

City Council
Date: 6/5/07
REGULAR
Item:
Motion

ITEM: Consider interim agreement with Hidden Meadows

SUBMITTED BY: Susan Hoyt, City Administrator

REVIEWED BY: Jerry Filla, City Attorney
Kirby Spike on behalf of Hidden Meadows

SUMMARY AND ACTION REQUESTED: The city council is being asked to consider an interim agreement with Hidden Meadows to provide the city with conservation easements over outlots B, C, E, and F of the Hidden Meadows Development. These outlots are part of the preliminary plat for the residential development that accompanies the Rock Church development that is currently underway in Lot 1, Block 1, and outlots A and B as final platted. The second part of this development, the open space residential development, is scheduled to come before the city council in January, 2008. The interim agreement protects the city's interest in having the conservation easements that are covered in the preliminary plat of the residential development dedicated until the final plat comes before the city council. The Rock Church plans to open in July 10, 2007. The Rock Church agreed to enter into this agreement to assure the city that it is committed to providing the conservation easements and to move forward with the opening of Rock Church without having constructed the portion of the wastewater system that serves the residential development.

ADDITIONAL INFORMATION

Upon review of the Rock Church construction project, it was determined that the conservation easements in outlots B, C, E and F associated with the entire Hidden Meadows development would not be dedicated to the city/Land Trust until the final plat is approved by the city council. This is not expected to occur until January, 2008.

The Rock Church continues to be interested in the residential open space development project. And has continually expressed its interest in maintaining and dedicating the conservation easements as defined in the plans and development agreement.

The agreement is in both the city's and the church's best interest because it allows the church to move ahead with opening and it assures the city that the conservation easements are in place until a final plat is approved, when dedication of the easements to the city/Land Trust will be part of the final plat.

If for some reason the final plat for Hidden Meadows residential development is denied by the city council for some reason, the staff recommends that the city work out a permanent agreement with the city for dedication of the conservation easements over these outlots before taking action on the plat.

RECOMMENDATION

The agreement was initiated by the city to protect the conservation easement areas and is in the city's interest. The church also finds it to be in its interest because it wants to move forward with its opening on July 10, 2007 and because its intent is to develop the residential property as initially planned and dedicate the associated conservation easements.

SUGGESTED MOTION FOR CONSIDERATION:

Move to approve the interim agreement with Hidden Meadows of Lake Elmo.

SUGGESTED ORDER OF BUSINESS:

Introduction	Susan Hoyt, City Administrator
Report	Susan Hoyt, City Administrator Jerry Filla, City Attorney
Questions to staff	Mayor and Council members
Comments from Church representatives (if present)	Kirby Spike, Hidden Meadows Leadership Committee
Questions to Church Representatives, if any	Mayor and Council members
Questions from the public, If any (3 minutes maximum)	Mayor facilitates
Consider motion	Mayor facilitates
Discussion	Mayor and Council members
Action on motion	City Council

ATTACHMENTS:

- 1 Interim Agreement with Hidden Meadows
- 2 Development plans for Hidden Meadows

RECOMMENDATION