

City Council
Date: 9/15/09
Regular
Item: J-6

ITEM: Consider a request to amend the landscape plan for St. Croix's Sanctuary subdivision.

SUBMITTED BY: Kyle Klatt, Planning Director



REVIEWED BY: Craig Dawson, Interim City Administrator
Kelli Matzek, City Planner

SUMMARY AND ACTION REQUESTED

The City Council is being asked to consider a proposed amendment to the approved landscape plan for the St. Croix's Sanctuary development. This action would require a modification to the OP – Open Space Preservation District requirements which must be approved by a 4/5ths vote of the City Council because it would substantially reduce the number of boulevard trees below the minimum threshold required in the ordinance.

Please see the attached report to the Planning Commission and supporting documentation for a full description of this request and the recommendation that has been made by City Staff.

Due to the unusual schedule this month that has placed the Planning Commission meeting the day before the second Council meeting of the month, this item is being forwarded to the Council without a written report documenting the Commission's action. The Planning Commission recommendation and any other supporting information that comes out of this meeting will be presented to the Council at its September 15, 2009 meeting. City Council action on this request in September will allow the City to proceed with the implementation of this plan (if approved) yet this fall.

ADDITIONAL INFORMATION:

- See all attached materials that have been submitted to and reviewed by the Planning Commission.

RECOMMENDATION:

Please refer to the recommendation contained in the Staff report to the Planning Commission.

ORDER OF BUSINESS:

- Introduction Craig Dawson, City Administrator
- Report by staff and project consultant Kyle Klatt, Planner
- Questions from the Council Mayor & Council Members
- Questions/Comments from the applicant..... Mayor facilitates
- Questions/Comments from the public..... Mayor facilitates
- Call for a Motion

(required for further discussion; does not

- imply approval of the motionMayor facilitates
- DiscussionMayor facilitates
- Action on motion Council

ATTACHMENTS:

1. Planning Commission Report and Attachments

Planning Commission
Date: 9/14/09
St. Croix's Sanctuary Landscape Plan
Business Item
Item: 5a

ITEM: Request to Amend the Landscape Plan for the Croix's Sanctuary OP Development
SUBMITTED BY: Kyle Klatt, Planning Director 
REVIEWED BY: Kelli Matzek, City Planner
Craig Dawson, Interim City Administrator

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a proposed amendment to the approved landscape plan for the St. Croix's Sanctuary development. This action would require a modification to the OP – Open Space Preservation District requirements which must be approved by a 4/5ths vote of the City Council because it would substantially reduce the number of boulevard trees below the minimum threshold required in the ordinance. Staff is recommending approval of the change for a number of reasons, including the strong desire of the current residents within the subdivision to move away from a more urban, boulevard planting plan and towards the preservation and restoration of natural landscapes within the development area.

Stephen Mastey of Landscape Architecture, Inc. will be in attendance at the Planning Commission meeting to more thoroughly review the proposed landscape plan and the rationale for the land management approach that is being recommended.

BACKGROUND:

The St. Croix's Sanctuary OP (Open Space Preservation) development was approved by the City of Lake Elmo in late 2005, and was subject to a developer's agreement approved a short time later that required certain improvements to be completed by the developer, including the construction of roads, water services, sanitary sewer laterals, landscaping and other improvements. The landscape plan was approved by the City at the preliminary platting stage and met the City's requirement for tree plantings in OP Open Space Preservation districts which is stated as follows in Section 150.180 of the City Code:

Boulevard landscaping. Boulevard landscaping is required along all streets to consist of at least 1 tree per every 30 feet or placed in clusters at the same ratio. A landscape plan for the entire site is required and shall consist of at least 10 trees per building site; and trees shall not be not less than 1.5 inch in caliper measured at 54 inches above grade level.

The plan approved by the City calls for 590 total trees to be planted throughout the development, with 367 being planted within the boulevard and 223 being planted on private property (including outlots and open space areas). By the time the City was working with the developer to close out the project in the fall of 2008, several of the lots had been built upon with new residents occupying many of these homes. During the staking that was done in preparation for the planting of new trees, these residents became quite concerned that the landscaping plan did not reflect the character of the area. The Homeowner's

Association (HOA) at this time stated its desire to work with the developer to propose a revised concept for landscaping within the project area.

Unfortunately, the developer ultimately did not adhere to his obligations under the developer's agreement with the City, and the City was forced to declare the developer to be in default of the agreement earlier this year. The end result of this action is that the City was able to collect on the outstanding financial guarantee for the project and has been working to complete all outstanding improvements using these funds. The amount of money available was limited; however, and needed to cover things like road improvements, utility corrections, grading alterations, in addition to the outstanding landscape work.

REVISED PLAN

Given the circumstances surrounding this development, including the failure of the developer to complete all required components of the developer's agreement and his general objections to the approved landscape plan, the members of the Sanctuary HOA decided to hire the developer's landscape architect to develop a revised landscape plan for the subdivision. City Staff has met several times with the residents and the landscape architect to work towards a solution that will satisfy all affected parties, with the intent of bringing a revised plan back to the City Council for official action. The objectives of the revised plan include the following:

- To respect the residents desire for a more open, prairie feel throughout the development rather than the proposed urban design that would place a high density of trees along boulevard areas.
- To make the best possible use of the limited funds available once all important infrastructure corrections have been made.
- To develop a framework for ongoing maintenance and preservation of the natural landscape that can be augmented as future funding might become available.
- To allow the City to move closer towards final acceptance of the Sanctuary improvements without further impacting the residents that current live in this subdivision.

The plan that has been prepared by Landscape Architecture, Inc. is substantially different than the one approved by the City with the preliminary plat. Most notably, there are only nine larger trees to be planted within the common areas, with the bulk of the proposed improvements taking the form of weed treatment, buckthorn and invasive species removal, seeding of prairie and transition areas, and other restoration work. This plan has been reviewed by the City Forester, and in her attached report, she states her approval of the proposed management plan. The landscape architect for the project will be in attendance at the meeting to more fully describe the features of the revised landscape and natural area management plan.

The plans that have been submitted to the City do not include the landscaping that has been performed to date on the private lots that have been developed, which in some cases, is fairly substantial. Also, the developer did complete a portion of the approved plan at the entrance to the subdivision, and therefore, has previously planted 40 trees at the entrance to the development. Furthermore, the covenants associated with this development require each new home builder to plant at least two trees on lots with new homes, which will result a minimum of 76 trees being planted in the future.

Staff is recommending that the Planning Commission recommend approval of the revised landscape plan for the St. Croix's Sanctuary subdivision, and specifically is recommending this action because the proposed plan will help accomplish the objectives outlined above. This recommendation includes the approval of a waiver from the OP District requirements to permit a plan that does not meet the number of trees otherwise required to be planted under this ordinance. Staff further recommends that this approval be contingent on the following:

- Adherence to all recommendations of the City Forester as documented in a report to the City dated September 8, 2009.
- That two trees per new building site be provided near the public boulevard and clustered along lot lines prior to the issuance of a certificate of occupancy for new homes on all undeveloped lots.

ADDITIONAL INFORMATION:

- The original landscape plan is attached for review by the Planning Commission. This is the plan that will be replaced should the City approve the revised landscape proposal.
- As noted above, this action will require a 4/5ths vote of the City Council since it would authorize a waiver of the OP District provisions related to landscaping.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the revised landscape plan for the St. Croix's Sanctuary development subject to the following conditions:

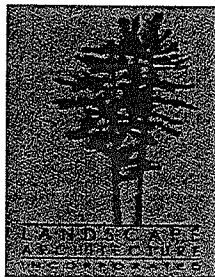
- The implementation of the plan shall adhere to all recommendations from the City Forester as documented in a report to the City dated September 8, 2009.
- Two trees per new building site shall be provided near the public boulevard and clustered along lot lines prior to the issuance of a certificate of occupancy for new homes on all undeveloped lots as of September 15, 2009.

ATTACHMENTS:

1. Letter from Landscape Architect
2. Proposed Landscape Plan
3. Restoration and Installation Plan
4. Plant Selections
5. Site Condition Plan
6. Landscape Classification System for Sanctuary
7. Report from City Forester
8. Existing Landscape Plan

ORDER OF BUSINESS:

- Introduction..... Kyle Klatt, Planning Director
- Presentation by staff..... Kyle Klatt, Planning Director
- Presentation by Landscape Architect... Stephen Mastey, Landscape Architecture, Inc.
- Questions from the Commission Chair & Commission Members
- Call for a motion Chair Facilitates
- Discussion of Commission on the motion Chair Facilitates
- Action by the Planning Commission..... Chair & Commission Members



August 31st, 2009

City of Lake Elmo
Kyle Klatt
Planning Director
3800 Laverne Avenue North
Lake Elmo, MN 55042

RE: SANCTUARY LANDSCAPE PLAN

Dear Kyle,

We have attached 20 Copies of the proposed landscape plan package for you to share with the Planning Commission & City Council Members. Based off of the \$30,000 to \$35,000 range that was provided by you and your staff last week for this purpose, we have created a proposed landscape plan that is proposed at \$33,767.50 as described in detail in the Proposal for Installation Services attached.

We will plan to present this concept at the September 14th, 2009 Planning Commission Meeting and the September 15th, 2009 City Council Meeting with representatives from the HOA present to show support for this plan and to entertain questions.

If you need additional landscape plan packages please let me know as we would be happy to provide these in color to clearly convey our design intent to all stakeholders in this process.

SINCERELY,

LANDSCAPE ARCHITECTURE, INC.

STEPHEN MASTEY, ASLA, CLARB, LEED AP
DIRECTOR OF DESIGN

cc: Carolyn Cary, Sanctuary HOA
cc: Karen Kill, Browns Creek Watershed District
cc: Ryan Stempski, City of Lake Elmo
cc: Craig Dawson, City of Lake Elmo
cc: Kathy Widin, City of Lake Elmo