

City of Cottage Grove Planning Commission July 24, 2006

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 24th day of July, 2006, 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, Jason Cavallo, Tina Folch-Freiermuth, Rebecca Kronlund, Tracy Poncin, David Thiede

Members Absent: Rod Hale, Chris Reese

Staff Present: Howard Blin, Community Development Director
John M. Burbank, Senior Planner
David Boguslawski, Planning Intern
Ben Pierson, Planning Intern
Mark Grossklaus, City Council Liaison

Approval of Agenda

Brittain announced that the applications for Everwood and driveway setbacks will be continued to the August meeting.

Motion by Bauer, second by Thiede, to approve the agenda. Motion approved unanimously (7-0 vote).

Open Forum

Chairperson Brittain asked if anyone wished to address the Planning Commission on any non-agenda item. No one appeared to address 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 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 Stewart Dog Kennel – Case CUP06-028 (continued from 6/26/06)

Allen and Christine Stewart have applied for a conditional use permit to allow a dog boarding kennel at 9435 Kimbro Avenue South.

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

Cavallo asked if the building would air conditioned. Boguslawski responded that there would be air conditioning. Cavallo asked if the unit would be shielded from view.

Chris Stewart, 6750 Jamaica Avenue, stated that the air conditioner would be a ground unit located at the back of the building.

Cavallo asked if the applicants would need approval for any future signage. Blin responded that a permit is required for any signs.

Bauer asked about the size of the building and where the office and bathroom would be located. Stewart responded that the office and bathroom are located in the drop-off/pick-up area. The reason for the two different sizes noted in the staff report is that one is just for the building and the other includes the overhangs. Bauer asked about the state subdivision exemption statutes. Blin responded that state law allows any parcel 20 acres in size or greater to be subdivided without city approval for agricultural uses.

Poncin asked if the farm fields on the north and south of the parcel would remain as farm fields and is the area going to remain agricultural in the master plan. Blin responded that in the 2020 Comp Plan, the area is guided for agriculture. As we move into the next comp plan update we will look at that area, but he believes that it will for the foreseeable future it will remain agriculture.

Brittain opened the public hearing.

Richard Borner, 9017 Lamar Avenue South, speaking on behalf of his mother Violet Borner, stated that he sent a letter of concern to the Commission. He is not satisfied with the noise that could occur from the kennel. He stated that it would take awhile for the landscaping that is being added to help mitigate the noise to grow enough to help. He stated that it is quiet out there and he can hear dogs barking now, so if there are going to be 20 additional dogs, there will be more noise.

No one else spoke. Brittain closed the public hearing.

Thiede asked Stewart about the noise issue. Stewart responded that they will be living on the property and don't want to listen to dogs bark either. The dogs won't always be permitted to be outside. She explained that she has watched dogs at her current residence and they get used to being there and don't bark much. Thiede asked if there was any way to monitor the noise levels or establish decibel limits, as a condition. Blin responded that the city could request periodic monitoring as a condition. He stated that sometimes what meets noise standards in terms of decibel levels is still audible.

Folch asked if there was recourse the neighbors would have through the city if the noise from too much barking. Blin responded there was.

Bauer made a motion to approve the application subject to the conditions listed below with an added condition regarding monitoring decibel levels. Thiede seconded.

- 1. The facility plans shall be modified to reflect the requested changes identified in the staff report prior to issuance of a building permit.***
- 2. All applicable permits (i.e., building, electrical, grading, mechanical) and a commercial plan review packet shall be completed, submitted, and approved by the City prior to commencement of any construction activities. Detailed construction plans shall be reviewed and approved by the Building Official and Fire Marshall.***
- 3. Final exterior construction materials and colors shall be reviewed and approved by the Planning Department prior to the issuance of a building permit.***
- 4. Feed must be properly stored in a manner that does not promote rodent problems.***
- 5. If the property is ever subdivided or rezoned to a non-agricultural zoning classification, the use must be discontinued and the building sizes reduced to be in compliance with the accessory structure standards applicable at the time of the change of status of the property.***
- 6. The applicant provide the City with an as-built survey of the property.***
- 7. The designated vehicle/trailer parking area on the site must be screened with landscaping. The landscaping plan must address the items identified in the staff report. Said plan will be reviewed and approved by the Planning Division prior to the issuance of a building permit. 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 will retain the financial guarantee for a period of one year from the date of notice to insure the survival of the plantings. No building permit will be issued until the required financial guarantee has been received and accepted by the City.***
- 8. A surface water management depression be created on the site to manage the surface water quality and quantity changes created by the additional hard surface areas on the site. The depression design must meet current city development standards and be approved by the City Engineer.***
- 9. The signage on the site is limited to a monument sign that does not exceed 32 square feet. Prior to the issuance of a building permit, the applicant must submit a comprehensive sign package to the City for review and approval.***
- 10. The designated parking area and drive aisle be installed as a dry dustless surface.***

11. All outdoor lighting shall be directed downward and away from residential property and public streets and shall not exceed .5 footcandle at the property lines.

12. If excessive odors, rodent infestations, traffic accidents or other operational issues are brought to the attention of the city, it will be probable cause for City Council review and modification of the conditions for operation of the conditional use permit. This review may result in amendment or revocation of the conditional use permit.

Motion passed unanimously (7-to-0 vote).

6.2 Oak Cove – Cases CP06-038, ZA06-039, PP06-040

Summit Ridge Two Company has applied for a comprehensive plan amendment to expand the Metropolitan Urban Services Area (MUSA) boundary and to change the land use designation of 8.63 acres of land from Rural Residential to Low Density Residential; a zoning amendment to change the zoning from R-2, Residential Estate, to R-2.5, Residential; and a preliminary plat for Oak Cove, which creates 12 single family lots and one outlot on land located south of Timber Ridge 5th Addition on Burr Oak Cove.

Burbank summarized the staff report and recommended approval subject to the conditions listed in the staff report.

Brad Gonyea, Summit Ridge Two Company, 211 River Ridge Circle South, Burnsville, stated that one of the things discussed at the open house was the location of the house pad on the first lot on the east of the road. He stated that they would move that lot to preserve more of the higher value significant trees and improve drainage.

Cavallo asked if the name of the proposed project could be changed to something like Camel's Hump Ridge to keep with the traditions of our city. Gonyea stated that Oak Cove Addition is more marketable than Camel's Hump.

Brittain asked if there would be a gutter inlet with the extension of curb and gutter, to help with standing water. Burbank stated that there would be a catch basin about 20 feet south of the property line that would pick up drainage occurring in the street, and some of the other drainage would go into the drainage swale along the back of one of the lots, which could be extended around some of the trees that are proposed to be saved.

Thiede asked if Outlot A was intended to be a water catch basin. Burbank responded that was the surface water management pond.

Kronlund asked about traffic concerns. Burbank responded that based on the existing subdivision with locally designed street, the additional trips in the neighborhood would probably not be noticed. Another issue that was raised during the neighborhood meeting was the access to the entire neighborhood, which is off 73rd Street and off Meadow Grass Avenue by West Draw Park. There was also a question if an additional access could be found for the neighborhood. Burbank explained that when the Timber Ridge neighborhood to the north was platted, public right-of-way was proposed into the Hidden Oaks neighborhood; however, it was finally approved as an emergency access/trailway. Kronlund asked if that would ever become a roadway access, noting that there is another proposed development that would bring a signifi-

cant increase in traffic. She also asked if it was decided that another access point was needed, where it could be located. Burbank responded that the trailway is platted as right-of-way, but it was constructed as a trailway. He stated that no other access points could be created because of the steep bluffs to the south and east of the property.

Thiede expressed concern about the location of the park at the end of a residential area. Blin responded that staff have talked with Public Safety about that, and there will be patrols at night to check the park.

Brittain opened the public hearing.

Patricia Brick, 6803 – 74th Street South, stated that she would not be in favor of changing the land use from rural residential to low density residential. They would prefer having the five lots allowed under the current zoning than the 12 houses proposed. She thanked the developer for moving the house pad.

Bill Schumal, 7420 Burr Oak Cove, stated that he is against the proposal. He stated that when they moved in they were aware that the area could be developed with five or six acreage lots, like the Hidden Oaks subdivision. He is concerned about tree preservation. He believes that it was a good choice to relocate the house pad, which would save some 80 year old oak trees. He asked how the developer is planning to prevent the spread of oak wilt disease. He then expressed concern about the roadway into the park, asking that it not be a straight shot from Timber Ridge to the park; crime in the area; mosquito control by the pond; and the four-foot fence on the 10-foot retaining wall around the pond.

Cavallo asked about the proposed lot sizes. Burbank responded that the smallest lot size was 13,000 square feet with the largest 53,000 square feet. He stated that the lots in the Timber Ridge development were in the 13,000 to 16,000 square foot range. The proposed lots would be similarly sized but slightly bigger than what is in the neighborhood to the north.

No one else spoke. Brittain closed the public hearing.

Cavallo asked if this application was denied would the developer be interested in doing a development with five lots that would meet the current zoning standards. Gonyea responded that they have looked at that option in the past but they would not develop that type of subdivision at this time.

Gonyea stated that the 10-foot retaining wall by the pond was brought up at the neighborhood meeting, noting that they will continue to work with staff on the pond. He explained that the fencing that they are required to put on top would be a black coated chain fence. He explained that they have explored other options for the pond, but those would require the removal of more trees. Burbank explained that the city's surface water management plan follows the state guidelines.

Thiede asked about the possibility of creating a creek to take that water away and pool it further downhill. Gonyea stated that erosion is great concern with creeks and the maintenance costs can be high.

Brittain asked about mosquito control policies. Burbank responded that mosquito control is done at the state level. He stated that the design of the pond is still being worked on, but maybe it could be designed to hold water sooner. Blin stated that the Metropolitan Mosquito Control District typically treats these ponds.

Molly Schumal, 7420 Burr Oak Cove, stated that they did not move near a pond on purpose and she is concerned about children's safety near the pond, particularly how kids would get out of the pond if they fell in with the ten-foot retaining wall. Burbank stated that ponds are designed with maintenance and vegetative benches so there is not a sheer drop off into the water.

Brittain asked about the grades on the other sides of the pond. Cody Ilertson, Boland Surveying and Engineering, stated that he is one of the engineers working on this project. He explained the grades in the area of the pond. Brittain would like to see if there is some way to minimize the 10-foot wall.

Folch asked why this area was originally designated as an R-2 zoning district. Burbank responded that in the comprehensive plan completed in the 1970s and early 1980s, the whole West Draw area was slated for development. As the City was updating the comprehensive plan in the late 1980s and were looking to stage development into the West Draw, there was neighborhood opposition to the proposed plans. As a result of the opposition, compromises were made and the areas identified for urban growth were smaller than what was in the original comprehensive plan. Since that planning process was complete, there have been several decisions made by the City to provide urban services to this area and utility projects completed. Blin stated that at that time there were concerns about whether the sewer would be deep enough to serve these properties, but it was constructed deep enough. Folch asked if the developer purchased the land knowing what the zoning was with the intention of rezoning it so there would be a higher volume of homes. Gonyea stated that the when they purchased the property, the parcel to the north, which they also owned at that time, had not yet developed and they did not know whether or not it could be served by utilities. Once it was determined that the sanitary sewer was deep enough to serve the property, they proposed to hook onto city utilities.

Poncin asked if their company developed Timber Ridge. Gonyea responded that they worked with Pulte Homes on the design of the subdivision, but Pulte bought the entire parcel and developed it themselves. Poncin asked if the home styles for the development would be consistent with the existing neighborhood. Gonyea responded that they have not yet talked with any builders, but they intend the lots to be custom lots with custom house designs that would be at least the value of the existing neighborhood.

Brittain asked if they intend to have a monument sign. Gonyea responded that with only 12 lots and the extension of a street with a park at the other end, it was not important for them to identify the development as separate from the existing neighborhood. Brittain asked the responsibilities the arborist that the applicant must retain would have regarding tree removal. Burbank responded that as part of the tree removal process prior to grading, the developer's representatives, engineers, staff, the developer-paid arborist, the tree grading contractor, and the grading contractor meet on site to walk the perimeter and the areas that are to be saved. In the case of the Timber Ridge 4th subdivision, they saved additional through this process.

Kronlund asked if there were concerns voiced by the homeowners at the public meeting about tree preservation and if the developer feels that they have adequately addressed those concerns, particularly on the east side where there are not as many trees. Burbank explained criteria in the city's tree preservation ordinance. He believes that the developer is making a good effort preserving as many trees as possible.

Brittain made a motion to approve the applications subject to the conditions listed below, adding that the staff and applicant work to reduce the height of the retaining wall. Poncin seconded.

- 1. The revised preliminary plat must conform to the preliminary plat dated June 20, 2006 with the addition of an outlot for trailway corridor purposes in the southeast corner of the plat and any ponding outlot modifications, as coordinated with Planning staff.***
- 2. 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 Title 10 of the City Code.***
- 3. 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.***
- 4. 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. Drainage calculations must be submitted prior to City Council review of the preliminary plat.***
- 5. The applicant must submit 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 for staff review and approval prior to issuance of a grading permit.***
- 6. A pre-construction meeting with City staff and the contractor must be held before site work begins. The contractor shall provide the City with a project schedule for the various phases of construction.***
- 7. 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.***
- 8. The developer must pay for required public improvements, all trailway improvement costs, stop signs, area charges, park dedication fees, and the required off site cul-de-sac roadway installation costs.***

- 9. Outlot A and the required trailway corridor outlot must be conveyed to the City of Cottage Grove at the time of recording the final plat.**
- 10. Park dedication requirements will be met through a cash payment, with the total amount based on fees in effect at the time the final plat is approved.**
- 11. The developer must install sidewalks conforming to City standards along the east side of the public streets as identified in the staff report, and eight-foot wide bituminous pathways as determined on the final grading plan. Damage to sidewalks during the home construction process shall be the responsibility of the developer. The applicant will pay 100 percent of the cost for development of recreation trails on all publicly dedicated land.**
- 12. Tree mitigation is required in accordance with ordinance criteria.**
- 13. An additional four yard trees and ten shrubs must be planted on each residential lot.**
- 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 are 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. Any fencing on retaining walls must be decorative and subject to staff review and approval.**
- 16. A stop sign must be installed at any locations deemed appropriate by the city engineer based on the sign installation requirements adopted by the city.**
- 17. The final street name identified on the final plat must be consistent with the preliminary plat.**
- 18. 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.**
- 19. 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.***

20. The developer must advise homebuyers that they are responsible to maintain the boulevard area that abuts their property all the way to the curb of the street.

21. The developer is responsible for street sweeping responsibilities or the costs for the entire designated construction haul route to 70th Street during the development of the subdivision.

22. The final plat will incorporate all comments included in the July 19, 2006 memorandum from the City's consulting engineer.

Motion passed on a 6-to-1 vote (Cavallo).

Cavallo stated that his objection to the application is that he is opposed to rezoning property when citizens are opposed to it. He believes that the city is making a promise and agreement to its citizens with zoning and guiding of a property.

6.3 Gaalswyk Stable – Case CUP06-037

Richard Gaalswyk has applied for a conditional use permit to allow construction of a 42-foot by 60-foot stable that is 22 feet high at 7160 Lamar Avenue South.

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

Richard Gaalswyk, 7160 Lamar Avenue South, explained the reasons for his request for a conditional use permit and variance based on the zoning and the use of the property. He described the proposal and displayed photos and drawings of his property and the surrounding area. He stated that the existing building, which he would be replacing, was used as a garage and he received variances that allowed him to add two lean-tos to the structure. He noted that the structure now has a ramshackle appearance and the aesthetics of the new building is one of the reasons why he wants to build the proposed stable. He stated that the structure would be shielded from the road by trees and shrubs. He described the stable noting that it would have wood siding that was painted a dark brown with a dark green roof, which will help it blend in to the surrounding area. He will also re-paint his remaining structure with similar colors. The new building would be used for his horses and to store equipment.

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

Thiede made a motion to approve the conditional use permit subject to the conditions listed below. Cavallo seconded.

- 1. The vegetative screening on the site from adjacent properties and the public right-of way must be maintained to at least 50 percent opacity at all times.***

- 2. The proposed building height of the new structure must not exceed 22 feet.**
- 3. The maximum square footage for the site for the two detached accessory buildings is limited to 3,451 square feet.**
- 4. In accordance with the ordinance criteria, a garden or tool shed of up to 160 square feet will be allowed in addition to the detached accessory structures.**
- 5. If future site development renders the structure nonconforming, the building must be brought into compliance or removed as a condition of the development approval.**

Motion passed unanimously (7-to-0 vote).

6.4 American Motor Sports Bar & Grill – Cases CUP06-046 and V06-047

American Motor Sports Bar & Grill, 7240 East Point Douglas Road, has applied for a conditional use permit to expand the restaurant with liquor by 55 seats and a variance for minimum parking requirements.

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

Tom Shannon, 6240 Ideal Avenue South, asked if the Commission had any questions. Bauer asked about the capacity of the restaurant. Shannon responded that they are currently allowed 151, but have only 130 seats; they are hoping to get 40 to 50 in the banquet room and about 12 more in the lounge area.

Brittain opened the public hearing.

Dan Pendar, 7473 – 96th Street South, stated that he frequents the restaurant and is in favor of this proposal. He expressed concern about the maintenance and appearance of strip malls in the city.

No one else spoke. Brittain closed the public hearing.

Thiede asked if there would be any changes to the front elevation. Shannon responded there would not be any changes to the elevation and the door to the nail salon will be kept for emergency exit only.

Brittain asked if the fascia has a color transition between the two spaces. Shannon responded yes, but they are not planning to change that. Brittain asked if it would be evident from outside that this additional space is part of the restaurant. Shannon responded that they may put some screening on the windows as they have on the original space and add some signage. Brittain asked who is responsible for the front face aesthetics. Shannon responded the property owner.

Bauer made a motion to approve the application subject to the conditions listed below. Cavallo seconded.

1. The restaurant must not exceed a capacity of 210 seats.

2. All other conditions of CUP04-009 must continue to be met.

Motion passed unanimously (7-to-0 vote).

6.5 Ichor Creative Stone – Case SP06-042

Vanguard Construction, on behalf of Ichor Creative Stone, has applied for a site plan review of a 42,336 square foot building to be located in the Industrial Park on the west side of Hemingway Avenue north of 100th Street and south of 97th Street.

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

Craig Moss, Vanguard Construction, 2350 Wycliff, St. Paul, stated that he is representing Ichor Creative Stone. He stated that the owners incorporated granite into the façade of the building. The front of the building would be pre-cast, EFIS material, with granite slabs mounted on pilasters to accent the entry way. He stated that there would be a customer showroom consisting of 4,500 square feet. He explained that they currently occupy about 20,000 square feet of space in Mendota Heights and are looking at occupying 32,000 square feet of this facility with a potential tenant taking the rest.

Bauer asked about noise control and what hours the manufacturing would be done. Moss stated that all manufacturing and fabricating is done within the building and their hours of operation begin at 7:00 a.m. Depending on the time of year and their workload they could work inside until 8:00 or 9:00 p.m. The majority of their work in the fabricating shop would be cutting and polishing the stone, which is then loaded into trucks that are staged at the docks over night and taken out to the job sites in the morning.

Cavallo stated that he was disappointed that the owners of the business were not present to answer questions regarding the hours of operation, traffic, growth, pay of the jobs, and noise, because this lot is right next to a residential area. He is also concerned about the commercial aspect of the business, which will add weekend hours and retail traffic, and the increase in semi-truck traffic on 95th Street and Hadley Avenue. Blin stated that Vanguard is developing the project and the tenant is Ichor Creative Stone. In terms of truck traffic, most of the trucks use the Jamaica interchange with Highway 61 and travel south on Jamaica to 100th Street to Hemingway. Cavallo stated that he is still concerned that some trucks will utilize Hadley Avenue to get to 100th Street. He is also worried about the number of employees at the business. Moss stated that they plan to employ 20 people and possibly increase that to 30 to 40 employees. He explained that currently the business gets one to two semi-trucks a month that bring in bundles of granite slabs. The install trucks are similar in size to a UPS truck.

Burbank stated that several years ago he toured a granite facility similar to this in St. Cloud and the noise from the machinery is nothing that would be unexpected in an industrial park. Cavallo is still concerned about the noise. Brittain noted that the potential tenant or storage space would create additional buffering between the manufacturing area and the residential neighborhood.

Brittain opened the public hearing.

Dan Pendar, 7473 – 96th Street South, stated that he lives in the development behind the proposed building. His concerns include noise, waste, hours of operation, and if this business is appropriate for the area. He stated that he was not aware that there would be commercial uses in the area and thought it would be all industrial. He stated that any business locating in the industrial park should have good wages and provide tax benefits to the city. He asked what happens to the building if the business fails.

Moss responded that there is an area in the facility that is designated for remnants, which are used for smaller installations. They will also have a dumpster in a trash enclosure right outside one of the loading docks on the north side of the building. He then explained that the owner of the company plans on providing a decent wage for the employees; they install granite counter tops in residential homes so wages would be consistent with that market. He stated that if the company no longer exists in five or ten years, the building would be marketable to another company.

Cavallo asked who is responsible for maintaining the current tree line. Blin responded that most of those trees are on the industrial property, so the maintenance is the responsibility of the owners of the industrial properties. Cavallo asked about the penalties if a tree dies, and do they need to have a plan in place for tree maintenance before the project is approved. He expressed concern about the buffering between the residential and industrial uses, noting that it could be at least 10 years before the new trees would be of sufficient size. Blin explained that it is a rough windrow of trees and there isn't any plan to cull out any dead trees. The idea is to deepen it out with new plantings and let it grow naturally.

No one else spoke. Brittain closed the public hearing.

Bauer asked if that was just one row of trees. Blin responded that there are about 40 to 50 feet of trees.

Brittain stated that if you walk the site, you can see the majority of the houses on the other side of the tree line. He also noted that there will be a berm constructed between the buildings and the trees.

Cavallo asked if there was an average exterior decibel level for this kind of manufacturing. Blin responded that the city does have decibel standards. Cavallo asked if the industrial park has hours of operation or could businesses manufacture 24 hours a day. Blin responded that there are no set hours of operation for the industrial park. He stated that if noise levels outside the building become a problem, the city would deal with that. Moss stated that currently they are open a couple days a week until 8:00 p.m. and noon to 6:00 p.m. on Saturdays.

Thiede made a motion to approve the application subject to the conditions listed below. Folch seconded.

Bauer asked if a condition could be added regarding additional tree plantings or landscaping on the south side of the building. Thiede agreed to amend his motion to add a review of the plantings on the south side of the building.

Motion passed on a 6-to-1 vote (Cavallo).

Cavallo stated that he has a hard time approving the application with the owners of Ichor not in attendance as he has a lot of questions about their operation. He would not be so concerned about this project if it was being built in the center of the industrial but because it is so close to the residential area, he wants to have an understanding of its impact on the residents in the area.

6.6 United Church of Christ

Cottage Grove United Church of Christ has applied for an amendment to their conditional use permit to allow additions to their building and parking lot at 7008 Lamar Avenue South.

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

Ron Bonnevier, 6301 Oakwood Road, Woodbury, stated that he is the project coordinator for the church. He explained that they are adding 5,700 square feet over two levels to increase the narthex, move the offices into the church building, and make the current part of the building more handicapped accessible. The size of the sanctuary is not planned to be increased. Blin stated that staff based the required number of parking spaces on the size of the sanctuary.

Brittain asked if anyone wanted to speak regarding this application, noting that the public hearing will be held by the City Council at their meeting on August 9, 2006.

Richard Gaalswyk, 7160 Lamar Avenue South, spoke in favor of the project and urged the Planning Commission and City Council to approve it.

John Perkins, 10723 Lehigh Road, explained the process the church used to come up with their proposed improvements. He stated that they had planned to start construction in May of this year but were delayed by banking issues. They would like to get going on the project as soon as possible.

Reverend Obid Hofland, 11130 – 70th Street South, stated that he has been the pastor of the Church for almost 16 years. It has been his dream to remodel and add to this church.

Thiede asked why the east driveway was being moved to the south. Blin responded that it moves the driveway further from 70th Street.

Cavallo made a motion to approve the application subject to the conditions listed below. Thiede seconded.

- 1. All site and building improvements must conform to plans dated June 26, 2006.***
- 2. All applicable permits (i.e., building, electrical, etc.) must be applied for and issued by the City prior to any work or construction taking place.***

- 3. A right-of-way permit must be obtained from the Washington County Public Works Department and Cottage Grove Public Works Department for relocating the existing driveways and construction of new driveways.**
- 4. A combination of trees and bushes/shrubs be planted along the south side of the Church's parking lot to mitigate the public view of the parking lot. A landscape plan showing this landscaping must be approved by City staff prior to issuance of a certificate of occupancy for the addition.**
- 5. Construction equipment, construction trailer, trailers, or construction materials are prohibited from parking or being stored on 70th Street or Lamar Avenue.**
- 6. All outdoor lighting must be directed downward with cut-offs and away from abutting property owners. Reflected glare of spill light must not exceed five-tenths (0.5) foot-candle as measured on the property line.**
- 7. 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.**
- 8. A final grading plan, stormwater calculations, and stormwater quality calculations must be submitted to the City Engineer and South Washington Watershed District for review and approval before a building permit will be issued.**
- 9. All curbing for the project must be B618 concrete design and the concrete drive aprons compliant with city standards.**
- 10. All ground-mounted mechanical equipment accessory to the principal structure over 30 inches or greater than 12 cubic feet shall be screened from public views with landscaping, berming, or a screen wall/fence. Screening materials must be similar to or compatible in design and color with those used on the principal structure. Screening material may include property maintained wood, vinyl, or metal screens or fencing as required in Title 11-6-4(3) of the City Codes.**
- 11. The applicant must comply with all city ordinances and policies.**
- 12. The Church is responsible for the cost of installing a "STOP" sign at each of the two access drives that connect to public roadways. The "STOP" sign must be 10 feet from the roadway edge and 2 feet from the driveway edge. The bottom of the sign must be 6 feet from the ground. The "STOP" sign must be a 30-inch sized sign having a high intensity reflective face. Said sign should be mounted on a six-foot No. 3 and eight-foot No. 2 steel post. The applicant may request the City's Public Works Department to install this sign, but must reimburse the City for actual costs incurred by the City.**

13. A demolition permit must be filed with the Building Inspections Division and issued by the City before the residential structure is razed.

14. The sanitary septic system must be sized and designed according to Washington County Department of Health requirements.

15. The stormwater pre-development and post-development calculations and storage capacity of the proposed stormwater basin must be provided to the city for review and approval before the city issues the building permit.

16. The applicant must pay the stormwater area charge fee to the city at the time the city issues the building permit. The amount of the stormwater area charge will be determined once the city completes their review of the stormwater drainage calculations.

Motion passed unanimously (7-to-0 vote).

6.7 Gateway Center Sign – Case V06-048

The City of Cottage Grove has applied for a variance to the City's sign ordinance to allow an off-site sign for Gateway Center (Title 9-8-8, Off-Premises Advertising Signs, and Title 9-8-5F, Prohibited Signs). The sign would be located on the northwest corner of 80th Street and Hardwood Avenue.

Burbank summarized the staff report and recommended approval based on the findings of fact in the staff report.

Brittain asked if the wall that is going to be reconstructed would look similar to the wall on the east side of 80th Street. Burbank responded yes.

Thiede asked how much the monument sign would cost. Burbank responded the masonry unit would be \$23,000 for the masonry and sign caps, the bank signage is around \$4,000, and the letters for Gateway North is \$1,500 to \$2,000s. Thiede asked how much the Coldwell Banker sign was and who paid for it. Burbank responded that it was the same price and the EDA paid for the sign through the TIF District. Thiede asked about the Walgreen's and Hollywood Video signs. Burbank responded that Walgreen's sign was paid for by Walgreen's and the Home Depot sign on the Hollywood Video site was paid by Home Depot. Thiede asked about the usefulness of the sign for the money being spent and wondered if some of the businesses behind the Bank would want to pay for part of the signage. Burbank responded that as part of the land sales for the city-owned property that was formerly part of Oakwood Park, there were \$10,000 contributions from each of those that goes directly towards these monument signs. Identifying all four quadrants in the Gateway North area has been the direction of the City Council and EDA, and they have worked out financing either through TIF or land sale negotiations. Thiede asked why two signs were needed for both Coldwell Bank and US Bank and asked if Ruby Tuesday was considered for of the signs at Coldwell Banker. Burbank responded that in the initial discussions for that, another user was included but decided not to. Thiede thought allowing other businesses in the area to be on the sign could cover some of the \$23,000 cost.

Brittain stated that he was concerned about having too many signs up. He asked if Coldwell Banker Burnet had a sign on the corner before the area was redeveloped. Burbank responded that they had a pylon sign behind the pine trees. Brittain asked if the US Bank pylon sign would be removed. Burbank responded that has not yet been determined. Brittain stated that he believes the pylon sign should be removed.

Cavallo asked if building the retaining wall is triggering the construction of the monument sign. Burbank responded no, he was informing the Commission of the activities occurring in that area. The City has been talking to the property owner about repairing the retaining wall long before the Gateway redevelopment process started. He then explained the history of the signage as part of the Gateway redevelopment project. Cavallo understood that it is the intent of the City Council to spend that much money on a monument sign to bring development and interest to the area but it seems that \$23,000 is a little high. He believes that other options could have been looked at to defray the costs.

Brittain asked if anyone had any comments on the applications, noting that the public hearing would be held by the City Council at their meeting on August 9, 2006. No one spoke.

Bauer asked who maintains the signs. Blin responded that the City is responsible for maintenance of the Gateway North portions of the signs; the masonry units and the lighting are the responsibility of the property owner.

Bauer made a motion to approve the application. Kronlund seconded. Motion passed unanimously.

6.6 Core Development Concept Plan – South Point Ridge

Blin described the proposed mixed-use development, noting that the public hearing will be held next month. Matt Frisbie, Frisbie Architects in River Falls, Wisconsin, stated that he is representing Core Development, the developer, and Comforts of Home, who will be running the senior housing portion. He also introduced Nick and Frank Frattalone, South Point Ridge, LLC. He displayed the proposed site plan and described the uses on the site, which include two senior housing buildings, two class A office buildings, and office condominiums. He stated that they will be working with the grades on the site and are in the process of completing the tree inventory. He noted the locations of retention ponds and the proposed trail through the site. He explained that they have presented this information to the City Council and then showed some building elevations based on comments they received. He stated that there will be underground parking to minimize the amount of paved areas on the site.

Cavallo asked if the memory care portion is a clinic or a living facility. Frisbie stated that it would be a living facility for residents who require more care. Cavallo asked if this facility would compete with the proposed Presbyterian Homes project. Blin responded that both Comforts of Care and Presbyterian Homes serve a little different market, particularly in the assisted living areas. The Presbyterian Homes units tend to be a little larger with a little less service provision.

Thiede asked if this proposal is consistent with the intended use in the Gateway North area. Blin responded that there had been discussions about retail use on that site in the past but it is not a good retail site because of its location and access. The City has looked at the site as

more of an office and multi-family residential development and this plan combines both options. The key for this development is to minimize tree loss. Thiede asked if the residents in the two proposed single-family developments would see the roof lines. Blin responded that they would have no views of the buildings because of the number trees between the two areas and the housing developments are at a lower elevation.

Brittain asked if there would be any trails for the lower building that are more level. Frisbie responded that there would be connections throughout the site and into the City's street system. Brittain asked if there would be access to Camel's Hump from this area. Blin responded that the city is talking with the developers about a foot path going up the hill with some parking spaces at the end of the road.

Folch noted that this facility would be on top of the highway and expressed concern about the noise and the fact that it is such a visible site. Frisbie stated that was why the residential buildings are set back further than the office buildings, but there is plenty of buffering between the site and the highway. He explained that the buildings would be masonry at the base and hardiplank above, which would help mitigate any traffic noise.

Application and Requests

Bauer asked if there was any update on the lights across the city looked at last winter. Blin stated that he would look into that.

Approval of Planning Commission Minutes of June 26, 2006

Blin reported that the minutes were not completed due to the new digital recorder and the lack of equipment to transcribe the minutes. They will be presented at next month's meeting.

Reports

9.1 Recap of July City Council Meetings

Blin reviewed the items discussed by the City Council at their meetings in July 2006.

9.2 Committee Reports

None.

9.3 Response to Planning Commission Inquiries

Blin reported that the staff looked into the trees that were planted along Hinton and believe those trees would not encroach on the trail for at least 20 years.

9.4 Planning Commission Requests

Thiede asked for an update on the Red Rock corridor. Blin responded that the project is going through a process called Alternative Analysis, which the federal government requires. He believes that the corridor is at least five to six years out from funding construction of the line.

Cavallo stated that he attended a meeting on transportation issues and reported that light rail service between St. Paul and Minneapolis may commence by 2013 and the funding is now starting; it is an arduous process to receive funding from the federal government. They said Red Rock could be done by 2025 to 2030. Thiede asked if there has been any planning on development around the train station. Blin responded not a lot, noting that the tentative locations for the station would be the park and ride lot or at Belden Boulevard. He stated that based on the ridership numbers, Red Rock would have around 700 boardings a day in Cottage Grove, which is probably not enough to drive a lot of development around that station.

Adjournment

***Motion by Bauer, seconded by Thiede, to adjourn. Motion carried unanimously (9-to-0).
The meeting adjourned at 9:23 p.m.***