

LILYDALE CITY COUNCIL SPECIAL MEETING
July 19, 2021

Present – Mayor Warren Peterson and Councilmembers John Diehl, Bill Kleinman and Anita Pampusch; Mary Schultz, City Clerk and Kathy Mutch, administrative assistant (Absent: Councilmember Lyle Hanzal)

Also Present – Bridget Nason, city attorney; Erin Perdu, Stantec; Jim Langseth, Barr Engineering; and Ben Bruno, property owner

The city council meeting was called to order at 4:30 p.m.

Agenda – Moved by Councilmember Diehl and seconded by Councilmember Kleinman to approve the agenda as revised with the addition of a resolution. Motion carried 4-0.

Public Hearing for Planned Unit Development (PUD) – A public hearing was held for consideration of a concept plan for a Planned Unit Development (PUD) at 1143 Sibley Memorial Highway, Ben Bruno, property owner. (R-1 district).

Mayor Peterson asked for comments.

Clerk Schultz stated two written comments were received and one phone message.

1. Kay Frye, resident at 1131 Sibley Memorial Hwy., Lilydale, MN
I will be unable to attend the City Council meeting on Monday, July 19th but wish to address some concerns I have regarding the notice I received that next-door neighbors wish to have an in ground pool installed. The property improvements that they have made and are proposing are impressive but I have questions regarding the impact the pool will have on the bluff and surrounding land.
 - a. When a pool replaces earth, trees that absorb water are replaced with cement that does not absorb, what happens to the water? Will the pool create more ground water and is that an issue?
 - b. To drill the hole for the bluff, will it require blasting? If so, what would be the impact?
 - c. There is a sink hole on this property near the Xcel tower. The previous owner filled it at least twice. Is that an issue?
 - d. Since 1991 there have been 3 rock slides near the site. The last one caused the path to be closed for months. What is the State reporting about the stability of this bluff?
2. Orlando Ponce of 1128 Sibley Memorial Hwy., Mendota Heights, MN
I'm sorry I cannot be there in person but I hope this letter helps out my neighbors. I support the concept plan for swimming pool, deck, grading and landscaping in bluff setback at their home. I feel that they should be granted the right to do as they wish with their home. Please consider the Bruno family plan they are presenting.
3. Alan Zopf, resident at 1125 Sibley Memorial Hwy., Lilydale MN
Concerned with digging into the limestone and wondering how they intent to remove it. He does not want any explosives used.

Moved by Councilmember Diehl and seconded by Councilmember Kleinman to enter into record the public comments received. Motion carried 4-0.

Councilmember Diehl explained the Planning Commission held a meeting on July 8 to consider concept plans from property owner Ben Bruno to build a swimming pool, concrete patio, planting areas, reconfigured driveway and a landscape wall in the front and side yards. The Planning Commission and city planner Phil Carlson have thoroughly reviewed the plans. Carlson provided a planning report dated July 14 explaining the challenges to the proposed project. Councilmember Diehl further stated the city can consider the property and features as a whole and allow the various uses and setbacks as a Planned Unit Development. It gives the applicant some flexibility where some aspect of the project would not otherwise be allowed and requires there be some benefits to the city or the community in exchange.

Ben Bruno explained the plan has been in the making for almost three years. He addressed concerns and issues regarding disrupting the bluff line, preservation, restoration and environmental concerns.

City engineer Jim Langseth addressed the drainage and runoff from the pool. He reached conclusions on different parts of the property. Langseth does not see an issue in the zone area where the pool is; water evaporates out of the pool as much as it collects. The deck area may generate a little bit of excess water but is not something to accelerate erosion of the bluff. The driveway is an improvement over the current condition. Mr. Bruno is expanding the patio in front of his home. To the extent water causes a problem the water would flow into Mr. Bruno's basement. For stormwater management Langseth believes the plan is a reasonable approach that will not cause material harm to the bluff.

No other public comments were made.

Moved by Councilmember Diehl and seconded by Councilmember Kleinman to close the public hearing at 4:54 p.m. Motion carried 4-0.

Resolution 2021-8, Application for PUD Concept Plan - Moved by Councilmember Pampusch and seconded by Councilmember Kleinman to approve Resolution 2021-8, Approving Application for PUD Concept Plan Approval for Property Located at 1143 Sibley Memorial Highway. Motion carried 4-0.

The next step is for a rezoning application to be submitted to change from R-1 district to a Planned Unit Development (PUD). A final development plan will be submitted for approval and include a landscape plan and a detailed site plan. A Planning Commission meeting is required to review the final PUD plan followed by a City Council meeting. The PUD ordinance will reference the site plan and include a narrative.

Mr. Bruno is in the process of finetuning the list of plants.

As soon as the final application is received the public hearing can be scheduled and notice posted.

Adjournment – Moved by Councilmember Diehl and seconded by Councilmember Kleinman to adjourn. Motion carried 4-0. The meeting adjourned at 5:07 p.m.

Respectfully submitted:

Final copy reviewed by:

Mary Schultz, City Clerk

Warren Peterson, Mayor

Date