

C Community Development Committee

Meeting date: May 7, 2007

ADVISORY INFORMATION

Date:	May 2, 2007
Subject:	Cedar Lake Farm Regional Park Acquisition Master Plan, Acquisition Opportunity Grant Request, and reimbursement consideration for County funding, Scott County
District(s), Member(s):	District 4, Vacant
Policy/Legal Reference:	MN Statute 473.313, Subd. 1 and 2; 473.315 and Park Policy Plan Strategy 2 (f)
Staff Prepared/Presented:	Arne Stefferud, Planning Analyst– Parks (651-602-1360)
Division/Department:	Community Development/Regional Systems Planning and Growth Strategy, Parks

Proposed Action/Motion

That the Metropolitan Council:

1. Approve the Cedar Lake Farm Regional Park Acquisition Master Plan (Referral No. 20001-1), but amend the park boundary by deleting the 2.8 acre lot retained by the Cedar Lake Farm Resort property owner.
2. Authorize a grant of up to \$1 million from the Park Acquisition Opportunity Fund to Scott County to partially fund the acquisition of the Cedar Lake Farm Resort parcel for Cedar Lake Farm Regional Park.
3. Allow up to \$3,526,192 of the acquisition costs of the Cedar Lake Farm Resort parcel to be eligible for reimbursement consideration in a future regional parks CIP. The reimbursement amount will be reduced by any DNR Metro Greenways grant provided for this parcel. The Council does not under any circumstances represent or guarantee that reimbursement will be granted, and expenditure of local funds never entitles a park agency to reimbursement.

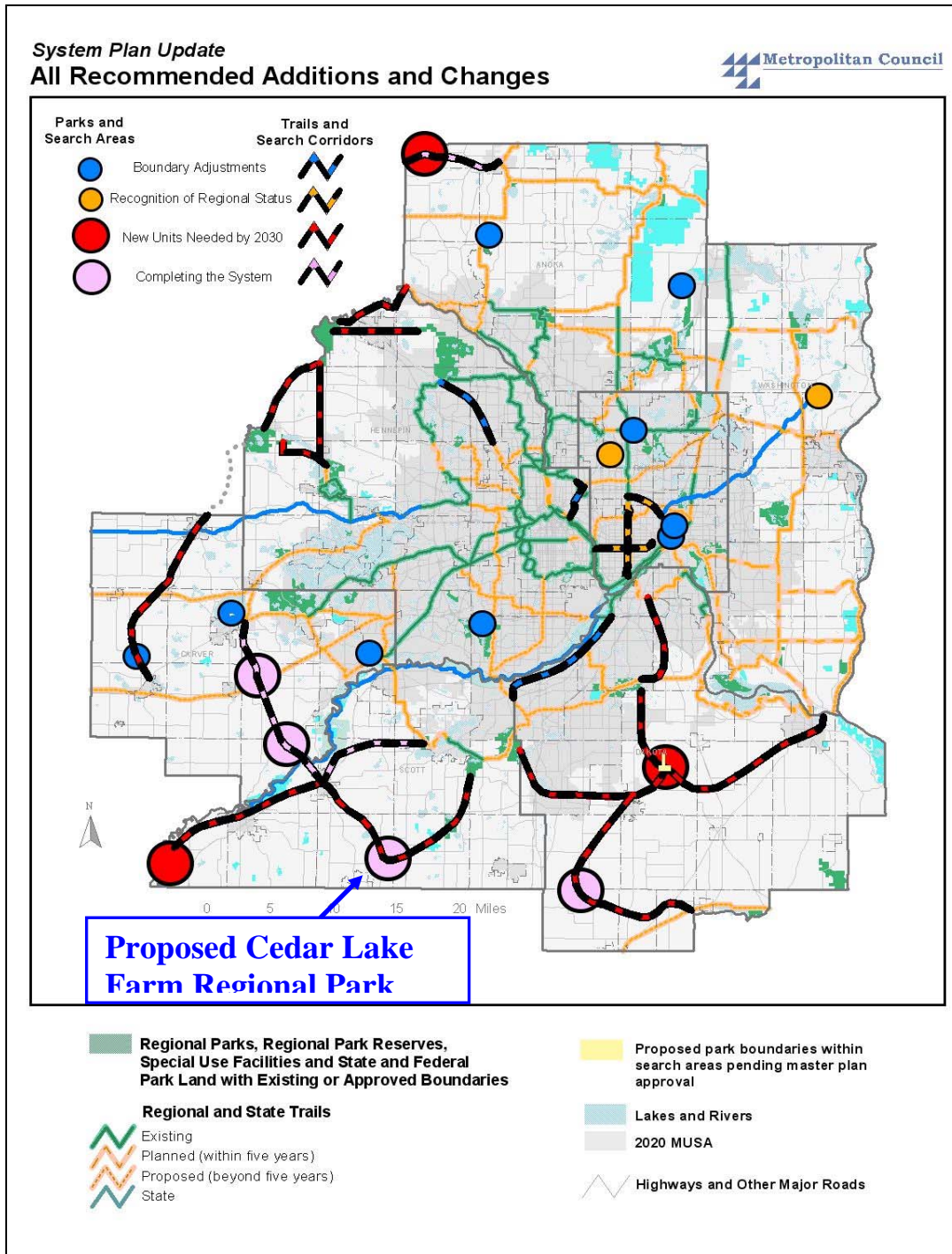
Issue(s)

- Is the Cedar Lake Farm Regional Park Acquisition Master Plan consistent with the *2030 Regional Parks Policy Plan* and other Council policy/system plans?
- Is the request of \$1 million for an Acquisition Opportunity grant to partially finance the acquisition of 61 acres for the regional park consistent with criteria for this grant?
- Is the request to consider reimbursing Scott County up to \$3,526,192 in a future regional parks capital improvement program (CIP) for its financing to acquire 61 acres for the regional park consistent with Strategy 2(f) of the *2030 Regional Parks Policy Plan*?

Overview and Funding

The proposed Cedar Lake Farm Regional Park is identified in the *2030 Regional Parks Policy Plan* as one of the “Last Best Places”—new parks that should be acquired prior to 2030 for future park development to meet projected recreation demand after 2030. The park is located in southern Scott County on the southwestern shore of Cedar Lake. (See **Figure 1: All Additions and Changes to Regional Parks System in Adopted 2030 Regional Parks Policy Plan** for a general location of the park and its relationship to the park policy plan).

Figure 1: All Additions and Changes to Regional Parks System in 2030 Regional Parks Policy Plan



Scott County has submitted an Acquisition Master Plan for Cedar Lake Farm Regional Park for Metropolitan Council review. The County has also submitted a request of \$1 million from the Acquisition Opportunity Fund to partially finance the acquisition of 61 acres for the park—the former Cedar Lake Farm and Day Resort property. And, the County has requested the Metropolitan Council to consider reimbursing the County up to \$3,526,192 in a future regional parks capital improvement program for its funding to acquire the 61 acre parcel.

The total estimated cost to implement the acquisition master plan is \$6,696,192 as follows:

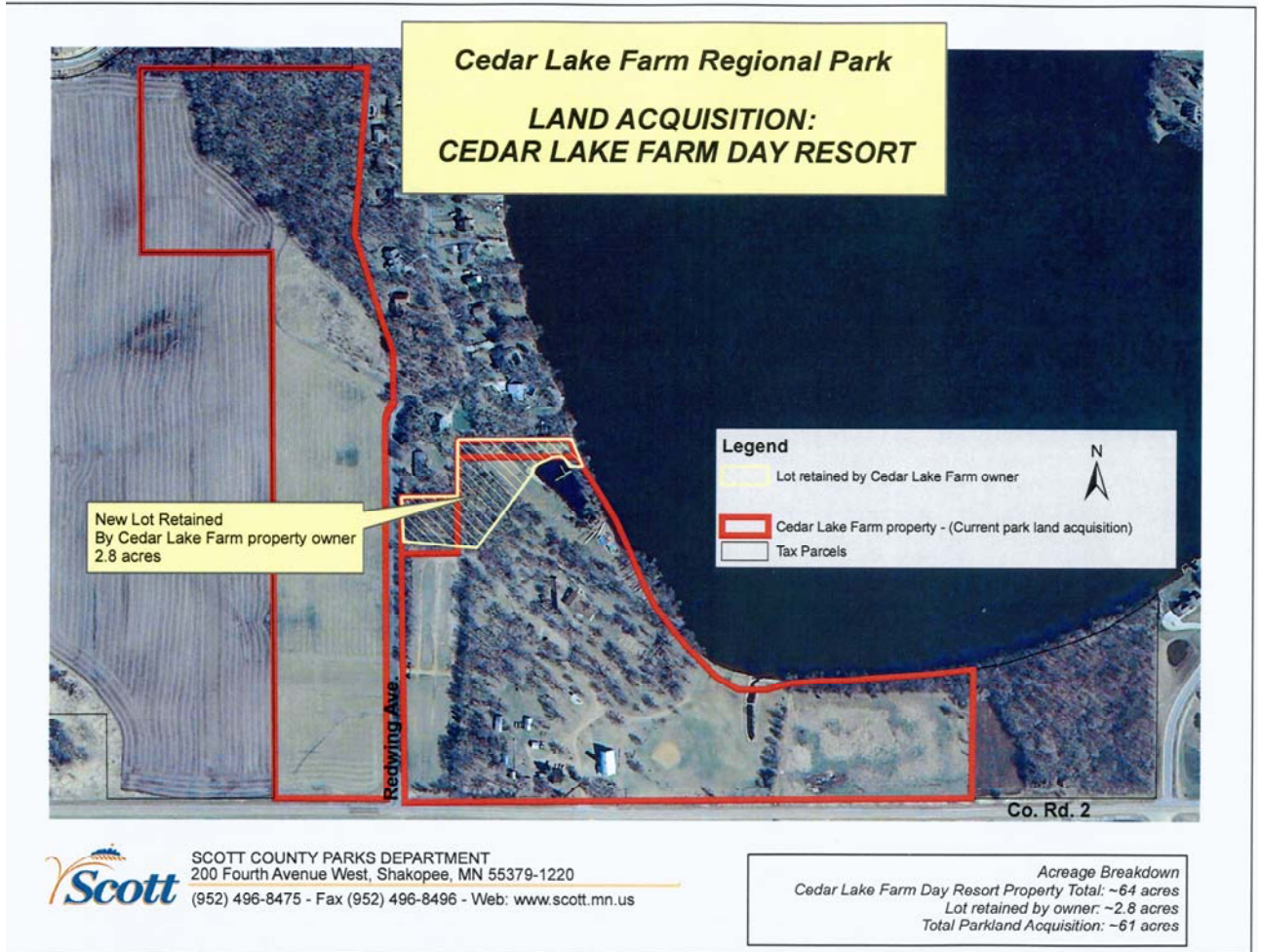
Parcels	Estimated costs (purchase price plus tax equivalency payment, appraisals, closing costs environmental assessments and attorney fees)
Cedar Lake Farm Resort (61 acres)	\$4,526,192
Silver Maple Bay Open Space Design Development land dedication of open space in return for developing 36 home sites (173 acres)	\$ 0
Remaining parcels owned by 10 landowners (63 acres)	\$2,170,000
Total	\$6,696,192

Review of the park master plan by other Council divisions found that the park had no impact on the regional wastewater treatment system or the regional transportation system.

On May 1, the Metropolitan Parks and Open Space Commission reviewed the master plan and considered the request for the \$1 million grant to partially finance acquiring the 61 acre Cedar Lake Farm Resort for the park, and the request for reimbursement consideration of up to \$3,526,192 in a future regional parks capital improvement program for Scott County’s financing to acquire the 61 acre Cedar Lake Farm Resort.

The Commission found the park master plan was consistent with the *2030 Regional Parks Policy Plan*. However, the Commission focused its review of the master plan on the proposed boundary for the park. The plan proposed that a 2.8 acre lot to be retained by the owner of the Cedar Lake Farm Resort should be included in the park boundary. When questioned by the Commission on the rationale for including the lot in the park, Scott County staff explained that the lot had an oak woodland on it. A conservation easement protecting that woodland was a condition of the purchase agreement for the 61 acre Cedar Lake Farm Resort. The Commission was also informed that the conservation easement would allow a home to be constructed on the lot, but that the owner said a home may or may not be built on the lot. If a home was built, then the park boundary could be amended to delete the lot. (See **Figure 2: Cedar Lake Farm Resort Acquisition and Related 2.8 Acre Lot**)

Figure 2: Cedar Lake Farm Resort Acquisition and Related 2.8 Acre Lot



The Commission concluded that the 2.8 acre lot should be removed from the park boundary since including it implied that at some point the land would be acquired for the park. The conservation easement on the woodland was what was of value to the park. If no home was built on the lot, the County and the Metropolitan Council could consider amending the park boundary in the future to include it and make it eligible for acquisition funding. Therefore, the Commission amended the recommendation approving the master plan to exclude the 2.8 acre lot from the park boundary.

The Commission found that Scott County’s request for \$1 million from the Acquisition Opportunity Fund to partially finance acquiring the 61 acre Cedar Lake Farm Resort was consistent with requirements for a grant from that fund. The Commission noted that \$1 million is the maximum amount a park agency can receive from the Fund under terms that expire on June 30. New terms on the amount a park agency could receive from the Fund and the percent a grant can finance of a parcel’s acquisition cost should be reviewed and approved in the near future.

The Commission considered Scott County’s request for the Council to consider reimbursing the County up to \$3,526,192 in a future regional parks CIP for its financing to acquire the Cedar Lake Farm Resort. The Commission was informed that Scott County was also applying for a Metro Greenways grant from the MN Dept. of Natural Resources to partially finance this acquisition. If the County received a Metro Greenways grant, that grant would reduce the amount

of County funding for the parcel and subsequently reduce the amount of any future reimbursement to the County through the regional parks CIP. The Commission found the reimbursement consideration request was consistent with the terms of Strategy 2(f) in the *2030 Regional Parks Policy Plan*. As noted in other reimbursement consideration requests, the Council does not under any circumstances represent or guarantee that reimbursement will be granted, and expenditure of local funds never entitles a park agency to reimbursement.

The Commission unanimously approved the recommendations shown above.

METROPOLITAN COUNCIL
390 North Robert Street, St. Paul, MN 55101
Phone (651) 602-1000 TDD (651) 291-0904

DATE: April 23, 2007

TO: Metropolitan Parks and Open Space Commission

FROM: Arne Stefferud, Planning Analyst-Parks (651-602-1360)

SUBJECT: (2007-163) Cedar Lake Farm Regional Park Acquisition Master Plan, Acquisition Opportunity Grant Request, and reimbursement consideration for County funding, Scott County

INTRODUCTION

Scott County has submitted an Acquisition Master Plan for Cedar Lake Farm Regional Park for Metropolitan Council review. The County has also submitted a request of \$1 million from the Acquisition Opportunity Fund to partially finance the acquisition of 61 acres for the park—the former Cedar Lake Farm and Day Resort property. And, the County has requested the Metropolitan Council to consider reimbursing the County up to \$3,526,192 in a future regional parks capital improvement program for its costs in acquiring the 61 acre parcel. (See **ATTACHMENT 1, LETTER FROM SCOTT COUNTY**)

This memorandum analyzes these requests against the criteria for reviewing regional park master plans, and granting acquisition opportunity funds and recommends approving the master plan and approving a grant of up to \$1 million for the Cedar Lake Farm Resort parcel. It also analyzes the request for reimbursement consideration and recommends that up to \$3,526,192 be eligible for reimbursement consideration in a future regional park CIP.

If \$1 million of Acquisition Opportunity Grant funds were granted for the Cedar Lake Farm parcel, there would be \$2,449,001 remaining in the Fund for future land acquisitions. This grant would comply with the policy limit of \$1 million per agency for acquisition opportunity funds granted from July 1, 2005 to June 30, 2007. No additional grants from this Fund could be awarded to Scott County prior to June 30, 2007. A new agency limit for the Fund should be established for the period after June 30, 2007.

AUTHORITY TO REVIEW

Minnesota Statute 473.313, Subdivision 1 requires Regional Park Implementing Agencies to, “prepare, after consultation with all affected municipalities, and submit to the Metropolitan Council, and from time to time revise and resubmit to the council, a master plan and annual budget for the acquisition and development of regional recreation open space located within the district or county, consistent with the council’s policy plan.” (i.e., the *2030 Regional Parks Policy Plan*)

Minnesota Statute 473.313, Subdivision 2 authorizes the Metropolitan Council to review, with the advice of the Metropolitan Parks and Open Space Commission, master plans for the regional park system. Plans are reviewed for their consistency with the *2030 Regional Parks Policy Plan*. If a

master plan is not consistent with Council policy, the Council should return the plan to the implementing agency with its comments for revision and resubmittal.

Minnesota Statute Section 473.315 authorizes the, “Metropolitan Council, with the advice of the Metropolitan Parks and Open Space Commission, to make grants from any funds available to it for recreation open space purposes to any municipality, county or Park District located wholly or partially within the metropolitan area to cover the cost, or any portion of the cost, of acquiring or developing regional recreation open space in accordance with the *Regional Recreation Open Space Policy Plan*”.

BACKGROUND

The proposed Cedar Lake Farm Regional Park is identified in the *2030 Regional Parks Policy Plan* as one of the “Last Best Places”—new parks that should be acquired prior to 2030 for future park development to meet projected recreation demand after 2030. The park is located in southern Scott County on the southwestern shore of Cedar Lake (See **ATTACHMENT 2, LOCATION MAP OF CEDAR LAKE FARM REGIONAL PARK**). Cedar Lake has a surface area of 780 acres and is the largest lake in southern Scott County. It is a popular fishing lake.

ANALYSIS

Acquisition Master Plan review

1. Boundaries and Acquisition Costs

The proposed park encompasses 297 acres and contains about 4,150 feet of shoreline on Cedar Lake.

The park can be broken down into three parts. The first part is 173 acres which the County will acquire at no cost as a condition of a 36 lot residential plat by June 9, 2009. The second part is 61 acres that is currently the Cedar Lake Farm Resort park. This private park used for large group picnics for the last 50 years is available for purchase. The County has negotiated a purchase agreement for this parcel, and that price along with related tax equivalency payments, closing costs, appraisal and attorneys fees totals \$4,526,192. As noted in the introduction to this memorandum the County is seeking \$1 million of Acquisition Opportunity Funds to partially finance this acquisition. The third part of the park is 63 acres owned by 10 land owners. This land is also undeveloped but is attached to lots in some cases with homes on them. The lots could be subdivided and a portion acquired for the park.

The total estimated capital improvement cost to implement the acquisition master plan is \$6,696,192 as follows:

Parcels	Estimated costs (purchase price plus tax equivalency payment, appraisals, closing costs environmental assessments and attorney fees)
Cedar Lake Farm Resort (61 acres)	\$4,526,192
Silver Maple Bay Open Space Design Development land dedication (173 acres)	\$ 0
Remaining parcels owned by 10 landowners (63 acres)	\$2,170,000
Total	\$6,696,192

A map illustrating the park boundary and individual parcels is shown on **ATTACHMENT 3: PARK BOUNDARY AND PARCEL MAP OF CEDAR LAKE REGIONAL PARK.**

An aerial photograph of the land with the park boundary superimposed on it is shown on **ATTACHMENT 4: AERIAL PHOTO OF CEDAR LAKE FARM REGIONAL PARK.**

2. Stewardship Plan

Stewardship activities of land acquired for the park will begin when the land is acquired. These activities include, but are not limited to general clean up of a site, location and identification of property lines/park boundary, ground maintenance, noxious weed control, building maintenance, limited invasive species control and cultivation of lands currently being farmed. Any land currently used for farming will be planted with a cover crop or will continue to be cropped through a rental agreement with the County. Any active leases on these farmlands will need to be honored and/or negotiated so that at termination of a lease, a suitable ground cover is established.

Additional on-site inspections of water systems, sewer systems, electrical and building conditions will be conducted.

The stewardship costs are broken down into three time frames as follows:

Immediate term (61 acre Cedar Lake Farm Resort)	\$38,185 per year
Near term (234 acres –61 acre Cedar Lake Farm Resort and 173 acre park dedication land)	\$37,876 per year
Long term (297 acres—all of above plus 63 acres)	\$52,226 per year

3. Needs Analysis

The *2030 Regional Parks Policy Plan* proposes the acquisition of a regional park in this area to accommodate recreation demand after 2030 and to preserve the opportunity to acquire it before development pressure makes it unaffordable. As noted in the ‘Boundary and Acquisition Costs’

section of this memorandum, 173 acres is being acquired at no cost in exchange for developing a 36 lot residential plat. The 61 acre Cedar Lake Farm Resort would also have been developed into 13 residential lots if the County had not been willing to purchase it.

Prior to 2030, Scott County's population is forecasted to increase by 100,000. The presence of the park would benefit over 28,000 people within its primary service area by 2030 and would likely receive significant visitation by residents of bordering counties to the south.

4. Development

Based on current information used to prepare the *2030 Regional Park*, and recent Scott County citizen surveys the following recreational facilities and natural resource restoration activities are anticipated for the park pending further refinement in a development master plan:

- Paved trail that provides scenic views of Cedar Lake and allows observation of natural areas in the park.
- Trail connections to the proposed Southern Scott County Regional Trail to provide trail access to the park.
- Picnic pavilion based on the past use of the Cedar Lake Farm Resort as a site for large group picnics.
- Small swimming beach—either continuing the beach at the Cedar Lake Farm Resort or creating an artificial swim pond if water quality in Cedar Lake does not support swimming.
- Fishing piers since the lake is a popular fishery.
- Boating activities after further analysis of boating on the lake as part of the development master plan process.
- Restoring shore land to improve the water quality of Cedar Lake and to educate other shore land owners on how they can enhance their land and improve water quality nearby.
- Restoring an existing 61 acre Maple-Basswood forest and use it for nature interpretive programs.

A development master plan for the park will refine what is provided and will include estimated capital improvement costs to implement the plan. That plan will be subject to review by the Metropolitan Council before any components in the plan can be eligible for capital improvement grants from the Metropolitan Council.

5. Conflicts

There are two potential conflicts that were considered in preparing the acquisition master plan. One issue is continuing to provide access to residential areas on the lake and manage park vehicular traffic. The Helena Township Road Plan calls for connecting Willow Lane and Willow Court, which currently terminate in cul-de-sacs. Connecting those two streets and converting either 255th Street or Juniper Street to a park entrance road will be considered in preparing the development master plan for the park. Discussions with affected landowners and government entities that provide road maintenance and emergency services to these residential areas and the park will occur as part of the park's development master planning process.

Another potential conflict involves public boat access to Cedar Lake. There are currently two public boat access points on the lake. A number of residents living on or near the lake felt that current boating levels were too high and they did not support an additional boat access in the park. Further study of this issue will be part of the development master planning process.

6. Public Services

The park is outside the current Metropolitan Urban Service Area (MUSA) and borders the New Prague Long-term Sanitary Sewer Service Area. Sanitary sewer service is available for a portion of the property through the Cedar Lake Water and Sanitary Sewer District which serves up to 325 homes around Cedar Lake and is connected to the City of New Prague Municipal System. There is no public transportation service available at this time. Police, fire and emergency medical services are provided by the New Prague Fire Department and New Prague Ambulance.

7. Operations and Maintenance

Scott County intends to conduct land stewardship activities described above as land is acquired for the park. A full staffing plan, including estimated annual operations and maintenance costs and revenues will be included in the development master plan for the park.

8. Citizen Participation

The acquisition master plan and specifically the Cedar Lake Farms Resort acquisition were part of Scott County Park Advisory Commission meetings and Scott County Board meetings. And, a neighborhood meeting where everyone who lived within ½ mile of the park was held on March 27. Over 160 persons attended the neighborhood meeting, and their input was included in the master plan as well as documented as an appendix to the plan. The acquisition master plan was approved by the Scott County Board on April 10.

Additional public input will be solicited in preparing the development master plan for the park.

9. Public Awareness

The public is informed about the park through the County's website, news releases, and direct mail depending on the information that is provided and the intended audience.

10. Special Needs

The plan states that Scott County is committed to providing activities, access and resources for all park visitors, including persons with special needs and will do so throughout planning, development and operation/maintenance of the park. Implementation plans will incorporate the latest design standard guidelines and codes as they pertain to accessibility. More details on meeting the needs of special populations will be included in the development master plan for the park.

11. Natural Resources

The park's dominant landscape features are the adjacent Cedar Lake with a surface area of 779 acres, a native Maple-Basswood forest, the park-like Cedar Lake Farms Resort land and agricultural land. A comprehensive natural resource analysis will be conducted as part of the development master planning process. The acquisition master plan focuses on analyzing the existing shoreline conditions and water quality of Cedar Lake. The County will work with the MN Dept. of Natural Resources, and soil/water conservation agencies regarding shore land slope stabilization and restoration, managing and improving native species diversity, and wetland reclamation.

In the short term, vegetation management will focus on invasive plant and noxious weed control and maintaining vegetative cover to prevent soil erosion. More natural resource management analysis and subsequent strategies and associated costs will be prepared in the development master plan for the park.

REVIEW BY OTHER COUNCIL DIVISIONS:

Environmental Services – Surface Water Management (Jim Larsen)

The document states on page 2 that approximately 2.8 acres of the existing 64-acre Cedar Lake Farm property is proposed to be retained by the owner and platted into a separate parcel. The document further states however, that this 2.8-acre parcel will remain entirely within the park boundary. Leaving this newly platted parcel within the proposed Regional Park boundary would seem to indicate the County plans to consider it an “inholding”, with ultimate intent to incorporate the property into the Park. The document does not, however, make further reference to any future plan to acquire the 2.8-acre parcel. If the parcel’s incorporation into the Park is the plan, the parcel should be protected by a first-right option to purchase, life estate, or other means. If it is not the plan to incorporate this 2.8-acre parcel into the Park, it should not be included within the ‘Proposed Future Park Boundary.

Council parks staff contacted County staff regarding this issue. The 2.8 acre parcel is currently undeveloped. The owner of the Cedar Lake Farm Resort has indicated that he may or may not build a home on this parcel. If he does, the County would request an amendment to the park’s boundary to remove it. If no home is built the land may be acquired as part of the park.

Environmental Services – Sewers (Kyle Colvin)

The master plan identifies an area for potential acquisition of property for a regional park around the south and western side of Cedar Lake. Cedar Lake itself is located along the border between Cedar Lake Township and Helena Townships, and is located within each Township. The proposed park land acquisition is primarily within Helena Township. The Plan summarizes potential park boundary delineations as well as acquisition and operation cost estimates. The plan includes information related to environmental resources within the park area and surrounding areas.

A portion of the area around Cedar Lake is provided municipal sanitary sewer service through the Cedar Lake Water and Sanitary Sewer District (CLWSSD). This area of Scott County is located outside the Urban Service area and outside of the Long Term Regional Wastewater Service area. As such, development of this area into a Regional Park will have no impact on the regional wastewater system.

Metropolitan Council Transportation (Ann Braden) – No impacts.

Acquisition Opportunity Grant request

The Cedar Lake Farm Resort property proposed for acquisition at this time consists of 61 acres and is located in the southern end of the regional park on the south shore of Cedar Lake. The land has been used as a corporate/large group picnic area for almost 50 years. The County has a

purchase agreement with the landowner to acquire 61 acres for \$4.5 million with a contingency that \$1 million is provided by a Metropolitan Council grant.

In addition to the \$4.5 million purchase price for the land, the County also anticipates additional grant eligible expenses related to the purchase of the property of up to \$26,192. Therefore, the total estimated cost to purchase the property is \$4,526,192 as shown below.

Proposed Purchase Price	\$ 4,500,000.00
Appraisal	\$ 7,182.50
Attorney Fees	\$ 8,000.00
Tax Equivalency Payment	\$ 1,732.07
2007 Remaining Taxes	\$ 5,277.44
Closing Costs	\$ 4,000.00
TOTAL:	\$ 4,526,192.00

Scott County proposes to finance the Cedar Lake Farm Resort parcel acquisition with the following revenue sources:

Metropolitan Council Acquisition Opportunity Fund (22%)	\$ 1,000,000
<u>County funds requested to be eligible for reimbursement (78%)</u>	<u>\$ 3,526,192</u>
Total	\$ 4,526,192

The County is also seeking a \$1 million grant from the Minnesota Dept. of Natural Resources (DNR) Metro Greenways Program to offset a part of the County's costs. If the DNR grant is awarded, the amount that is eligible for reimbursement consideration in a future regional parks CIP is reduced by the amount of that DNR grant. (See **ATTACHMENT 1, LETTER FROM SCOTT COUNTY** for a map of the Cedar Lake Farm Resort parcel).

Background on acquisition opportunity funds:

The Metropolitan Council has granted \$5,654,672 to date from the Park Acquisition Opportunity Fund as shown in Table 1.

Table 1: Park Acquisition Opportunity Fund Grants approved as of April 23, 2007

Amount Granted	Park Agency	Project Description
\$99,966	Dakota County	Acquire Wasserman and Klink parcels at Spring Lake Park Reserve. Dakota County eligible for reimbursement consideration up to \$180,882 in a future regional parks CIP. Approved November 15, 2001.
\$521,000	Mpls. Park & Rec. Board	Acquire 3.3 acres (Parcel B of Riverview Supper Club site) as part of "Above the Falls—Master Plan for the Upper River in Minneapolis". Other matching funds were from federal grant and watershed district. Approved April 24, 2002.
\$731,200	Three Rivers Park District	Fund a portion of the costs to acquire Silver Lake SRF, which was acquired in September 2001 after 2002-03 CIP was adopted. Remaining costs eligible for reimbursement consideration in future regional parks CIP. Approved April 24, 2002.

Amount Granted	Park Agency	Project Description
\$140,000	Ramsey County	Acquire permanent trail easement on Burlington Northern/Santa Fe railroad right of way for the Bruce Vento Regional Trail. Ramsey County eligible for reimbursement consideration up to \$35,000 in a future regional parks CIP. That reimbursement is part of the funded 2004-05 CIP. Approved August 14, 2002.
\$500,000	Washington County	Acquire three parcels totaling 27.4 acres at an estimated cost of \$1.87 million in Big Marine PR. Grant is 40% of the projected \$1.25 million gap after other Council acquisition grants were spent. Washington County eligible for reimbursement consideration of up to \$750,000 in a future regional parks CIP. Approved December 12, 2002.
\$126,638	Dakota County	Acquire 1.1-acre Medin parcel in Lebanon Hills RP. Dakota County eligible for reimbursement consideration of up to \$189,957 in a future regional parks CIP. Approved January 29, 2003.
\$135,200	Anoka County	Acquire 579 acres from St. Paul Water Utility for addition to Rice Creek Chain of Lakes Park Reserve. Grant financed 40% of market value (not sale price) of land. Water Utility discounted the sale price, which was counted as part of the 60% match to this grant. Approved April 23, 2003.
\$153,703	Three Rivers Park District	Acquire 5 acre Rask parcel in Lake Rebecca Park Reserve. Park District eligible for reimbursement consideration of up to \$235,200 in a future regional park CIP. Approved Dec. 17, 2003.
\$26,479	Anoka County	Acquire 80-acre Birkeland parcel in Rice Creek Chain of Lakes Park Reserve. Balance of costs financed with watershed district grant and partial donation. Approved February 2004.
\$370,000	Three Rivers Park District	Acquire 17-acre Brakemeier parcel in Lake Minnetonka Regional Park. Balance of funds (\$810,000) provided by MN Dept. of Transportation. Approved May 12, 2004.
\$83,060	Carver County	Acquire 39.04 acres related to Lake Waconia Regional Park. Grant finances 40% of the \$207,649 funding gap remaining to buy the land. Rest of the costs financed with a previously authorized Metro Council grant (\$456,130) and County funds (\$124,589). County amount eligible for reimbursement consideration in a future regional parks CIP. Approved August 11, 2004.
\$184,109	City of Bloomington	Acquire .5 acre residential lot 9625 E. Bush Lake Road for Hyland-Bush-Anderson Lakes Park Reserve. Bloomington and Three Rivers Park District eligible for reimbursement consideration of up to \$138,081 each in a future regional parks CIP. Approved September 22, 2004
\$49,435	Washington County	Acquire 0.81 acre parcel within the boundary of Big Marine Park Reserve. Washington County would be eligible for reimbursement consideration of up to \$74,152 in a future regional parks CIP. Approved September 22, 2004.
\$433,333	Scott County	Acquire 80 acres within the Doyle-Kennefick Regional Park as a match to a DNR Metro Greenways grant of \$650,000. Approved Nov. 10, 2004.
\$950,000	Anoka County	Acquire 115 acres within Rice Creek Chain of Lakes Park Reserve from St. Paul Water Utility. Land cost discounted 79% from market value and thus grant finances remaining 21%. Approved April 13, 2005.

Amount Granted	Park Agency	Project Description
\$41,080	Ramsey County	Acquire 3.5 acre Duell parcel in Battle Creek Regional Park. Ramsey County would be eligible for reimbursement consideration of up to \$61,620 in a future regional parks CIP. Approved May 25, 2005
\$279,431	Dakota County	Acquire 2.5 acre Pryor parcel in Lebanon Hills Regional Park. Dakota County would be eligible for reimbursement consideration of up to \$419,146 in a future regional parks CIP. Approved June 29, 2005.
\$154,124	Washington County	Acquire 5 acre Goossen parcel in Big Marine Park Reserve. Washington County would be eligible for reimbursement consideration of up to \$231,185 in a future regional parks CIP. Approved July 27, 2005
\$151,093	Dakota County	Acquire 0.68 acre Skoglund parcel in Lebanon Hills Regional Park. Dakota County would be eligible for reimbursement consideration of up to \$226,639 in a future regional parks CIP. Approved September 28, 2005
\$149,069	Washington County	Acquire 5-acre Melbostad parcel in Big Marine Park Reserve. Washington County would be eligible for reimbursement consideration of up to \$223,603 in a future regional parks CIP. Approved October 26, 2005.
\$20,953	Washington County	Acquire .45-acre Taylor parcel in Big Marine Park Reserve. Washington County would be eligible for reimbursement consideration of up to \$31,430 in a future regional parks CIP. Approved August 23, 2006.
\$354,799	Three Rivers Park District	Acquire 20-acre Weinkauf parcel in Lake Rebecca Park Reserve. Three Rivers Park District would be eligible for reimbursement consideration of up to \$532,199 in a future regional parks CIP. APPROVAL PENDING
\$9,023	Washington County	Acquire 1.5 acre Hohlt parcel in Big Marine Park Reserve. Washington County would be eligible for reimbursement consideration of up to \$13,534 in a future regional parks CIP. Approval pending Metropolitan Council action on May 9.
\$5,663,695	**Total funds granted or pending as of April 23, 2007	

****PLEASE NOTE:** The Metropolitan Park and Open Space Commission recommended approval of an Acquisition Opportunity Fund grant to Three Rivers Park District of up to \$354,799 for the Weinkauf property purchase at its February 6, 2007 meeting. The grant is currently on hold pending approval from the City of Greenfield for the sale of the property and subsequent Metropolitan Council approval of the grant request. All tables in this memo have been prepared with the assumption that the acquisition of the property and the Council grant will be approved.

Based on the grants approved and pending to-date, the updated balance of the fund is \$3,449,001 as shown in Table 2 below.

Table 2: Updated Balance to Park Acquisition Opportunity Fund prior to grant for Cedar Lake Farm resort parcel in Cedar Lake Farm Regional Park

\$2,400,000	Original amount in park acquisition opportunity fund
\$3,357,000	Additional Council bonds added to fund in June 2003
\$340,334	Additional Council bonds added that were not needed to match State funds for natural resource restoration grants added in December 2003
\$15,362	Additional funds added from closed grants as part of amendment to 2005 Unified Capital Budget on May 11, 2005
\$3,000,000	Additional Council bonds added to fund in July 2006
\$9,112,696	Total funds available
-\$5,663,695	Granted or pending as of April 23, 2007 (For details see Table 1 above)
\$3,449,001	Balance of acquisition opportunity fund (Before granting any funds for the Cedar Lake Farm Resort parcel in Cedar Lake Farm Regional Park)

Based on the 2006-07 regional parks CIP, five conditions govern the use of the Park Acquisition Opportunity Fund, which are indicated below in bold. The following findings indicate that these conditions could be met for the Scott County request to acquire the Cedar Lake Farm Resort parcel in Cedar Lake Farm Regional Park.

1. The land in question is consistent with a Council approved park/trail master plan.

The review of the Cedar Lake Farm Regional Park acquisition master plan found that the plan is consistent with applicable Metropolitan Council policy/system plans and recommends that the master plan be approved by the Metropolitan Council. Assuming the Council approves the master plan, the land in question is consistent with the Council approved park master plan.

2. The land is under threat of loss for park uses because it is for sale. Action is needed now to acquire it versus waiting for future State appropriations/matching Council funds to acquire it later.

The Cedar Lake Farm Resort parcel would be under threat of loss for park uses if Scott County did not acquire it. The land is for sale now and could be developed into 13 home sites. Action to acquire the land now is needed instead of waiting for additional funds to be appropriated to the County.

3. The park agency that wants to buy the land has no other park CIP grants available to buy it.

Scott County does not have any CIP acquisition grant funds available to help partially finance this acquisition. Consequently, the County has no other acquisition funds to acquire this parcel.

4. The grant from the Park Acquisition Opportunity Fund may finance up to 40% of the fair market value of the parcel and related acquisition costs (appraisals, tax equivalency payments, relocation, and stewardship costs—well capping,

demolition/removal of hazardous structures, etc.) The remaining 60% match can be either provided by the park agency in cash, or other matching funds such as a watershed district grant, or the land seller can reduce the sale price of the parcel by 60%. A combination of park agency cash, matching funds and a reduced sale price can be used to finance the remaining 60%. The park agency can request to be considered for reimbursement of its cash contribution in a future regional parks CIP.

Scott County has requested \$1 million for the Cedar Lake Farm Resort parcel, which is 22% of the total estimated acquisition costs. The County is financing the remaining 78% with County funds and has requested consideration of reimbursement of these funds in a future regional parks CIP.

5. No more than \$1 million may be granted from the Fund to a regional park agency from July 1, 2005 to June 30, 2007.

This is the only request from Scott County for an Acquisition Opportunity Grant during the period from July 1, 2005 to June 30, 2007. The request of \$1 million is consistent with the policy limit of \$1 million per agency for acquisition opportunity funds granted from July 1, 2005 to June 30, 2007.

Status of remaining acquisition opportunity funds.

If \$1 million was granted, there would be \$2,449,001 remaining for future acquisition opportunities as shown in Table 3.

Table 3: Updated Balance to Park Acquisition Opportunity Fund if a grant is awarded for the Cedar Lake Farm Resort parcel in Cedar Lake Farm Regional Park

\$3,449,001	Balance of acquisition opportunity fund before granting any funds for the Cedar Lake Farm Resort parcel in Cedar Lake Farm Regional Park (For details see Table 2 above.)
-\$1,000,000	Proposed funding for 61-acre Cedar Lake Farm Resort parcel in Cedar Lake Farm Regional Park
\$2,449,001	Updated balance of Park Acquisition Opportunity Fund if funds are granted to acquire the 61-acre Cedar Lake Farm Resort parcel in Cedar Lake Farm Regional Park

Reimbursement eligibility for County funding of the acquisition

As noted above, Scott County has requested eligibility for reimbursement consideration of up to \$3,526,192 in a future regional parks CIP to acquire this parcel. The request must comply with the terms of Strategy 2(f) of the *2030 Regional Parks Policy Plan* regarding reimbursement eligibility to acquire land. The applicable excerpts from that policy states:

Strategy 2(f): Reimbursement

Reimbursement will be considered for early acquisition of land currently designated as regional recreation open space by the Metropolitan Council in the *2030 Regional Parks Policy Plan* if the acquisition is in full agreement with a Council-approved master plan as

required under MN Statutes 473.313 and the regional park implementing agency received Council approval prior to undertaking the acquisition.

...

If these conditions are met as required by MN Statutes 473.147, and 473.313 the Council will consider reimbursing the park agency via a grant as permitted under MN Statutes 473.315 for the following costs:

- a) Appraisal costs incurred by the acquiring park agency or entity under contract with the agency
- b) Surveying costs incurred by the acquiring park agency or entity under contract with the agency
- c) Legal fees incurred by the acquiring park agency or entity under contract with the agency
- d) Fees for service provided by an entity under contract by the park agency to negotiate and purchase the land or obtain an option to purchase
- e) Principal payments made towards the purchase price including principal payments on a contract for deed or bond, or payments made on an option to purchase
- f) 180% of township or city taxes due on the parcel at the time of closing as required by MN Statute 473.341

...

The Metropolitan Council will use best efforts to implement this reimbursement policy as described above. However, the Council does not, under any circumstances, represent or guarantee that reimbursement will be granted, and expenditure of local funds never entitles a park agency to reimbursement.

This acquisition is consistent with the terms of Strategy 2(f) because the parcel is consistent with a Council-approved master plan—assuming the Council approves the master plan for Cedar Lake Farm Regional Park. The County is seeking approval of this acquisition prior to closing on the transaction, and the request is consistent with the 2006-07 parks CIP criteria for acquisition opportunity funds.

As noted in Strategy 2(f), approval of this project at this time does not commit the Council to finance the requested reimbursement in the regional parks CIP.

CONCLUSIONS:

1. The *2030 Regional Parks Policy Plan* requires that master plans include information on eleven items reviewed in the “analysis section” above. It also requires that sufficient information be included on the estimated cost of the acquisition and development proposed in the master plan. This review concludes that the Cedar Lake Farm Regional Park Acquisition Master Plan (Referral No. 20001-1) contains sufficient information to meet the requirements of the *2030 Regional Parks Policy Plan* and that it is generally consistent with the requirements of the plan.

- The total estimated capital improvement costs to implement the acquisition master plan is \$6,696,192 as follows:

Parcels	Estimated costs (purchase price plus tax equivalency payment, appraisals, closing costs environmental assessments and attorney fees)
Cedar Lake Farm Resort (61 acres)	\$4,526,192
Silver Maple Bay Open Space Design Development land dedication (173 acres)	\$ 0
Remaining parcels owned by 10 landowners (63 acres)	\$2,170,000
Total	\$6,696,192

- The improvements as outlined in the master plan for related regional park improvements will have no impact to the Regional Wastewater System. The area is provided sanitary sewer service by a the Cedar Lake Water and Sanitary Sewer District, and is located outside of the Metropolitan Council’s long term Regional Wastewater System service area.
- Scott County’s request of \$1 million in Park Acquisition Opportunity Funds to acquire the Cedar Lake Farm Resort parcel in Cedar Lake Farm Regional Park is consistent with the conditions for receiving a grant from the Park Acquisition Opportunity Fund.
- Scott County’s request to be eligible for reimbursement consideration of up to \$3,526,192 in a future regional parks CIP is consistent with the conditions of Strategy 2(f) Reimbursement, in the *2030 Regional Parks Policy Plan*. The reimbursement amount will be reduced by any DNR Metro Greenways grant provided for this parcel. The Council does not under any circumstances represent or guarantee that reimbursement will be granted, and expenditure of local funds never entitles a park agency to reimbursement.

RECOMMENDATIONS:

That the Metropolitan Council:

- Approve the Cedar Lake Farm Regional Park Acquisition Master Plan (Referral No. 20001-1).
- Authorize a grant of up to \$1 million from the Park Acquisition Opportunity Fund to Scott County to partially fund the acquisition of the Cedar Lake Farm Resort parcel for Cedar Lake Farm Regional Park.
- Allow up to \$3,526,192 of the acquisition costs of the Cedar Lake Farm Resort parcel to be eligible for reimbursement consideration in a future regional parks CIP. The reimbursement amount will be reduced by any DNR Metro Greenways grant provided for this parcel. The Council does not under any circumstances represent or guarantee that reimbursement will be granted, and expenditure of local funds never entitles a park agency to reimbursement.

**ATTACHMENT 1: LETTER FROM SCOTT COUNTY
ELECTRONIC COPY—ORIGINAL ON FILE AT METROPOLITAN COUNCIL**



SCOTT COUNTY COMMUNITY DEVELOPMENT

GOVERNMENT CENTER · 200 FOURTH AVENUE WEST · SHAKOPEE, MN 55379-1220
(952) 496-8344 · Fax (952) 496-8840 · Web www.co.scott.mn.us

April 11, 2007

Mr. Arne Stefferud
Planning Analyst-Parks
Metropolitan Council
390 North Robert Street
St. Paul, MN 55101

Dear Arne:

The Scott County Parks Department requests the Metropolitan Council authorize a grant of up to \$1 million to partially finance the acquisition and related costs for the Cedar Lake Farm property in Cedar Lake Farm Regional Park. Concurrent with our grant request, Scott County is submitting for Metropolitan Council approval an acquisition master plan for Cedar Lake Farm Regional Park. Scott County also requests that the Metropolitan Council allow up to \$3,526,192 for the remaining acquisition and related costs for the Cedar Lake Farm property to be eligible for reimbursement consideration in a future regional parks CIP.

The Cedar Lake Farm and Day Resort property (referred to as Cedar Lake Farm) is identified as a potential park land acquisition in Scott County's Interim Parks, Trails and Open Space Plan, approved by the County Board in 2004. This land plus other land illustrated in the acquisition master plan is also included in the Metropolitan Council's *2030 Regional Parks Policy Plan* for acquisition as one of "the last best places"—land that should be acquired for a regional park prior to 2030 to meet the forecasted recreation needs of the region beyond 2030. Given the imminent threat of development, Scott County entered into negotiations with the landowner to purchase the property for parkland.

The Cedar Lake Farm property is located on the southwest shore of Cedar Lake in Helena Township, at the intersection of County Road 2 and Redwing Avenue. The County would like to purchase approximately 61 acres of the 64 acre property, all of which is entirely within the proposed Cedar Lake Farm Regional Park boundary. (The land owner is retaining approximately 3 acres.) The dominant features of the property include 1800 feet of undeveloped shoreline on Cedar Lake, gently rolling topography through a 30-acre park-like setting with large shade trees, 9 acres of Maple-basswood forest, a well-maintained 1940's barn and several small out buildings, and an old-farmhouse.

Scott County learned of the opportunity to purchase the Cedar Lake Farm property during the summer of 2006, when the landowner informed the County of his intent to either sell or develop his land, and subsequently submitted to the County (the land use and zoning authority) a plan to develop the property into residential housing. This property has been run as a private picnic facility (the Cedar Lake Farm and Day Resort) for large corporate and family outings and picnics for close to 50 years.

Scott County has a signed purchase agreement in the amount of \$4.5 million with the owner of the Cedar Lake Farm property, to purchase 61 acres of his property. The acreage retained by the owner will be platted into a separate parcel, which is also within the park boundary. (See attached map.) The Purchase Agreement has a contingency that without a \$1M grant from the Metropolitan Council, the Purchase Agreement is null and void.

The County and the seller have come to an agreement on a purchase price of \$4,500,000 for the 61-acre property. The additional costs, associated with the purchase of the property, are as follows:

Cost Area	Amount (\$)
Purchase Price	4,500,000
Appraisal	7,182.50
Attorney Fees	8,000
Tax Equivalency Payment	1,732.07
2007 Remaining Taxes	5,277.44
Closing Costs	\$4,000
Total Estimated Acquisition Costs	4,526,192
Parks Acquisition Opportunity Fund Request (Capped at \$1million)	1,000,000
Remainder for reimbursement consideration	3,526,192

Scott County will fund \$3,526,192 in acquisition costs, which is above the required 60 percent local match to the Park Acquisition Opportunity Fund grant.

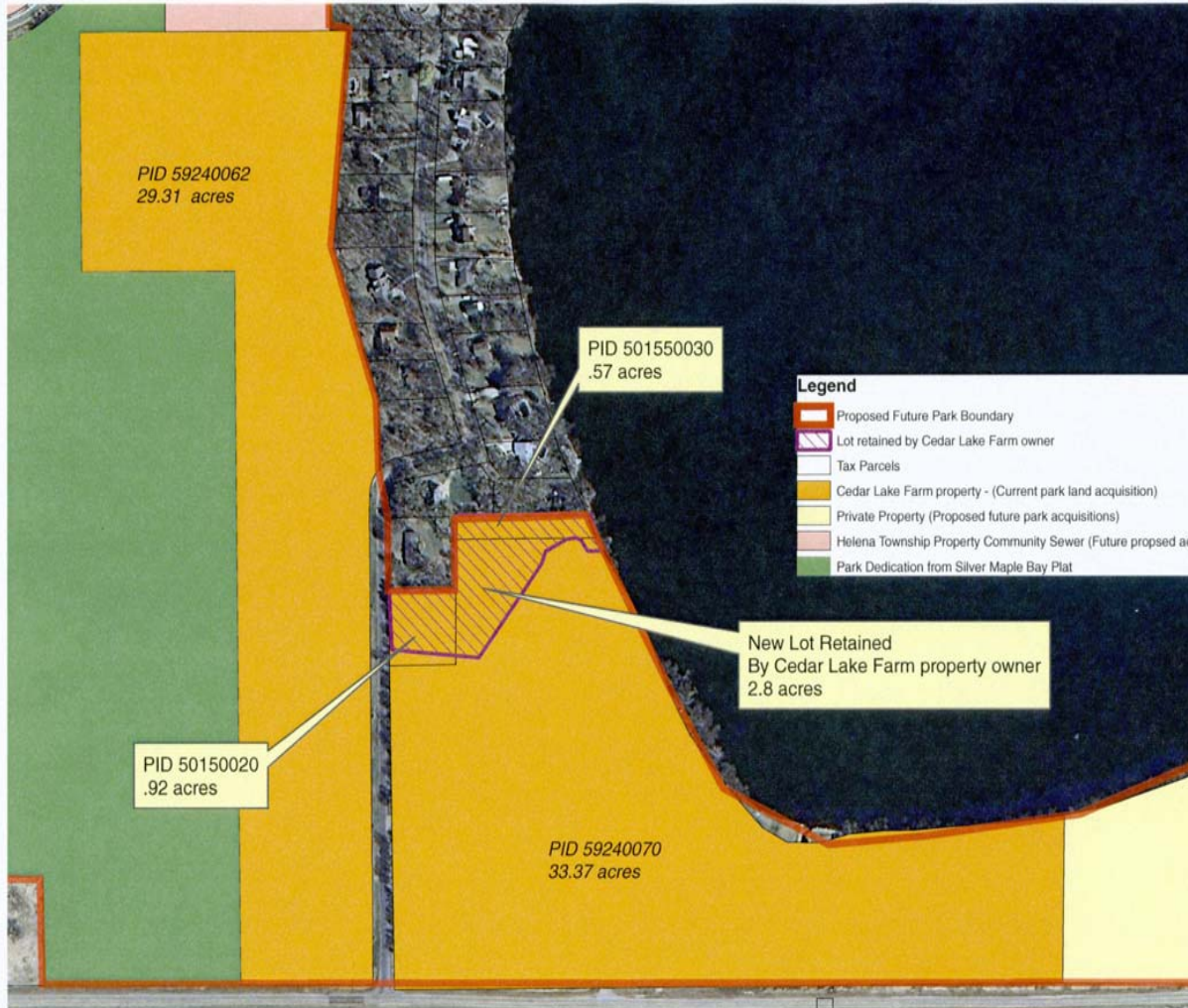
If you need further information, please contact me at (952) 496-8366.



Michael Sobota

Community Development Director

- C: Mark Themig, Parks Program Manager
- Patricia Freeman, Sr. Natural Resources Specialist
- Kevin Ellsworth, Chief Financial Officer
- David Unmacht, County Administrator
- Gary Shelton, Deputy County Administrator
- Susan McNellis, First Assistant County Attorney

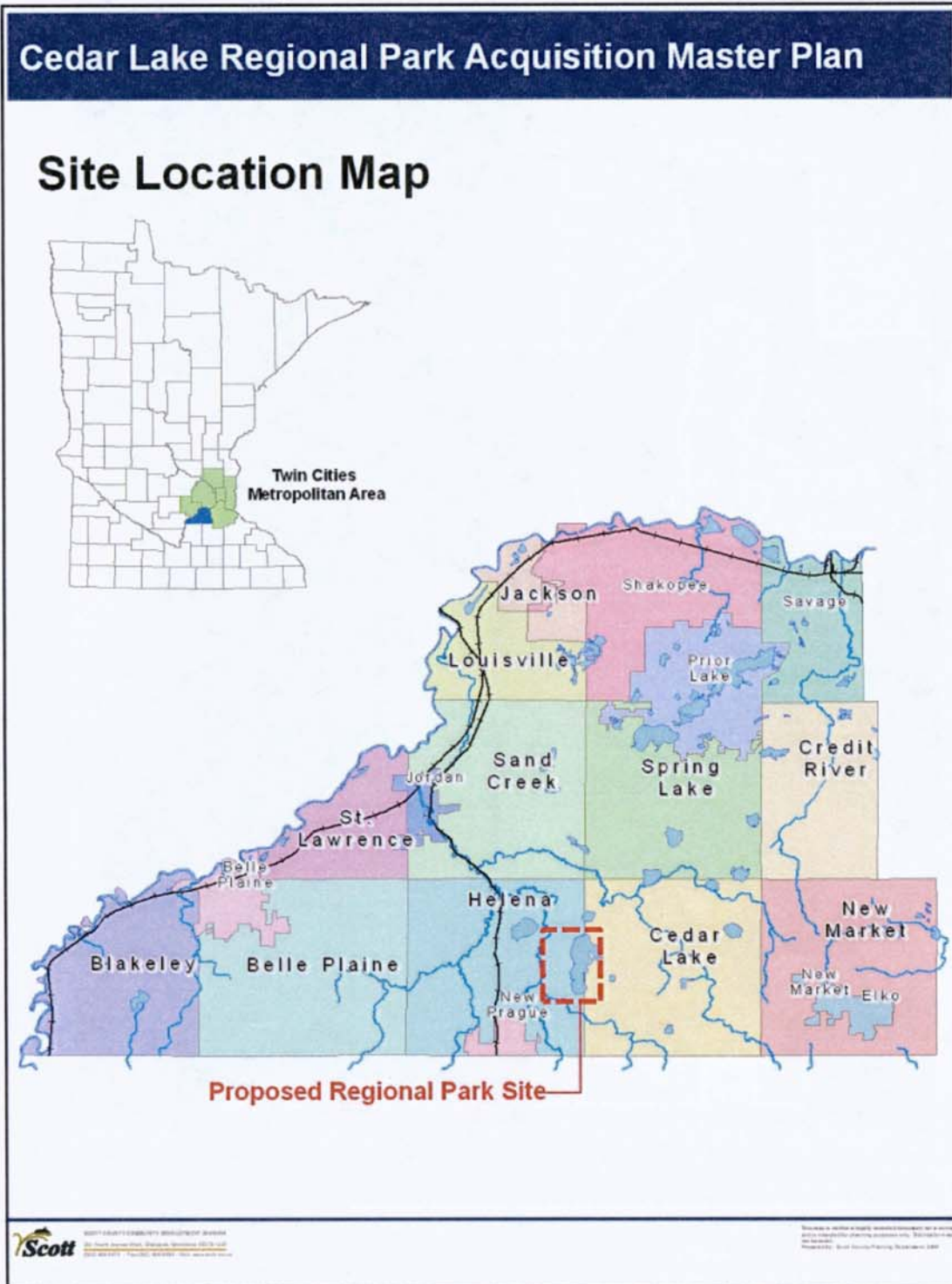


CEDAR LAKE FARM PROPERTY PURCHASE ~61 ACRES
Cedar Lake Farm Regional Park

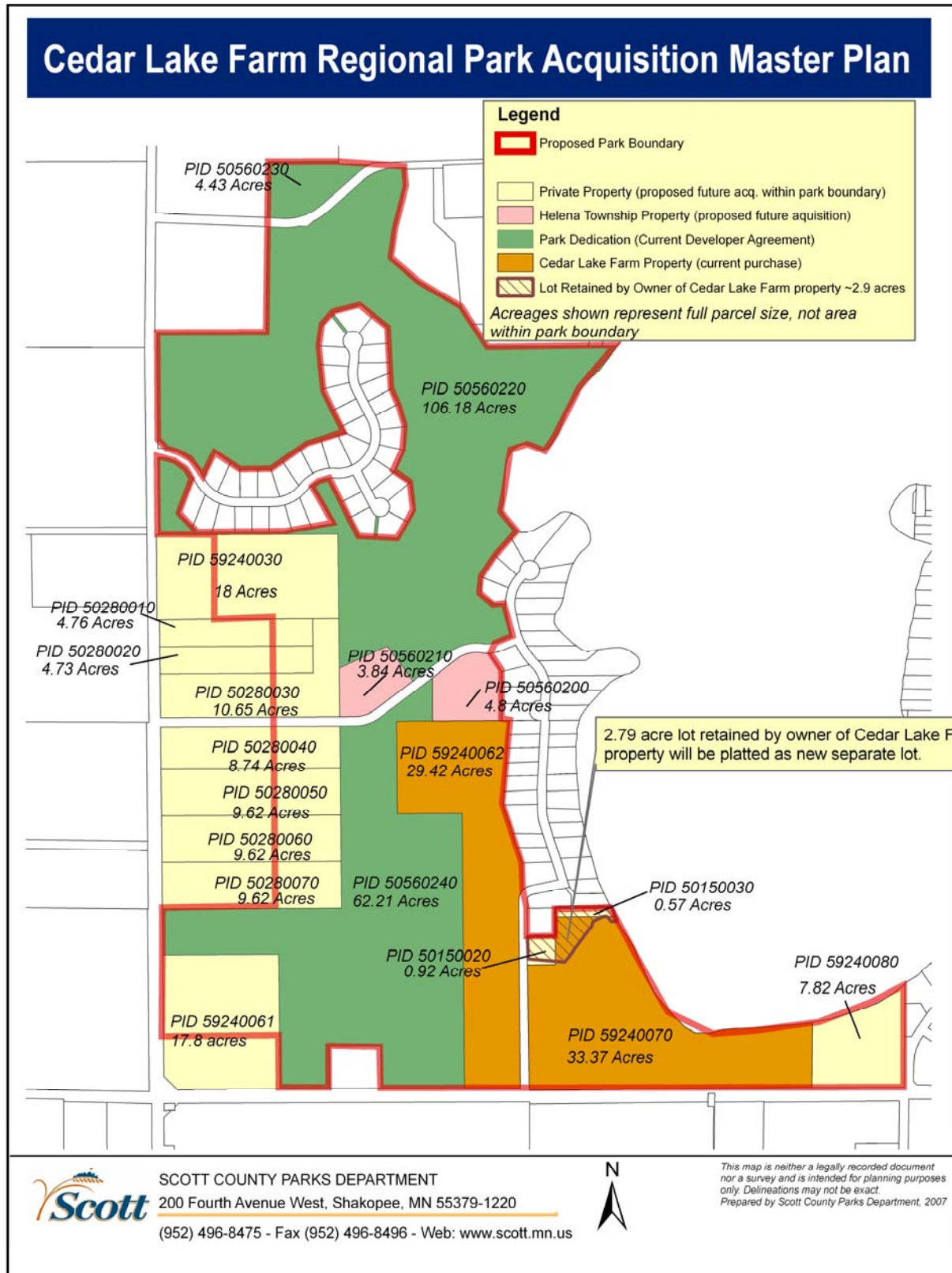
Scott County Parks Department
 200 Fourth Avenue West, Shakopee, MN 55379-1220
 Ph. (952)496-8475 Fax (952)496-8496 Web: www.c

ATTACHMENT 2—LOCATION MAP OF CEDAR LAKE FARM REGIONAL PARK

A. Site Location Map



ATTACHMENT 3: PARK BOUNDARY AND PARCEL MAP OF CEDAR LAKE REGIONAL PARK



ATTACHMENT 4: AERIAL PHOTO OF CEDAR LAKE FARM REGIONAL PARK

