



MAYOR & COUNCIL COMMUNICATION

DATE: July 21, 2015
REGULAR
ITEM #17
RESOLUTION 2015-59

AGENDA ITEM: Halcyon Cemetery Preliminary and Final Plat

SUBMITTED BY: Nick M. Johnson, City Planner

THROUGH: Julie Johnson, City Clerk

REVIEWED BY: Planning Commission
Kyle Klatt, Community Development Director
Jack Griffin, City Engineer
Greg Malmquist, Fire Chief
Washington County Public Works

SUGGESTED ORDER OF BUSINESS:

- Introduction of ItemCommunity Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff..... Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECCOMENDER: Planning Commission

FISCAL IMPACT: None, all of the review activities on the part of the City are reimbursed by application and escrow fees submitted by the developer. All of the improvements to the site are private.

SUMMARY AND ACTION REQUESTED: The City Council is being asked to consider a request from Mr. Lee Rossow for approval of a preliminary and final plat for a cemetery to be called Halcyon located at 11050 50th Street North. The Planning Commission held a public hearing to consider the matter at its July 13, 2015 meeting and unanimously recommended approval of the Halcyon Cemetery Preliminary and Final Plat subject to 14 conditions of approval. The suggested motions to adopt the Planning Commission recommendation is as follows:

“Move to adopt Resolution No. 2015-59, approving the Halcyon Cemetery Preliminary and Final Plat.”

BACKGROUND INFORMATION:

Attached is the original detailed Staff report that was provided to the Planning Commission regarding the applicant’s request for preliminary and final plat approval. The staff report includes general information about the application, a summary of the relevant planning and zoning issues, a thorough review and analysis of the final plat (including a draft list of recommended conditions of approval), draft findings, and the Staff recommendation to the Planning Commission.

PLANNING COMMISSION REPORT:

The Planning Commission held a public hearing to review the preliminary and final plat application at its July 13, 2015 meeting. During the public hearing, the Planning Commission received the following testimony:

- Jean Madrinich, 11420 50th Street N., noted that there are multiple flood plains in the area. She asked how the flood plains are being addressed. Lee Rossow noted that they have worked through those issues with the watershed district. Ms. Madrinich also noted concern about additional traffic that would be generated on 50th Street.
- Deb Kreuger, 4552 Lake Elmo Ave. N., asked questions about the need for parkland dedication associated with this property. In addition, she referenced several State Statutes that relate to cemeteries. She wanted to ensure that the statutory requirements are being followed with the project, especially the establishment of a permanent care trust fund for the cemetery association. The applicant noted that a trust fund is being established with the project.
- Janet Thompson, 11491 50th Street N., noted that she is concerned about a commercial venue being placed in a residential area. She stated that her family moved here to live in a rural area, and this use is not in keeping with that goal.
- Rebecca Tenpas, 11330 50th Street N., stated that she does not believe the proposed use is consistent with the rural character that the City desires. She also stated that the traffic on 50th Street is a concern, and the use will add to the existing problem.
- Rich Day, owner of a property to the south of the proposed cemetery, asked if the project has undergone an environmental review, such as an EIS. Johnson noted that the project did not meet the threshold to trigger an environmental review, but that the City does have the discretion to request environmental review. Mr. Day also voice his concern about the storm water on the site that travels to his property. The applicant noted that they have received permit approval from the Valley Branch Watershed District for the proposed storm water management design.

- Jeffrey Saffle, 11180 50th Street N., asked if the lights on the site would be compliant with dark skies standards. He noted that is important to follow the City's dark skies ordinance.
- Saxe Roberts, 11165 50th Street N., noted his concern about the effect of cemeteries on property values. Mr. Roberts agreed with staff that research is inconclusive on the matter, but he worried that the presence of the cemetery would eliminate some buyers for his property in the future.

The full account of the testimony can be reviewed in the draft Planning Commission minutes dated 7/13/15.

The Planning Commission discussed a variety of topics in considering the preliminary and final plat application for the cemetery. In discussing the project, the Planning Commission added the following conditions:

- A condition was added that any future expansions for the cemetery use would need City review and approval.
- A condition was added to ensure that dark skies ordinances were followed.
- A condition was added that any expansion of the home meet design criteria contained in the City's design standards.
- A condition was added to add a warranty period for the transplanted trees on the site.
- A condition was added to provide additional screening along the east and north property lines.
- Finally, a condition was added that the cemetery association provide copies of all annual minutes and financial reporting of the permanent care trust fund to the City on an annual basis.

The Planning Commission recommended approval of the Halcyon Cemetery Preliminary and Final Plat with 14 conditions of approval. The vote to recommend approval of the preliminary and final plat was unanimous (Vote: 6-0).

STRENGTHS, WEAKNESSES, OPPORTUNITIES, THREATS (SWOT):

Strengths: The proposed preliminary and final plat are compliant with the City's subdivision ordinance, as well as other ordinances found in the zoning code.

Weaknesses: Neighboring property owners have expressed concerns about traffic generated by the use.

Opportunities: N/A

Threats: N/A

RECOMMENDATION:

Based on the aforementioned, the Planning Commission and Staff are recommending that the City Council approve the Halcyon Cemetery Preliminary and Final Plat through the following motion:

“Move to adopt Resolution No. 2015-59, approving the Halcyon Cemetery Preliminary and Final Plat.”

ATTACHMENTS:

1. Resolution 2015-59
2. Staff Report to the Planning Commission, 7/13/15
3. Location Map
4. Application Forms and Project Narrative
5. Preliminary and Final Plat and Plans
6. City Engineer Review Memorandum, dated 7/8/15
7. Fire Chief Review Memorandum, dated 7/7/15
8. Washington County Review Memorandum, dated 7/7/15
9. Valley Branch Watershed District Permit
10. Lake Elmo Transportation Plan, Existing and Projected Traffic Volumes
11. Cemetery Proximity and Single Family Home Price Report (1st Half)

INCLUDED IN THE ELECTRONIC PACKET BUT NOT PROVIDED IN HARD COPY:

1. 2nd Half of Cemetery Proximity and Single Family Home Price Report – Supporting Data
2. Information Handout from League of MN Cities on Cemeteries