



**City of Lake Elmo
Planning Commission Meeting
Minutes of October 26, 2020**

Commission Chair Cadenhead called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Cadenhead, Weeks, Risner, Holtz, Steil, Mueller, and Graen

COMMISSIONERS ABSENT: none

STAFF PRESENT: Planning Director Roberts

Approve Agenda:

M/S/P: Holtz/Risner move to approve the agenda **Vote: 7-0, motion carried unanimously.**

Approve Minutes:

M/S/P: Graen / Mueller moved to approve the Planning Commission minutes of August 24, 2020, **Vote: 7-0, motion carried unanimously.**

Public Hearings: None

New Business: Tree Preservation and Landscape Ordinance Amendments

Planning Director Roberts summarized the proposed Tree Preservation and Landscape ordinance updates, noting that City staff has been directed to prepare amendments to the City's Tree Preservation ordinance (Section 154.257) and the City's Landscape ordinance (Section 154.258). The requested changes are to clarify many of the City standards and requirements about tree preservation and landscaping for construction, new development and redevelopment projects in Lake Elmo.

Director Roberts explained the proposed changes to the Tree Preservation Code include adding definitions and adding language that clarifies when the city will require a tree preservation plan and when the city will not require a tree preservation plan. He noted that staff is not proposing any changes to the type or size of trees that are used for determining the amount of tree replacement or those that a developer may remove or the amount of allowable tree removal on a new development or redevelopment site.

Roberts also reviewed with the Commission the language in Section E 2, Reduced Mitigation for Exceptions. It is important to note that this section of the Code allows the City to approve

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exceptions to the tree preservation standards. Roberts explained that the Code now includes several options the City may approve if the City wishes to grant the request of the developer to have an exception to the City tree preservation standards. One of the relief or mitigation methods allows the City to require a developer or property owner to pay a fee to the City if they are unable or unwilling to meet all the tree preservation and/or replacement standards.

For the landscape code, Director Roberts explained that the proposed changes are to ensure the landscape ordinance is consistent with the tree preservation ordinance and includes design standards and expectations that reflect a variety of land uses, development and redevelopment projects and current practices for landscaping in Lake Elmo. Many of the new requirements listed in Section B (Design Considerations) and Section C (Landscape of Setback Areas) have been required by the City in the past as part of the landscape plan review. Roberts noted that by now adding them to the City Code, they will be listed in the code for everyone to see and use when designing a landscape plan for a site.

Roberts summarized the major proposed changes to the landscape code including:

Adding a Purpose and Intent section

Adding Definitions

Adding more details for the submittal requirements for landscape plans (including a design narrative)

Updating the section about design considerations including revising the minimum size at planting, adding setbacks and standards for tree planting and several other design standards to be followed

Updating the section about the Landscaping of Setback Areas to include several design standards for when and where materials are planted

Added clarifying language to the screening standards about when, where and how screening may be accomplished

Added Section H (Redevelopment Compliance) to outline when the City will and will not require landscape plans for what types of construction or redevelopment projects

Added language in Section I (Maintenance and Installation of Materials) about irrigation systems, continuance maintenance of the landscaping and landscape material removal.

Roberts reiterated that developers are generally in agreement that the trees need to be preserved and/or replaced. Director Roberts also stated that there will be some verbiage added to include that the removal of nuisance trees will not effect the number of trees that need to be replaced/planted in/around new developments by the developers. Roberts stated that he would add nuisance tree to the list of allowable tree removed along with dead/disease/dying tree removal.

Director Roberts stated that he will be finalizing the final draft of the proposed ordinance updates in time for the next Planning Commission meeting on November 9th, 2020. He explained that the new ordinance standards would only be for new projects going forward after this new ordinance goes into effect.

Commissioner Cadenhead asked who would be in charge of keeping landscaping in the rain gardens, berms and/or medians maintained. Roberts stated that the city would not take that on, but that it would /should be maintained by an HOA.

Commissioner Cadenhead wants a more definitive wording when defining the need for salt tolerant and root structured plants rather than “should”.

One of the commission members asked why the size of new trees was changed to a smaller tree size. Roberts answered that the primary reason for the change was that smaller trees tend to transplant better and easier than the larger sized trees.

Another Commission member wants a discussion about older trees being taken down, who has to pay for that.

One of the commissioners asked who is going to watchdog the new developers to make sure they are compliant to this ordinance? Roberts mentioned that the City will hold onto 25% of the escrow or letter of credit until the development is completed and all the trees/landscaping are still living after a certain amount of time.

Director Roberts asked if the commissioners were comfortable with the direction and the proposed changes. All were in agreement.

Staff and Commission Updates

10-6-2020 Council Meeting: Variance – 8950 Lake Jane Trail, Gold Ridge Group PUD Concept Plan. Roberts spoke about the 8950 Lake Jane variance conditions being lifted. The Goldridge Group PUD Concept Plan was looked on favorably by the City Council.

10-20-2020 Council Meeting: Updated sign for Sunfish Lake Park, The new sign for Sunfish Lake Park is going ahead. The City has picked an architect/engineering firm for the new City facilities (Leo A Daly). The goal is to get design done with a possibility of starting construction on the new City facilities sometime in 2021.

Staff Updates: The Four Corners First Addition sanitary sewer installation is in progress. The goal of the developer is to have the new sewer pipe to the bus garage by December.

Commissioner Holtz mentioned the 3M Settlement for drinking water options for the area. They are getting a lot of feedback about the options from the online meeting. Please go to 3Msettlement.state.mn.us, to see the proposed solutions.

Upcoming Planning Commission Meetings:

1. November 9, 2020
2. November 23, 2020

Meeting adjourned at 8:17 pm.

Respectfully submitted,

Diane Wendt
Permit Technician

DRAFT