

**CITY OF SHOREVIEW  
MINUTES  
REGULAR CITY COUNCIL MEETING  
July 15, 2013**

**CALL TO ORDER**

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on July 15, 2013.

**PLEDGE OF ALLEGIANCE**

The meeting opened with the Pledge of Allegiance.

**ROLL CALL**

The following members were present: Mayor Martin; Councilmembers Johnson, Quigley, Wickstrom and Withhart.

**APPROVAL OF AGENDA**

MOTION: by Councilmember Wickstrom, seconded by Councilmember Johnson to approve the July 15, 2013 agenda as submitted.

VOTE:                   Ayes - 5                   Nays - 0

**PROCLAMATIONS AND RECOGNITIONS**

Mayor Martin read a proclamation designating August 6, 2013, as *Nite to Unite* in Shoreview.

**CITIZEN COMMENTS**

**Ms. Maureen Eiten**, 4815 Kent Drive, asked who is patrolling noxious weeds and unkempt lawns as part of the SHINE program. She specifically asked about Highway 49 and Tanglewood Drive.

Mayor Martin explained that SHINE is a program in which the City selects a neighborhood each spring and fall to survey for any code violations. Residents are given two weeks to come into compliance. Mr. Schwerm added that the SHINE program has been completed for this spring. At other times of the year, the City does not have staff to check every neighborhood. There is a follow-up process based on resident complaints for non-compliance regarding grass and weeds. However, he noted that Highway 49 is a county road and under county jurisdiction.

**COUNCIL COMMENTS**

**Mayor Martin:**

The Farmers' Market is on Tuesdays from 3:00 to 7:00 p.m.

The Concert in the Commons series is Wednesday nights, beginning at 7:00 p.m. at the pavilion.

Ramsey County is collecting hazardous waste during the month of July in Arden Hills at the County Public Works facility on Highway 96. Collection is on Fridays from 9:00 a.m. to 4:00 p.m. and on Saturdays from 10:00 a.m. to 6:00 p.m.

**Councilmember Johnson:**

Residents interested in hosting a Nite to Unite block party must register with the Ramsey County Sheriff by July 19th.

The Annual Slice of Shoreview will be held July 26 through July 28, 2013, at Island Lake Park.

The 13th Annual Tour de Trails will be on Sunday, July 28, 2013, beginning at the Deluxe parking lot at 7:30 and 8:00 a.m.

**Councilmember Wickstrom:**

The Concert in the Commons will feature the Shoreview Northern Lights Variety Band on Wednesday, July 24th.

The maps for the Tour de Trail are on the City website for both the long and short routes.

**Councilmember Withhart:**

There is a theme each week at the Farmers' Market. On Tuesday, July 16th, the theme is *Bee Educated*; on July 23rd, it is pie contest; July 30th is the *Fabulous Fifties*; and on August 6th will be sports day.

The Park and Recreation Department will begin the outdoor Friday night flicks at the Haffeman Pavilion. The first is August 9th, showing Hotel Transylvania; August 23rd will feature *Rise of the Guardian*. All are welcome. Bring lawn chairs and bug spray.

**CONSENT AGENDA**

Councilmember Wickstrom asked if Turtle Lake residents could be notified of the fireworks planned for Friday night, July 26th. Mr. Schwerm stated that the homeowners association will be notified.

MOTION: by Councilmember Quigley, seconded by Councilmember Withhart to approve the Consent Agenda for July 15, 2013, and all relevant resolutions for item Nos. 1 through 10:

1. July 1, 2013 City Council Meeting Minutes
2. Receipt of Committee/Commission Minutes
  - Planning Commission, June 25, 2013
  - Bikeways and Trails Committee, July 2, 2013
3. Monthly Reports:
  - Administration
  - Community Development
  - Finance
  - Public Works
  - Park and Recreation
4. Verified Claims in the Amount of \$655,410.11
5. Purchases
6. Developer Escrow Reduction
7. Approval of Maintenance Agreement with Rice Creek Watershed District for Storm Water Infrastructure - Red Fox Road, CP 12-04
8. Approval of Maintenance Agreement with Rice Creek Watershed District for Storm Water Infrastructure - County Road D, CP 13-01A
9. Approve Purchase of Generator and Authorize Professional Services to Install
10. Approval of Fireworks Display - Northern Lighter Pyrotechnics, with Notification of Residents on Turtle Lake

VOTE:           Ayes - 5                           Nays - 0

## **PUBLIC HEARING**

### **FINAL PLAT/PUD/VACATION (PH) - TARGET CORPORATION, 3800 LEXINGTON AVENUE NORTH**

#### **Presentation by City Planner Kathleen Castle**

The vacation requested is vacation of utility easements that no longer serve a public purpose. The Final Plat divides the property into three parcels with dedication of the necessary easements. Lot 1 is 12.28 acres and includes the SuperTarget store and parking lot. Lot 2 is 1.14 acres for future parking intended with future development. Outlot A is 0.96 acres for a storm water pond drainage, which has been conveyed to the City for drainage for Target and the Red Fox Road project. The Final Planned Unit Development addresses changes associated with the Final Plat and development. Declarations and restrictive covenants have been drafted regarding driveway access, signage and maintenance between Lots 1 and 2.

The Final PUD is consistent with previous approvals. The number of parking stalls will be reduced from 855 to 765, which is less than the required 806. Impervious surface is not changing but is distributed differently. It is greater than the maximum 80% with Lot 1 at 90.77%; Lot 2 at 69.35%; Outlot A is 0%. Target will retain the free-standing sign on Lot 2.

Staff is recommending approval with the revised motion.

City Attorney Kelly stated that proper notice for the public hearing has been given.

Mayor Martin opened the public hearing.

**Mr. John Dietrich**, Senior Development Manager, Target Corporation, stated that the company is in support of the staff recommendations.

There were no further comments or questions.

**MOTION:** by Councilmember Withhart, seconded by Councilmember Wickstrom to close the public hearing at 7:27 p.m.

**VOTE:** Ayes - 5 Nays - 0

Councilmember Withhart expressed concern that the pond is in a prime location, and it is his hope that the new pond will be an attractive improvement.

**MOTION:** by Councilmember Wickstrom, seconded by Councilmember to adopt Resolution #13-64 vacating the existing easements dedicated with the Shoreview Target Addition Plat as shown in the submittals. The submitted plans are consistent with the preliminary approvals; therefore, the Final Plat and Final PUD, including the Development Agreements are approved for Target Corporation, 3800 Lexington Avenue. Said approval is subject to the following:

#### **Final Plat**

1. Prior to the release of the Final Plat for recording, the applicant shall execute the Site Development Agreement.
2. Executed and recorded copies of the required agreements shall be submitted to the City prior to the issuance of a building permit on Lot 2.
3. Outlot A shall be conveyed to the City.
4. A sign easement that encumbers the existing Target Sign on Lot 2 shall be conveyed and benefit Lot 1. This easement shall be submitted to the City Attorney for review and approval prior to the release of the Final Plat for recording.

#### **Final Planned Unit Development**

1. This PUD amendment replaces the previous PUD approvals from 1989, 1990 and 2000.
2. The applicant shall execute an agreement between Lots 1 and 2 addressing the shared driveway, access, signage and maintenance.
3. Development on Lot 2 shall require an amendment to this Planned Unit Development.
4. The existing freestanding sign on Lexington Avenue identifying the SuperTarget store may remain provided a sign easement is conveyed to and benefits Lot 1. It is the City's preference that this sign be shared with the future use of Lot 2.

This approval is based on the following findings of fact:

1. The proposed land use is consistent with the designated commercial land use in the Comprehensive Plan.
2. The proposed subdivision complies with the subdivision standards identified in the City's Development Code.
3. The subdivision of the property benefits the City, as Outlot A will be conveyed to the City for storm water ponding associated with the Red Fox Road construction project.

Councilmember Johnson stated that she would abstain due to her employment with Target.

ROLL CALL:           Ayes: Quigley, Wickstrom, Withhart, Martin  
                           Nays: None  
                           Abstain: Johnson

## **GENERAL BUSINESS**

### **CONCEPT STAGE PUD - UNITED PROPERTIES, 4785 HODGSON ROAD AND 506 TANGLEWOOD DRIVE**

#### **Presentation by City Planner Kathleen Castle**

The proposal received from United Properties is to redevelop the property with an 87-unit senior housing cooperative building. The site on Hodgson Road is the Kozlak's Restaurant location with parking lot. The site on Tanglewood Drive is a single-family home. The total lot area would be 4.11 acres. The proposed plan also includes Hodgson Road right-of-way.

The proposal is for a 3-story senior residence. The design is for a central corridor with 4 building wings. Access is proposed at two points, one off Hodgson Road and one off Tanglewood Drive. The design results in setback encroachment into the Hodgson Road right-of-way. Vacation of Hodgson Road right-of-way is subject to Ramsey County approval. The vacated portion would be conveyed to the City to in turn convey to the property owner. The proposal would comply with code requirements regarding setbacks and building height. Impact to neighboring properties would be mitigated with varying setbacks.

The PUD Concept Stage being considered at this meeting is an opportunity to address general land use compatibility issues. Potential concerns need to be identified for the developer to address should the proposal move forward. A Comprehensive Plan Amendment would be needed regarding land use from Office and Low Density Residential to Senior Housing Residential. Rezoning would be required. This proposal does provide life-cycle housing that is sustainable with a high quality building design. Density up to 45 units per acre is permitted; 21 units per acre is proposed. The parking stalls would be 122, which is less than the 217.5 stalls required. The developer is proposing a ratio of 1.4 stalls per unit.

Immediately to the south of the subject site is Policy Development Area (PDA) No. 9, which provides for a transition from residential to another land use with future development.

The project site is abutted by Low Density Residential to the east, south and west. To the north is a small office park. The proposal could provide a transition from Low Density Residential to the Hodgson Road corridor. Other senior housing developments in the City are located along or near arterial roads and close to single-family residences. The types of redevelopment allowed by Office zoning would be restaurants, office, medical and veterinary clinics and daycare facilities. These types of redevelopment would require only a Site Plan and Review process.

Senior housing facilities generally have a low traffic impact. Estimated trip generations are 48 trips during the morning peak hours and weekends; 25 trips during morning and afternoon peak hours. The average daily trip generation is estimated at 303, which is considered to be negligible.

Property owners within 350 feet were notified of the proposal, and development signs were posted on the property. The notification is in compliance with City requirements. No separate notice was given for this meeting. A number of concerns have been expressed relating to land use compatibility, traffic impact, visual impact and questioning the need for more senior housing in the City. The Lake Johanna Fire Department has expressed some concern about the site design and accessibility for fire equipment. Ramsey County has indicated an openness to vacating right-of-way, but no final decision has been made.

The Planning Commission reviewed the proposal at its June 25th meeting. Concerns were expressed regarding the impact to adjacent single-family residential use, the need for the site design to be sensitive to adjacent uses, and a question as to the need for additional senior housing while recognizing the City's demographic changes that may support it particularly if new senior housing would be a different product type from what is now present in the City. It is staff's recommendation that comments be received from the public and that the application be reviewed with the intent to provide the developer with concerns that must be addressed for the project to move forward.

**Mr. Brian Carey**, United Properties, stated that the company is family owned and develops all property types. He has worked in senior housing for the last 10 years. United is making an effort to respond to the tsunami of people entering their senior years. It is important to know that the company will be around for a long time to take care of its property. He showed a number of sample developments in the Twin Cities by United Properties.

**Mr. Jay Thompson**, Viewpoint Consulting Group, Inc., stated that his company does market feasibility studies for real estate. Demographic trends are creating a demand for senior housing. Projections for the Twin Cities is that the population age of 55 to 79 will grow rapidly. This age group is looking to downsize without outside home maintenance. This age group is the most relevant to cooperative style housing. Projections of growth in the age group of 55 to 79 is expected to peak by 2030 and then stabilize. The cooperative model is ownership investment in the facility as compared with rental or living in a service facility. The need for cooperative housing will be sustained for some time to come. Only two cooperative facilities have been built since 2002, both by United Properties in Roseville and Bloomington. Senior housing can help communities stay younger because an opportunity is provided to move into a maintenance free

unit. Seniors are not as quick to update residences and keep up with maintenance. This allows single family residences to become available to younger families who will reinvest in the housing stock and help support the school system. In Shoreview in 2000, there were approximately 7,300 youth under age 20. By 2010, that number dropped to 5,900. Cooperative housing is a solution for active senior residents who want to stay in the community.

**Mr. Carey** stated that Shoreview residents have moved to other senior housing in Roseville that was built. Those residents have built and have expressed a desire to have cooperative senior housing in Shoreview. The Roseville facility is full. There are also senior Shoreview residents on waiting lists, and there is already a waiting list for this development. It is important for the development to be welcomed. United Properties does not want to develop where it is not wanted. Two informational meetings have been held with residents in the area and changes to the site and building plans were made as a result of those meetings. The plans are subject to municipal approvals, and the information posted on the United Properties website has been clarified on this project.

**Mr. Carey** further stated that the proposed design is intended to minimize the perception of its size. Building height is a concern. The developer's preference is for four stories, but they have backed off that position after hearing from neighboring residents. Neighboring residents have expressed concerns about trees, berms and landscaping to screen the building as well as traffic, access, building height and blockage of sunlight to nearby homes. The southwest corner has been revised to create screening that amounts to the size of a single-family lot. A significant number of trees will be saved. The greatest concern about exterior lighting is on the western border, and the developer is committed to unobtrusive lighting that does not shine into the properties of neighbors, especially on the west border. Projections were done sunlight and shadows on the days of both the winter solstice and summer solstice. The shadow study showed that by 10:00 a.m. on the summer solstice, there were no shadows extending to the neighbors' yards. At 2:00 p.m., there is only a sliver of a shadow that extends to neighbors' yards. Since the building is on the north side of adjacent neighbors, no shadow is being cast to the south. The majority of the building is away from western residents. There is no straight wall of any size adjacent to residents' homes. The shadow study also demonstrates that a steeper pitch roof would be more elegant, but that would mean a higher height than the 35 feet allowed. The minimum setback from the closest homes would be 35 feet. Much of the building would be set back significantly further. A traffic study and other studies will be needed before there is a final plan. Unless the City is supportive, United Properties would not want to move forward with those studies.

Planning Commission Chair Steve Solomonson stated that the Commission focused on appropriateness for the site. The biggest concerns are height, density and setbacks. There was a suggestion that the height drop from three stories to two stories on the side adjacent to residents. One question was why Shoreview has so many senior housing units in such close proximity, and the developer has shown studies that indicate a need.

**Ms. Marbeth Austin**, 525 Chandler Court, stated that she wanted to affirm the petition submitted at the Planning Commission. She submitted more signatures at this time. The petition is to impress on the Planning Commission and Council that it is not just the homeowners who

about the property who are against the development but 200 residents beyond on Tanglewood who do not want this massive development. Petitioners want to see more berms, more landscaping and a downsize of the building.

**Mr. Bob Weyandt**, 701 Brigadoon, stated that he has never been associated with United Properties. He strongly favors the project. The cooperative option is attractive because it is simpler than a townhome purchase. Several neighbors and friends have also expressed support for this type of development. Shoreview is almost fully developed. Hodgson will increase significantly in traffic in the next few years. He would expect retail and commercial business to increase along Hodgson. Kozlak's has been popular for years, but supper clubs are disappearing. Fewer cars are in the Kozlak parking lot. A bar/restaurant would be noisier and busier with more traffic impact, later hours and cooking smells. The configuration of the proposed building will be a sound barrier for adjacent homes. A senior coop will be more attractive than a bar/restaurant.

Reducing the number of units proposed would increase the price and reduce the number of amenities that can be offered. He urged approval with few modifications. Change is not easy to accept, but he urged caution in what is chosen and asked to please be allowed to be their neighbor.

**Mr. Bill Sazinsky**, 525 Chandler Court, stated that what is hoped is not to abandon the project but to achieve a building that is less intrusive. It is still three stories tall. He appreciates the suggestion of two stories to the south and southwest. He hopes the Council would put themselves in residents' position. It is becoming a Vikings Stadium in his back yard.

**Ms. Anna Marie Saarinen**, 4855 Meadow Lane, stated that this is about a neighborhood v. neighbors. The number of senior housing complexes within walking distance from her house gives a certain feel in the neighborhood that is not about younger families. With brochures and reservations already, it seems a done deal. It is her hope that the residents can weigh in. One big concern is property values. United has beautiful properties, but it does affect neighborhoods. She congratulated the City on its GreenStep City designation from the League of Minnesota Cities.

**Mr. Jason Louis**, 4760 Chandler Road, stated that there may be a need, but the question is whether there is a want for this type of development. He is concerned to have this built in his back yard. He is looking for vibrancy in the community. This massive project will deter young families. Young families do not want this type of development in the neighborhood. He attended all the meetings. He would prefer an office building to keep spending in Shoreview and something that would attract younger families. At the second neighborhood meeting everyone agreed that they would like to see the project downsized. It is too massive and large. The proposed property will have balconies. No trees will screen them to give them privacy. The neighboring houses are less than the 35-foot height allowed, and a 3-story building is too massive.

**Ms. Maureen Eiten**, 4815 Kent Drive, stated that she lives outside the notification zone of 350 feet. The concerns of neighbors are valid. The new building on Highway 49 is independent

living as is Scandia Shores on Highway 96 and SummerHouse across from the library on Victoria. A fourth independent living choice is not needed. There is no mass transit in Shoreview and she is not sure she can stay in Shoreview or would want to. The office development north of this site is appreciated and quiet. She would like to know how many parking spaces will be outside and where overflow parking will go. She suggested the commons areas be on the second and third floors and look to the west, rather than having residents on that side.

**Mr. James Erdman**, 4735 Cumberland Street, stated that his house abuts the existing senior housing on Hodgson. He questions the concentration of senior housing in this location. He asked what is being done to find a location for Kozlak's in Shoreview.

Mayor Martin stated that the proposal started at four stories and has been reduced to three stories. She asked about privacy issues from balconies. **Mr. Carey** stated that balconies will be on every home. He has offered to bring in a landscape consultant to meet with neighbors individually. He is willing to put appropriately sized trees to provide screening. No trees from adjacent yards would be taken down. What is proposed is to work with the neighborhood for a privacy fence.

Mayor Martin asked how it is known that there is a market available for this project. What is taken into consideration to determine a viable market? **Mr. Carey** stated that a self-imposed standard of pre-sales is set. Until 60% is sold, United Properties will not break ground. That formula has worked on every project. The grade shows there is a 3-foot difference between the yards of the homes on the west and the trees. It is not possible to drop the grade of the site without taking out many of the oaks trees. There is concern about the discrepancy in height, and he offered to meet with Jason on-site. It is not a big hill.

Mayor Martin asked how many parking spaces are being platted outside. **Mr. Carey** answered that there are 110 garage stalls and 35 outside surface stalls. The ratio works out to 1.67, which exceeds other similar developments. United has experienced no problems with visitor parking, but consideration is being given to adding more parking.

Councilmember Quigley stated that it is difficult to measure any amount of property value decrease. **Mr. Carey** stated that there has not been a study that shows how senior housing impacts property values. There have been studies on how affordable housing impacts single-family homes that show no measurable effect. It is not a great leap to say that the same applies with this type of development. The cooperative senior units will be priced higher than existing property values in the neighborhood and so will not bring prices down. High home values are a result of the strength of the Mounds View School District. Filling the proposed units will free single-family homes for families with children.

Councilmember Withhart stated that when a notification sign is posted on a property for development, it is done as soon as an application is made to the City. There is no delay. He asked for further clarification on the difference between a cooperative and a rental. **Mr. Carey** responded that each homeowner in a cooperative has part ownership and is invested in the facility. There are grounds committees and building committees to protect and manage the asset.

A group of renters has no say on how a building is run. Most condos are not age restricted. Seniors who live in a senior cooperative desire to live in an age-restricted community. Everyone shares one large mortgage. A resident must notify the Board if selling their unit. The Board has the first right to acquire that unit at a pre-determined price based on a formula of an annual 2% increase. All the cooperatives have waiting lists. The Board will discuss the home sale with those on the wait list or hire a real estate agent to sell the home.

Councilmember Withhart asked the average price for a home in this building. **Mr. Carey** answered \$300,000. The average downpayment would be a choice of 15%, 35%, 65% or 95%. Their monthly costs reflect the cost to operate the building and their share of the mortgage. The average downpayment is usually 60%. There is a budgeted utility amount in the monthly payment. Gas for heat is covered but not electricity. The monthly fee includes taxes and a reserve for maintenance.

Councilmember Johnson asked for further clarification about how a cooperative provides services. **Mr. Carey** stated that from 2002 to 2004 1700 cooperative housing units were built; under 1500 adult rentals and 2300 assisted living units. From 2011 to 2013 the demand for assisted living spiked and 3700 units were built. People aged 55 to 79 growth between 2010 and 2030 is 296,000 people, almost three times the number of seniors interested in assisted living.

Councilmember Wickstrom asked if Southview, the senior housing facility on the east side of Hodgson, is full. She questioned whether this would be the time to consider re-striping Hodgson to accommodate the increased traffic. Mr. Maloney stated that he does not believe this development would trigger re-striping, which would have to be discussed with County staff. **Mr. Carey** stated that he believes the independent living units are very full, but there are vacancies in assisted living and memory care.

Councilmember Wickstrom stated that she will particularly be looking for adequate screening and drainage since the property sits on a higher grade than adjacent homes. She asked what type of office might be developed. **Mr. Carey** responded that the population shows a surge of working-age people that grew by 700,000 from 1980 to 2010. From 2010 to 2030, the projected growth is 30,000. This means there is limited demographic data to support office development.

Mayor Martin asked the status of the Kozlak's Restaurant. Mr. Schwerm stated that the restaurant wants to relocate and prefers to stay in the Shoreview area.

Mayor Martin asked if the common areas are part of the lobby area. **Mr. Carey** stated that the common areas are attached to the lobby area and are for the purpose of bringing people together. A library is not going to be isolated on the third floor.

Councilmember Wickstrom stated that the Applewood developments shown earlier are beautiful buildings. She personally knows people who have moved into them. Also, people have expressed a need for options for parents to move into senior housing that is near their homes.

Councilmember Withhart stated that he believes this development would be a good neighbor. He requested information on impact to property values to be presented at a future meeting. His

concern is that parts of the building loom over neighbors' backyards and would like to see some consideration given to alleviating this issue. He appreciates the underground parking being provided, which adds to the aesthetic appeal of the site. Also, he would support whatever can be done to save the large oak trees.

Mayor Martin stated that she does not see a problem with three senior living facilities in close proximity, when there is a concentration of seniors in the City and the units are popular and sell easily. She does agree that transportation is a huge issue. The Council is trying to influence the legislature on transit issues. If there is a concentration of seniors in one area, there may be a way to provide better transportation locally. She would like to see the developer address the height of the building in the areas that most directly impact neighbors on the southwest and northwest.

Councilmember Johnson stated that solutions are needed to support seniors. She is pleased that two neighborhood meetings have been held resulting in changes to accommodate concerns. She would not want children living in a bar/restaurant environment. Thought needs to be given to what other potential development could be on this site. The developer is working closely with the neighborhood and City. She is optimistic that this proposal is headed in the right direction.

Councilmember Wickstrom stated that one of the issues regarding transit is because there is not a lot of density in the City which generally results in higher transit demands. Whatever can be done to build density in a corridor will help bring transit. There are a number of services seniors would be able to walk to from this location, such as a bank, Walgreen's, and Rainbow Foods. This is a good location for a senior building. The reality is there will be a large building on the site whether senior living or an office development is put in. She believes as Hodgson becomes busier, neighbors will appreciate a senior living building as a buffer from the road. She would also like to see the trees saved and adjustment to the height nearest adjacent homes. She is generally supportive but would like to see changes that would make it less obtrusive.

Mayor Martin explained that although many have talked about what other type of development could be on this site, the City can only respond to what is proposed. It is not possible to consider what might go on this site because the market might not support it. This is what the land owner believes is in the best interest. She appreciates the fact that changes have been made already to address concerns of the neighborhood. Two access points with one off Tanglewood and one on Hodgson rather than two on Hodgson is a good accommodation. The setbacks have been increased substantially, and she is pleased to see reduced lighting. She commended the developer for their willingness to compromise and work on neighborhood issues.

**Mr. Carey** stated that it is their goal to provide this housing as reasonable as possible. He asked if the southwest and northwest corners could be relieved further from impact to neighbors by having a portion of the building be four stories along Hodgson.

Councilmember Quigley stated that he sees no problem. As he looks at the Applewood sites, it works well with the scope of the building. It is a lifestyle. If this is carved down too small, it will be a different commodity.

City Planner Castle stated that there would have to be a deviation from the 35-foot height restriction. Increasing height would mean increasing setbacks, which also may need some deviation.

Councilmember Wickstrom stated that she would be willing to consider more height on Hodgson in order to keep the impact to neighbors at a minimum.

Councilmember Withhart added that in order to keep the price reasonable, he would also be willing to consider this idea. He would like to see some concept drawings.

**Mr. Carey** thanked the Council for the serious time and attention that has been given to their proposal and will return shortly with something further to consider. He further stated that the next step will be to communicate to the neighborhood further changes.

### **WEED ABATEMENTS - 286 DAWN AVENUE**

#### **Presentation by City Planner Kathleen Castle**

The reason to request a weed abatement hearing is due to the tall grasses, weeds and vegetative growth on the property at 286 Dawn Avenue. A notice was sent to the property owner on July 8, 2013, requesting compliance by July 12th with a public hearing at this meeting, if there is no compliance. Today the lawn was cut, but because of the number of complaints received on this property and the fact that it is a rental property, staff would like to proceed with the abatement hearing that would authorize staff to monitor and proceed with future abatement if needed for 2013 and 2014. City abatement is at the cost of the property owner. If costs are not paid, they are certified to property taxes.

Mayor Martin opened the public hearing. There were no comments or questions.

**MOTION:** by Councilmember Withhart, seconded by Councilmember Wickstrom to adopt Resolution No. 13-65, pursuant to Section 210.020(A), approving the abatement of vegetative growth for the property located at 286 Dawn Avenue, and to charge the property owner for the cost of the abatement, including administrative costs. The City Manager is authorized to monitor the property throughout 2013 and 2014 growing seasons and to abate any vegetative growth on the property that does not comply with City regulations.

Councilmember Quigley stated that because of the visibility of this property and its location, he is pleased to have a long-term monitoring effort and abatement if needed.

Councilmember Withhart noted that it would be wise for the property owner to hire his own lawn service, as the City is not an economical way to have this work done.

**ROLL CALL:** Ayes: Quigley, Wickstrom, Withhart, Johnson, Martin  
Nays: None

**ADJOURNMENT**

MOTION: by Councilmember Quigley, seconded by Councilmember Johnson to adjourn the meeting at 10:00 p.m.

VOTE: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 5<sup>th</sup> DAY OF AUGUST 2013.

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Terry Schwerm  
City Manager