

Community Development Committee

Meeting date: November 16, 2015

For the Metropolitan Council meeting of December 9, 2015

<p>Subject: Land Exchange and Boundary Amendment for Spring Lake Park Reserve, Dakota County</p> <p>District(s), Member(s): District 15, Steven Chavez and District 16, Wendy Wulff</p> <p>Policy/Legal Reference: System Protection Strategy 2, 2040 Regional Parks Policy Plan</p> <p>Staff Prepared/Presented: Jan Youngquist, AICP, Planning Analyst (651-602-1029)</p> <p>Division/Department: Community Development, Regional Parks and Natural Resources</p>
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Proposed Action

That the Metropolitan Council:

1. Approve a land exchange at Spring Lake Park Reserve that exchanges 16.06 acres of regional parkland that is used for agricultural purposes for 8.26 acres of wooded bluff land along Spring Lake within the Mississippi River, as depicted in Attachment A.
2. Approve a master plan boundary amendment to Spring Lake Park Reserve that removes a total of 31.78 acres from the park reserve boundary, including 16.06 acres of existing regional parkland and an adjacent 15.72 acre parcel that is a privately owned inholding, as depicted in Attachment B.

Background

Spring Lake Park Reserve is located along the Mississippi River in Rosemount and Nininger Township. The park reserve is owned and operated by Dakota County. Dakota County has requested a land exchange to remove 16.06 acres of existing regional parkland that is used for agricultural purposes on the east portion of the park reserve in exchange for a nearby 8.26 acre inholding parcel that includes forested upland, bluffs, and 345 feet of shoreline along Spring Lake on the Mississippi River. Attachment A shows the 16.06 acre conversion property in pink and the 8.26 acre replacement property in yellow. The County is also requesting to remove a 15.72 acre privately-owned inholding parcel from the planned boundary of the park reserve, which is shown in Attachment B. The land exchange and boundary amendment will help facilitate acquisition of the key 8.26-acre inholding property.

The property owner will gain a 16.06 acre property from the land exchange, which is adjacent to the 15.72 acre inholding property that they also own. Dakota County is requesting to remove the inholding property from the planned park reserve boundary, resulting in the property owner having 31.78 acres of contiguous upland agricultural property, as shown in Attachment B. The location of the proposed amendment to the planned boundary of the park reserve is shown in Attachment E.

In 2009, the County Board authorized acquisition of land necessary to construct 3.4 miles of the Mississippi River Regional Trail within Spring Lake Park Reserve. The County negotiated with the owner of the previously mentioned 8.26 acre parcel to acquire a 345 foot long trail easement and a temporary construction easement on the property. However, the County and property owner could not agree on a purchase price for the easements. Although a willing seller approach to land

acquisition is preferred, the County acquired the easement in 2010 through a “quick-take” condemnation. This allowed the County to move forward with development of the regional trail, which was constructed in 2011. Final settlement to determine the costs associated with the easement acquisition was delayed.

As Dakota County explored land protection options for the eastern portion of the park reserve, a more comprehensive acquisition and settlement approach was developed. During the course of settlement discussions, the County and the property owner agreed that the County would convey a 16.06 acre parcel that is within the park reserve, but used for agricultural purposes (shown in Attachment C) in exchange for the property owner conveying an 8.26 acre parcel of wooded bluff land along the Mississippi River to the County (shown in Attachment D). This approach provides the following benefits to Dakota County and Spring Lake Park Reserve:

- Adds wooded bluff land to the park reserve, in accordance with the public purpose of preserving natural resources along the Mississippi River and providing natural resource based recreation opportunities;
- Reduces the cost to the County of acquiring a key inholding parcel for Spring Lake Park Reserve; and
- Protects the experience of Mississippi River Regional Trail users by putting the adjacent land into public ownership, which prevents the property from being developed for non-park purposes in the future

Rationale

The land exchange is subject to review based on System Protection Strategy 2 of the *2040 Regional Parks Policy Plan*. Details regarding this review are outlined in the “Analysis” section at the end of this staff report. The land exchange and minor boundary amendment are consistent with the *2040 Regional Parks Policy Plan*.

Funding

No regional parks system funding is involved in this request.

Known Support / Opposition

The Metropolitan Parks and Open Space Commission recommended approval of the proposed action at its meeting on November 10, 2015. The Dakota County Board of Commissioners conducted a public hearing on the proposed land exchange on June 3, 2014. No public comments were received. The County Board authorized the land exchange at its meeting on April 21, 2015. There is no known opposition to the land exchange or boundary amendment.

Metropolitan Parks and Open Space Commission

Meeting date: November 10, 2015

For the Community Development Committee meeting of November 16, 2015

For the Metropolitan Council meeting of December 9, 2015

Subject: Land Exchange and Boundary Amendment for Spring Lake Park Reserve, Dakota County

District(s), Member(s): MPOSC District H, Todd Kemery

Policy/Legal Reference: System Protection Strategy 2, 2040 Regional Parks Policy Plan

Staff Prepared/Presented: Jan Youngquist, AICP, Planning Analyst (651-602-1029)

Division/Department: Community Development, Regional Parks and Natural Resources

Proposed Action

That the Metropolitan Council:

1. Approve a land exchange at Spring Lake Park Reserve that exchanges 16.06 acres of regional parkland that is used for agricultural purposes for 8.26 acres of wooded bluff land along Spring Lake within the Mississippi River, as depicted in Attachment 1.
2. Approve a master plan boundary amendment to Spring Lake Park Reserve that removes a total of 31.78 acres from the park reserve boundary, including 16.06 acres of existing regional parkland and an adjacent 15.72 acre parcel that is a privately owned inholding, as depicted in Attachment 2.

Background

Spring Lake Park Reserve is located along the Mississippi River in Rosemount and Nininger Township. The park reserve is owned and operated by Dakota County. The park reserve includes Schaar’s Bluff Gathering Center and Camp Spring Lake Retreat Center and also offers picnicking, archery, and hiking. A portion of the Mississippi River Regional Trail is also located within Spring Lake Park Reserve. The regional trail, once complete, will travel 27 miles from South St. Paul to Hastings.

Dakota County has requested a land exchange to remove 16.06 acres of existing regional parkland that is used for agricultural purposes on the east portion of the park reserve in exchange for a nearby 8.26 acre inholding parcel that includes forested upland, bluffs, and 345 feet of shoreline along Spring Lake on the Mississippi River. Attachment 1 shows the 16.06 acre conversion property in pink and the 8.26 acre replacement property in yellow. The County is also requesting to remove a 15.72 acre privately-owned inholding parcel from the planned boundary of the park reserve, which is shown in Attachment 2. The land exchange and boundary amendment will help facilitate acquisition of the key 8.26-acre inholding property.

The property owner will gain a 16.06 acre property from the land exchange, which is adjacent to the 15.72 acre inholding property that they also own. Dakota County is requesting to remove the inholding property from the planned park reserve boundary, resulting in the property owner having 31.78 acres of contiguous upland agricultural property, as shown in Attachment 2. The location of the proposed amendment to the planned boundary of the park reserve is shown in Attachment 5.

In 2009, the County Board authorized acquisition of land necessary to construct 3.4 miles of the Mississippi River Regional Trail within Spring Lake Park Reserve. The County negotiated with the owner of the previously mentioned 8.26 acre parcel to acquire a 345 foot long trail easement and a temporary construction easement on the property. However, the County and property owner could not agree on a purchase price for the easements. Although a willing seller approach to land acquisition is preferred, the County acquired the easement in 2010 through a “quick-take” condemnation. This allowed the County to move forward with development of the regional trail, which was constructed in 2011. Final settlement to determine the costs associated with the easement acquisition was delayed.

As Dakota County explored land protection options for the eastern portion of the park reserve, a more comprehensive acquisition and settlement approach was developed. During the course of settlement discussions, the County and the property owner agreed that the County would convey a 16.06 acre parcel that is within the park reserve, but used for agricultural purposes (shown in Attachment 3) in exchange for the property owner conveying an 8.26 acre parcel of wooded bluff land along the Mississippi River to the County (shown in Attachment 4).. This approach provides the following benefits to Dakota County and Spring Lake Park Reserve:

- Adds wooded bluff land to the park reserve, in accordance with the public purpose of preserving natural resources along the Mississippi River and providing natural resource based recreation opportunities;
- Reduces the cost to the County of acquiring a key inholding parcel for Spring Lake Park Reserve; and
- Protects the experience of Mississippi River Regional Trail users by putting the adjacent land into public ownership, which prevents the property from being developed for non-park purposes in the future

Rationale

The land exchange is subject to review based on System Protection Strategy 2 of the *2040 Regional Parks Policy Plan*. Details regarding this review are outlined in the “Analysis” section at the end of this staff report. The land exchange and minor boundary amendment are consistent with the *2040 Regional Parks Policy Plan*.

Funding

No regional parks system funding is involved in this request.

Known Support / Opposition

The Dakota County Board of Commissioners conducted a public hearing on the proposed land exchange on June 3, 2014. No public comments were received. The County Board authorized the land exchange at its meeting on April 21, 2015. There is no known opposition to the land exchange or boundary amendment.

Analysis

System Protection Strategy 2 of the *2040 Regional Parks Policy Plan* relates to the conversion of Regional Parks System lands to other uses and states:

Lands in the Regional Parks System will only be converted to other uses if approved by the Metropolitan Council through an equally valuable land or facility exchange as defined below:

“Equally valuable land” is defined as land that:

- is contiguous to the Regional Parks System unit containing the land proposed to be exchanged (within the same park/trail unit)
- has comparable or better natural resource characteristics, and
- could provide comparable or better recreation opportunities than the land being released

“Equally valuable facility” is defined as an exchange of land for facilities when recreational benefits and/or natural resource benefits are increased as a result of the exchange. For example, some land within a regional trail corridor may be exchanged to widen a highway if a highway department constructs a trail overpass or underpass of the widened road at no cost to the regional park implementing agency.

In this case, an equally valuable land exchange has been proposed, with 16.06 acres of regional parkland that has been in agricultural use being exchanged for 8.26 acre of high quality wooded bluff land along the Mississippi River, as shown in Attachment 1. The 8.26 acre property meets the criteria for “equally valuable land” described above because it:

- is within the same park unit (Spring Lake Park Reserve);
- has better natural resource characteristics since it includes forested upland, 90-foot high limestone bluffs, and 345 feet of shoreline along Spring Lake in the Mississippi River; and
- will facilitate the development of a soft-surface recreational trail that will connect two previously non-contiguous portions of the park reserve, as identified in the master plan for the park reserve.

System Protection Strategy 2 also requires that the following criteria be evaluated to determine whether Regional Parks System lands may be exchanged for other lands or a facility. Staff evaluation is shown in italic font.

Issues with respect to the existing park system unit:

- 1. Whether Spring Lake Park Reserve can continue to meet Council site and site attribute standards established for the particular type of park system unit (regional park, park reserve, trail greenway or special recreation feature).** *The 2040 Regional Parks Policy Plan requires park reserves to be a minimum of 1,000 acres and contain a diversity of unique resources, such as topography, lakes, streams, marshes, flora and fauna. The 16.06 acres being removed from the park boundary is agricultural land, which is being exchanged for a 8.26 acre inholding parcel that consists of wooded bluff land along the Mississippi River.*

This request also includes removing a 15.72 acre privately owned inholding from the park reserve. This property is not subject to the land exchange requirement since it is not currently regional parkland, but it does affect the size of the planned boundary of the park reserve. The

removal of 16.06 acres of existing regional parkland and the 15.72-acre inholding parcel results in a total of 1,128 acres within the planned boundary of the park reserve. Therefore, Spring Lake Park Reserve will still meet site size and attribute standards.

2. **Whether Spring Lake Park Reserve will continue to function as originally planned.** *The master plan for Spring Lake Park Reserve identifies two options for a maintenance facility in the park reserve. One option is on a small portion of the land being removed from the park reserve and the other is on the west side of the park. The master plan also calls for a community garden and small portion of a hiking trail on the land being removed from the park reserve. Community gardens already exist in another location within the park, which could be expanded if necessary. The proposed hiking trail can be designed on existing park property. Therefore, the land exchange does not hinder the functionality of the park reserve.*
3. **Whether environmental features (wildlife habitat, water quality) of Spring Lake Park Reserve will be adversely affected.** *The 16.06 acres being removed from the park reserve as part of the land exchange is agricultural land, which is being replaced with land that has more significant ecological diversity and habitat value. Water quality will be enhanced by this land exchange because there will be an adequate vegetative buffer to the head of an old ravine and bluff. It will be more feasible for the County to complete natural resources management and shoreline enhancement with the acquisition of the key 8.26 acre inholding property.*
4. **Whether the loss of site or function will be made up through acquisition of a site with comparable characteristics adjacent to or in the immediate area of the current location.** *The replacement land is in the immediate area of the land being removed from the park reserve and has higher quality natural resource characteristics.*
5. **Whether the need for the conversion, as in the instance of transportation improvements, is generated by Spring Lake Park Reserve.** *Spring Lake Park Reserve is not generating a need for the land conversion, but benefits from it by exchanging existing regional parkland that is agricultural with a key inholding property that provides shoreline, bluff, woodlands, and a ravine.*

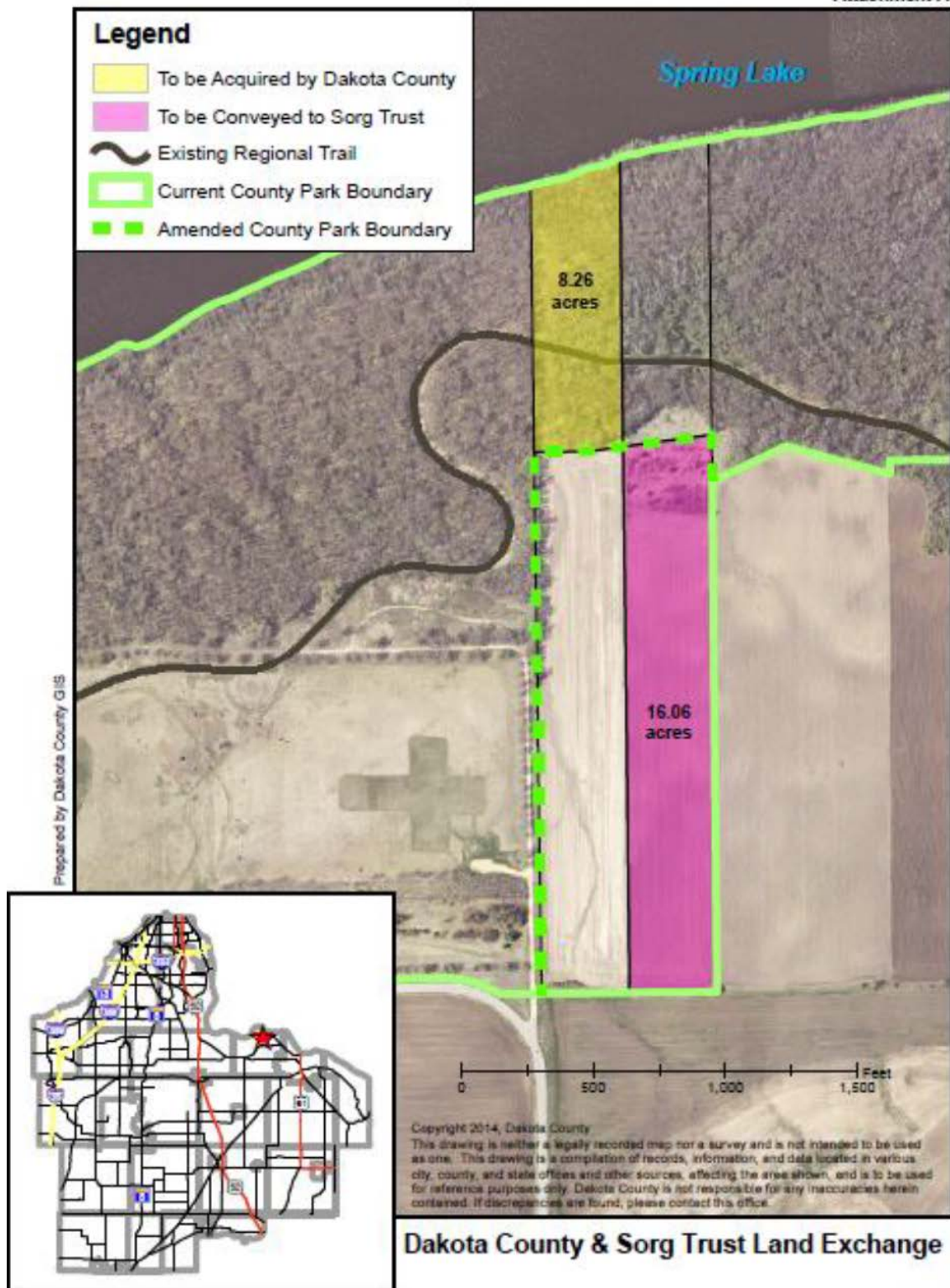
Issues with respect to the alternate use:

1. **The land area needs of the proposed project.**
There is not a specific proposed project associated with the land to be removed from the park reserve. The land will be used for agriculture, similar to its current use.
2. **Whether the specific site requirements for the proposed project are unique to the area proposed for conversion.**
There is not a specific proposed project with the land to be removed from the park reserve. The area proposed for conversion had historically been used as farmland, which will continue after the conversion.
3. **Whether the proposed project is consistent with Council policies.**
The proposed use of the property for agriculture does not conflict with Council policies.

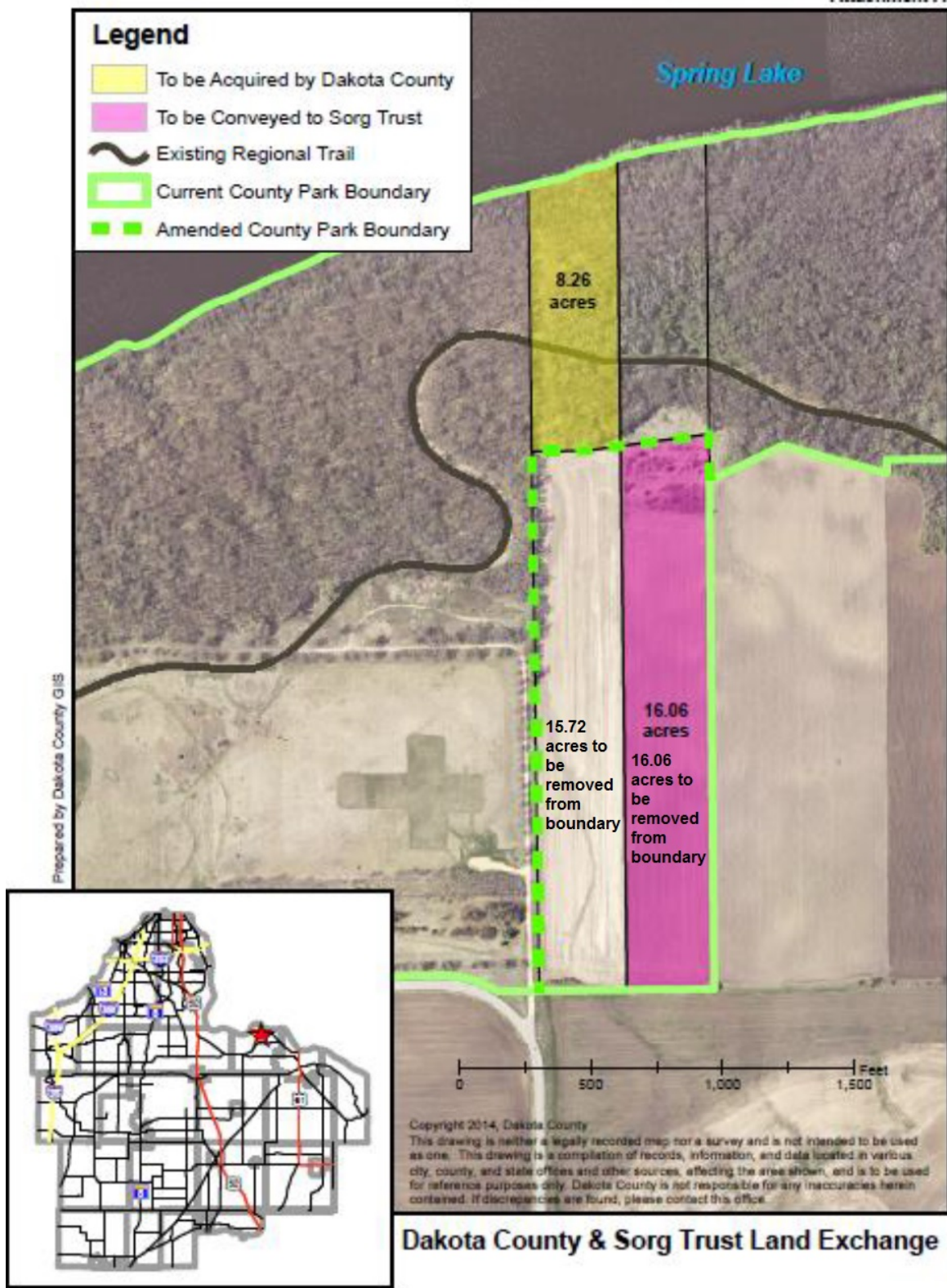
4. Whether the proposed project is of greater benefit to the region than having the Regional Parks System unit remain in place.

The proposed land exchange allows Spring Lake Park Reserve to remain in place and benefits the park reserve and region by facilitating the acquisition of a key inholding parcel with high quality natural resource lands and 345 feet of shoreline along the Mississippi River in exchange for agricultural land on the periphery of the park reserve.

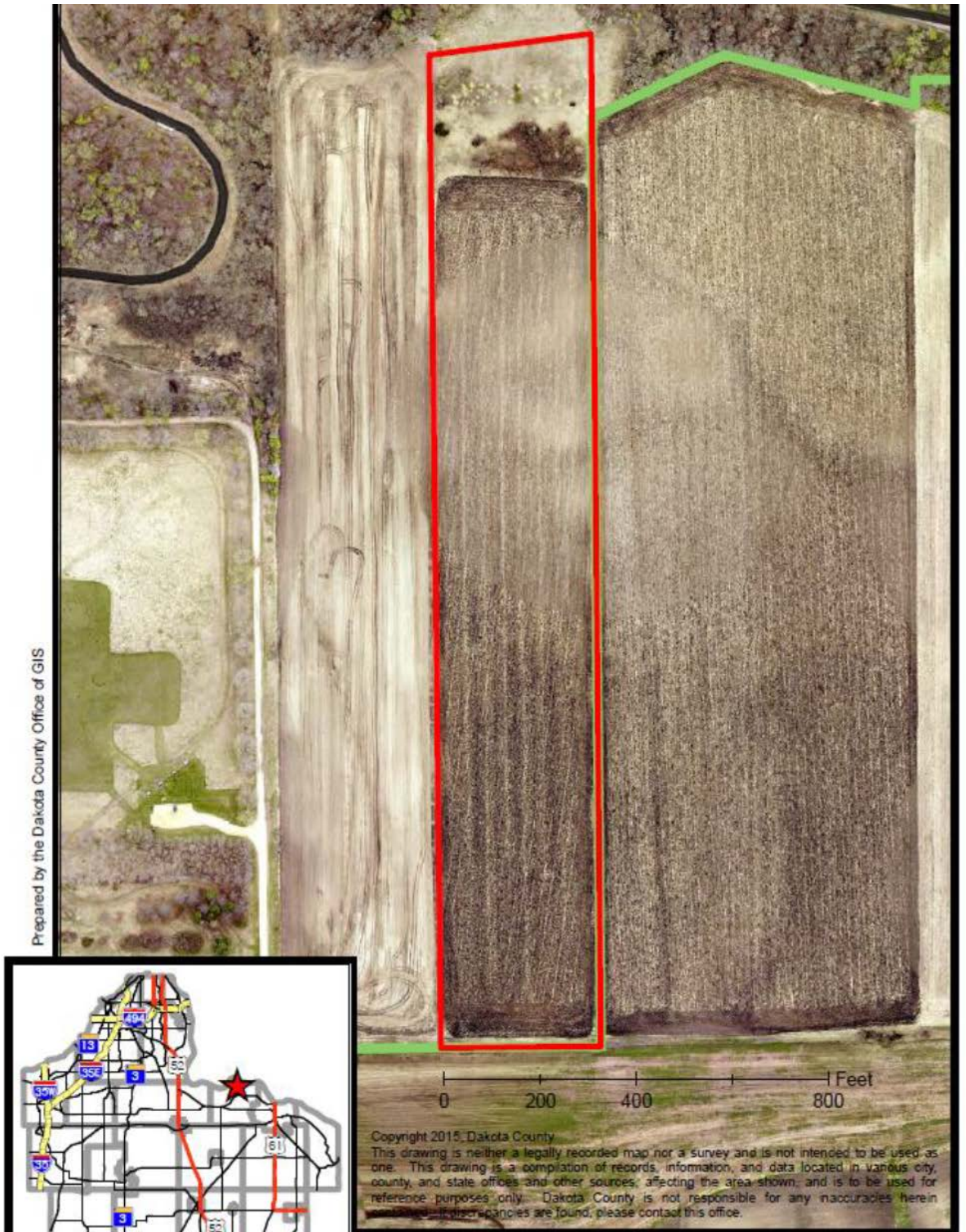
Attachment 1: Proposed Land Exchange—Land to be removed shown in pink, land to be replaced shown in yellow



Attachment 2: Proposed Boundary Amendment—31.78 acres removed from park reserve boundary, including 16.06 acres of regional parkland and 15.72 acres of privately owned property

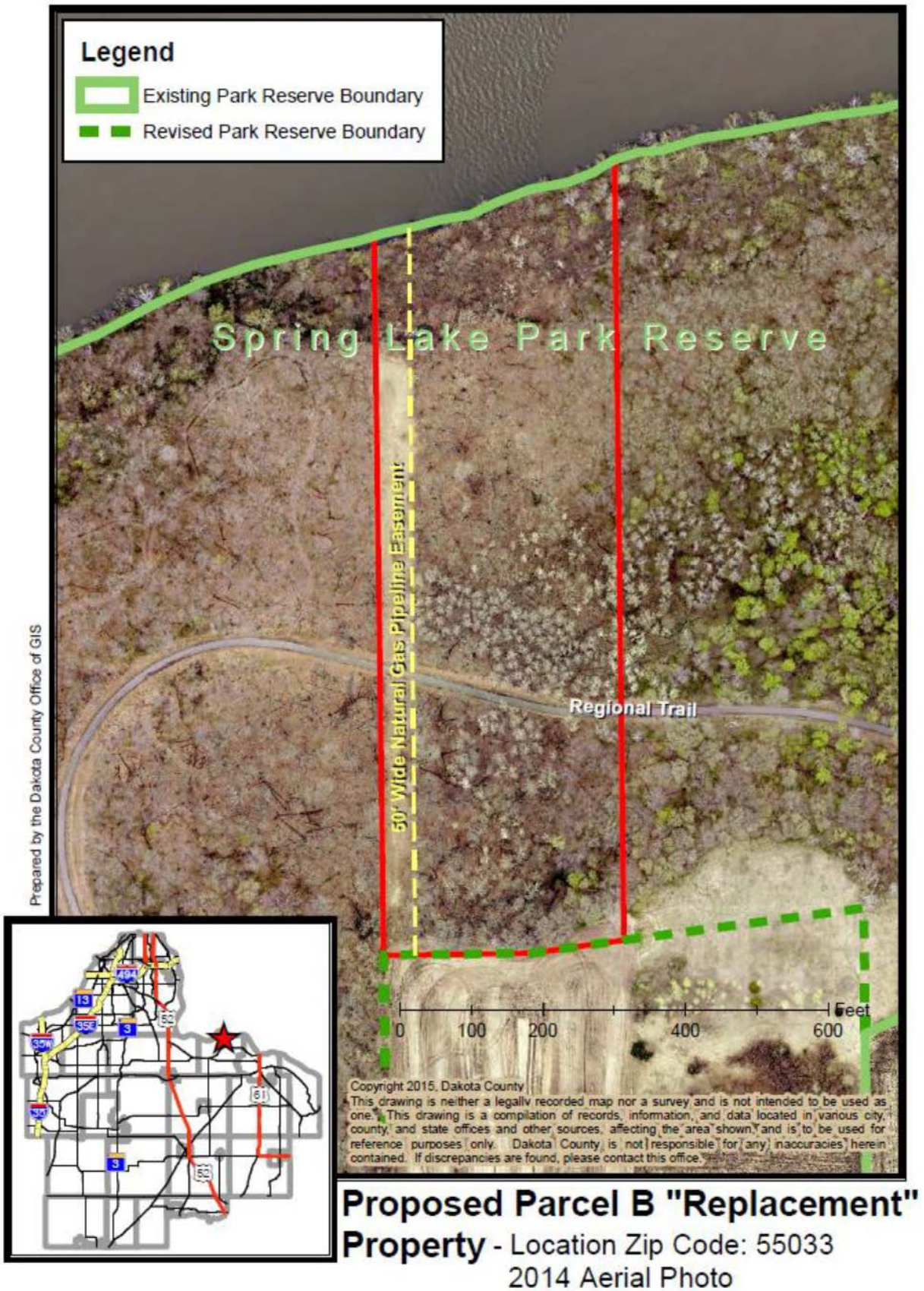


Attachment 3: Conversion Property—16.26 acres to be removed from the park reserve



Requested Parcel A "Conversion" Property - Location Zip Code: 55033
2014 Aerial Photo

Attachment 4: Replacement Property—8.06 acres to be added to the park reserve



Attachment 5: Park Reserve Boundary Amendment—31.78 acres to be removed highlighted in yellow

