

Community Development Committee Report

For the Metropolitan Council meeting of September 22, 2021

Subject: Big Marine Park Reserve Master Plan Amendment and Land Conversion, Washington County, Review File No. 50003-2

Proposed Action

That the Metropolitan Council:

1. Approve the Big Marine Park Reserve Master Plan Amendment.
2. Approve the release of the restrictive covenant on 2.42-acres of land within the Big Marine Park Reserve in exchange for adding a restrictive covenant on 2.42-acres of land within the boundary of Big Marine Park Reserve.

Summary of Committee Discussion/Questions

This business Item was passed as part of the Community Development Committee's consent agenda on September 7, 2021.

Metropolitan Parks and Open Space Commission Report

For the Community Development Committee meeting of September 7, 2021

For the Metropolitan Council meeting of September 22, 2021

Subject: Big Marine Park Reserve Master Plan Amendment and Land Conversion, Washington County, Review File No. 50003-2

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Summary of Committee Discussion/Questions

Tracey Kinney, Senior Planner, presented the staff report to the Metropolitan Parks and Open Space Commission at its meeting on September 2, 2021. Sandy Breuer, Parks Director and Sharon Price, Property Acquisition Manager for Washington County Public Works were in attendance and responded to questions.

Chair Tony Yarusso asked about the conveyance of the replacement parcel from the City of Scandia. Kinney responded that when the American Veterans Rest Camp Association first approached Washington County with the interest of expanding, Washington County then approached the City of Scandia to explore possible replacement property. After the City of Scandia agreed to the conveyance of the replacement property, it was earmarked for the land conversion. Price added that the City of Scandia supports the mission and efforts of the American Veterans Rest Camp Association and the expansion project. This support aided the effort to secure the replacement land.

Commissioner Harris asked whether an environmental restriction will be placed on the removal land. Kinney responded that with approval of this item, the Metropolitan Council's restriction will be lifted from the removal property. No additional environmental restriction will be placed on the removal property.

Chair Yarusso clarified that the removal property will remain within the park reserve boundary as an inholding, compared to the rest of the Veterans Rest Camp that resides outside of the boundary. Kinney confirmed this information.

The Metropolitan Parks and Open Space Commission voted unanimously to approve the proposed actions.

Metropolitan Parks and Open Space Committee

Meeting date: September 2, 2021

For the Community Development Committee meeting of September 7, 2021

For the Metropolitan Council meeting of September 22, 2021

Subject: Big Marine Park Reserve Master Plan Amendment and Land Conversion, Washington County, Review File No. 50003-2

MPOSC District, Member: District F, Cecily Harris

Council District, Member: District 12, Francisco J. Gonzalez

Policy/Legal Reference: Minn. Stat. § 473.313; *2040 Regional Parks Policy Plan*: Chapter 6, System Protection, Strategy 2 Conversions; and Chapter 5, Planning Policy Strategy 1, Master Plans

Staff Prepared/Presented: Tracey Kinney, Senior Planner (651-602-1029)

Division/Department: Community Development/ Regional Planning

Proposed Action

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1. Approve the Big Marine Park Reserve Master Plan Amendment.
2. Approve the release of the restrictive covenant on 2.42-acres of land within the Big Marine Park Reserve in exchange for adding a restrictive covenant on 2.42-acres of land within the boundary of Big Marine Park Reserve.

Background

Big Marine Park Reserve is located within the northeast part of the Regional Park System (Figure 1), and the northern part of Washington County. The proposed land conversion includes both removal and replacement land (Figure 2).

Big Marine Park Reserve provides public access to Big Marine Lake, as well as protects major wetland recharge areas, endangered species habitat, and the St. Croix Moraine landscape, which is distinguished by its characteristic rolling hills and wetland depressions. As of February 2021, the County has acquired 778 acres of the total 1,884 acres in the park reserve boundary. Big Marine Park Reserve has a 2010 and 1988 master plan.

This land conversion includes selling 2.42-acres of park reserve land to the American Veterans Rest Camp Association, a private, non-profit corporation. The American Veterans Rest Camp Association provides relief and recreation at the Veterans Rest Camp to military veterans and their families as part of the continuous reintegration process. The removal land is adjacent to their existing campground and it allows for its expansion. The replacement land will add 2.42-acres of Big Marine Lake shoreland for improved natural resource management and lake access. The replacement land was an inholding that was owned by the City of Scandia and then conveyed to Washington County for the Veterans Rest Camp land conversion (Figures 3, 4, and 5).

Rationale

Big Marine Park Reserve Master Plan Amendment and Land Conversion is consistent with the requirements of the *2040 Regional Parks Policy Plan* (RPPP)

including Chapter 6, System Protection, Strategy 2 Conversions; and Chapter 5, Planning Policy Strategy 1, Master Plans.

Thrive Lens Analysis

Big Marine Park Reserve Master Plan Amendment and land conversion advances the Thrive outcome of equity by increasing access to the Regional Parks System for disabled veterans and children of active military personnel through the expansion of camp facilities. The Veterans Rest Camp offers rest and recovery to military veterans through various outdoor recreational activities and provides outdoor and land stewardship activities for children whose parents are on military deployment.

The amendment also advances the Thrive outcome of stewardship by investing in additional Big Marine Lake shoreland for natural resource restoration and protection.

Funding

The 2.42-acres of park reserve land identified for removal was acquired with Metropolitan Council funds. When Metropolitan Council funds are used, an agreement and restrictive covenant is recorded on the purchased property that provides a higher level of protection to ensure regional recreational open space use in perpetuity. Approval of this amendment would remove the Council agreement and restrictive covenant on the identified land allowing Washington County to sell the land to the American Veterans Rest Camp Association.

Removing land from the Regional Parks System requires an equally valuable exchange and an equal level of protection; therefore, the 2.42-acres of land added to Big Marine Park Reserve will include a restrictive covenant.

The 2020 assessed value of the removal land is \$17,395 and the replacement land is \$382,200. Washington County is selling the removal land to the American Veterans Rest Camp Association for \$15,660.00 (90% of the assessed value). The replacement land was conveyed from the City of Scandia to Washington County at no cost under a cooperative effort.

Known Support / Opposition

The Washington County Board of Commissioners approved a Resolution of Support (2021 -46) for submission of this Master Plan Amendment to the Metropolitan Council in April of 2021 (Attachment 1). The City of Scandia approved a Conditional Use Permit in September of 2020 (2000-31) to allow the expansion of the campground as a Planned Unit Development (Attachment 2).

Figure 1: Big Marine Park Reserve (Washington County) location in the Regional Parks System

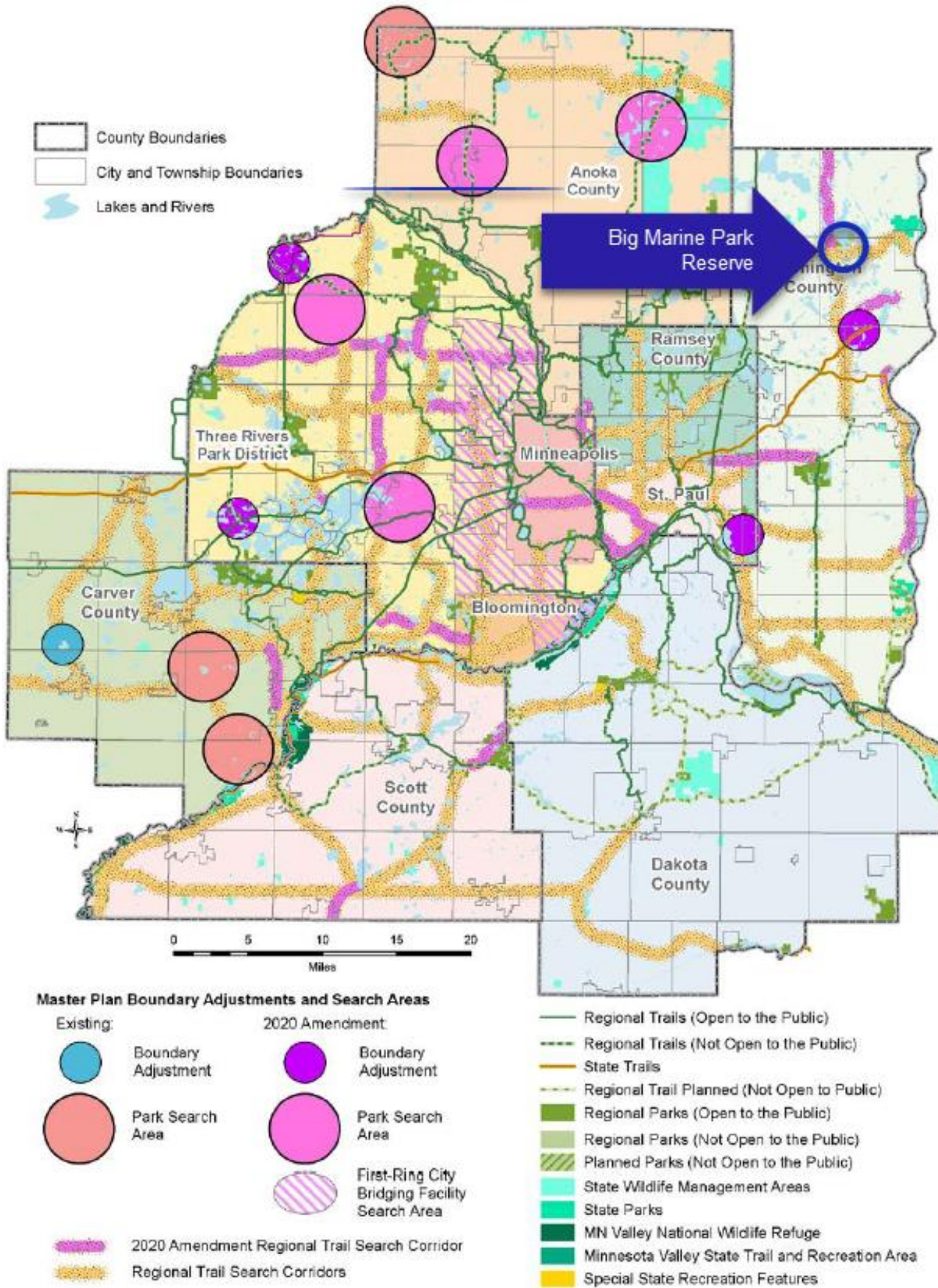


Figure 2: Location of the Park Reserve with Washington County

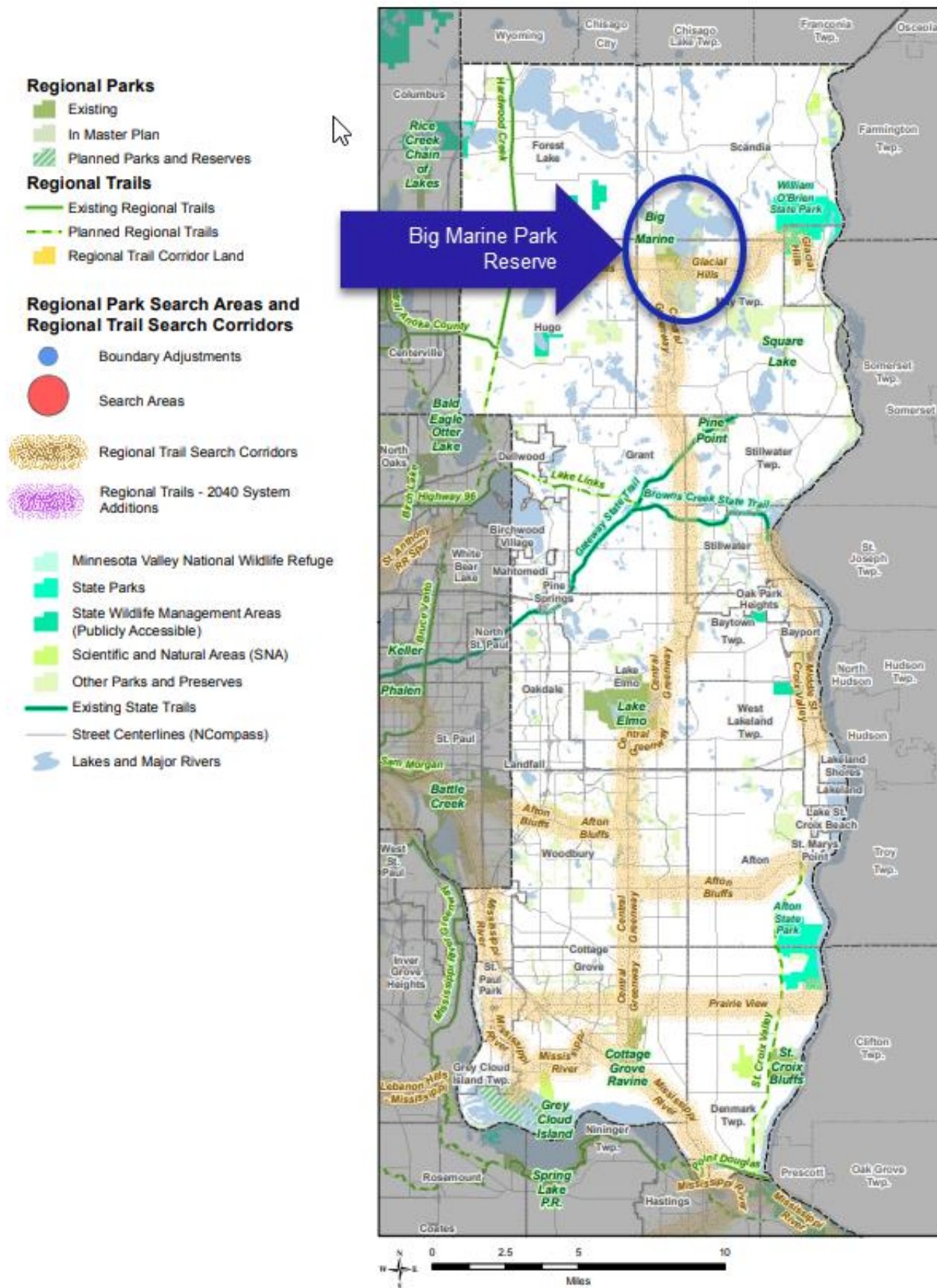


Figure 3: Land exchange location within the Big Marine Park Reserve Master Plan Boundary

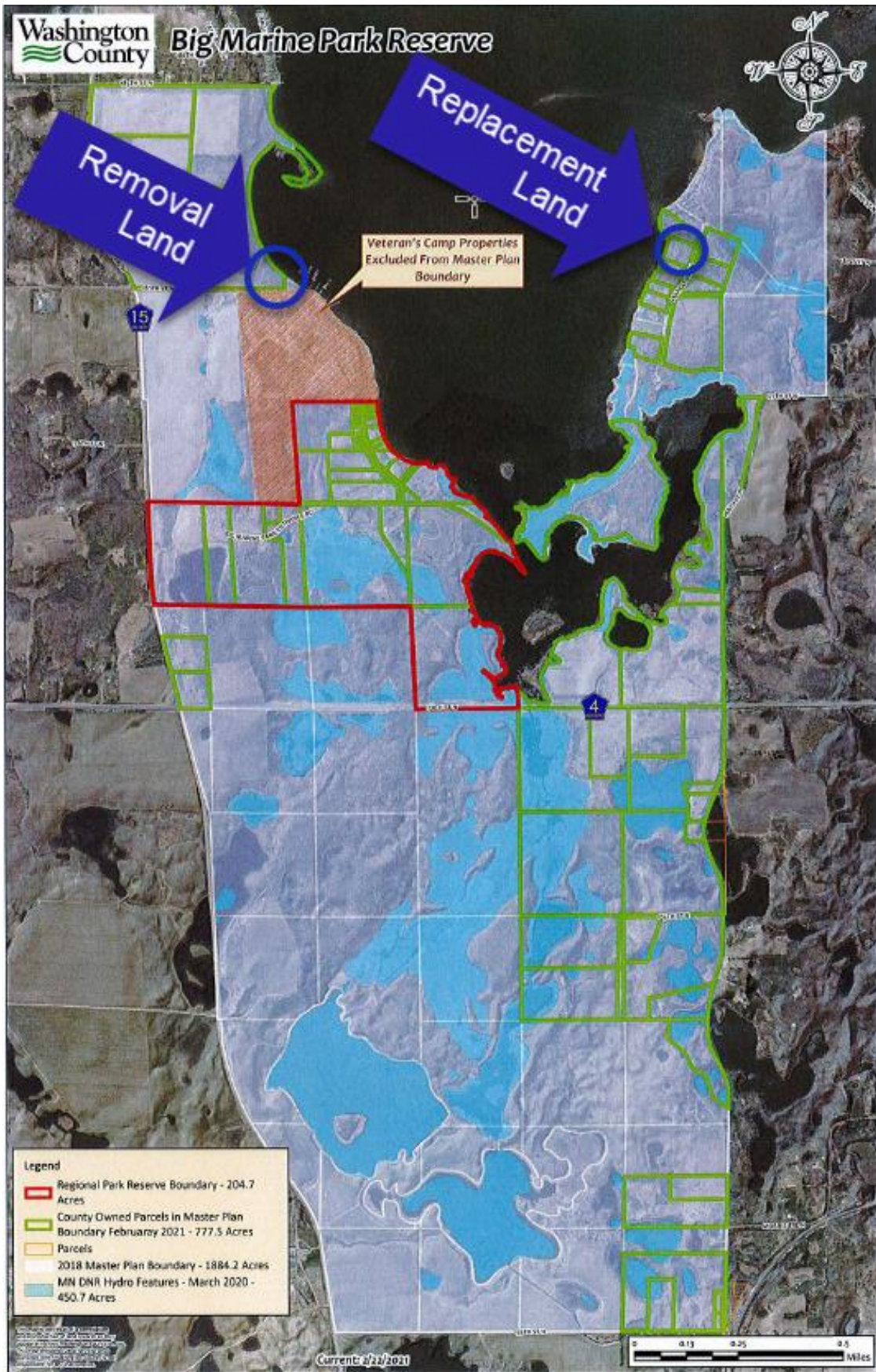


Figure 5. Removal and replacement land locations in relation to the master plan

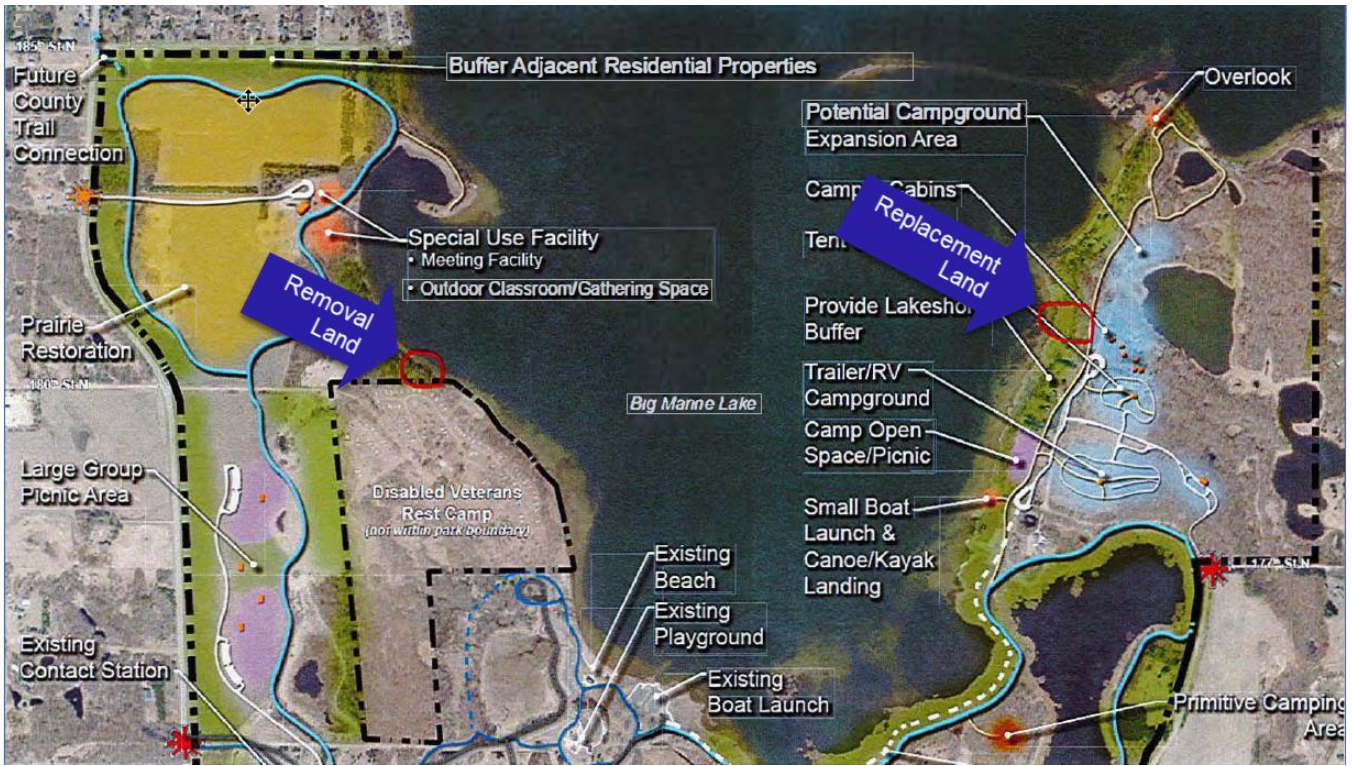


Figure 4: Removal and replacement land locations in relation to the surrounding parcels



Analysis

The Big Marine Park Reserve Master Plan Amendment and Land Conversion includes the removal and replacement of land to the park reserve (Table 1). The *RPPP* guides for land conversions in System Protection Chapter 6, Strategy 2, Conversion of Regional Parks System Lands to Other Uses.

Table 1. Land conversion value, acreage, and natural resource

Land Conversion	Appraised Value	Acreage	Natural Resource
Removal Land	\$17,395	2.42	Trees and Big Marine Lake shoreland
Replacement Land	\$382,200	2.42	Trees and Big Marine Lake shoreland

Land Conversion

System Protection Chapter 6, Strategy 2, requires that 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.

The RPPP defines “equally valuable land” as:

- Contiguous to the Regional Parks System unit containing the land proposed to be exchanged (within the same park/trail unit)
- Having comparable or better natural resource characteristics
- Potentially able to provide comparable or better recreation opportunities than the land being released from the covenant

The Council considers conversion of regional park land to other uses only if the conversion will not harm the Regional Parks System. The following section evaluates the proposal against criteria outlined in the RPPP to determine whether regional parks system lands may be exchanged for other land or a facility.

Issues with respect to the existing park system unit:

1. Whether the regional park system unit can continue to function as originally planned, meeting Council standards for sites and site attributes established for the particular type of park system unit (regional park, park reserve, trail greenway or special recreation feature)

The proposed exchange will still allow the park reserve to function as originally planned since this part of the reserve is not currently open to the public and the parcel is only accessible from the lake and the Veterans Rest Camp. Additionally, with the removal of the 2.42-acres, the park reserve is still well within the 1,000+ acres required for park reserves since the reserve will maintain 1,884 acres (777-acres owned) within its boundary (RPPP Chapter 4 Siting and Acquisition).

2. Whether environmental features (wildlife habitat, water quality) will be adversely affected and can be protected with the new use

The removal property does not impact or disturb the wetland located north of the property. This part of the park reserve will continue to protect the wetland and Big Marine Lake shoreline.

3. 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 property was an inholding within the master plan's boundary with comparable shoreland, land cover, and acreage. The master plan identifies the replacement property as a future natural area with tree cover that provides a buffer to Big Marine Lake to help preserve the lake water quality and wildlife habitat. This replacement parcel will provide better recreation opportunities since it is contiguous to other park land and not separated by a drainage way or wetland to preclude the opportunity to provide trail access.

Issues with respect to the alternative use:

1. The land area needs of the proposed project

Currently, the American Veterans Rest Camp Association has capacity problems with long visitor waiting lists. The Rest Camp Association wishes to expand their existing Veterans Rest Camp by 2.42-acres to help accommodate additional veterans.

2. Whether the specific site requirements for the proposed project are unique to the area proposed for conversion

The conversion property ended up smaller than the original request in order to match the replacement land acreage and to ensure there are no adverse effects to the wetland and shore land of Big Marine Lake.

3. Whether the proposed project is consistent with Council policies

The Disabled Veterans Camp expansion project will allow the park reserve to function as planned. Removal and replacement of the land is consistent with the Policy Plan's Chapter 6, Strategy 2 and other policies.

4. Whether the proposed project is of greater benefit to the region than having the regional park system unit remain in place

This project is of benefit to the region since it increases access to the Regional Park System by military veterans and their families, as well as adds accessible contiguous shoreland property.

Consistency with Other Council Policies

Council staff reviewed the proposed amendment and land exchange and found it consistent with Council policies for forecasts, housing, water resources, land use and transportation. Council staff also found the proposed amendment conforms to regional system plans for wastewater services. Additional comments are detailed below.

Metro Transit (Stephen Baisden 612-349-7361) – The proposed amendment is consistent with Council policies for transit.

Metro Transit Route 275 offers the nearest peak period express service 10 miles southwest of Big Marine Park Reserve in Lino Lakes. Route 275 provides peak-only express service between downtown Saint Paul and Lino Lakes with 3 trips to downtown Saint Paul during the AM peak and 3 trips to Lino Lakes during the PM peak.

Given the current transit investments in the corridor now, the master plan amendment will likely have a marginal effect on the existing transit network, and it is unlikely that there will be an extension of the service in the near future. Other potential transit options include Transit Link.

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BOARD OF COUNTY COMMISSIONERS
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2020-150

DATE <u>December 15, 2020</u>	DEPARTMENT <u>Public Works - Parks</u>
MOTION	SECONDED BY
BY COMMISSIONER <u>Kriesel</u>	COMMISSIONER <u>Miron</u>

**RESOLUTION TO SELL 2.42 ACRES WITHIN
BIG MARINE PARK RESERVE**

WHEREAS, Washington County purchased 130 acres in 1994 for inclusion into Big Marine Park Reserve; and,

WHEREAS, Washington County received a request from the Disabled Veterans Rest Camp Association, Inc., for Washington County to sell 2.42 acres within Big Marine Park Reserve that is in-accessible to the greater 130 acres but accessible to the Disabled Veterans Rest Camp Association, Inc., the sole adjoining landowner; and,

WHEREAS, Washington County has the ability to sell park property upon completion of a public hearing pursuant to Minnesota Statute § 398.32, subd. 5; and,

WHEREAS, Washington County published notice of the public hearing pursuant to the requirements of Minn. Stat. § 398.32, subd. 5 and conducted the public hearing on December 15, 2020; and,

WHEREAS, Washington County upon review of the request determined that this 2.42 acres is in-accessible to the greater Big Marine Park Reserve and is no longer needed for the purpose thereof; and,

WHEREAS, pursuant to Minn. Stat. § 373.01, subd. 1(i), the 2.42 acre parcel constitutes real property owned in fee simple that cannot be improved because of noncompliance with local ordinances regarding minimum area, shape, frontage, or access and Washington County is authorized to sell the parcel without advertising for bids; and,

WHEREAS, pursuant to Minn. Stat. § 373.01, subd. 1(i), Washington County authorizes the sale of the parcel without the need to advertise for bids and restricts the sale to adjoining landowner; and,

WHEREAS, pursuant to Minn. Stat. § 373, subd. 1(i), Washington County will sell to the adjoining landowner for not less than 90 percent of its fair market value as determined by the county assessor; and,

WHEREAS, fair market value for the 2.42 acre parcel is determined as \$17,400.00; and,

WHEREAS, pursuant to Minn. Stat. § 373.01, subd. 1(i), Washington County will sell to the adjoining landowner the 2.42 acres no longer needed for not less than 90 percent of the fair market value or \$15,660.00; and,

WHEREAS, the Metropolitan Council has an interest in the 2.42 acres pursuant to an Agreement and Restrictive Covenant recorded on the property; and,

WHEREAS, Washington County will quit claim this excess land to the adjoining landowner contingent upon the approval Metropolitan Council.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby quit claims its interest in the following described land on attached Exhibit A to the Disabled Veterans Rest Camp Association, Inc. contingent upon Metropolitan Council approval.

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby authorize its Chair and Administrator to execute on behalf of the County the Quit Claim Deed necessary to transfer the excess land and any other documents necessary for the completion of this transaction.

Updated: January 2020

Attachment 1. Board Resolution 2020-150 2 of 3

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ATTEST:

DocuSigned by:
Kevin Corbid
BFD5C25BF3E41A
COUNTY ADMINISTRATOR

DocuSigned by:
Fran Mison
F5E5F5732D74FE
COUNTY BOARD CHAIR

	YES	NO
MIRON	<u>X</u>	___
KARWOSKI	<u>X</u>	___
KRIESEL	<u>X</u>	___
JOHNSON	<u>X</u>	___
WEIK	<u>X</u>	___

Updated: January 2020

**EXHIBIT A
(Legal Description)**

Government Lot 1, Section 31, Township 32 North, Range 20 West, Washington County, Minnesota lying easterly and southeasterly of the following described Line A:

Commencing at the southeast corner of Government Lot 1; thence North 89 degrees 37 minutes 43 seconds West, bearings are based on the Washington County Coordinate System NAD83, 1986 adjustment, along the south line of said Government Lot 1 a distance of 412.00 feet to the point of beginning of said Line A; thence North 05 degrees 00 minutes 48 seconds East a distance of 156.76 feet; thence North 34 degrees 38 minutes 37 seconds East a distance of 311 feet, more or less, to the shoreline of Big Marine Lake and to the point of termination of said Line A.

CITY OF SCANDIA

CERTIFICATION OF RESOLUTION NO: 2020-31

State of Minnesota)
) ss.
County of Washington)

I, the undersigned, being the duly qualified and appointed Administrator of the City of Scandia, Minnesota do hereby certify that I have carefully compared the foregoing Resolution No. **2020-31** adopted at a meeting of the Scandia City Council on September 15, 2020 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Administrator and the corporate seal of the City of Scandia, Washington County, Minnesota this 16th day of September, 2020.



Kenneth Camilleri
Administrator
City of Scandia



**CITY OF SCANDIA, MINNESOTA
CITY COUNCIL RESOLUTION NO. 2020-31**

**APPROVING A CONDITIONAL USE PERMIT FOR THE DISABLED VETERANS
REST CAMP LOCATED AT PARCEL ID 31.032.20.44.001**

WHEREAS, the Disabled Veterans Rest Camp has applied for a Conditional Use Permit to allow an expansion of the campground be permitted as a Planned Unit Development, located at parcel ID 31.032.20.44.0001, City of Scandia; and

WHEREAS, the property is legally described as follows:

Government Lot 1, Section 32, Township 32 North, Range 20 West, Washington County, Minnesota

AND

Government Lot 1, Section 31, Township 32 North, Range 20 West, Washington County, Minnesota, lying easterly and southeasterly of the following described Line A:

Commencing at the southeast corner of said Government Lot 1; thence North 89 degrees 37 minutes 43 seconds West, bearings are based on the Washington County Coordinate System, NAD 83, 1968 adjustment, along the south line of said Government Lot 1 a distance of 412 feet to the point of beginning of said Line A; thence North 05 degrees 00 minutes 48 seconds East a distance of 156.76 feet; thence North 34 degrees 38 minutes 37 seconds East a distance of 311 feet, more or less, to the shore of Big Marine Lake and to the point of termination of said Line A; and

WHEREAS, the Planning Commission reviewed the request at a duly noticed Public Hearing on September 1, 2020, and recommended approval of the amended CUP with conditions; and

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCANDIA, WASHINGTON COUNTY, MINNESOTA, that it recommends approval of a Conditional Use Permit to allow an expansion of the campground be permitted as a Planned Unit Development, located at parcel ID 31.032.20.44.0001, based on the following findings:

1. The proposed use is consistent with the Future Land Use Map of the Comprehensive Plan. It will not negatively impact public facilities, or impact the City's capital improvement plan.
2. The proposed use would not endanger the public welfare. If the applicant meets the conditions included with this CUP and obtains all required permits, the use will not create adverse impacts on the public health safety, morals, comfort or general welfare of the public.
3. The proposed use will not impact lots in the immediate vicinity. The parcel is still partially wooded, and will be tucked away from view by the other parcels around it. The expansion of the campgrounds onto this parcel will not negatively impact adjacent property values or scenic views.
4. The proposed use is an expansion of an existing use on the adjacent property to the south. Due to the proposed expansion not creating new roads or streets for access, it will not negatively affect the development or improvement of surrounding parcels in.
5. Adequate public facilities and services can be made available, if needed. The existing campground already has water and electric, and can have any new expansion hook into that. The City would not have to provide new services.
6. The proposed use is unique in that State law has stated that the Veterans Rest Camp shall be a legal conforming use that is permitted through a PUD. By following any conditions approved with this CUP, and getting all applicable permits, the use will conform to the Development Code.
7. By following any conditions approved with this CUP, and getting all applicable permits, the use will meet the general and specific performance standards for campgrounds in the Development Code.

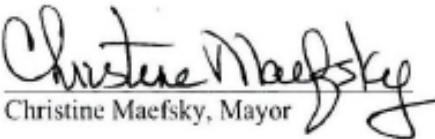
FURTHER BE IT RESOLVED, that the following conditions of approval shall be met:

1. The proposed expansion shall be completed within ten years of issuance of this CUP.
2. The proposed expansion shall be permitted to maintain the same minimum setback from the Ordinary High Water Level as the existing RV sites on the adjacent campground parcels in May Township.
3. The proposed expansion shall have a minimum side setback of 10 feet from the west property line, and shall have no minimum setback along the municipal boundary with May Township.
4. The proposed expansion shall not create an impervious surface coverage of over 50% of the parcel.

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5. The applicant shall submit plans verifying the location of the Ordinary High Water Level, impervious surface coverage of the parcel, and setback of existing and proposed RV sites prior to expansion of the campground.
6. The applicant shall obtain a drainage permit and grading permit from the city prior to constructing the proposed expansion.
7. The applicant shall meet all other applicable requirements of the Development Code.
8. The applicant shall obtain all applicable local, watershed, state, and federal permits required for this expansion.
9. Any changes deviating from the plans reviewed with this request, or conditions approved with this request, shall require amending the Conditional Use Permit.
10. The applicant shall pay all fees and escrow costs related to the application.

Adopted by the Scandia City Council this 15th day of September, 2020.


Christine Maefsky, Mayor

ATTEST:


Kenneth Camilleri, City Administrator