ROSEMOUNT
MINNESOTA

AGENDA
Planning Commission Regular Meeting
Tuesday, July 25, 2023
6:30 PM
City Council Chambers, City Hall

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE**
2. **ADDITIONS TO AGENDA**
3. **AUDIENCE INPUT**
4. **CONSENT AGENDA**
   a. Minutes of the June 27, 2023 Regular Meeting Minutes
5. **OLD BUSINESS**
6. **PUBLIC HEARINGS**
   a. Request by KJ Walk for an amendment to the Rosewood Commons PUD and conditional use permits for an outdoor seating area and a drive-through facility.
7. **NEW BUSINESS**
8. **DISCUSSION**
9. **ADJOURNMENT**

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Pursuant to due call and notice thereof, a regular meeting of the Rosemount Planning Commission was held on Tuesday, June 27, 2023 at 6:30 PM in Rosemount Council Chambers 2875 145th Street West.

Chair Kenninger called the meeting to order with Commissioners Reed, Powell, Whitman, Hebert, Rivera and Thiagarajan in attendance.

Staff present included the following: Community Development Director Kienberger, Planner Hogan, and Community Development Technician Rooney.

The Pledge of Allegiance was said.

ADDITIONS TO AGENDA

None.

AUDIENCE INPUT

None.

CONSENT AGENDA

Mention by Kenninger of the modification and approval of consent agenda.

Motion to approve consent Kenninger. Second Reed.

Approved by all.

PUBLIC HEARING

a. Request by David and Kristin Kallaus for a Variance from the maximum allowed lot coverage standard.

Planner Hogan shared an overview of the variance request to increase the lot coverage standard to allow for the construction of a patio at 13200 Aulden Ave.

Commissioner Rivera asked why variance were not needed for neighboring properties that have patios.

Planner Hogan explained that the property survey that was approved by the City was close to that maximum allowed lot coverage of 35%. The property owners would have only been able to add an additional 57 square feet of impervious surface coverage to the property after the principal structure was built. A majority of the properties in the surrounding area were not as restricted on adding lot coverage as the subject property was.

Commissioner Rivera asked if it was due to the natural gas pipeline that runs through the property that caused the property to have a higher lot coverage.

Planner Hogan explained that the pipeline was one of the reasons why the house was setback further on the lot and a reason why the lot coverage was higher due to the driveway needed to be larger than the standard driveways in the area.

Commissioner Whitman asked what the purpose for lot coverage and as well as what are the standards and how does the City come up with those?

Planner Hogan explained that the City's standard lot coverage is 30% with the main reason being to control drainage issues. Planner Hogan continued with stating that newer developments within the city have higher lot coverage standards due to many of the lots being smaller in size. This development that the subject property is located in, Bella Vista 3rd Addition, has that higher standard of 30%, 35%, and 40% depending on the square footage of the lot.

Commissioner Whitman commented that this subject property is barely in that 35% lot coverage category.

Planner Hogan agreed and stated that the property's square footage was on the lower end of the 35% lot coverage category.

Commissioner Whitman asked if drainage was a concern or any concerns with approving this variance due to drainage.

Planner Hogan noted there were no concerns for drainage.

Public Hearing opened at 6:39pm.

Kathleen Rowland
Address: 13239 Aulden Ave

Ms. Rowland stated that she had just poured a patio a few weeks ago and she got the public notice letter in the mail and was curious as to see why they had to go through the variance process, and she didn't. She explained that it was nice to see how this process works and wished the applicant luck with the project.

Public hearing closed 6:40pm.

Motion by: Kenninger
Seconded by: Powell
Motion to close the public hearing.

Commissioner Rivera shared that it looks like a very beautiful patio. Commissioner Reed shared that it seems very straight forward and well thought out. Chair Kenninger noted that they will be making a vote as the board of appeals and adjustments and will not move forward to the City Council.

Motion by board of appeals and adjustments.
Moved by Kenninger and Seconded by Powell.

NEW BUSINESS
None.

DISCUSSION

Chair Kenninger noted the Joint Work Session between City Council and Planning Commission on July 11th, 2023 to go over the City's Zoning Code update.

Chair Kenninger noted the next meetings.

ADJORNMENT

Meeting adjourned at 6:45pm.

ROSEMOUNT
MINNESOTA

EXECUTIVE SUMMARY

Planning Commission Regular Meeting: July 25, 2023

AGENDA ITEM:	Request by KJ Walk for an amendment to the Rosewood Commons PUD and conditional use permits for an outdoor seating area and a drive-through facility.	**AGENDA SECTION:**	PUBLIC HEARINGS
PREPARED BY:	Anthony Nemcek , Senior Planner	**AGENDA NO.**	6.a.
ATTACHMENTS:	Site Location, Site Plan, Grading Plan, Landscape Plan, Elevations, Trash Enclosure, Perspective 1, Perspective 2	**APPROVED BY:**	AK

RECOMMENDED ACTION:

1. **Motion** to recommend the City Council approve a Major Amendment to the Rosewood Commons Planned Unit Development Agreement, subject to:
    a. Approval of an amendment to the Rosewood Commons Planned Unit Development Agreement.
    b. A deviation from Section 11-6-1: Off Street Parking to reduce the minimum number of parking stalls from 105 to 102.
    c. a deviation from Section 11-6-3: Landscaping Requirements to remove the requirement that the number of trees required as part of parking lot landscaping be in addition to the number of trees required based on site area.
    d. The trash enclosure plans shall be updated to feature exterior materials that match the principal structures.
    e. The total number of restaurant seats shall not exceed 218 between the two buildings.
    f. The landscape plan shall be updated to replace ash trees with another species.
    g. The applicant shall apply for a sign permit for any site signage.
    h. Payment of $15,480 in lieu of park land dedication.
    i. Payment of any area charges that were not collected as part of the subdivision agreement.

2. **Motion** to recommend the City Council approve a conditional use permit for an outdoor seating or dining area containing more than eleven seats, subject to:

    a. Continuous fencing is required around the entire outdoor seating area prior to issuance of a liquor license.
    b. No public address system shall be audible from an adjacent non-commercial parcel boundary.

3. **Motion** to recommend the City Council approve a conditional use permit for a drive-through facility, subject to:

a. Any public address and ordering system must be inaudible from adjacent non-commercial property boundaries.
b. Signage related to the drive through facility must be approved through the regular sign permitting process.

BACKGROUND

The applicant, KJ Walk is seeking approval of requests to construct two commercial buildings in the northwest quadrant of the intersection of Business Parkway and CSAH 42. The parcels on which the buildings would be constructed are part of the Rosewood Commons Planned Unit Development. One of the buildings will be a standalone restaurant, while the other will be a multi-tenant retail building with a drive-through facility serving a fast-food or fast-casual restaurant. The applicant is seeking deviations from the code related to exterior materials, to allow parking lot landscaping to count toward the total landscaping requirement, a reduction in the number of parking stalls required by three, and a reduction in the setback requirement for parking from a private drive. Staff is recommending approval of the requests, subject to the conditions listed in the recommended action.

Applicant:	KJ Walk, Inc.
Property Owner:	KJ Walk, Inc.
Site Location:	14910 and 14904 Business Parkway (NW of Business Parkway and CSAH 42)
Site Area in Acres:	Approximately 1.72 Acres
Current Zoning:	C4 PUD-General Commercial Planned Unit Development
Comp Plan Designation:	CC-Community Commercial

The City Council approved the Rosewood Commons Planned Unit Development in 2020. That approval covered the construction of six apartment buildings (two of which would have commercial space on the ground floor) and a hotel. The apartment buildings required a comprehensive plan amendment and rezoning from commercial uses to residential. The applicant also requested approval to construct a memory care facility east of Business Parkway, but that portion of their request was denied to maintain that parcel's commercial land use designation and zoning. That parcel is now the site of the New Horizon Academy, and the applicant received approval to replace the hotel component of the PUD with a memory care facility, which is nearing completion. The subject property the applicant is currently requesting approvals for was once contained in an outlot with the understanding that any development of the site would require approval of a major amendment to the Rosewood Commons PUD as well as any necessary platting.

In 2022, the subject property was platted into two parcels along with an approval by the City Council of a PUD amendment to allow for parcels that do not meet the minimum width required by the zoning ordinance. This deviation was permitted based on the fact that the two parcels would be part of a larger overall commercial development containing shared drive aisles and parking areas.

There are three components that require action, which are listed as follows:

- **Major PUD Amendment** to the Rosewood Commons Master Development Plan that includes a site plan review. This action will bring the proposed plans into the Rosewood Commons PUD and also amend the associated PUD agreement.
- **Conditional Use Permit** for an outdoor dining area with seating for more than eleven.
- **Conditional Use Permit** for a drive through facility.

ISSUE ANALYSIS

Legal Authority. Major Planned Unit Development Amendments are *legislative* decisions because the City is formulating public policy, which in this case is related to the proposed deviations from the zoning ordinance.

Conditional Use Permit approvals are *quasi-judicial* decisions for the City, meaning that the City is acting as a judge to determine if the regulations within the Zoning Ordinance are being followed. Generally, if these applications meet the City's established requirements, they must be approved. Staff review of each application is provided below.

Site Plan Review

The proposed site development plans incorporate the sharing of parking and access between the two commercial buildings; therefore, the staff review comments associated with these two parcels are incorporated into one section.

Land Use and Zoning

The site is guided for CC-Community Commercial uses in the City's comprehensive land use plan, and it is within the C4-General Commercial zoning district. The site is also covered by the Rosewood Commons PUD overlay district. Any deviations that were approved with the initial phase of development within the PUD are only permitted within that initial development area. Likewise, the proposed deviations currently being reviewed only apply to the subject parcels being reviewed with these requests.

The proposed buildings and their anticipated uses are allowed by the zoning ordinance and are consistent with the comprehensive plan. The outdoor dining area and drive-through facility are permitted conditionally by the zoning ordinance. A thorough review of those conditions is provided later in this report.

Building Setbacks

Frontage	**Required Setback**		**Provided Setback**	
	Building	**Parking**	**Building**	**Parking**
North (149th Street West)	30 feet	10 feet	63	0
East (Business Parkway)	10 feet	10 feet	33.27	14.58
South (CSAH 42)	10+20 feet	10 feet	63.34 feet	13.37 feet
West (Outlot A Rosewood Commons 2nd Addition)	10 feet	10 feet	35.50	n/a

The applicant is requesting, as part of their submittal, elimination of the setback requirement related to parking on properties adjacent to a private driveway easement. Staff is supportive of this request as the site development plans include a 6' pedestrian facility between the private drive along the north side of the property and the parking area. The area to the north is part of the Rosewood Commons development. Staff would be less supportive if the area to the north of the site was a separate project or an incompatible use. The site plans show the development meeting all other setback requirements, including the additional setback requirement along the south side of the property due to its location along an arterial road.

Exterior Materials

The applicant has provided exterior elevations that include a breakdown in the percentage of each material. The zoning ordinance requires at least 50% of the building be finished with brick or stone and no more than 10% EIFS. The applicant is requesting the ability to include up to 18.5% EIFS in exchange for including stone and brick beyond that required by the zoning ordinance. The applicant's plans show that 81.8% of the non-glass areas are brick or stone on the eastern building. The non-glass areas of the western building contain 80.9% brick or stone. Staff is supportive of this request since the EIFS is limited to accent areas and the overall result is building elevations primarily consisting of brick or stone when the applicant could have identified other materials for use that would result in less brick or stone on the elevations.

Parking and Access

The site plan provided by the applicant shows a total of 105 parking spaces on the site. The applicant estimated parking requirements based on the anticipated number of seats in the restaurant areas and the square footage of the retail/office portion of the multi-tenant building. The code requires 6 stalls per 1,000 square feet of retail or 5 stalls per 1,000 square feet for shopping centers. Office uses also require 1 stall per 200 square feet or 5 per 1,000 square feet. Staff agrees with the calculations provided by the applicant as shown in the table on the attached site plan, which shows the site falling just shy of the code requirement of 105 stalls by three stalls. The applicant's initial submittal provided enough parking stalls to meet the requirement. Following the direction of staff to relocate a trash enclosure and add an additional enclosure, as well as to provide an additional parking lot island to accommodate more landscaping, the total number of parking stalls was reduced by three. Staff supports the level of parking shown and is recommending approval of a reduction in the number of stalls required on the site by three. Staff is also recommending a condition of approval that limits restaurant seating to that shown on the table to ensure sufficient parking is provided once the restaurants are built. The seating will be reviewed for compliance with that condition during the building permit process.

Use	Parking required
Restaurant (218 total seats @ 3 stalls per seat)	73 stalls
Retail (1,900 sf @ 6 stalls per 1,000 sf)	12 stalls
Office (3,800 sf @ 5 stalls per 1,000 sf)	19 stalls
Total Required	105 stalls

Total Provided	102 stalls

Vehicular access into the site will be made from the private roadway located immediately north of the site. The site is also bound by sidewalks on the north and east sides. The City's fire marshal requested and received an exhibit showing the turning radius of emergency apparatus within the site and has found that the site layout is able to accommodate emergency vehicles.

Landscaping

The applicant has provided a landscape plan with their submittal that generally meets the requirements of the City's zoning ordinance based on the size of the subject property. The City Code requires one tree per 3,000 square feet of site area, which in this case results in a requirement of 25 trees. There is an additional requirement related to the landscaping of the parking areas. The code requires landscaping around the parking lot equal to 10% of the total parking area, which in turn must contain one tree per 250 square feet of parking lot landscaping. This tree requirement is in addition to the number of trees required based on the size of the site. Therefore, the total number of trees required on site is 43. Staff worked with the applicant to update their plan to provide more parking lot landscaping, which now meets the code requirement, and to identify where more trees might be placed to get closer to the total tree requirement of 43 trees. A shortfall still exists, and staff is recommending a deviation that does not require the parking lot landscaping to be calculated in addition to that required based on site area.

The City Code also requires foundation plantings or shrubbery in an amount based on the total linear feet of building perimeter. Based on the size of the buildings, a total of 65 shrubs is required. The applicant has provided a total of 193 foundation plantings. These plantings are placed along the sides of the property that abut public rights of way and around the outdoor dining area associated with the restaurant in the western building.

The following table lays out the landscaping requirements for the site.

	Calculation Formula	Number Required	Number Provided
Site Trees	1 per 3,000 sf	74,923/3,000=25 trees	25 trees
Parking Lot Trees	1 per 250 sf	4311/250=18 trees	7 trees
Foundation Plantings	1 per 10 linear feet	644/10=65 foundation plants	193 foundation plants

Staff is also including a recommended condition that the applicant update the final landscape plan to replace the trees identified as ash trees with another species due to the impact of the emerald ash borer on existing tree populations in the region.

Utilities

The site's sewer and water will connect to the system at stubs to mains located within the private street immediately north of the site. Stormwater will enter the City's system at a point to the east. The overall system within the Rosewood Commons PUD area was reviewed as part of the initial approval, and the development proposed for the subject parcels is consistent with what was

anticipated for the site at that time. All utilities in the vicinity were reviewed for compliance with the City's engineering design standards, and the City's engineer has provided no further comments in relation to this specific request.

Parks and Open Space

In a review of the City's Parks Master Plan, no parks are identified in the subject property, therefore staff is recommending the City collect cash-in-lieu of park dedication. The City Code requires 10% of the development area be dedicated for parks and open space, which equals .172 acres. Based on the City's 2023 fee list, at $90,000 per acre the dedication fee-in-lieu is $15,480. Because the parcels are already platted and the developer has asked to pay the fee with the building permit, the exact amount per building will be calculated and collected based on the individual parcel area.

Site Lighting

The site lighting will consist of 8' high wall-mounted lights and 20' high pole-mounted lights. These are both within the maximum height for site lighting prescribed by the City Code. The applicant also provided a photometric plan that shows the lighting at the boundaries of adjacent parcels falls below the maximum lumen allowed.

Trash Enclosure

The applicant's plans show two trash enclosures constructed of durable materials that generally meet the requirements of the code. Staff worked with the applicant to adjust the site plan to ensure there are not conflicts with traffic movements in the site, particularly related to the drive-through facility. The elevations indicate that applicant would construct the enclosures using concrete block. The code requires trash enclosures for new construction to complement the principal structures on the site. Therefore, staff is recommending a condition of approval to update the design to feature exterior materials similar to that of the principal structures.

Conditional Use Permit – Outdoor Dining Area Containing Seating for Eleven or More

As a conditional use, outdoor seating or dining areas for eleven (11) or more seats are subject to the general CUP standards outlined in Section 11-10-7 as well as the standards specific to this use in Section 11-4-14.D. These standards evaluate the City's land use and zoning performance standards and the potential impact of the proposed use on the surrounding neighborhood. These standards and staff findings for each are provided below.

1. Will not be detrimental to or endanger the public health, safety, or general welfare of the neighborhood or the city.

Finding: The outdoor seating or dining area will not be detrimental to the public health, safety, or general welfare of the neighborhood or the City of Rosemount.

2. Will be harmonious with the objectives of the comprehensive plan and city code provisions.

Finding: The subject property is guided CC – Community Commercial by the comprehensive plan and zoned C-4 – General Commercial. Outdoor seating or dining areas for eleven or more people are a conditional use in this zoning district.

According to the comprehensive plan, the Community Commercial land use designation is intended

to provide retail, professional offices, and personal services that serve the daily and weekly needs of the residents of Rosemount. Close proximity to arterial streets is needed for visibility while individual business accesses shall be provided predominantly from collector, local, or private streets. By comparison, the purpose and intent of the C-4 – Community Commercial district is to provide a wide range of goods and services to the entire community. Due to their proximity to major arterial streets, businesses in this district are dependent on large volumes of traffic, and thus need to be highly visible and accessible.

3. Will be designed, constructed, operated, and maintained so as to be compatible or similar in an architectural and landscape appearance with the existing or intended character of the general vicinity and will not change the essential character of that area, nor substantially diminish or impair property values within the neighborhood.

Finding: The plans provided by the applicant show the dining area to have significant landscaping surrounding it. Final construction of the fence area surrounding the patio will be reviewed through the building permit process for conformance with the building code.

4. Will be served adequately by existing (or those proposed in the project) essential public facilities and services, including streets, police and fire protection, drainage, structures, refuse disposal, water and sewer systems and schools.

Finding: The proposed commercial development is served adequately by existing essential public facilities and services.

5. Will not involve uses, activities, processes, material equipment and conditions of operation that will be hazardous or detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.

Finding: The outdoor dining area will be located on the south side of the restaurant building facing CSAH 42 over 450' from the nearest residence. Therefore, staff finds the proposed dining area will likely have minimal if any impacts on the other properties in the vicinity.

6. Will have vehicular ingress and egress to the property which does not create traffic congestion or interfere with traffic on surrounding public streets.

Finding: The proposed dining area will not interfere with any drive aisles.

7. Will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance and will comply with all local, state, and federal environmental quality standards.

Finding: The proposed use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance and will comply with all local, state, and federal environmental quality standards.

8. These standards apply in addition to specific conditions as may be applied throughout this code.

Finding: Outdoor dining areas for eleven or more seats are also subject to the specific conditional use permit standards in Section 11-4-11.D as outlined below.

In addition to the general conditional use permit standards reviewed above, the proposed use must comply with the specific performance standards for outdoor seating or dining areas for eleven (11) or more seats. These standards along with staff findings are detailed below.

1. **The site and enclosure(s) shall be designed to limit the effects of outdoor seating or dining areas on contiguous properties and/or public rights of way.**

Findings: The area will be located approximately 450' from the nearest residence. The applicant's plan calls for the outdoor dining areas to include foundation plantings along its perimeter. The distance and landscape design will limit the effects of the areas on contiguous properties and the public right-of-way.

2. **The seating area shall be located on private property along the front, side or rear of the principal building but shall not be located within a required setback or on the side abutting any residential use or district.**

Findings: The proposed outdoor seating area will be located along the south side of the building and beyond the required 30' minimum setback standard.

3. **The seating area shall not interfere with circulation in any required parking, loading, maneuvering or pedestrian area. A minimum four foot (4') passageway shall be maintained along the private sidewalk for pedestrians.**

Findings: The plan provided by the applicant shows a continuous sidewalk along all sides of the building and outside the outdoor dining area.

4. **The seating area shall be located in a controlled or cordoned area acceptable to the city with at least one opening to an acceptable pedestrian walk.**

Findings: The applicant's plan shows a contiguous area delineated by landscaping. If a fence is desired, staff will review the plans during the standards permit review process to ensure an opening to the sidewalk is provided.

5. **When a liquor license is granted, an uninterrupted enclosure is required and the enclosure shall only have access through the principal building.**

Findings: If a liquor license is requested by the future user of the site, compliance requires the presence of a continuous enclosure. Staff is recommending a condition of approval that reiterates that a fence is required in order for the site to receive a liquor license.

6. **The seating area shall not be permitted within two hundred feet (200') of any residential use or district as measured at the property line and shall be separated from residential use or district by the principal structure or other method of screening acceptable to the city. The minimum distance from a residential use or district may be reduced should the city determine the applicant has added sufficient elements to reduce the impact of this use.**

Findings: The outdoor dining area will be located greater than 200' from both the R1 district northeast of the site and the mixed-use area immediately north of the site. It is screened from those areas by the building itself.

7. **No public address system shall be audible from a noncommercial or nonindustrial use or district.**

Finding: A condition of this approval will note that no public address system shall be audible from any residential use or district.

Conditional Use Permit – Drive Through Facility

As a conditional use, drive-through facilities are subject to the general CUP standards outlined in Section 11-10-7 as well as the standards specific to this use in Section 11-4-14.D. These standards evaluate the City's land use and zoning performance standards and the potential impact of the proposed use on the surrounding neighborhood. These standards and staff findings for each are provided below.

1. Will not be detrimental to or endanger the public health, safety, or general welfare of the neighborhood or the city.

Finding: The Drive-Through will not change any traffic patterns exterior to the site. Screening will be provided to minimize impacts to traffic on Business Parkway from headlights.

2. Will be harmonious with the objectives of the comprehensive plan and city code provisions.

Finding: The use and location are consistent with the Comprehensive Plan policies. The applicant is not seeking any variances or deviations from the City Code provisions to accommodate the drive-through.

3. Will be designed, constructed, operated and maintained so as to be compatible or similar in an architectural and landscape appearance with the existing or intended character of the general vicinity and will not change the essential character of that area, nor substantially diminish or impair property values within the neighborhood.

Finding: The area is guided for Community Commercial uses. The site plan is laid out in a manner consistent with commercial development in a suburban environment.

4. Will be served adequately by existing (or those proposed in the project) essential public facilities and services, including streets, police and fire protection, drainage, structures, refuse disposal, water and sewer systems and schools.

Finding: The site is served by existing services including storm water removal. The project will not require any new public services or utilities.

5. Will not involve uses, activities, processes, material equipment, and conditions of operation that will be hazardous or detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, or odors.

Finding: The proposed development is within the expectations for commercial development in the area in which it is located.

6. Will have vehicular ingress and egress to the property which does not create traffic congestion or interfere with traffic on surrounding public streets.

Finding: The site layout will not result in impacts to the public streets in the vicinity.

7. Will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance and will comply with all local, state, and federal environmental quality standards.

Finding: The proposed use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance and will comply with all local, state, and federal environmental quality standards.

In addition to the general conditional use permit standards reviewed above, the proposed use must comply with the following specific performance standards:

1. The site and building(s) shall be designed to limit the effects of the drive-through on adjacent properties and public rights of way. No use with a drive-through window shall be located abutting any residential use or district.

Finding: The drive-through window will face Business Parkway and is immediately across from another commercial district and use.

2. Drive-through facilities shall have a minimum six (6) stacking spaces per drive-through window. Fast food uses operating more than one window per individual drive aisle shall meet the stacking requirements for a single drive-through facility. Each space shall be a minimum of nine feet (9') wide by eighteen feet (18') long.

Finding: The plans provided by the applicant indicate at least ten stacking spaces that are 20’ long and 14’ wide, which exceeds the dimensional requirements of the City Code.

3. The principal building shall be the primary source for screening the drive-through facility and stacking and exiting areas from adjacent properties and/or rights of way. Landscaping and berming shall be a secondary source for screening drive-through, stacking or exiting areas. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than twenty five feet (25') without a change in architecture to reduce their mass and appearance. Stacking areas shall have a minimum ninety percent (90%) opacity screen to a height of six feet (6') while exiting areas shall have a minimum fifty percent (50%) opacity screen to a height of at least four feet (4').

Finding: Screening is provided by landscaping along the eastern and southern property lines.

4. Stacking lanes, order board intercom, and service window shall be designed and located to minimize noises, emissions, and headlight glare upon adjacent properties and public rights of way.

Finding: The stacking lanes, order boards and drive-through windows are configured to limit their impact on adjacent properties and public rights-of-way.

5. Stacking lanes shall not interfere with circulation through any required parking, loading, maneuvering or pedestrian area.

Finding: The stacking lanes of the drive through are located along the eastern side of the building. Parking for the site is located south, west, and north of the building, and therefore there is no interference between drive-through stacking and the parking area.

6. No public address system shall be audible from a noncommercial or nonindustrial use or district.

Finding: Staff has prepared a condition stating that public address or ordering speakers shall not be audible from the boundaries of adjacent residential parcels.

7. In addition to the freestanding sign allowed by the sign ordinance, fast food uses may display menu signs related to drive-through facilities, provided that:

a. Not more than one menu sign per defined drive-through aisle is allowed.

b. Individual menu signs shall be single sided with an area not to exceed thirty-two (32) square feet including both menu information and sign cabinet.

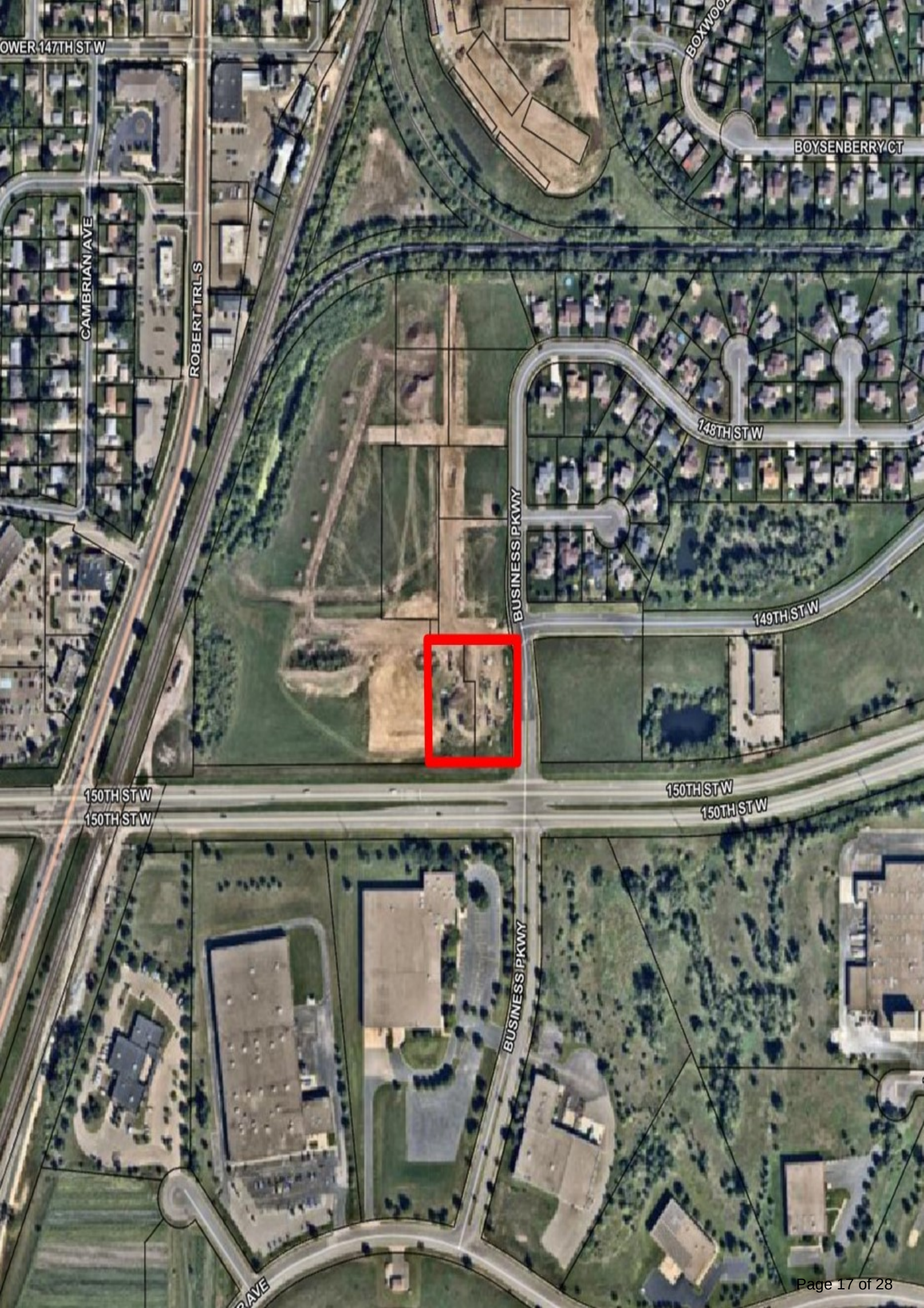
c. The height of the menu sign(s) shall not exceed eight feet (8') including its base or pole measured from grade to the top of the structure.

d. The menu sign(s) shall not encroach into any parking setback and shall be located directly adjacent to the drive-through aisle and oriented in such a manner that the sign provides information to the drive-through patrons only and does not provide supplemental advertising to pass-by traffic and does not impair visibility or obstruct circulation.

Finding: The actual design of the menu boards has not been provided. Staff has prepared a condition that requires conformance with the above menu board standards.

RECOMMENDATION

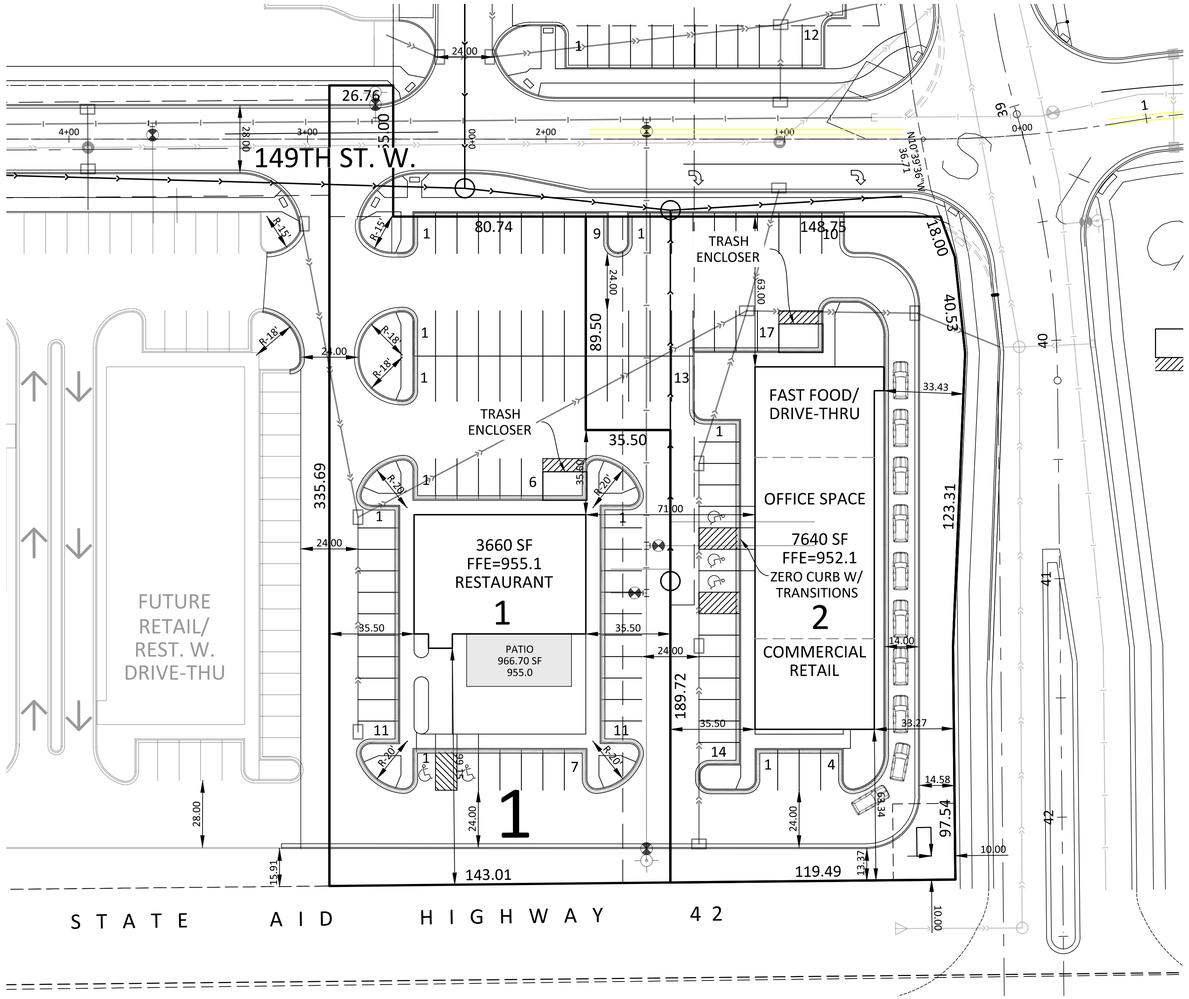
Staff has reviewed the plans submitted by the applicant and worked with the applicant to make improvements where possible, such as to the landscaping plan and to update the location of the trash enclosures. Staff finds that the proposed deviations result in a quality development that is in line with the City's goals contained in the comprehensive plan and the intent of the zoning ordinance. Staff is recommending approval of the requests subject to conditions.

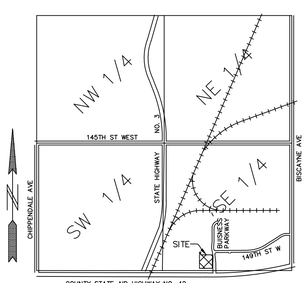

OWER 147TH ST W
CAMBRIAN AVE
ROBERT TRL S
BOXWOOD
BOYSENBERRY CT
148TH ST W
BUSINESS PKWY
149TH ST W
150TH ST W
150TH ST W
150TH ST W
150TH ST W
BUSINESS PKWY

ROSEWOOD COMMONS SECOND ADDITION

Rosewood Commons Use and Parking Requirements				
Lot/Block	USE	UNITS / AREA	# of Seats 1/30 Total Floor Area	REQUIRED PARKING
Lot 1 Blk 1	Restaurant	3,660 Sq Ft	122	41
Lot 1 Blk 1	Patio	967 Sq Ft	32	11
Lot 2 Blk 1	Restaurant	1,940 Sq Ft	64	22
Lot 2 Blk 1	Retail	1,900 Sq Ft	6 per 1000 Sq Ft	12
Lot 2 Blk 1	Office	3,800 Sq Ft	5 per 1000 Sq Ft	19
Total Required				105
Total Provided				102

Surface materials for the streets/parking, sidewalks and driveways will be a combination of blacktop, concrete and stamped concrete.





SECTION 29, TWP. 115, RGE. 19
LOCATION MAP
NO SCALE

Impervious vs Pervious		
Area	Sq Ft	Percent
Total Area	74,963	
Building Foot Print	11,200	14.94%
Green Space	13,355	17.82%
Parking	43,108	57.50%
Sidewalks	7,300	9.74%

SHEET INDEX

1 Cover and Site Plan
2 Grading and Erosion Control
3 SWPPP
4 Landscape Plan

DEVELOPER/ENGINEER/BUILDER

KJ Walk, Inc. Luke Israelson
6001 Egan Drive, Ste 100 952.826.9068
Savage, MN 55378

Legal Description:
Lot 1 and 2, Block 1, Rosewood Commons Second Addition, Dakota County, Minnesota.

BENCHMARK

T.N.H AT 149TH ST W AND BUSINESS PARKWAY - ELEV. 949.75

DATUM: NAD83

Legend

- Existing watermain
- Proposed watermain
- Existing sanitary
- Proposed sanitary
- Existing storm
- Proposed storm
- Existing hydrant
- Proposed hydrant
- Existing gate valve
- Proposed gate valve
- Existing manhole
- Proposed manhole
- Proposed catchbasin
- Silt fence
- Inlet protectors
- Parking lot lights
- Building Lights
- Rip Rap
- Drainage Arrow
- Spot Elevation (963.90)
- Back of Curb Spot Elevation (952.80)

N

0 30 60 90

KJwalk INC.
6001 Egan Drive, Ste 100, Savage, MN 55378
Phone: 952.226.3200 Web: www.kjwalk.com

I hereby certify that this plan was prepared by me, or under my direct supervision, and that I am a duly registered engineer under the laws of the State of Minnesota.

Luke Warren Israelson
Registration #: 51362 Date: 6/29/2023

Date:	Revision:
05/15/2023	Original
05/31/2023	Revised
06/09/2023	Revised
06/29/2023	Revised

ROSEWOOD COMMONS SECOND ADDITION
ROSEMOUNT, MN

For Review
June 29, 2023

Cover-Site Plan

SHEET 1 of 4

FILE PATH: G:\,shortcut-targets-by-id\0B7rIATRBOXEBSGQ2T0kZlOxUTg\Work Files\Rosemount Projects\Rosewood Commons\Engineering\CAD\DWGs\ROSEWOOD COMMONS2-Site Plan.dwg

149TH ST. W.

20'X 75' ROCK CONSTRUCTION ENTRANCE

EDGE OF PAVEMENT (955.00)

FUTURE RETAIL/ REST. W. DRIVE-THU

TRASH ENCLOSER

TRASH ENCLOSER

FAST FOOD/ DRIVE-THRU

OFFICE SPACE

7640 SF
FFE=952.1
ZERO CURB W/ TRANSITIONS
2
COMMERCIAL RETAIL

3660 SF
FFE=955.1
RESTAURANT
1

PATIO
966.70 SF
955.0

ZERO CURB W/ TRANSITIONS

EOF

S T A T E A I D H I G H W A Y 4 2

LEGEND

- SILT FENCE
- INLET PROTECTORS
- DRAINAGE ARROW
- 963.90 SPOT ELEVATION
- 952.80 BACK OF CURB SPOT ELEVATION

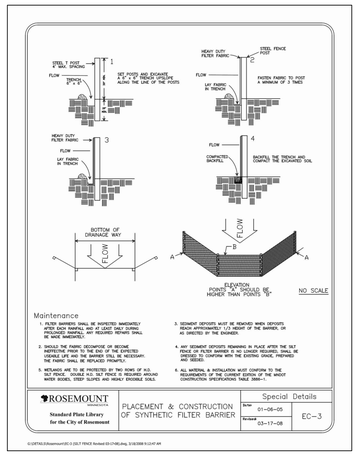
NOTES:

DISTURBED AREAS TO BE TEMPORARY SEEDED AND MULCHED WITHIN 14 DAYS OF STOPPAGE OF WORK.

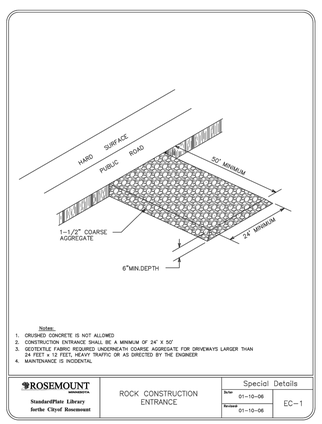
PERMANENT COVER TO BE INSTALLED WITHIN 14 DAYS OF FINAL GRADE BEING ESTABLISHED.

TEMPORARY SEEDING AND PERMANENT SEEDING IN UNDEVELOPED AREAS TO BE EROSION CONTROL MIX

FINISH SEED/SOD TO BE BLUEGRASS AND/OR FESCUES.



Silt Fence to be installed along perimeter of construction area prior to the start of work.



KJwalk INC.
6001 Egan Drive, Ste 100, Savage, MN 55378
Phone: 952.226.3200 Web: www.kjwalk.com

I hereby certify that this plan was prepared by me, or under my direct supervision, and that I am a duly registered engineer under the laws of the State of Minnesota.

Luke Warren Israelson
Registration #: 51362 Date: 6/29/2023

Date:	Revision:
05/15/2023	Original
05/31/2023	Revised
06/09/2023	Revised
06/29/2023	Revised

ROSEWOOD COMMONS SECOND ADDITION

ROSEMOUNT, MN

For Review
June 29, 2023

Site Plan- Grading and Erosion Control Plan

SHEET 2 of 4

SWPPP (STORM WATER POLLUTION PREVENTION PLAN)

GENERAL PROJECT INFORMATION:

RESPONSIBLE PARTIES:
The Contractor and Owner must apply for coverage under the MPCA's General Storm Water Permit for Construction Activity as required by the National Pollutant Discharge Elimination System (NPDES) Phase II program. Coverage under the permit will begin automatically 7 calendar days after the postmarked date on the permit application. [Longer time frames apply to sites that: (1) disturb areas greater than 50 acres AND discharge within 1 mile of a Special or Impaired Water; or (2) Use alternative storm water treatment techniques].

Owner:	KJ Walk, Inc.	Luke Israelson	<952.226.3200>
		Contact Person	Phone
SWPPP Preparer:	KJ Walk, Inc.	Luke Israelson	<952.226.3200>
		Contact Person	Phone
Contractor:	KJ Walk, Inc.	Luke Israelson	<952.226.3200>
		Contact Person	Phone
Person Responsible For Inspections:	KJ Walk, Inc.	Luke Israelson	<952.226.3200>
		Contact Person	Phone
Party Responsible for Long Term O&M of Permanent Storm Water Management Facility:	City of Rosemount		
		Contact Person	Phone

PROJECT LOCATION:

County, State	Township	Range	Section(s)	Latitude	Longitude
Dakota, MN	115	19	29		

PROJECT DESCRIPTION:
This project includes disturbance of approximately 8.6 acres. Construction activities include Stripping of topsoil and stock piling of material.

Soils on the site are primarily of Hydrologic Soil Group Type A, with high infiltration capacity.

Planned Construction Start Date: 08/01/2023
Estimated Construction Completion Date: 12/01/2024

PROJECT AREAS:
Total Project Size (disturbed area) = 1.72 AC

Existing area of impervious surface = 0.03 AC
Post construction area of impervious surface = 1.45 AC
Total new impervious surface area created = 1.42 AC

STORM WATER MANAGEMENT:
Type of storm water management used if more than 1 acre of new impervious surface is created:

Wet sedimentation basin [X] Regional pond [ ] Alternative methods [ ]
Infiltration [ ] Permanent storm water management not required [ ]
Filtration [ ]

Required Water Quality Volume: 0.12 ACRE FT
Design Water Quality Volume: 6.598 AF
Elevation of Water Quality Volume Storage: 937.90
Surface Area at Water Quality Volume Storage: N/A
Allowable Discharge of Water Quality Volume: N/A
Designed Discharge for Water Quality Volume: N/A
Required Infiltration Volume: 0.12 ACRE FT
Designed Infiltration Volume: 7.59 ACRE FT

RECEIVING WATERS:
Surface waters which will receive storm water from the site within 1 mile of project boundary. Include waters shown on USGS 7.5 minute quad and all waters identified in Appendix A of the permit.

Name of Water Body	Type (ditch, pond, wetland, lake, etc.)	Appendix A Special Water?	Flows to Impaired Water within 1 mile?	USEPA Approved TMDL?

Impairment:

CONSTRUCTION ACTIVITY NOTES:

EROSION PREVENTION PRACTICES:
Phased construction will be used to extent practical or as indicated in the plans to minimize exposed soils.

Areas not to be disturbed shall be delineated with flags, stakes, signs, silt fence, etc. prior to work beginning. The normal wetted perimeter of all ditches or swales, including storm water management pond slopes, that drain waters from the site must be stabilized within 200' of any property edge or discharge point, including storm sewer inlets, within 24 hours of connection.

Energy dissipation or other outlet treatment must be installed within 24 hours of connection.

All exposed soils must be stabilized as soon as possible but in no case later than 7 days after the construction activity has temporarily or permanently ceased.

Seed and/or sod, fertilizer, and mulch shall be placed as indicated in the plans and project specifications.

Rapid stabilization shall be of type and quantity indicated in the project specifications. Additional rapid stabilization may be necessary to minimize erosion throughout the duration of the project. Type and quantity shall be determined by the engineer or inspector prior to installation.

If the Contractor stockpiles material on site, he shall install the appropriate erosion control devices around the stockpile and perform the best management practices possible to avoid erosion from the stockpile.

Temporary (or permanent) sedimentation ponds are required for areas > 10 acres of disturbed soils draining to one point.

SEDIMENT CONTROL PRACTICES:
Installation of silt fence and all other down gradient sediment protection measures shall be completed prior to commencement of upstream land disturbing activities.

Silt fence shall be installed along constant contours with continuous lengths not to exceed 600 feet. As indicated on plans, silt fence will be periodically broken and hooked upslope in "J-hook" or "smile" patterns to provide ponding and slow runoff.

No unbroken slope lengths greater than 75 feet are permitted when slope is 3:1 or greater. Slope shall be broken with silt fence or biorolls as indicated on plans.

BMP	QUANTITY
Silt Fence	1100 LF
Rock Constrution Entrance	1 Each
Temporary Seed And Mulch	0.58 ACRES
Inlet Protectors	14

Vehicle tracking to be minimized to all practical extents. All eroded material that leaves the construction zone shall be collected by the contractor and returned to the site at the contractor's expense.

All stock piles shall be surrounded by silt fence and seeded with temporary seed and mulch. See erosion and sediment control plans.

All site storm sewer inlets, as well as off site downstream inlets with potential to receive sediment, shall be protected with approved inlet protection measures at all times. Inlets shall remain protected until site is 100% stabilized and vegetation is at least 70% established. Inlet protection may be removed in winter, if the project has an approval letter from jurisdictional authority or can produce it within 72 hours.

TEMPORARY SEDIMENTATION BASINS & DEWATERING:
Temporary sedimentation basins are required prior to runoff leaving the construction site or entering surface waters when 10 or more acres of disturbed soils drain to a common location. The basin must provide 3,600 cubic feet of storage below the outlet per acre drained. If hydraulic calculations are available, the temporary sedimentation basin must provide a storage volume equivalent to the 2-year, 24-hour storm, but in no case less than 1800 cubic feet per acre drained. The temporary sedimentation basin must be constructed and made operational concurrent with the start of soil distrubance upgradient of the pond.

All dewatering on site during construction must be routed to temporary sedimentation basins.

Temporary sedimentation basins must be drained within 48 hours of any rainfall event. If the rock filtered outlets plug or cause the pond not to drain within 48 hours, ponds are to be drained with pumps. Pump inlets should be protected with a geotextile membrane and rock filter setup as shown in the details, or an approved alternative. Excessive sediment-laden water that is not properly filtered will not be permitted to discharge from site.

Dewatering practices cannot cause downstream nuisance conditions, erosion, or non-permitted wetland inundation causing adverse impacts.

POLLUTION PREVENTION:
All solid waste collected from the construction site must be disposed of in accordance with MPCA disposal requirements.

Concrete washout must be contained in a dedicated area surrounded by silt fence with proper signage

All hazardous materials (e.g., oil, gasoline, fuel, antifreeze, paint, cleaning solvents, curing compounds, fertilizers, etc.) must be properly stored (including secondary containment when necessary) to prevent spills, leaks, or other discharge. Storage and disposal of hazardous waste must be in compliance with MPCA regulations.

External washing areas must be limited to a defined area of the site. All runoff containing any hazardous material must be properly collected and disposed of. Defined area must be contained with heavy- or super-duty silt fence. NO ENGINE DEGREASING ALLOWED ON SITE.

The contractor is responsible for monitoring air pollution and ensuring it does not exceed levels set by local, state, or federal regulations. This includes dust created by work being performed on the site. Air pollution and dust control correction is considered incidental to the unit bid prices for which work is being performed. Additional dust control measures may be required by the Engineer.

INSPECTION & MAINTENANCE:
The permittees must routinely inspect the construction site once every seven (7) days during active construction and within 24 hours of a rainfall event greater than 0.5 inches in a 24 hour period.

All inspections performed during construction must be recorded and records retained on site with the SWPPP in accordance with the storm water permit. Records must include a site map showing areas of land disturbing activities and areas where activities have temporarily or permanently ceased.

Silt fence, biorolls and inlet protection devices must be maintained when non-functional or when accumulated sediment reaches 1/3 of device height.

Off site vehicle tracking to be removed within 24 hours of occurrence and the streets must be cleared of debris at the end of each day.

All non-functional BMPs must be repaired, replaced, or supplemented with functional BMPs within 24 hours of discovery, or as soon as field conditions allow access.

FINAL STABILIZATION:
The permittees must submit a Notice of Termination (N.O.T.) within 30 days of final stabilization or transferring permit responsibility to another owner or operator.

The Contractor must ensure final stabilization of the site. Final stabilization shall include a minimum of 70% vegetation establishment (100% stabilized) on all pervious areas.

All temporary erosion control measures and BMPs must be removed as part of the final site stabilization, unless directed otherwise by owner or engineer.

IMPLEMENTATION SCHEDULE & PHASING:
1) Install silt fence
2) Install rock construction entrances
3) Mass grading
4) Install utilities
5) Streets/Parking
6) Small utilities
7) Final stabilization(Finish seed/sod to be Bluegrass and/or Fescues)
8) Remove BMPs

RECORD RETENTION:
The SWPPP, all changes to it, and inspections and maintenance records must be kept at the site during construction. All owner(s) must retain the following for 3 years after submittal of NOT:
1) SWPPP;
2) Any other permits required for the project;
3) Inspection and maintenance logs;
4) All permanent operation and maintenance agreements for surface water facilities;
5) All design calculations for temporary and permanent storm water management.

PLAN SHEETS:
Sheet number 2 and 3 of this plan set is also considered a part of the SWPPP for this project.

KJwalk INC.
6001 Egan Drive, Ste 100, Savage, MN 55378
Phone: 952.226.3200 Web: www.kjwalk.com

I hereby certify that this plan was prepared by me, or under my direct supervision, and that I am a duly registered engineer under the laws of the State of Minnesota

Luke Warren Israelson
Registration #: 51362 Date: 6/29/2023

Date:	Revision:
05/15/2023	Original
05/31/2023	Revised
06/09/2023	Revised
06/29/2023	Revised

ROSEWOOD COMMONS
ROSEMOUNT, MN

For Review
June 29, 2023

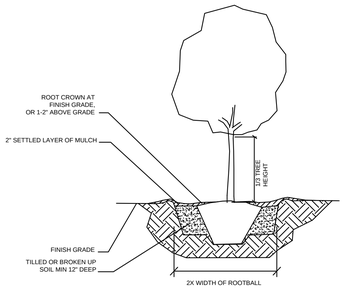
SWPPP PLAN

SHEET 3 of 4

Landscape Planting			
Common Name	Botanical Name	Size	
Autumn Blaze Maple	Acre Freemanii 'Jeffsred'	2.5"	10
Ash	Fraxinus	2.5"	11
Linden	Tilia	2.5"	11
Total Trees			32
Shrubs			193
St. John's Wort, Low Grow Sumac, Tor Spirea, Hyperion Daylily, Dwarf Lilac, Or similar			
Total			225

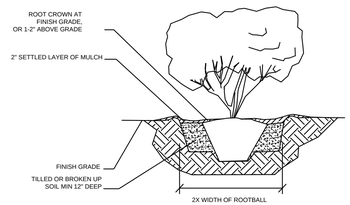
NOTES:

* CONIFEROUS TREES STAGGERED WITH 15' SPACING
* DECIDUOUS TREES-20' SPACING
* THERE ARE NO SIGNIFICANT TREES ON SITE



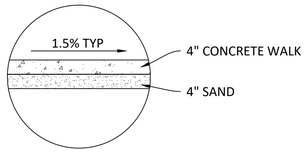
TREE PLANTING

SCALE: NOT TO SCALE



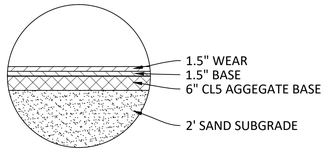
TYP. SHRUB PLANTING

SCALE: NOT TO SCALE

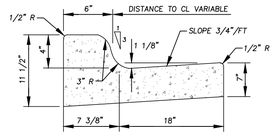


TYPICAL SIDEWALK SECTION
NOT TO SCALE

Paving	41,903 SQ FT
Curb and Gutter	2,100 LF
Sidewalk	5,750 SQ FT
Trash Enclosure Concrete	222 SQ FT



TYPICAL PARKING LOT SECTION
NOT TO SCALE

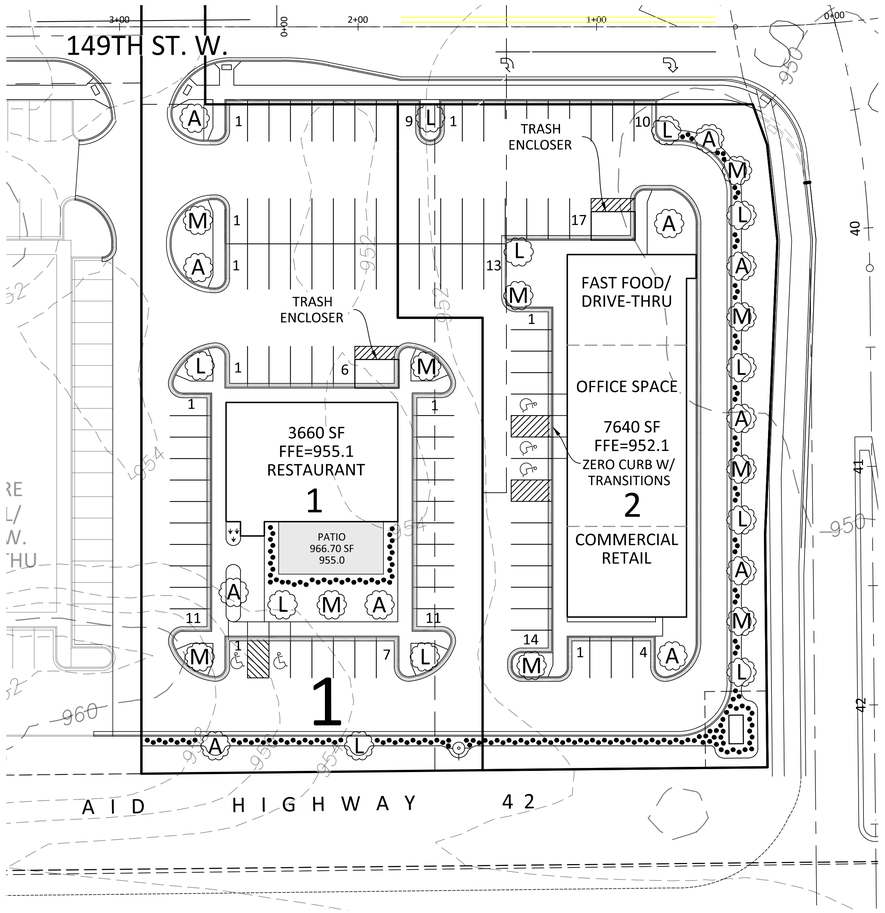


B 418 CURB AND GUTTER
NOT TO SCALE

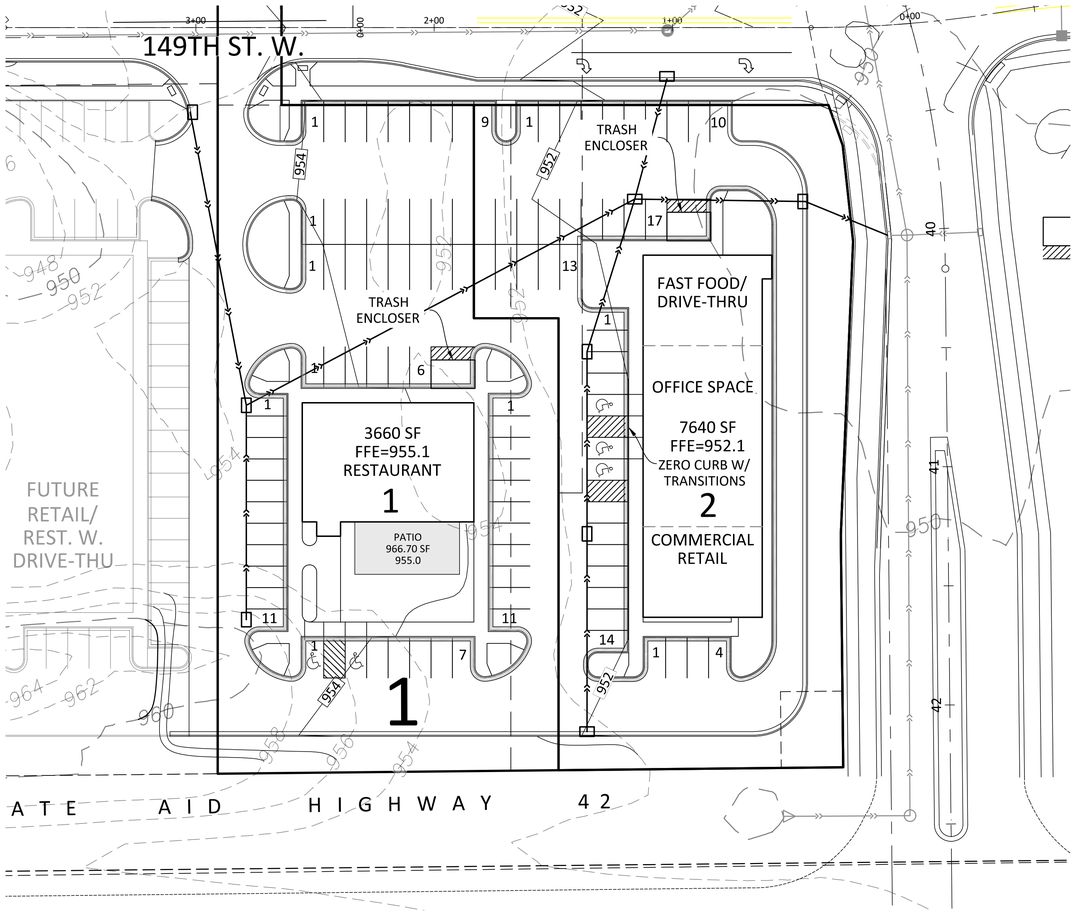
LEGEND

- M — MAPLE
- A — ASH
- L — LINDEN
- SHRUB
- FEATHER REED GRASS OR SIMILAR
- TIP-IN CURB AND GUTTER
- TIP-OUT CURB AND GUTTER

NOTE:
ALL NEWLY INSTALLED STREETS ARE PRIVATE AND WILL BE MAINTAINED PRIVATELY.



LANDSCAPE PLAN



PAVING PLAN

KJwalk INC.
6001 Egan Drive, Ste 100, Savage, MN 55378
Phone: 952.226.3200 Web: www.kjwalk.com

I hereby certify that this plan was prepared by me, or under my direct supervision, and that I am a duly registered engineer under the laws of the State of Minnesota.

Luke Warren Israelson
Registration #: 51362 Date: 6/29/2023

Date:	Revision:
05/15/2023	Original
05/31/2023	Revised
06/09/2023	Revised
06/29/2023	Revised

ROSEWOOD COMMONS SECOND ADDITION

ROSEMOUNT, MN

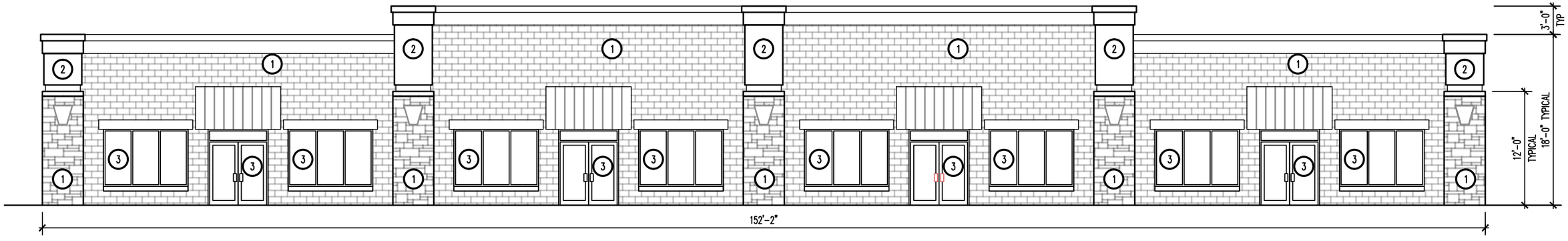
ROSEWOOD COMMONS

For Review
June 29, 2023

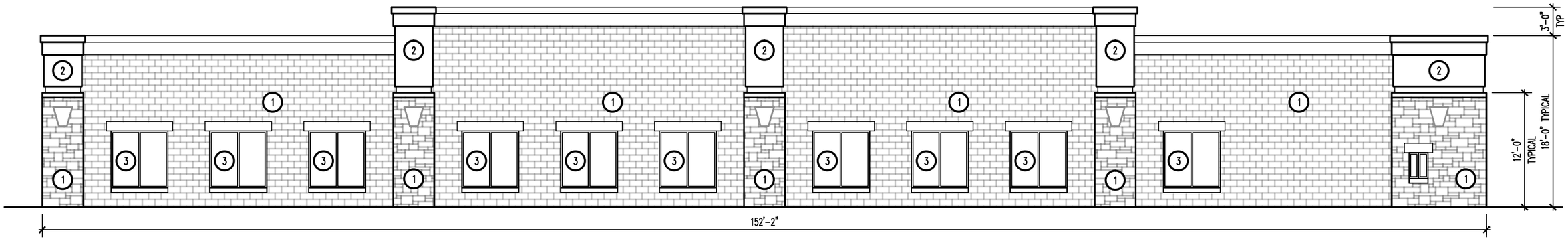
Site Plan- Paving and Landscape Plan

SHEET 4 of 4

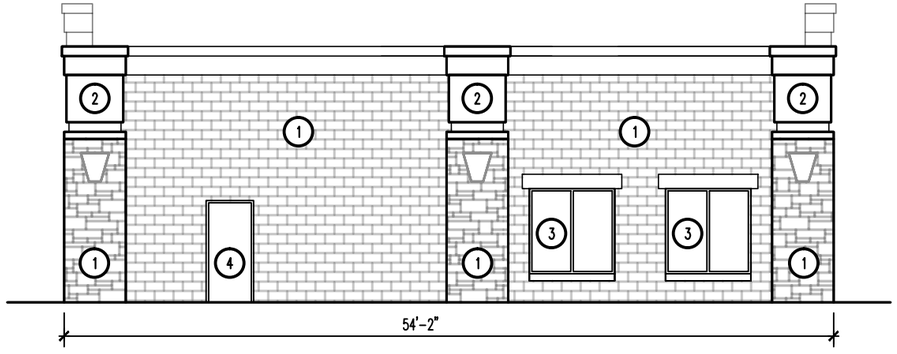
FILE PATH: G:\,shortcut-targets-by-id\0B7rIAT8BKE85GQ2T0tZiOxUTg\Work Files\Rosemount Projects\Rosewood Commons\Engineering\CAD\DWGs\ROSEWOOD COMMONS2-Site Plan.dwg



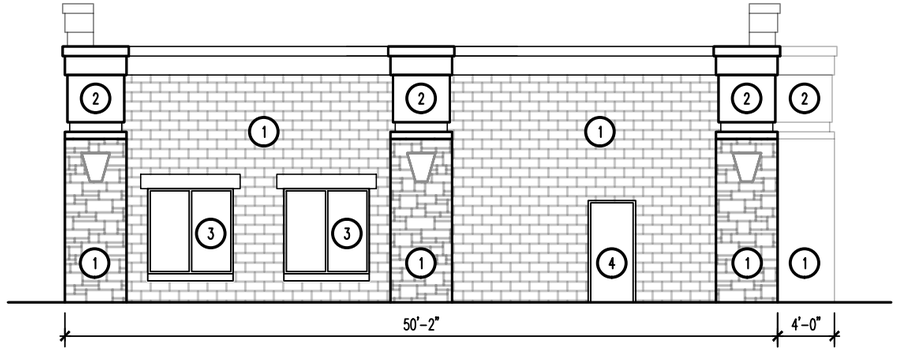
FRONT ELEVATION



REAR ELEVATION

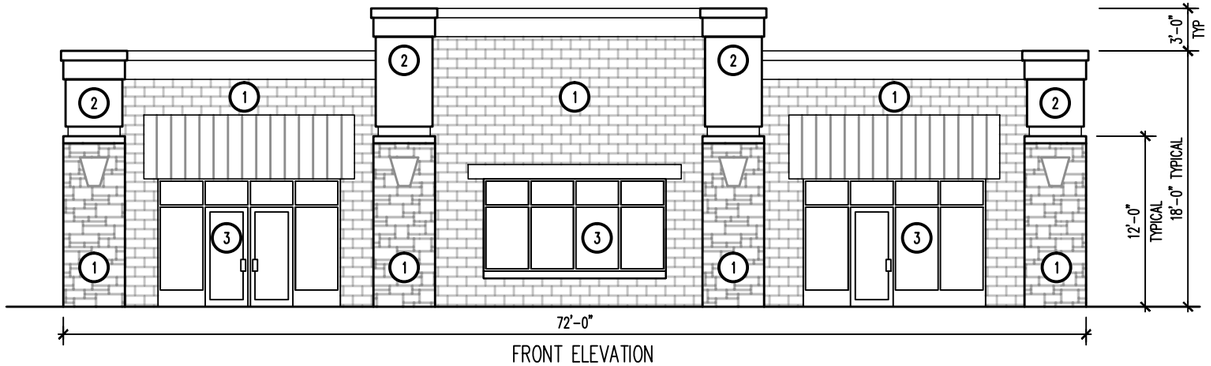


LEFT ELEVATION

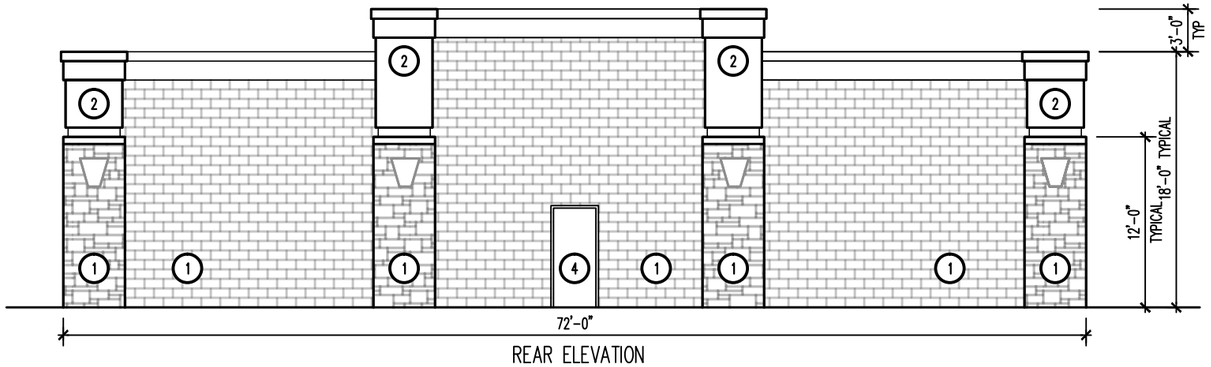


RIGHT ELEVATION

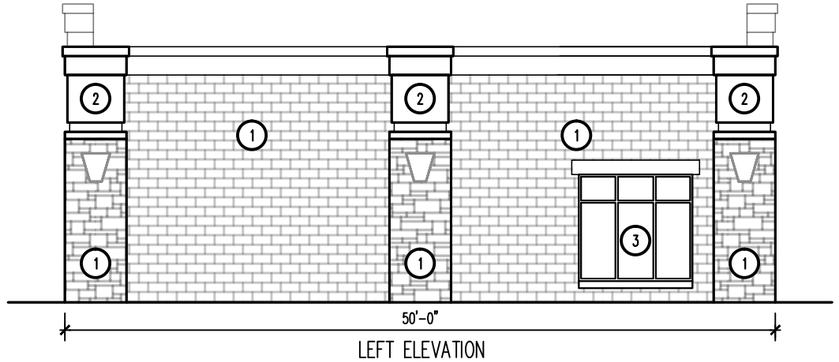
152' LONG BUILDING MATERIAL SQUARE FOOTAGES & PERCENTAGES							
MARK	MATERIAL DESCRIPTION	FRONT SF	RIGHT SF	REAR SF	LEFT SF	TOTALS	% OR TOTAL SF
1	STONE & CAP/ BRICK	1,886	700	2,155	716	5,457	69.2%
2	EIFS/ TRIM/ CORNERS	418	172	420	156	1,166	14.8%
3	ALUMINUM & GLASS STORE FRONT (DOORS & WINDOWS)	667	78	396	78	1,219	15.4%
4	HOLLOW METAL DOORS & FRAMES	0	24	0	24	48	0.6%
	TOTALS	2,971	974	2,971	974	7,890	100.0%



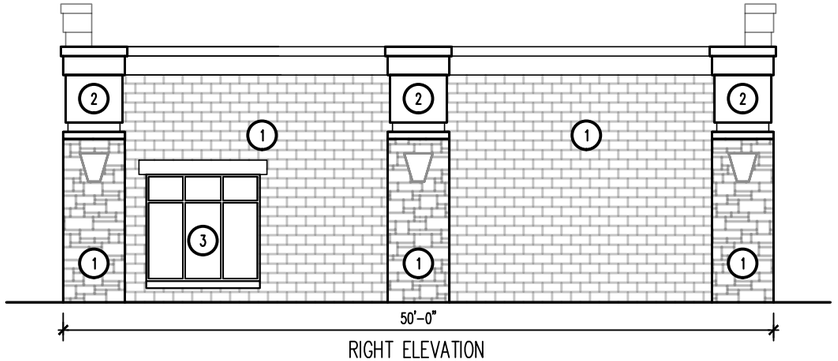
FRONT ELEVATION



REAR ELEVATION



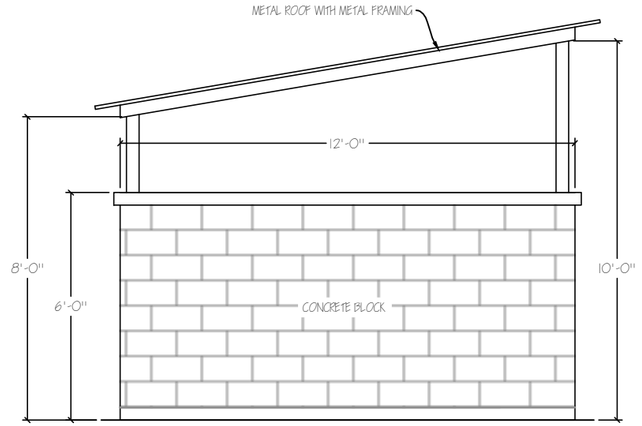
LEFT ELEVATION



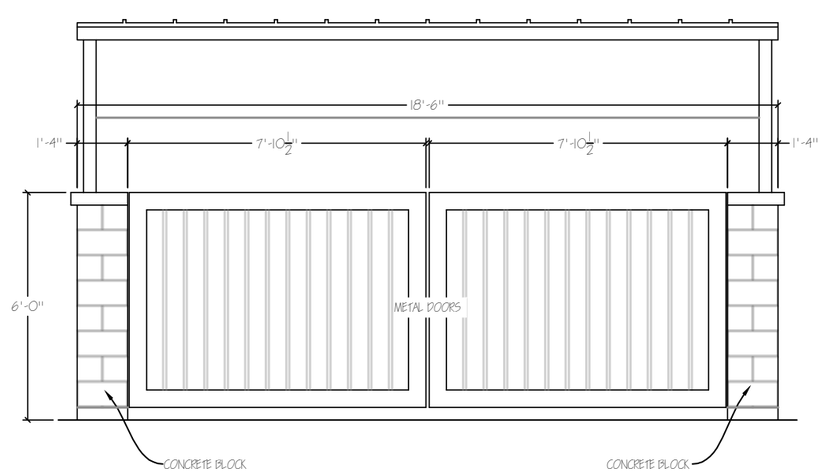
RIGHT ELEVATION

72' LONG BUILDING MATERIAL SQUARE FOOTAGES & PERCENTAGES							
MARK	MATERIAL DESCRIPTION	FRONT SF	RIGHT SF	REAR SF	LEFT SF	TOTALS	% OR TOTAL SF
1	STONE & CAP/ BRICK	825	687	1,123	687	3,322	72.9%
2	EIFS/ TRIM/ CORNERS	232	148	232	148	760	16.7%
3	ALUMINUM & GLASS STORE FRONT (DOORS & WINDOWS)	322	64	0	64	450	9.9%
4	HOLLOW METAL DOORS & FRAMES	0	0	24	0	24	0.5%
	TOTALS	1,379	899	1,379	899	4,556	100.0%

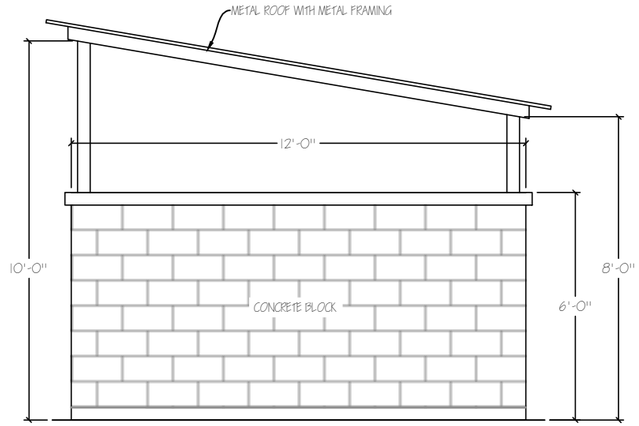
ROSEWOOD COMMONS SECOND ADDITION - TRASH ENCLOSURE



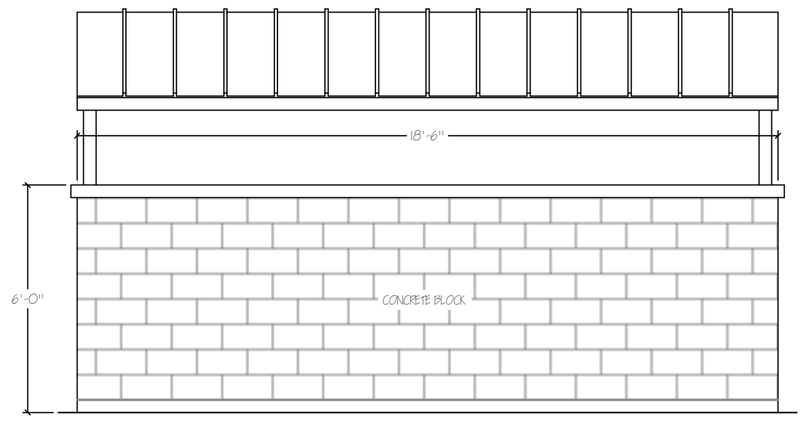
LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION