

MINUTES
MEETING OF THE JOINT PLANNING BOARD
WEDNESDAY, DECEMBER 19th, 2007
4:00 PM

PRESENT: John Grutsch (filling in for Hugh Knox for 15 minutes), Rick Fishbach, Lowell Rushmeyer, Richard Bresnahan, and Jodi Austing-Traut, City Clerk/Administrator. Hugh Knox entered the meeting at 4:15 pm.

ABSENT: None

Call to order by Chair Lowell Rushmeyer at 4:00 pm.

Approval of Minutes

Motion Richard Bresnahan to approve minutes from August 22nd, 2007, second Rick Fishbach and carried unanimously.

Annexation Request

- 1) A request to annex *That part of the West Half of the SE QTR and of Government Lot 3 lying Southeasterly of County Road 155 and South of SUNRIDGE AT AVON, according to the plat thereof on file and of record in the office of the County Recorder of Stearns County, Minnesota, all in Section 22, Township 125, Range 30.*

The property PID 03.00955.000, consisting of 144.1 Acres, is owned by Susan Dean Zwilling ETAL. The request is to have the property annexed into the city and zoned for residential purposes, including a senior housing facility.

Dennis Marinowski and Linda Brown of Bonestroo Engineering were present along with Sandra Zwilling and Susan Dean to make their request for annexation.

Chairman Rushmeyer explained that the purpose of the Joint Planning Board is 1) An entity unto itself which includes 2 township and 2 city members 2) The focus of the JPB is to carry out the directives and policies within the orderly annexation agreement/orderly growth document 3) Primary task is to determine whether or not a request for annexation meets the criteria set forth in the Orderly Annexation Agreement signed by the City and Township.

Ms. Dean gave some background on the property and its history. Ms. Dean explained the process that has led them to this point. She explained the Good Shepherd Senior Housing project that is being discussed as part of this potential project. Engineer Dennis Marinowski gave some technical information related to the project. He indicated that of a total of approximately 144 acres, there are about 55 acres that are developable and about 12 acres of that would be utilized by the Good Shepherd Community. Mr. Marinowski explained the need for Senior Housing in the Avon Community.

Hugh Knox explained that there is some concern about the lack of senior housing in the Avon Community. The city does not want to see people having to move out of Avon to find senior housing opportunities.

Richard Bresnahan questioned how Bonestroo came up with the data that was used to develop the map. The map used by Bonestroo was taken from the city's comprehensive plan vs. the orderly annexation map which is used by the JPB in determining which properties are within the JPB Orderly Annexation Area. Mr. Bresnahan also expressed concern for leapfrog development and the fact that the property being requested for annexation is not directly contiguous to existing city boundaries.

Mr. Rushmeyer reiterated that in the Orderly Annexation Agreement, one of the first statements is that the city and township desire to protect the area from leapfrog development. Mr. Rushmeyer reiterated that this property is not contiguous to the city. Joint Planning Board consensus that it is not contiguous to the city.

John Grutsch asked the JPB if one of the properties in between were annexed and it were to be contiguous to the city and contiguous to the Dean/Zwilling property would that make the Dean/Zwilling property contiguous to the city? Consensus of the JPB was yes.

Mr. Rushmeyer stated that the property does have the option to address the Township Board and City Council with their request.

Ms. Dean raised the question of whether the Dean/Zwilling property would be contiguous to the city if the southerly portion of the City's wastewater treatment plant road/easement area were to be annexed to the city. Mr. Rushmeyer suggested that the Township Attorney would likely be contacted to verify, but his impression would be that it would likely constitute a point of contiguity, with just County Road 155 in between the properties.

Mayor Grutsch suggested that the Dean/Zwillings approach the property owners between the city and their property to inquire as to whether any of them are interested in annexation, which would make the Dean/Zwilling property contiguous to the city, or that the Dean/Zwillings approach the Township and then the City to request a "waiver" from the orderly annexation agreement as is allowed in the agreement.

Lowell Rushmeyer questioned the tax impact. Mr. Marinowski stated that the assisted living units are taxable and would generate over \$400 per unit annually in taxes.

Dennis Marinowski assured the board that the 60-day rule does not apply to annexation requests.

Motion Rick Fishbach to table the annexation request until the Dean/Zwillings request a meeting and can come back with additional information, second Richard Bresnahan carried unanimously.

Hugh Knox requested a follow up meeting for the Healthy Communities Partnership and invited the Township to participate. The JPB agreed that it would be a wonderful opportunity to reconnect and to celebrate our successes. Richard Bresnahan will suggest this to the Township Board.

Lowell Rushmeyer, Chairman, wished to note a thank you to Bob Pogatschnik and to Daryl Rachey for their service on the JPB.

Richard Bresnahan would like to discuss the bike trail that was constructed in Avon Estates across Township property, which is not in the annexation area. The concern is that there is a bike trail, which is part of a city development, that now sits on township property and has become a township liability. Mr. Bresnahan would like to see some process developed for turning the liability back to the city.

Motion to adjourn by Hugh Knox, second Richard Bresnahan.

Meeting adjourned at 5:07 pm.

Respectfully submitted,
Jodi Austing-Traut
City Clerk/Administrator