

City of Cottage Grove Planning Commission August 28, 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 28th day of August, 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, Chris Reese, David Thiede

Members Absent: Rod Hale

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

Approval of Agenda

Motion by Thiede, second by Bauer, to approve the agenda. Motion approved unanimously (8-0 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 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 Maul Addition – Case V06-050

Todd Maul, 9791 Hamlet Avenue South, has applied for a variance to City Code Title 11-9E-5A, Development Standards in the R-4, Low Density Residential District, to allow an addi-

tion to be constructed above the garage 5 feet from the side property line when 7.5 feet is required.

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

Bauer noted that the house does not run parallel to the side property lines and asked at what point it become in compliance with setback requirements. McCool responded that only the front corner of the existing garage would not be in compliance.

Brittain opened the public hearing.

Mike St. Germain, 9795 Hamlet Avenue South, stated that he is the adjacent neighbor and has no objections to the variance for the addition.

No one else spoke. Brittain closed the public hearing.

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

1. The property owner must obtain a building permit from the city before starting construction of the new addition.

Motion passed unanimously (8-to-0 vote).

6.2 Presbyterian Homes – Cases CP06-060, ZA06-061, PP06-062, SP06-063, CUP06-064

Presbyterian Homes & Services has applied for a comprehensive plan amendment to change the current land use designation; approval of a Planned Development Overlay zoning to allow a mixed-use residential and commercial development; approval of a preliminary and final planned development overlay plans; approval of a preliminary plat; and approval of a conditional use permit and site plan to allow a senior housing building to be located on the former Cottage Square site.

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

Bob Van Slyke, Presbyterian Homes, introduced Ward Isaacson from Pope & Associates, their architect firm, who will go through the details on the building. Van Slyke explained the basic premise of the senior housing project stating that it includes 86 independent living apartment units ranging in size from 712 to 1373 square feet, 42 assisted living units ranging in size from 551 to 964 square feet, and 18 memory care units ranging from 337 to 975 square that are located on the first floor level of the assisted living building. The building will have a town center area in the center section that connects between the assisted and the independent living buildings. Within the town center area the amenities include a cinema, woodshop, club lounge, dining rooms, large community room, kitchen bistro area, general store, aerobics room, fitness room, massage therapy room, barber/beauty shop, library, chapel area, and guest room. There will be heated underground parking under the independent living building. The approximate size of the senior building is 230,000 square feet. Van Slyke stated

that there will be an agreement with the retail portion of the site that the senior housing buildings can use the retail lots for overflow parking. He explained that all the independent living units will have decks, washer/dryer units, appliances, emergency call system, and an optional meal program. The assisted and memory care areas will feature front controlled stoves, appliances, a meal program that includes two meals per day for assisted and three meals per day for memory care, a housekeeping program, emergency call system, and access to home care services. The entire building has controlled entrances.

Ward Isaacson, Pope Associates Architects, Energy Park Drive in St. Paul, displayed the site plan of the senior building and explained the various components. There will be both a visual buffer and a space buffer between the senior housing and retail projects and a fair amount of landscaping along the parking areas. They have not yet developed the landscape plan for the rear area but intend on creating a courtyard with possible water features, landscaping, and paths. He then displayed the building floor plans explaining the amenities on each floor and section. He described the exterior of the building.

Thiede asked what the cost range for rent would be for the independent living apartments. Van Slyke stated that the preliminary pricing for independent building the average rate is \$1.42 per square foot, which on a 712 square foot apartment equates to \$1,011 per month. The average size apartment, which is 1,052 square feet for a two-bedroom, would be about \$1,494 per month. Besides the rent, there is an entrance deposit that is fully refundable to the residents, which ranges from \$14,000 for the smallest unit in the independent building up to \$27,118, and those deposits are fully refundable when a resident leaves the unit. The assisted living rates average between \$2,450 per month to \$3,350. Thiede asked about the entrance deposits for the assisted living units. Van Slyke responded that there are no entrance deposits for the assisted living and memory care units.

Folch asked if the rates are fixed or would the rents increase based on usual inflation rates. Van Slyke responded that the rates do not go up the second year of the project but after the second year, the rate is generally increased by the cost of living because their costs also go up. Folch asked if the deposits earned interest. Van Slyke responded that the deposits don't earn interest but do buy down the rent by about 5 percent; the rent would be higher without the deposits.

Reese asked if there was signage planned for the building. Van Slyke answered that there would be monument signs at the major entrances to the senior building. Reese asked how many signs they are proposing. Isaacson stated that there would be one off Hadley Avenue and likely a smaller one would be centralized in the circle area off the front drive. Reese asked if there would be others for the commercial development. Isaacson responded yes but they have not yet determined where it would be located. Reese asked if that sign would include just the retail or the overall site. Isaacson stated that he assumes the retail signage would be just for the retail. Van Slyke stated that the senior building the monument sign will have either stone or brick piers on the sides of the sign with a double sided, backlit sign that is visible from either side of the road. Isaacson stated that it is important to carry some of the materials or colors from housing to the retail to tie the monument signs together. Reese then asked if the proposed cedar fence would be just along the back of the property. Isaacson displayed the site plan, pointing out the cedar fence along back side of the senior housing site. The final location of the fence could be discussed as the final site plan is completed. Reese asked who is responsible for the sidewalk along Hadley and if the city approves of a cedar fence. Blin re-

sponded that cedar is acceptable and staff is confident that Presbyterian Homes will maintain it. The sidewalk would be the responsibility of Presbyterian Homes. Blin stated that as part of the development agreement between Presbyterian Homes and the EDA there is an amount set forward for streetscape improvements along Hadley and Grange, which would include that sidewalk.

Poncin asked if an analysis had been done on whether there is sufficient demand in the area for this type of housing and how long they anticipate the building would take to fill. Van Slyke responded that they did a preliminary market analysis and they believe that there is demand in Cottage Grove. They also hired an outside firm, Maxfield Research, to do an independent study, which should be completed shortly. They project that the independent living would take about 12 months to fill up and the assisted living anywhere from 15 to 20 months.

Cavallo asked if the architecture for the building is the standard for Presbyterian Homes or is that based on local standards. Van Slyke responded that the architecture is conducive to the surrounding community but it is not that different from most of their buildings. He invited the Planning Commission and City Council to visit a building they are just finishing in Brooklyn Park, which is very similar to this project in size, finishes, and exterior features. Isaacson stated that they have been looking at this project for a long time and they have gone through a lot of iterations of the elevation. It is not a copy of any one building but they do feel that the flavor of it fits within the context of the City. The senior building has to look like home and feel very residential. Cavallo suggesting adding more brick on the four-story section because it looks like there is too much siding. Isaacson displayed the full elevation of the front of the building, noting that they are bringing up brick on the bays that wrap around the building on the independent side as well. He explained that a rock-faced base wraps continuously around the whole building with portions where they are trying to break up the façade so it is just not big flat building. Cavallo asked if there would be a berm where that cedar fence is planned. Isaacson stated that the land starts to berm naturally and they are not going to disturb the berm at all. The existing trees will stay and they will plant their screen trees on the beginning of the berm. Cavallo asked if the berm, fence, and trees would wrap around the west side of the building where the parking is. Isaacson stated that the pond is nice buffer on the west side of the site and they will also add landscaping there. They are more concerned about the south side of the site because the building is closer to the residential. Cavallo suggested planting the trees that will buffer the future commercial area now so that the trees will provide a better buffer. Isaacson and Van Slyke agreed that that is a good suggestion, but they need to weigh the damage to the trees that may occur from construction.

Cavallo then asked what the total number of signs for both projects they plan to put on Hadley Avenue. Isaacson responded that there would be a two-sided monument sign for the senior portion, there will be a small "deliveries only" sign, and a sign for the retail area that would be smaller than the sign that would be on Grange Boulevard. Cavallo stated that Grange is more of a commercial street and Hadley is a residential street, so there only needs to be one sign for the residential building and all the commercial signage should be on Grange. He then asked the city is planning to keep Hadley as a two-lane street. Blin responded that Presbyterian Homes will complete a traffic study before the second phase of the development is presented to determine if any turn lanes are necessary. Cottage Square was in existence for years and turn lanes were never needed. Cavallo expressed concern about semi-truck traffic for the commercial portion and asked if there could be two entrances into the commercial from Grange to limit truck traffic on the Hadley. Van Slyke explained that there is a concern that

another entrance too close to the stoplight would cause stacking issues, which is why they kept the entrances for both the commercial and senior housing away from the major intersection. Isaacson stated that they want to create an urban streetscape and not disturb that with another entry drive. He stated that the entry drive could be moved based on the traffic study.

Thiede asked if they planned on demolishing the Cottage Square mall, New Moon building, and the Goodyear building and start construction on the senior housing this year. Isaacson responded that they plan the demolition for this fall and to start construction late this year. Thiede asked what the timeline is for construction of the retail portion of the project. Van Slyke responded that they hope to come before the city with those plans in early 2007 and look to develop everything but the BP Amoco site within the property they own. The BP Amoco site cannot be developed until after April 2008. Thiede asked if they had received any commitments for the retail. Van Slyke responded that they have some preliminary commitments for a potential medical office building and some retail uses.

Brittain asked about the fire access lane around the building and the base material extending beyond the width of the trail. Isaacson responded that they have not determined what that material is yet but at other facilities they own they used a paver system that has a hard surface but allows grass to grow through it, called Grass Pave, that would make up the extra width on either side of the trail needed for fire trucks. Brittain asked if there would be noise buffering between the woodshop and the cinema. Van Slyke responded that there would be soundproofing added to the walls. Isaacson responded that those areas are in the basement so there would be a concrete block wall around the woodshop. Brittain asked if this would be a Medicare approved facility. Van Slyke responded no, but the services provided by the home care agency, which is licensed, could qualify for Medicare but none of the rents are Medicare eligible.

Reese asked about the ponds and if the two ponds could be reversed as there would be more runoff along Hadley Avenue. Isaacson explained how the drainage worked on the site. Reese noted that from the elevations on the grading plan, it looks like everything is going to flow down towards the Hadley pond and asked if that pond was big enough to handle the runoff. Isaacson explained the drainage flow and pointed out the flow on the grading plan.

Cavallo asked what the resolution was with DeMori's and Snyders and have they found new locations. Van Slyke responded that the agreements with both DeMori's and Snyders included buying out their remaining leases and paying for relocation costs, though both businesses are currently not relocating. They did offer Snyders an option to relocate on the site but it did not work out for both parties.

Bauer asked if there could be more than one walking path from the residential area to the commercial. Isaacson pointed out that there is also a sidewalk along Hadley Avenue that connects to the pedestrian portion. Bauer asked on the second floor what is running along building from the beauty shop to the independent units. Isaacson responded that was a porch roof and lattice, explaining that there is a flat roof portion of the building with a parapet wall to screen roof top equipment and to vent the kitchen equipment.

Kronlund agreed that there should be some thought given to putting in some short paths as a safety consideration to minimize the distance people may be walking in the driving lane, especially on the southwest side that would head over to where the restaurants are going to be.

Isaacson responded that they could revisit the pedestrian connections with commercial site plan review.

Folch noted that there are railroad tracks going past on the other side of Hadley Avenue and asked if there has been any consideration regarding soundproofing. Van Slyke responded that they plan to install Anderson Windows in the building but they are using the same exterior materials as they have on their other buildings.

Poncin asked if there could be more green space and landscaping incorporated into the retail portion of the project. Isaacson stated that there will be landscaped islands. Van Slyke explained that they have balance the amount of green space with ensuring that there is a sufficient number of parking spaces for the retail tenants.

Cavallo asked how much green space they plan on having in that parking lot and will there be trees or grass. Van Slyke responded that the islands will have green space.

Brittain opened the public hearing.

Joseph Ambalathunkel, AJS Company, Inc., owner of the BP station on Grange Boulevard, stated they purchased the business portion of the gas station without the property for a substantial amount in 2004. At that time the shopping center and the businesses surrounding them were very lively and vibrant. He stated that neither they nor their lawyer knew that the surrounding property was a target of redevelopment, even after asking the city several times, even the day before the closing date, if there were any plans for the redevelopment in that area. He was assured that the BP property was not included in the plan. He stated that when he heard that Presbyterian Homes wanted to purchase the BP property, he tried contacting them numerous times, but they did not respond. They would like to be able to stay in business at their current location or have a business in the same area with a reasonable rent. He noted that BP offered to sell them the property but the price was too high. He stated that when their lease expires in 2008, Presbyterian Homes will not renew the lease and will kick them out without paying anything for the business for which they paid a half million dollars and their houses are on the line as collateral. He asked for reasonable compensation.

Rolland Barber, 8287 Grenadier Avenue South, stated that he lived there for over 40 years. He asked how many floors would the medical office building have and how far would it be from the residential property line. He noted that the existing berm comes up to the level of their yard and there is no rise from anybody's yard before it drops down into the shopping center. He asked where the fence would be located. Brittain noted that the retail portion of the project is in a very preliminary stage and it will come before the Planning Commission for review before it is constructed. Van Slyke stated that the medical office building is projected to be two stories in height. Isaacson stated that the building setback will be 60 to 70 feet from the rear property line, which meets the city's setback requirement.

No one else spoke. Brittain closed the public hearing.

Cavallo asked Barber about the trees on his and his neighbors' properties. Barber responded that DeMori's put in the trees on the shopping center site. He stated that he has some tall arborvitae on his property and some of the neighbors don't have any trees in the back. Most of the neighbors have a solid wood fence. Barber stated that he believes that a berm with a

fence and trees on top would be a good screen from the two-story medical office building. Blin explained that the development site sits below the surrounding residential properties, so berm is probably the wrong term; there is a grade change and it goes up a small hill to the rear of the neighboring single family lots. The proposal is to put a fence on top of that hill. Cavallo asked if Barber would prefer to see that hill increased, a fence put on that, and then some trees behind that. Barber stated that there would not have to be much of a berm if it is only a two-story office building and they put a fence back there.

Folch asked if Presbyterian Homes owns all the property. Blin responded yes. Folch asked if the only thing the Commission is taking into consideration is the senior housing portion and the commercial portion would become part of the project at a later date. Blin responded that the developers are seeking preliminary approval to the way the site lays out and the general building layout of the retail portion. Folch stated that she feels that to not respond to the owner of the BP station seems a little bit of an insult. Brittain stated that those issues are not in the purview of the Planning Commission, but should be dealt with between Presbyterian Homes and the owners of BP.

Thiede stated that he agrees with Brittain, and noted that he is a supporter of small business, noting that having a gas station as part of the project could be beneficial.

Reese expressed concern about ponding noting that the two ponds should be flipped and the number of monument signs they are proposing for the site. He would also like to see more detail on the lighting around the building.

Reese made a motion to approve the applications subject to the conditions listed below. Poncin seconded.

- 1. All site, utility, landscaping and building plans must conform to plans dated August 22, 2006, with revisions noted in the staff report. These include the replacement of vinyl siding proposed in the building elevations with cementitious siding.***
- 2. Final site and building plans for Phase 2 of the project must be submitted for review and approval by the City. These plans must also include a streetscape plan for Hadley Avenue and Grange Boulevard which is consistent with the terms of the Development Agreement between Senior Housing Partners and the Cottage Grove Economic Development Authority.***
- 3. All revisions to utility and drainage plans must be approved by the City Engineer.***
- 4. Final drainage plans must be submitted to the South Washington Watershed District for review.***
- 5. A traffic study must be prepared and submitted to the City Engineer. This study will be used to determine if turn lanes, traffic control signs, and the like will be necessary on Hadley and Grange Avenues. Costs for all such improvements will be the responsibility of the developer.***

- 6. All applicable permits (i.e., building, electrical, grading, etc.) must be issued by the City prior to any work or construction taking place. Detailed construction plans shall be reviewed and approved by the Building Official and Fire Marshall.**
- 7. Installation of landscaping shall occur in a timely fashion and be consistent with an approved landscaping plan. A letter of credit in the amount of 150 percent of the landscape estimate shall be submitted to the City as required by City ordinance (Title 11-6-6(f)). The financial guarantee shall be in effect for one year from the date of installation to ensure the installation, survival, and replacement of the landscaping improvements.**
- 8. Irrigation shall be provided for all sodded and landscaped areas, including the curbed landscaped island interior to the parking lot. The irrigation system shall consist of an underground sprinkling system that is designed by a professional irrigation installer to meet the water requirements of the site's specific vegetation. The system shall be detailed on the landscape plan.**
- 9. Concrete aprons for all private access drives shall be constructed per City requirements.**
- 10. Park dedication requirements will be met through a cash payment in the amount of \$4,000 per unit.**
- 11. Open flame grills are prohibited on the decks.**
- 12. The developer shall enter into a subdivision agreement with the City of Cottage Grove for the installation of and payment for all public improvements in the subdivision, pursuant to Title 10 of the City Code.**
- 13. Erosion control devices shall 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.**
- 14. All site lighting must meet City Code requirements. All light fixtures must be downward directed with cut-offs. The specifications of all light fixtures must be provided with the application for a building permit.**

Brittain pointed out to Presbyterian Homes that the first condition does not allow vinyl siding with respect to the upper portions of the building. He stated that it was mentioned that that was still being discussed.

Cavallo asked to have future discussions on signage along Hadley Avenue, more trees screening the residential areas, and increasing the size of the berm. He also wanted to comment that while it is not in the Commission's purview to say what a landowner can do with their tenants, his heart does go out to the owners of BP. He does not see why that business cannot be worked into the development.

Van Slyke explained that they bought the property because it was for sale by BP Amoco, who had planned to close the station or sell it to another operator. Presbyterian Homes saw the purchase of that property as an opportunity to enhance the site. They have tried to resolve the issues with the current operators of BP, pointing out that the lease is with BP and not with Presbyterian Homes.

Motion passed unanimously (8-to-0 vote).

6.3 7173 Lamar Avenue Lot Split – Case RS06-051 and V06-052

Michael Anderson has applied for a simple lot division to subdivide a 1.21-acre parcel of land at 7173 Lamar Avenue South into two parcels to allow a house to be moved onto the portion of the lot containing an existing garage, and variances to City Code Title 11-3-8B(2), Water and Sewerage, to allow a septic system on a lot less than the required 1.5 acres, and to City Code Title 11-3-3C, Accessory Structure Setbacks, to allow the garage to be located in front of the principal structure.

McCool summarized the staff report and recommended denial based on the findings of fact listed in the staff report.

Mike Anderson, 8809 Jewel Avenue South, stated that he is a lifelong resident of Cottage Grove, has owned a business located in the city for the last 20 years, and bought a property at 7404 Lamar Avenue 10 years ago to which he made improvements. He explained that the proposal is that his partners, Dan and Michelle Grundner, would live on the property. He displayed a drawing showing the new façade of the house. He stated that site will accommodate another septic system. He noted that there are smaller lots to the east of this parcel that have septic systems and sometime in the future, city sewer and water will be extended to the area.

McCool reported that as part of the packet there were letters and petitions in support of the house relocation. Also included in the packet are letters from some of the individuals who had initially signed the petitions rescinding their names. There were also copies of letters received that oppose the relocation from Laura Zempel, 7163 Lamar Avenue; Richard Gaalswyk, 7160 Lamar Avenue; Mike and Danita Bertram, 7204 Lamar Avenue; Gary Eddy, 7259 Laverne Avenue;, and eight or nine handwritten letters from residents in the Old Cottage Grove area.

Bauer asked why there is a 1.5-acre requirement for septic systems. McCool responded that was established by the City in 1988, at which time City staff felt should be the minimum acreage for a residential parcel with septic and well. Bauer asked if the size of the parcel affects the functionality of the septic system. McCool responded provides for open space for primary and secondary fields.

Anderson stated that when they first proposed moving the house, they had a lot of support. He stated that there have been a lot of misunderstandings as to what the house was going to be used for. While he won't be living in the house, his partners would be living there and the house would not be a rental house or for immigrant housing.

Kronlund asked if the city was concerned about the separation of the septic system and the wells for the adjacent properties. Blin answered yes.

Brittain asked if there has been an ongoing concern for the overall water quality in the area. Blin responded that there have been some problems with wells in Old Cottage Grove and the city expects that those problems would only increase in number.

Thiede asked if 7163 and 7175 Lamar, the two adjacent narrow lots, both have their own septic systems. McCool responded that they do.

Cavallo asked if city utilities extended to this area in the future. Blin answered that this area is currently outside the MUSA and in the East Ravine Master Plan, it remained outside the MUSA; however as utilities are designed for the East Ravine area, those utilities will be sized so that someday Old Cottage Grove could be served. There are currently no plans to extend those utilities.

Reese asked if the house could survive being moved. Anderson responded yes. He noted that the home is structurally sound, but they will be replacing the siding and windows and adding on porches and dormers.

Brittain opened the public hearing.

John Perkins, 10723 Lehigh Road South, stated that he had lived in Old Cottage Grove for 55 years and is a member of the United Church of Christ, which currently owns the house proposed to be moved. They do not want to destroy the house, as it is structurally sound. He has been doing the maintenance on it for the last 15 years. The house was built in 1950 and has solid plaster walls, a two-year old roof with 40-year shingles, and solid floors, but the windows need to be replaced. He noted that the two lots that would result from the lot split would be bigger than many of the existing lots in Old Cottage Grove. He then refuted some of the points in the Gaalswyk letter.

Kevin Enger, 7175 Lamar Avenue South, expressed concern about the size of the two lots that would be created, adding another septic system to the area that already has issues with nitrates in the water supply, the location of the existing garage, and possible stormwater runoff and drainage issues. He noted that all the neighbors within 500 feet of the property are opposed to the applications. He then stated that the petition only asked for support to move the dwelling and did not reference where it would be moved to.

Richard Gaalswyk, 7160 Lamar Avenue South, which is directly across the street from 7173 Lamar Avenue, stated that there are at least two current nonconforming uses on that property: a home with a septic system on less than 1.5 acres that appears to have a greater than 13 percent slope and a garage that is located closer to the street than the existing house. He expressed concern about drainage and well contamination on his property. He noted that even though many of the lots in the area are smaller than 1.5 acres, that is no reason to allow more until city utilities are extended to the area. He expressed concern about the value and aesthetics of the house and that it would have a negative impact on the value of his property. He noted that the current house would not have a garage. He also stated that churches are governed by the same zoning regulations as other entities.

Laura Zempel, 7163 Lamar Avenue South, stated that she is opposed to moving the house. She is concerned about her water quality as her well is located in her front yard. She is concerned about the location of the septic system noting that her nitrate level is high. She is also

concerned about drainage and water run-off. She also does not believe that the house would fit into the existing neighborhood.

Anderson reiterated that the property would not be rental. He and Grundner own the property and it is going to be his residence. He stated that the house is not small. He showed some pictures of how they would renovate the home. They estimate that after renovation the home's value would be \$350,000. He explained that after moving the house onto the lot, they will renovate it, add landscaping, add a garage to the existing house, and put in new driveways for both houses. They have had soil test for the septic system and were told that what they want to do will work on the property.

Michele Grundner, 7838 – 76th Street South, stated that their intentions on moving the house is to preserve a part of the community and they hoped it would be welcomed. She stated that both she and her husband are long time residents of the city and she works for the local school district.

Enger expressed concern about varying from the ordinances, questioning why this proposal got this far in the process. Brittain explained the function of the Planning Commission and the public hearing process.

No one else spoke. Brittain closed the public hearing.

Reese made a motion to deny the simple lot division and variance applications based on the fact that the lot is too small for a septic system and the original lot is smaller than ordinance requirements. Folch seconded, adding her concerns about drainage and run-off in the area.

Cavallo stated that he does not believe that the septic system is a big issue if the health department is going to sign off on it and the city may extend in services to the area at some point. He thinks that the house would be a vast improvement to the neighborhood due to the amount of work and money that would be invested in it. He noted that Old Cottage Grove is unique as it predates most of the area and has irregular lots. However, he does not like to grant variances when the neighbors are in unison against them.

Bauer stated that he supports the motion to deny as well. He stated that he does not have a problem with smaller lots as long as everything on the property can function within it, but he is not confident that would be the case in this situation based on the information in the submittal.

Thiede voiced a similar opinion as Bauer. If the septic was approved by Washington County and the existing garage situated a little differently on the lot, he might be more supportive of the applications.

Brittain added that the 1.5-acre minimum lot size requirement for septic system has been in the ordinances for a long time and was based on past issues in the city. He stated that the size of the lots would be about a third of what the ordinance requires, which is a significant difference in size.

Motion passed unanimously (8-to-0 vote).

6.4 Everwood – Cases CP06-043, ZA06-044, PP06-045 (continued from 7/24/06)

MJR Developers have applied for a comprehensive plan amendment to expand the MUSA boundary and to change the land use designation from Rural Residential to Low Density Residential and Commercial; a zoning amendment to change the zoning from R-2, Residential Estate, to R-2.5, Residential, and B-2, Retail Business; and a preliminary plat for Everwood, which would create 29 single family lots and 4 outlots, of which one would be future commercial use. The property is located on the west side of Hardwood Avenue, north of East Point Douglas Road.

Bauer, due to a conflict of interest, recused himself from action on these applications.

Blin summarized the staff report and recommended approval of the comprehensive plan amendments, approval of the zoning amendment from R-2 to R-2.5, denial of the zoning amendment to B-2 until there is a commercial project proposed, and approval of the preliminary plat, subject to the conditions stipulated in the staff report.

Mike Rygh, 505 Lakeside Drive, Bayport, stated that they have met numerous times with staff on this plan. He stated that this site would be built with upscale housing that could range in price from \$500,000 to \$1,000,000 house. He noted that the average lot width at the setback is 98.3 feet. They are going to preserve as many of the trees as possible. He stated that the biggest issue on the plat is the small cul-de-sac. He displayed a drawing of the original cul-de-sac noting that it has a 45-foot radius. After researching turning radii for various vehicles, they came up with an alternative plan and would be willing to give up one of the lots on the cul-de-sac if they can keep the costs of the turn-around down. He then displayed the alternative plan and discussed other options for roadways and layouts in the development. He stated that they are willing to work with the city on any of the proposed options.

Cavallo asked which option was the final version. Blin responded that none are final; staff and the developer are still working on an alternative cul-de-sac design that allows the house pad to move to the west so the homeowner to the north does not have a house in their backyard. The site is constrained by the slope. Brittain explained that the drawings in the Planning packet are no longer being discussed; the packet that was placed on the dais is the version being reviewed. He noted that the only area that has not been finalized yet is the small cul-de-sac. Cavallo asked if a park would be built in the area with the steep hill and old growth trees. Blin responded that it would be classified as park land but it would be open space and the only improvements are the trail corridors.

Thiede expressed concern about the three homes that would be separated from the others in the neighborhood. He asked if Timber Ridge has a homeowners association and whether the Timber Ridge, Oak Cove, and Everwood developments could all be combined in the same homeowners association. Rygh stated that he would consider that but the members of the Timber Ridge homeowners association would also have to agree. He stated that the Everwood development's homeowners association also would address tree conservation, which would be more of an issue for Everwood than for Timber Ridge. He explained that the Everwood association would only be there to maintain the monument sign, some landscape islands, and the trees. One of the residents of Timber Ridge reported that they do not have a homeowners association.

Brittain asked where the monument signs and center island would be located. Rygh responded that there would be two monuments, one on each side of the street to identify that they are driving into the new neighborhood. The center island would be located in one of the cul-de-sacs.

Poncin asked where the access point would be for the neighborhood. Blin responded that there are only two access points for Timber Ridge, one is 73rd Street and the other is Meadow Grass Avenue. Poncin stated that she would like to avoid separate monuments because of the small number of houses and the only people who would go back there would live there.

Cavallo agreed with Poncin on the monument signs. Rygh stated that most of the upscale developments in the metro area have separate neighborhoods created within large subdivisions. The goal is to create neighborhoods within neighborhoods, which is highly desired by consumers. Cavallo stated that as you add onto an existing neighborhood with a dead-end they should not be separated from the existing neighbors. Blin stated that there appears to be conflicting desires, one is to blend the new neighborhood into the area to the north and the developer wants to market a separate area. He explained that the monuments do not have to be large; they could be a relatively small size that isn't ostentatious but indicates that this is a different neighborhood. Cavallo agreed but believes that the city should try to unify the two neighborhoods.

Reese asked for clarification on which part of the applications should be tabled. Blin stated that rather than tabling, the Commission should not act on the request to rezone the commercial portion of the site from the existing R-2 to B-2. He explained that that portion would remain R-2 until such time as the development team comes in with a plan for that.

Brittain opened the public hearing.

Ralph Rolling, 7479 Meadow Grass Cove, stated that he owns the house at the edge of the cul-de-sac. He asked that the house pad in the small cul-de-sac should be moved so it is more in line with his house and not in his backyard. He asked if the vote would include a delay on the decision on the cul-de-sac. Brittain responded that would depend on the motion; the Commission could vote to delay a portion of the application. Rolling stated that when they chose their home site, they were very conscious of the fact that the land right next to them was zoned for rural residential, and their expectation was that there would be big houses on big lots. If the development is approved as submitted, they would virtually have a house in their backyard. He suggested centering the cul-de-sac directly on the road, moving the cul-de-sac to the west and putting in a retaining wall on that side, or shortening the driveways. Blin responded that those ideas could be looked at.

Ken Guidera, 7455 Meadow Grass Cove, stated that when he bought his house, he understood that this was going to be a rural residential area with larger lots. He stated that there is not enough room to have three lots on that cul-de-sac. He is happy to hear the builder is considering going to two lots. He asked that staff work with the builder on the design of the cul-de-sac. He also asked the Commission to consider the preservation of more trees and possibly to have less density on the hill.

Leo Faller, 7420 Meadow Grass Cove, expressed concern about the location of the trail and people walking through his yard. He asked if the trail location could be moved or if a berm and

landscaping could be added as a barrier between his property and the trail. He then asked at the beginning of Meadow Grass Cove that a sign be put up that says there is no outlet.

Patricia Brick, 6803 – 74th Street South, expressed concern about the planned trails. She asked if the trail would affect her area. Blin responded that it would not. Brick stated that people access the pipeline easement and walk through her property. Blin stated that the trail and sidewalk would not be adjacent to her property. Brick then asked about the density of the development and if the developer could eliminate more houses from the plat.

No one else spoke. Brittain closed the public hearing.

Kronlund asked about the density of the larger developed area and was there ever a plan proposed that would correspond with the number of units as an R-2. She asked if there was any discussion about reducing the number lots.

Brittain noted that most of the developments that were proposed for that area had much smaller lot sizes than what is proposed for this development. He stated that the developer is meeting all of the setback and minimum width requirements.

Rygh responded that they had initially proposed 30 lots in the cul-de-sac and have already eliminated four cul-de-sacs. The lot width average is 98 feet versus the required 85 feet. He stated that the Timber Ridge development was initially supposed to have acre and a half lots and the lot was fully wooded before it was developed. He reiterated that they are trying to retain as many trees as possible. He then explained that this proposal very nearly meets the density for the R-2 zoning district, noting that the parcel has 44 acres and they are proposing 29 lots; they are just clustering all the lots and they are saving the nicest piece of the property with the best trees for city. He also explained that they are trading nine acres of the parcel, which is the more desirable treed area, to the Minnesota Land Trust to acquire five acres. Kronlund stated that she understood, but her comments pertained to what was told to those who bought in Timber Ridge that these would be acre and a half lots.

Tom Ott, 7484 Granada Circle, which is just to the west of the Oak Cove Addition, in Hidden Oaks, explained that when Pulte developed Timber Ridge, they stubbed in city water and sewer to this property. He apologizes if information was not passed through.

Kronlund asked if the tree line for Lots 1 through 4 would be similar to what is found currently on the lots directly to the north in Timber Ridge, where there is a somewhat short backyard and the tree line was preserved as much as possible close to the house. Rygh encouraged the Commissioners to look at the wooded area in Hidden Valley to see how they have worked in the past to preserve mature trees whenever possible. Kronlund asked about the traffic impact in the existing neighborhood with only two access points out of the development. Rygh responded that it would be very similar to Hidden Valley with about 300 units and three access points.

Brittain stated that he likes the proposal and appreciates the reduction of houses in the smaller cul-de-sac. He urged that before this goes to the City Council that the house be pulled up in line with the rest of the houses. He thinks two monument signs would be too many but one for identity would be reasonable. The City did stub sewer and water to that area. With the stubbing of sewer and water, the expectation should be that there would be a more urban de-

velopment, and this proposal has homes and lots similar to what is in the existing neighborhood.

Reese asked if the trails would be re-worked before the plat goes before the City Council. Rygh responded that he was amenable to working with the City's Parks Department on the alignment. He believes that once the trails are in and backyards are abutting each other, the trespassing on properties should be mitigated.

Brittain asked about condition #18 regarding planting four yard trees and shrubs on each non-treed residential lot. He stated that the way it is worded, if there are trees on the lot, nothing needs to be planted. He asked if the language could be changed to ensure that there are a total of four trees and ten shrubs on each lot. Rygh agreed, noting that he would like to have the leverage to keep the old trees by requiring that there should be four trees on each lot. He also suggested that the language should reference that there should be at least two trees in the front yard and two in the back yard. Brittain commented on condition #22 that the street name identified on the final plat must be consistent with the preliminary plat, but the plats the Commission reviewed had no street names; he asked that the language be changed so that the street names will match the names of the existing streets.

Reese made a motion to approve the applications except the rezoning to commercial, subject to the conditions listed below, with a change limiting the small cul-de-sac to two lots. Brittain seconded.

Cavallo stated that he believes that the city promised the residents of Timber Ridge that this area would be R-2 no matter what changes occurred technology wise. He believes that this development can be done under the R-2 zoning regulations rather than squeezing houses onto smaller lots. He also does not think monument signs are appropriate for this development because we should be binding two communities together.

Reese agreed with Brittain. He stated that Rygh attended a meeting in December with a number of other developers and this proposal incorporates with some the guidelines set for the East Ravine. He does not see how with these lot sizes we are squeezing homes into this area.

Brittain asked if Reese would consider amending conditions #18 and #22 as previously discussed. Reese agreed.

Thiede commented that he is okay with everything but he is not sure he is ready to restrict that cul-de-sac to two lots. He is prepared to require further discussion. Brittain asked if the developer would accept two lots on that cul-de-sac. Rygh responded that they would accept only two lots if it is cost effective. Reese stated that the intent of the limit was to give more time to come up with a solution, otherwise he would have had tabled that portion until later but he did not want to hold the project up. Thiede asked if condition #1 covers the redesign of the cul-de-sac. Brittain stated that there should be some type of verbiage in the conditions to stress our desire to have a more conducive alignment with the existing homes than just what is in condition #1. Blin responded that this discussion does help give staff some direction.

1. The final plat must conform to the preliminary plat dated August 21, 2006, except for additional required easements, and any permitted lot reconfiguration on the Meadow Grass Cove cul-de-sac.

- 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 approvals are subject to applicant receiving appropriate written approvals from the Minnesota Land Trust and any required judiciary approval.**
- 4. 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.**
- 5. 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.**
- 6. 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.**
- 7. 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.**
- 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 must pay for required public improvements, all trailway improvement costs, stop signs, area charges, park dedication fees, and the required off site ponding costs.**
- 10. Outlots A, B and C must be conveyed to the City of Cottage Grove at the time of recording of the final plat.**
- 11. The Boundaries of outlots A, B and C shall be identified in accordance with required public property monument policies.**
- 12. A temporary public trailway easement document for the recreational trail located on Outlot D shall be created by the applicant and recorded with Washington County at the time of the recording of the final plat.**

- 13. A permanent public trailway easement document for the final recreational trail location on Outlot D shall be created by the applicant and recorded with Washington County at the time of the development of Outlot D.**
- 14. 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.**
- 15. The developer must install a six-foot concrete sidewalk conforming to City standards along Hardwood Avenue and East Point Douglas Road,**
- 16. The developer must install a wood chip recreational trail and eight-foot wide bituminous pathways as determined on the final grading plan in outlots A, B and C. The applicant will pay 100 percent of the cost for development of recreation trails on all publicly dedicated land.**
- 17. Tree mitigation is required in accordance with ordinance criteria.**
- 18. An additional four yard trees and ten shrubs must be planted on each non-treed residential lot.**
- 19. 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.**
- 20. 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.**
- 21. 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.**
- 22. The final street name identified on the final plat must be consistent with the preliminary plat.**
- 23. 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.**
- 24. 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 openspace and areas located in the Private conservation easement.***

25. 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.

26. 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.

27. The final plat will incorporate all comments received from the City's consulting engineer as identified in the final City Council agenda packet.

Motion passed 6-to-2 vote (Cavallo, Thiede).

Thiede stated that he likes the proposal but does not agree with the limitation to two lots. He believes it needs further study. Cavallo reiterated his point he made earlier that he believes the R-2 zoning was a promise to the residents who built in the Timber Ridge neighborhood.

6.5 Kappa Building – Case SP06-053

Kappa Properties, LLC has applied for a site plan review of two light industrial buildings to be located in the Industrial Park on the west side of Hemingway Avenue and north of 100th Street. One building would be 20,000 square feet and the second building would be 23,125 square feet.

McCool summarized the staff report and recommended approval subject to the conditions stipulated in the staff report, with a change noting that the site plan date is August 23 and that the second building would be 23,500 square feet.

Tim Keran, Kappa Properties, 5915 Bryant Lane, Inver Grove Heights, displayed some three-dimensional renderings of the project, noting the drawings do not show the landscaping in the front of the property or the tree line at the back of the building. He showed examples of the exterior materials, noting that his proposed buildings would be a different color than the examples. He stated that the top is a crushed Kasota stone and the bottom is a brownish-red crushed rock embedded into a tinted concrete. He stated that many of the 23 conditions have been addressed in their revision dated August 23.

Thiede asked about parking and delivery traffic to the site. Keran stated that there would not be a drive lane through the back of the site. The front of the rear building will have an office door and a drive-in door, and there will be an emergency exit door on the rear of the building. Thiede asked if they have demand for these units. Keran responded yes, as there are no

other available spaces like this in the area. He explained that this project started out because he was looking for smaller shop space.

Cavallo asked if the businesses he is planning on bringing in are commercial or industrial. Keran responded they would mostly be industrial businesses and because of the zoning, they do not anticipate retail businesses. Cavallo asked if the bays would accommodate semi-trucks. Keran stated that the roll-up doors are 12 feet wide and 12 feet high, which is about the size of large delivery trucks. They do not plan to have semi-trailers parked in the lots, though there may be semi deliveries. Cavallo then asked if the berm is same size as the berm behind the other buildings in the area. McCool responded that it would be similar in size. Cavallo asked if the big hill northeast of the property would be leveled. McCool responded that is a stockpile of material that will probably be relocated onto other parcels. Cavallo then asked about the tree line, noting that it consists mostly of deciduous trees which don't provide much of a buffer in the winter. He recommended adding two or three rows of evergreen trees. He also suggested adding decorative pillars to the building to break up the façade. Keran stated that they have a 100-foot setback from the property line to the rear of their building and almost 55 to 60 feet consists of existing trees. On the berm that they are putting in, most of the trees that will be planted are evergreens. Cavallo stated that he talked with some of the neighboring residents and their biggest concern was noise from semi-trucks backing up. Keran responded that was one of the reasons they don't have a drive lane on the back of the building, and he noted that the building itself provides some noise buffering. He explained that there will be landscaped islands in the parking lot and four feet of landscaping in front of all the buildings with a three-foot sidewalk.

Poncin expressed concern about how semi-trucks and emergency vehicle would maneuver through the site with the landscape islands and parking in front of the second building. Keran responded that the drives were designed to be wide enough and with a big enough radius for large vehicles to navigate the site.

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

Thiede made a motion to approve the application subject to the conditions listed below, with the changes noted by McCool. Bauer seconded.

- 1. All building and site development must conform to the plans dated August 23, 2006.***
- 2. All applicable permits (i.e., building, electrical, grading, and 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.***
- 3. All outdoor lighting must be directed downward with cut-off fixtures. Reflected glare of spill light must not exceed five-tenths (0.5) foot-candle as measured on the property line. An outdoor lighting plan must be submitted to the Planning Division before a building permit is issued.***
- 4. 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 rec-***

ommended 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.

- 5. A final grading plan and stormwater calculations must be submitted to the City Engineer for review and approval before a building permit will be issued.**
- 6. Final exterior construction materials and colors must be reviewed and approved by the Planning Division prior to the issuance of a building permit.**
- 7. All curbing for the project must be B612 concrete design and the concrete drive aprons compliant with city standards.**
- 8. The applicant must provide the City with an “as-built” survey of all private utilities.**
- 9. The developer is responsible for the cost of installing a “STOP” sign at the exit lane. The “STOP” sign must be ten feet from the roadway edge and two feet from the driveway edge. The bottom of the sign must be six 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 pay the City for actual costs incurred by the City.**
- 10. All signs must comply with the provisions of the sign ordinance and the comprehensive sign package submitted by the applicant. A building permit must be obtained prior to the installation of any new signs.**
- 11. A landscaping plan must be revised to include the minimum of twenty shrubs, grasses, and/or perennials around the base of the monument sign. The revised landscape plan must be submitted to the Planning Division before a building permit is issued and must conform to the minimum landscaping requirements imposed in City Code Title 11-6-5, Landscaping Requirements. A plan showing the underground irrigation system must be submitted to the City. Once the irrigation system is installed, the landowner is required to maintain and operate the irrigation system so that all yards and landscaped areas continue to thrive.**
- 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 submit to the city in writing City that said improvements were 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. A building permit will not be issued until the required letter of credit has been received and accepted by the City.**
- 13. Rooftop mechanical equipment must be screened from public view. Final exterior screening materials and colors must be reviewed and approved by the Planning Division prior to the issuance of a building permit.**
- 14. A radio-read water meter(s) must be installed.**

- 15. All ground-mounted mechanical equipment accessory to the principal structure over 30-inches or greater than 12 cubic feet must 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 materials may include property maintained wood, vinyl, or metal screens or fencing as required in City Code Title 11-6-4(3).**
- 16. The property owner must agree to allow city personnel to enter upon the property to maintain, repair, and inspect all public utility systems that exist on the property. Flushing the fire hydrant internal to the property is the city's responsibility.**
- 17. Outdoor storage is prohibited.**
- 18. When the property is re-platted in the future, all property owners must sign the plat so that it can be recorded at Washington County Recorder's Office.**
- 19. The developer must comply with all City ordinances and policies.**
- 20. A stormwater system improving stormwater quality before leaving the site must be provided on-site.**
- 21. The minimum width for the driveway must be 32 feet (measured at the property line).**
- 22. Only one access drive is permitted for this property.**
- 23. A copy of the condominium association's documents must be submitted to the City for review and acceptance before a building permit is issued.**

Cavallo stated that he likes this development, but reiterated that he would like to see pillars or another decorative feature to break up the façade. Keran explained that they intentionally designed the building to be lighter on the top and darker on the bottom. The lower panel will have raking in it every four feet so it will be broken up in four-foot grids. Cavallo stated that he would like something that is visible from a distance. Keran also noted that the landscaping will also help break up the façade as the plantings mature. Brittain agreed with Cavallo with respect to the front face on the first building, which faces the street, and suggested having the doorways project out a foot. Keran stated it is hard for a multi-tenant building to have prominent focus on the façade. He did note that each doorway does project out two and a half feet and the canopy projects out five feet. Blin stated that staff understands the direction from the Commission and will sit down with the developer prior to the Council meeting to look at some design options.

Motion passed unanimously (8-to-0 vote).

6.6 Driveway Setbacks – Case TA06-027 (continued from 7/24/06)

The City of Cottage Grove has applied for amendments to the City Code regarding driveway setbacks.

Brittain made a motion to continue this application to next month due to the late hour. Reese seconded.

Applications and Requests

None.

Approval of Planning Commission Minutes of June 26, 2006

Cavallo made a motion to approve the Planning Commission minutes from June 26, 2006. Bauer seconded. Motion passed unanimously.

Reports

8.1 Recap of August City Council Meeting

Blin reviewed the items discussed by the City Council at their meeting on August 9, 2006.

9.2 Committee Reports

None.

9.3 Response to Planning Commission Inquiries

None.

9.4 Planning Commission Requests

Poncin asked about the landscaping at Office Max. Blin stated that staff is addressing those issues. Brittain asked about maintenance of the trash enclosure gate at Walgreens. Cavallo asked about the landscaping at the Mississippi Dunes townhouse development. McCool responded that the developer is installing the irrigation system and landscaping. Staff has been working to get that development into compliance. Folch asked if during long meetings there could be a short break. Brittain stated that he would be more cognizant of that in the future. Reese asked for a copy of the tree preservation ordinance. He then asked about the 90th Street and Keats intersection noting that a lot of cars turn into the wrong lane. Blin stated that there was a meeting earlier in the day to address that problem.

Adjournment

Motion by Reese, seconded by Brittain, to adjourn. Motion carried unanimously (8-to-0). The meeting adjourned at 11:18 p.m.