

City of Cottage Grove Planning Commission February 26, 2007

Pursuant to due call and notice thereof, a regular meeting of the Planning Commission was duly held at City Hall, 7516 – 80th Street South, Cottage Grove, Minnesota on the 26th day of February 2007, in the Council Chambers and telecast on local Government Cable Channel 16.

Call to Order

Chairperson Brittain called the meeting to order at 7:00 p.m.

Roll Call

Members Present: Shane Bauer, Ken Brittain, Tina Folch-Freiermuth, Rod Hale, Chris Reese, David Thiede

Members Absent: Tracy Poncin

Staff Present: Howard Blin, Community Development Director
John McCool, Senior Planner
Mark Grossklaus, City Council

Approval of Agenda

Brittain reported that agenda item 6.3, Concept Plan for McHattie Farms, has been continued to next month due to the applicant being delayed out of town due to weather. ***Motion by Hale, second by Thiede, to approve the agenda. Motion approved unanimously (6-0 vote).***

Open Forum

Chairperson Brittain asked if anyone wished to address the Planning Commission on any non-agenda item. No one addressed the Commission.

Chair's Explanation of the Public Hearing Process

Chairperson Brittain explained the purpose of the Planning Commission, which serves in an advisory capacity to the City Council, and that the City Council makes all final decisions. In addition, he explained the process of conducting a public hearing and requested that any person wishing to speak should come to the microphone and state their full name and address for the public record.

Public Hearings and Application Reviews

6.1 S & C Bank – Cases ZA07-007, SP07-008, and CUP07-009

S & C Bank has applied for a zoning amendment to amend the Planned Unit Development (PUD) ordinance for Almar Village and a conditional use permit to allow a drive-through

bank, and a site plan review of a proposed bank building to be located at 7199 Jorgensen Lane South.

Blin summarized the staff report and recommended approval subject to the conditions stipulated in the staff report.

Mark Paschke, Frisbie Architects, River Falls, Wisconsin, stated that the trash will be contained within the building and the enclosure shown on the site plan is screening for mechanical equipment. He also stated that they would incorporate the additional landscaping recommended by staff along the south of the building.

Folch stated that she likes the design of the building. She asked about the location of the drive-up ATM and pavement markings for the drive-through. Paschke responded that the ATM would be located in the second drive-through lane. Regarding pavement markings, he stated that they would work with staff to further identify the stacking positions.

Thiede also expressed concern about stacking in the drive-through lanes and suggested that the building be turned so the ATM would be on the east side. Paschke stated that proposed configuration helps screen the drive-through lanes from the public right-of-way. Blin stated that after looking at the number of transactions from another of their branches, staff is comfortable that the five stacking spaces are sufficient to handle the peak demand at that location. Thiede asked if building design is a franchise layout. Paschke stated that it is a new layout and not based on a prototype.

Scott Johnson, President of the Metro Division of S&C Bank, explained the thought process on how the building was laid out and designed, noting that extending the drive-through to the east would intrude into the landscaping and would significantly affect the turning radius. He stated that they cut off a corner of the building to attempt to make that corner a little smoother.

Thiede asked if they were confident that there would not be a back-up in the drive-through lanes. Johnson explained that they did a study at their Oak Park Heights branch, tracking the number of vehicles in their drive-through lanes and looking at a report of their ATM usage, and there were very few times when they had more than two or three vehicles in the drive-through at the same time.

Brittain opened the public hearing. No one spoke. Brittain closed the public hearing.

Bauer asked if the vehicles coming out of the drive-through lane could be routed to the road in front of the new convenience store and out to Jorgensen Lane so they do not go through the rest of the parking lot. Blin responded a no left turn sign could be installed at the end of the drive-through lane. Brittain disagreed noting that section of the parking lot is very rough due to the gas tank covers. Bauer expressed concern for about the safety of pedestrians going to the restaurant due to the extra traffic from the bank. Brittain stated that would be a longer route and there could be issues with the gas station traffic. Hale stated that he does not see that this would be a big traffic issue as the bank is far enough away from the existing businesses. Brittain agreed noting that it could be addressed if it does become a problem in the future.

Hale asked if this site would connect to the existing storm sewer. Blin responded that a building had been planned for this site and the storm system was sized to accommodate that.

Brittain expressed concern about the exterior materials, noting that there should be more brick on the building. Thiede agreed, stating that the bank building should look more like the mall than the gas station and meat market do.

Paschke stated that those are valid points and stated that they would take into consideration the Commission's comments on their final design. Brittain recommended that they work with staff on this design prior to the City Council meeting. It was the consensus of the Commission that more brick be added to the exterior of the building to better match the existing mall.

Thiede made a motion to approve the applications subject to the conditions listed below with a recommendation that the applicant work with staff on changes to the exterior elevations to more closely match the existing mall. Hale seconded.

Hale asked if this should be done prior to the City Council meeting or should the designs come back before the Commission. Brittain responded that the recommendation would be that the City Council would make the final approval of those exterior changes. Hale clarified that the motion should be that the approval is based on revising the exterior of the building prior to the plan being presented to the City Council. Thiede accepted the clarification.

- 1. All site, landscaping, and architectural plans must conform to submitted plans dated January 22, 2007.***
- 2. The original conditions of approval identified in Ordinance No. 698 and Resolution Nos. 01-173 and 01-174 must be complied with.***
- 3. All applicable permits (i.e., building, electrical, grading, mechanical) and a commercial plan review packet must be completed, submitted, and approved by the City prior to the commencement of any construction activities. Detailed construction plans must be reviewed and approved by the Building Official and Fire Marshal.***
- 4. Final exterior construction materials and colors must be reviewed and approved by the Planning Department prior to the issuance of a building permit.***
- 5. The grading and erosion control plan for the site must comply with NPDES II Permit requirements. Erosion control devices must be installed prior to commencement of any grading activity. Erosion control must be performed in accordance with the recommended practices of the "Minnesota Construction Site Erosion and Sediment Control Planning Handbook" and the conditions stipulated in Title 10-5-8, Erosion Control During Construction, of the City's Subdivision Ordinance.***
- 6. All curbing for the project must be consistent with the existing curbing in the project.***
- 7. The applicant must provide the City with an as-built survey of all private utilities prior to certificate of occupancy.***
- 8. The applicant will be responsible for ensuring that all appropriate stormwater and access cross easement documentation is completed prior to the issuance of any building permits.***

- 9. Prior to the issuance of a building permit, the applicant must submit a comprehensive sign package to the City for review and approval.**
- 10. Prior to the issuance of a building permit, the applicant must submit a comprehensive lighting package consistent with the city redevelopment plan for review and approval. All outdoor lighting must be directed downward and away from residential property and public streets and must not exceed one footcandle at the property lines.**
- 11. The landscaping plan must be revised to address the items identified in the staff report. Said plan will be reviewed and approved by the Planning Department prior to the issuance of a building permit.**
- 12. A bona fide cost estimate of the landscaping improvements must be submitted in conjunction with a letter of credit approved by the City in the amount of 150 percent of such estimate. Upon completion of the landscaping requirements, the applicant must in writing inform the City that said improvements have been completed. The City must retain the financial guarantee for a period of one year from the date of notice to insure the survival of the plantings, and until the as-built utility survey has been submitted. No building permit will be issued until the required financial guarantee has been received and accepted by the City.**
- 13. The block enclosure proposed to enclose the mechanical equipment and trash enclosure must be modified to include a combination of block and brick, consistent with the principal building.**

Motion passed unanimously (6-to-0 vote).

6.2 The Preserve at Cottage Grove – Cases ZA07-010 and PP07-011

B&C Real Estate Investments, on behalf of Johnson-Reiland Construction Company, has applied for a zoning amendment to change the zoning of land at 6750 Jamaica Avenue South from R-1, Rural Residential, and AG-1, Agricultural Preservation, to R-2A, Residential District; and a preliminary plat to create 39 single family lots and 4 outlots.

McCool summarized the planning staff report and recommended approval subject to the conditions stipulated in the staff report.

Reese asked if the fencing language could be more specific so it is more consistent throughout the East Ravine. McCool stated that the fencing would only be along lot lines at the back side of the Jamaica buffer strip. The city would not dictate the type of fence, but just ensure consistency. Reese then asked about condition #19 noting that he does not understand the purpose of the condition. McCool responded that it is to let the buyers of the properties understand that they are responsible to maintain out to the curb, including mowing, and that if they install irrigation systems in the boulevard area, any damage from street reconstruction would be paid by the homeowners.

Thiede stated that this project does not match the concept plan for that area of the East Ravine because the plan showed a loop street coming up the northeast side of the lake and out the

north to the East Ravine Parkway. He also noted that the properties on the south side of the road are extremely long, and it appears as if most of the trees would be removed, which would give the appearance of a pasture in those backyards. Blin responded that the loop street shown in the plan was just illustrative of what could happen; when the engineers were designing the project, it was determined that this design was not practical, particularly given the required setback from the wetland.

Rick Osberg, James R. Hill Engineering, 2500 West County Road 42, Burnsville, a consultant for the developer, explained that the deep lots on the south side are due to the higher topography in that area. He pointed out the tree clearing limits, noting that most of the trees in the woodland area would be preserved.

Thiede asked about the proposed average retail price of the homes. The applicant responded \$600,000 and up.

Folch asked when the property to the north would be coming before the Planning Commission, noting that Street B connects to that property. She stated that it seems that for this number of lots to be authorized, that street connection to the adjacent development needs to be constructed in the near future. Blin responded that staff discussed this issue of access with the fire department and they are comfortable with a temporary solution as long as there is the opportunity to extend the access in the future.

Brittain asked about the water feature to the north of the property. McCool responded that it is a very shallow water-locked basin with no outlet. As part of the East Ravine development proposal, a storm sewer would run through a series of ponds within the developed areas that would eventually discharge to this pond and there will be a storm sewer outlet that goes to the northeast and down Ravine Parkway. Brittain asked if that pond was an amenity that could be used in a park because there would probably be the need to have a public park either with the project or the property to north when it develops. McCool responded that staff has talked to the property owner about providing some public views and frontage along this pond area and a future trail system around the pond that would connect to the Wilder property to the west as well. Brittain asked about access to that area. McCool responded that most of it will be private property and it is not going to be a public pond. Brittain asked if the pond would a scenic enough feature that a community park of some type could be located somewhere around it. Blin responded that the East Ravine plan shows some public access and connection to the west side on the Shepard's Woods property.

Hale asked if the city talked with the Wilder Foundation about public use in that area. Blin stated that staff has had discussions with the Land Trust, which controls the conservation easement, and through them with the Wilder Foundation, and they are agreeable to a trail system through that area. He explained that the area would not be developed as an active park but would just have a trail corridor leading to Inwood Avenue on the west side. Hale asked what the minimum lot size is for the R-2A zoning district. McCool responded 11,000 square feet. Hale asked what the cul-de-sac length requirement is in the ordinance. McCool stated that the ordinance specifies 600 feet but the city is now using the new International Fire Code requirement, which is limited to 30 units without secondary access.

Thiede asked if the intersection with Jamaica lines up with the proposed McHattie Farms subdivision. McCool responded yes.

Brittain opened the public hearing.

David Wolterstorff, 9398 Erin Court, Woodbury, stated that he is the property owner to the north. He stated that his only concern is that the city agrees to also exceed the limits on cul-de-sacs for his property to the north of the development. He is concerned that there would be no access for development of that portion of his property. Brittain stated that the Planning Commission cannot give approval for any part of future development of his property at this meeting, but there is a reasonable expectation that there would be access to that portion, possibly similar to what was shown in this staff report. Thiede stated that there needs to be some type of access to Jamaica, even if that stub was allowed. Osberg explained that the emergency access would not be paved. Brittain asked if it would be a trail. Blin responded that it would be a trail about eight feet wide that would have grass paving stones on either side to allow truck access. Brittain suggested a paved pedestrian trail that emergency vehicles could use. Folch asked why that option was chosen instead of a paved road. Blin responded that the number of accesses onto Jamaica Avenue is limited as it is an arterial street. In addition, the city will be turning Jamaica Avenue over to the County at the end of this process and they also limit roadway connections. Thiede stated that the East Ravine plan shows an access to the lake area off Jamaica at the mid-point and asked if that could be an access point. Blin responded that was a possibility, but it would just be a pedestrian access that follows the wetland. That could be looked at when the Wolterstorff property comes in for approval. Thiede asked if the homes in both this proposal and in the adjacent portion of the future development to north would be architecturally consistent. Blin responded that could be addressed in the association documents for both projects. Wolterstorff stated that the lot sizes would be very similar. Hale asked how many acres Wolterstorff owns. Wolterstorff responded between 92 and 98 acres. Hale stated that he does not want this to be construed as approval for the double cul-de-sac shown on the proposed plat because there may be a better layout that incorporates the whole parcel, not just the parcel south of the lake. He stated that there would be access to that part of his property without approving a specific type of design. Wolterstorff stated that he just wants to ensure there would be access.

Mary Kay Palmer, Wilder Foundation, 919 Lafond Avenue, St. Paul, stated that she has two concerns about the development. The first one has to do with the significant loss of trees. She noted that it was encouraging that they are trying to preserve some of the trees on the south side of the property that is adjacent to land trust parcel. The second had to do with the trail proposed for Outlot G. She stated that this would be an opportune time for the Land Trust, Wilder Foundation, and the city to discuss this issue. She knows that the former owners, who still live on the property, are very concerned about their privacy and do not want the property used by the general public until there is something formally set up. Hale asked if the current owners don't want public access as long as they are living there. Palmer responded that they are not opposed to having a trail on Outlot G that leads to the property but that they just want to start negotiations on the trail location and public access within that property.

No one else spoke. Brittain closed the public hearing.

Folch asked if the city would be responsible for the creation and maintenance of the trail system through the Wilder property. Blin responded that would need to be discussed. He stated that this would not be an extensive trail system; the city is only looking at a soft surface trail or two that crosses through the area. Hale stated that he appreciates the willingness of the Wilder Foundation to work with the city on a trail access through their property.

Brittain stated that the building plans show good quality homes and the developers have met the city's standards with respect to 85-foot lots and tree preservation. His overall impression of the development is very positive.

Bauer asked about condition #12 that says tree mitigation is required in accordance with ordinance criteria and how many trees would be removed and replaced. McCool reviewed the tree preservation ordinance requirements with the Commission. He stated that during the preliminary review 871 trees plus 57 around the homesteads would be removed. They plan to evaluate the condition of the trees in the woodland area this spring. He explained that they only estimated the number of trees in the woodland and based on the health assessment of those trees, there would be better determination of how many trees would be impacted and what would need to be mitigated. That information will be incorporated in the development agreement, which will specify the number of trees lost, how many need to be replaced, where they will be replaced, and if there would be any payment to the city if there is not enough space to replace on the property. Bauer asked if the money paid for tree mitigation is dedicated for planting trees elsewhere in the city. McCool responded that was correct.

Reese noted that both condition #17 and the second bullet point on condition #18 reference monument "signs" and asked if that could read monument "sign" to ensure that there would be only one. Brittain noted that the applicant has plans for only one sign and that the conditions of approval could be changed to note that.

Brittain made a motion to approve the applications, with the change of "monument signs" to "monument sign," subject to the conditions listed in the draft resolution. Hale seconded the motion.

- 1. The final plat must conform to the preliminary plat dated January 31, 2007.***
- 2. Approval of the rezoning and preliminary plat applications is contingent on the extension of city utilities that are necessary to serve this project.***
- 3. The revised grading and utility plan must be submitted to City staff for review and approval prior to the submission of the final plat plan applications to the City. All emergency overflow swales must be identified on the grading and erosion control plan.***
- 4. The developer must petition the City for public improvements and enter into a subdivision agreement with the City for the installation of and payment for all public improvements in the subdivision and adjacent public roadways, pursuant to City Code Title 10.***
- 5. The applicant receive appropriate building permits from the City, and permits or approvals from other regulatory agencies including, but not limited to, the South Washington Watershed District, DNR, and the Minnesota Pollution Control Agency.***
- 6. Prior to issuance of a grading permit, the applicant must submit for staff review and approval a final construction management plan that includes erosion control measures, project phasing for grading work, areas designated for preservation, a crushed-rock construction entrance, and construction-related vehicle parking.***

- 7. A pre-construction meeting with City staff and the contractor must be held before site work begins. The contractor will provide the City with a project schedule for the various phases of construction.**
- 8. Erosion control devices must be installed prior to commencement of any grading activity. Erosion control shall be performed in accordance with the recommended practices of the "Minnesota Construction Site Erosion and Sediment Control Planning Handbook" and the conditions stipulated in Title 10-5-8, Erosion Control During Construction, of the City's Subdivision Ordinance.**
- 9. The developer is responsible for the cost of public land boundary markers to be placed at corners of private property that abut Outlots A, B, and D.**
- 10. The park fee in lieu of land dedication must be paid to the City before the final plat is released to the developer for recording at the Washington County Recorder's Office. The park fee in lieu of land dedication amount will be the amount in effect at the time the final plat is approved by the City Council.**
- 11. The developer must install and pay 100 percent of the costs for a six-foot wide bituminous recreation trail and posted sign in Outlot G.**
- 12. Tree mitigation is required in accordance with ordinance criteria.**
- 13. In addition to one yard tree for each lot having street frontage, an additional four yard trees and ten shrubs must be planted on each residential lot. One of the four trees must be a conifer tree.**
- 14. The applicant must hire a city-approved arborist to assist with all facets of tree preservation on the site. The arborist will supervise installation and maintenance of tree preservation fencing and the tree and brush removal process. Mitigative measures to aid in preservation of trees slated to remain will occur based upon the recommendations of the arborist. Should trees designated for preservation be removed, the applicant will replace the trees in accordance with the ordinance criteria. Trees designated for preservation which is found to be harmed, diseased, or dying, or are not suited for location into the project may be removed based upon the recommendation of the arborist in agreement with the City and the applicant. Trees removed will be replaced as required by ordinance. The developer must install snow fencing or similar fencing material around all trees or groups of trees that are to be preserved prior to any grading activity on the site.**
- 15. The applicant must submit appropriate engineering information for retaining walls over four feet in height. Any fencing on retaining walls must be decorative and subject to staff review and approval.**
- 16. A "STOP" sign must be installed at the southwest corner of the Street A and Jamaica Avenue intersection.**

17. All monument signs must comply with the City's Sign Ordinance and only be placed on private property. The Homeowners Association is responsible for the maintenance of all signs.

18. The applicant must submit private covenants which details the following:

- **The homeowners association is responsible for all ownership and maintenance of landscaping improvements, fencing, and outlots as depicted on the final plat.**
- **Monument signs will be maintained by the homeowners association.**
- **Any fencing provided on the site will be constructed of materials that are uniform in design and color.**
- **All signs, mailboxes, and accessory lighting will be uniform in materials and design and be approved as part of the landscape plan.**
- **Protection and infringement management of all publicly owned open space and areas located in the Private conservation easement.**

19. The developer must advise homebuyers that they are responsible to maintain the boulevard area abutting their property all the way to the curb of the street, and that the City is not responsible for costs related to installation, damage, or replacement of lawn irrigation systems placed in the boulevard areas.

20. An approved secondary fire apparatus access must be provided.

21. The preliminary landscaping plan must be revised to provide additional trees, shrubs, and/or bushes within Outlots A and B. The revised landscaping plan must be submitted to the Community Development for approval before the City Council approves the final plat.

22. All existing wells and/or sanitary septic systems that will be abandoned must be sealed, capped, or removed (whichever is most appropriate) in accordance with County and State requirements. A copy of the certification document proving that this work was done must be given to the City.

23. The developer must obtain a demolition permit from the Building Inspections Division before any existing structure is razed.

24. The final street names identified on the final plat must conform with the City's Street Naming System and be accepted by the City's Public Safety Department and City Council. Street names must be no more than 10 characters (including spaces) in length.

Motion passed unanimously (6-to-0 vote).

6.3 Concept Plan for McHattie Farms

Chase Homes will present their concept plan for their proposed subdivision, McHattie Farms, which would be located north of 70th Street, east of Jamaica Avenue, and south of Military Road.

Continued to March 26, 2007, Meeting.

Discussion Items

7.1 Commercial and Industrial Architectural Standards

McCool summarized the proposed ordinance that was based on the discussions at the January 22, 2007, meeting. There was discussion about rooftop mechanical screening materials and having architects and building contractors review the ordinance for any impacts it may have on construction costs. Blin stated that there would be another Planning Commission work session on this proposed ordinance at the March meeting with the public hearing at the April meeting.

7.2 Sign Ordinance Revisions

Blin updated the Commission on electronic billboards and suggested that the city wait to update the sign ordinance until the League of Minnesota Cities' study is completed. Blin then asked for a consensus of the Commission as to whether these signs should be prohibited or allowed with regulations on luminosity and frequency of message changes. Reese stated that he is against electronic billboards but wants to look at reader board signs for gas station prices. Hale agreed with Reese. Folch stated that she thinks the new electronic billboards are attractive and she does not believe that they are a safety hazard, noting that she has talked with other professionals at MnDOT and they are not really concerned about them being a safety hazard, so she would hate to see the city completely rule them out. Thiede stated that instead of prohibiting these signs, conditions could be placed on them. Brittain expressed concern about regulating these signs. Reese asked if the moratorium could be extended. Blin responded that the moratorium could go for a total of 12 months.

7.3 Park Dedication Fees

McCool summarized his memorandum on park dedication fees and asked for feedback from the Commission as to whether the city should increase them. There was discussion on why the city collects park dedication fees, the reason Cottage Grove has higher fees than Woodbury and Hastings, and how park dedication funds are spent. It was the consensus of the Commission that a public hearing on increasing the park dedication fee to \$4,200 be held in March.

7.4 East Ravine Development Update

Blin updated the Commission on development activities to date for the East Ravine, including the schedule for utility and road construction. He displayed the plans for Ravine Parkway and Jamaica Avenue. The discussion centered around the alignment of Ravine Parkway with County Road 19; if there had been a traffic study on the effects of closing Military Road and diverting the traffic to Jamaica and 70th Street; if there would be traffic control devices at 70th Street and Keats Avenue; the new intersection alignment at Jamaica and the western portion of Military Road, which will have a continuous flow of traffic instead of a T intersection; the speed limit proposed for Ravine Parkway. Blin then reported that the City Council held a workshop on February 21, where they determined that the Jamaica Avenue reconstruction project would be pushed off for one to two years due to project costs. He also stated that the first and second phases of the trunk sanitary utilities will be built this year, as well as the first segment of the parkway through the McHattie Farms project. He noted that staff proposed that the addi-

tional 60 feet of right-of-way for Ravine Parkway would be provided as a credit against park dedication requirements, because it is a linear park feature.

Approval of Planning Commission Minutes of January 22, 2007

Being that there were no corrections or additions to the January 22, 2007, minutes, they were approved as sent.

Reports

9.1 Recap of February City Council Meetings

Blin reviewed the items discussed by the City Council at their February 7 and 21, 2007, meetings.

9.2 Response to Planning Commission Inquiries

None.

9.3 Planning Commission Requests

Reese asked for a clarification on the ordinance definition of an 85-foot lot front. McCool responded that the minimum lot width at the right-of-way line (front property line) is 85 feet. For cul-de-sacs with pie-shaped lots, 65 feet of frontage at the right-of-way line is allowed with a minimum of 85 feet at the 30-foot setback line. Reese stated that the plat approved this evening had lots less than 85 feet at the front property line but met the minimum lot width at 30-foot setback line, and he wanted to ensure that the city is consistent in applying that requirement. Thiede noted that the McHattie Farms proposal, which will be discussed next month, has two large sections that have 76 feet of frontage. He asked if the city should let them know before they come before the Commission that those lots need to be 85 feet wide. Blin noted that the East Ravine plan does call out for less than 85-foot lots to a limited degree and they are following that plan. There was further discussion about lot widths and densities in the East Ravine.

Folch stated that the League of Minnesota Cities has been advocating that cities adopt a resolution requesting a comprehensive road and transit funding bill be passed in 2007. She requested that the City Council consider looking at such a resolution.

Brittain displayed a photo of the trash enclosure door at Walgreen's, noting that the material is not maintenance free. McCool stated that the material is cedar and that is the gray look that cedar gets without stain or preservation. Brittain asked if the city could require maintenance free materials or a maintenance schedule.

Brittain then displayed a photo of the monument sign at Almar Village noting that it is a hodgepodge of sign materials and asked if the city could require higher quality materials for monument signs.

Adjournment

***Motion by Thiede, seconded by Hale, to adjourn. Motion carried unanimously (6-to-0).
The meeting adjourned at 10:04 p.m.***