

## Session: Maximizing Public Values Through Collaboration with Developers

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### Key points from the panel discussion

#### JS – Jeff Schoenbauer

- Over-arching theme = perspectives on both sides of the table, developers and parks/open space advocates
- Reality of working with the development community – has to be a win-win
- Dynamic at local level = ecological resource analysis & inventory, leading to plan development, and in turn influencing the comprehensive land use plan
- Lino Lakes example – almost all private property; plan has protected zones (mostly wetlands) and conservation zone (where most parks & open space is); matches community vision; consultant ensured that city was leading the effort, applying city's values, and coordinating with both developer and regulatory agency
- DNR often contributes ecological underpinnings; risks perception that other's values are being imposed on community
- Traditional development is regulatory-driven, which gets in the way of developer's creativity
- Conservation development is principle-driven /collaborative
- Don't try to suppose what the developer will make financially or what they might be willing to do
- Get agreement by city officials and developer on basic concepts before deep investments are made
- Struggle is in bolstering public's confidence that this approach will work
- Suggestion is that communities can control your own destiny to the extent possible

#### MG – Mike Grochala

- Struggle for last 10 years of comp planning has been about rate of growth – lost sight of vision along the way – needed to find a different way
- Internal staff coaching – it calls for a different thought process based on public values criteria (shift from minimum standards) – putting expectations on the table from the beginning
- Had to get city's team together up front, earlier in the process
- Proactive communications with other entities like watershed district board
- Identified the "prize" (a wetland) they wanted to protect and took it from there; sought an endowment up front to help with protection; involved homeowners association in long-term maintenance – goal is self-sustaining stewardship

#### CM – Clint Miller

- Key step = planning and getting all the players involved
- MLA's business is conservation easements; 99% OF MLA's work is done with private landowners
- Handouts: *Conservation Design Portfolio*; how-to on conservation easements; annual report
- Need to get clear on goals for the property; choice of tools depends on that
- Conservation easements are the only permanent tool for protection in perpetuity, regardless of ownership
- It's not the answer to all open space management issues
- Cities, townships, counties, state and federal agencies, and qualified nonprofit entities can hold conservation easements

- Monitoring and enforcement of easements is essential; otherwise, what is it really worth? MLA tries to do annual visits and have positive relationships with landowners; most violations are minor (e.g., failure to notify); 3<sup>rd</sup> party trespass takes greatest amount of time and effort; must plan for how you will manage easements and pay for that management forever
- Outreach and education is another program component (e.g., with homeowners association)

#### **BE – Bob Engstrom**

- Things are changing fast, including price of land; greatest opportunity is when it's priced per acre rather than per square foot
- There's about 20 national development firms competing in local marketplaces with smaller/local developers; some of these developments are better suited for smaller firms (niche)
- In years gone by, most city/county planners were landscape architects or architects, and it could be easier to talk over a developer's design ideas with them; it's sometimes harder now with planners coming out of public affairs and public administration programs
- Traditional dedications like parks used to be small scale
- Lino Lakes's environmental committee has come a long way over the years
- A "can do" attitude goes a long way towards getting things done (example = local requirements for street width associated with emergency vehicles)
- Example – 2<sup>nd</sup> phase of Fields of St. Croix amenities include: interconnecting greenways asset and walkability; preserved viewsheds along township roads so it doesn't feel so urbanized; perpetual conservation easements for all open space; donated land for Minnesota Landscape Plant Development Center
- Consider offering incentives to improve the design, depending on market conditions; think in terms of architectural integrity – mitigating impacts of garages, appropriateness of style, design of drainage areas for parking lots
- Can create value for owners and provide for mixed housing needs

#### **Q&A session**

Randy Thoreson, NPS – litmus test is “what is happening next door?”

response = goal is to “string the pearls” together in the community and draw more developers into this approach

Jody Martinez, City of St. Paul – intrigued by example of getting various city departments working together on this – how to make it happen?

response = Yes, even a city parks dept. often is glad to leave the open space component to someone else

Ed Quinn, MnDNR – what source information was used?

response = city did their own land cover info that preceded MLCCS, but it sat on the shelf; in reality, comp plan requirements really weren't being addressed in developments

Dorian Grilley – gave example of a developer with land next to state park assuming that he could purchase/transfer development rights for housing at 10 per 40 acres. County denied it as inconsistent with plan, and he's suing. Seems to have been some poor communications or disconnects about what's possible or matching expectations.

Jeanne Daniels, MnDNR – who picks up the cost for developer to work with community or agencies?

response = in Lino Lakes, cost is pass-through to developer

Susan Overson, NPS – asked Bob for more info about incentives for developers

Response = example is bonus of extra lots if public values are achieved

Another question – is minimum square footage footprint is expanding in MN?

Response = a goal of this approach is to increase the set of amenity values for a higher perceived quality of life; acknowledged that it is particularly challenging to get city council to think outside the box of their assumptions

Lakeville parks director – it's almost impossible to deal with this when it's a national developer; city departments do coordinate early; time limit to act on project proposals adds a challenge

Question from Jeff: have you ever sought to meet with the big developers early – yes, and they adapt; it takes time to develop that rapport

Jody Martinez, City of St. Paul – site plan review system can work, but major developments are often already well along – need to get engaged even earlier than they do now

Bob Engstrom – the opportunity is before you adopt/update a comp plan and zoning ordinance

Larry Holmberg, Ramsey Co. Parks – what coordination with adjacent cities?

Response – yes, that's sought out

Bob E – this can work even better is city water/sewer is not yet available, because land price is still reasonable

Todd Hoffman, Chanhassen – must have established system and people in place to make it happen

## **EXISTING BPs / GOOD EXAMPLES OF SUCCESSFUL PRACTICES**

Douglas County Parks – meeting and sharing information early (although their own present approach is not ideal – too focused on “here are the rules”)

- What are the **3 most important factors/ideas** to emerge from this session?
  1. Best Practices are emerging and limited on public side – also lack of confidence in doing things differently.
  2. More emphasis on education and workshops is needed.
  3. One size does not fit all....meaning that each agency will have unique circumstances that have to be accommodated.