "Buyer") and Vernon E. Koester and Joan K. Koester (the "Seller").

*Written Statement from Township Board:* The Orderly Annexation Agreement with the Northfield Township dated November 7<sup>th</sup>, 2002 (Resolution # 2001-318) allows land to be annexed into the City of Northfield. The City Council previously approved an annexation for Heritage Development for approximately 80 acres and Minnesota Planning officially approved the annexation on September 13, 2002. Accordingly, the Orderly Annexation Agreement does not allow an annexation of the area being proposed by Arcon Development and Vernon Koester to seek official approval from Northfield Township until 6 months after September 13, 2002, being March 13, 2003.

### Conceptual Development Plan:

Scaled Drawing /  $\overline{Topographic Data}$ : The Developer has submitted the required scaled drawing of the property to be annexed, including the topographic data at two foot intervals and other required information.

*Internal Streets:* Typically, the Arcon Development conceptual development plan has shown a grid layout street system, with continuous east-west and north-south streets. There are no cul-de-sacs in this development. There are two main east/west streets, one of these east / west streets will connect Maple Street to M.T.H. # 246. The Developer is required to meet the minimum widths for streets and right-of-ways in the development.

The future extension of Maple Street and the existing M.T.H. # 246 bound the development area on the east and west sides respectively. It is proposed to extend Maple Street in a southerly direction from its present location. Aspen Street will be extended in a southerly direction from its present location to become a north/south street through the development. Mn/Dot has restricted access onto M.T.H. # 246 by allowing only one access from the development.

*Park, Open Space and Trails:* The parks, trails and open space system includes a 10.8 acre extension of the City of Northfield soccer fields which are located north of the proposed development, 1.7 acres of greenway, and 2.4 acres of park located in the south/west corner. The developer is required to provide parkland dedication and a park development fee. The formula for the parkland calculation is based on a Net Developable Acreage, which means that the land required for public streets and ponding areas is subtracted from the total land within the project. The total land within the annexation area is 78.7 acres.

Based on the percent of land dedication required for each residential land use density range and, using the Arcon Development conceptual development plan for 69 acres and; the 9.70 acre ghost plat by Vernon Koester, the following calculation for park dedication is as follows:

Density	% Required	# Acres in Development	# Acres Requirements
2.6-5.0 u/a	12 %	20.5 acres	2.46 acres
5.1-7.5 u/a	13 %	6 acres	0.78 acres
7.6-10.0 u/a	14 %	10.4 acres	1.45 acres
10.1-12.5 u/a	15 %	7.6 acres	1.14 acres
12.6-16.0	16%	4.2 acres	0.67 acres
		Total Park Land Required	6.50 acres

The approximate amount of land required for parks, trails and open space dedication is 6.5 acres of land. According to the submitted plans, they are proposing to dedicate 13.2 acres of land for parks, trails and open space. Accordingly, there will be no cash in lieu for park dedication.

With regards the Park Development Fee, the Developer is required to pay \$13,375 per acre. As the total park required is 6.50 acres, the amount of Park Development Fee is \$86,937.00. The requirements state that the developer may pay the entire fee at the time of Final Plat filing or to pay the fee on a per unit basis at the time that a building permit is issued for each unit to be constructed in the development, provided that all fees be paid within 5 years of approval of the final plat.

*Natural Features Proposed for Preservation:* No wetlands have been identified on the property. The Future Land Use Map shows an 'Environmentally Sensitive Area / Open Space' designation along the swale running in a north/south direction through the development area. In reality, this area is actually a drainage swale created for farming purposes and has no environmental value, except as a natural swale. Due to the amount of land being annexed and the proposed change in use, an Environmental Assessment Worksheet (EAW) will need to be completed for the property. Potential environmental impacts on the property will be addressed through that process. With regards to the 9.7 acre Ghost Plat area by Vernon Koester, all desirable features, such as the historic farmhouse, significant trees, and the southeast facing slope, shall be incorporated as part of any future development.

#### **Residential Land Use Types**

The following tables summarize the types of residential land uses across the 69 acre Arcon Conceptual Development Plan and the 9.70 acres to be retained by Vernon Koester. The areas are calculated without roads, ponds, trails, and parks.

Conceptual Development Plan by Arcon Development:				
Block #	Land Use	Lots/Acre	Lots	Acres
1	Single Family	3.9	9	2.3
2	Single Family	5	7	1.4
3	Single Family	4.4	12	2.7
4	Single Family	5.4	5	1.0
5	Single Family	4.6	11	2.4
6	Single Family	5.0	10	2.0
·····	Totals	4.5	54	11.8

Block #	Land Use	Units/Acre	Units	Acres
1	Row Townhomes	5.7	4	.7
2	Row Townhomes	10.0	12	1.2
3	Row Townhomes	10.0	12	1.2
4	Row Townhomes	8.7	20	2.3
5	Row Townhomes	8.0	16	2.0
6	Row Townhomes	7.5	24	2.7
7	Row Townhomes	7.5	12	1.6
8	Row Townhomes	9.6	24	2.7
9	Row Townhomes	9.5	20	2.2
	Totals	8.6	144	16.6

Block #	Land Use	Units/Acre	Units	Acres
1	Back to Back	14.3	20	1.4
	Townhomes			
2	Back to Back	10.6	36	3.4
	Townhomes			
3	Back to Back	15.0	42	2.8
	Townhomes			
4	Back to Back	10.7	30	3.0
	Townhomes			
	Totals	12.0	128	10.6

### 9.70 acres Ghost Plat by Vernon Koester:

Block #	Land Use	Lots/Acre	Lots	Acres	
Ghost Plat	Single Family	2.58	25	9.7	
	Totals	2.58	25	9.7	







