

**ROSEMOUNT PLANNING COMMISSION
REGULAR MEETING PROCEEDINGS
SEPTEMBER 26, 2023**

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, September 26, 2023, at 6:30 PM in Rosemount Council Chambers, 2875 145th Street West.

Chair Kenninger called the meeting to order with Commissioners Powell, Rivera, Whitman, Hebert, and Thiagarajan. Commissioner Reed was absent. Staff present included the following: Senior Planner Nemcek, Planner Hogan, and Community Development Technician Grant.

The Pledge of Allegiance was said.

ADDITIONS TO AGENDA

None.

AUDIENCE INPUT

None.

CONSENT AGENDA

- a. Minutes of the August 22, 2023 Regular Meeting Minutes

Motion by Kenninger **Second by** Hebert

Motion to approve the consent agenda

Ayes: 6.

Nays: None. Motion carried.

OLD BUSINESS

PUBLIC HEARINGS

- a. Request by Maplewood Development, Inc. for Approval of the Amber Fields 13th Addition Preliminary Plat.

Planner, Hogan, presented a minor amendment request by Maplewood Development for approval of a preliminary plat for Amber Fields 13th Addition to create 65 single-family residential lots.

Commissioner Comments:

Commissioner Whitman asked questions regarding the minimum lot size, and how that implicates a need for a minor amendment versus a major amendment. Planner Hogan explained that the developer is requesting an amendment for smaller lot areas than what is typically required and there are two different processes for minor and major amendments. A minor amendment will go to the City Council, while a major amendment would go to the Planning Commission and the City Council for approval.

Changing the minimum lot area did not qualify as a major amendment. Commissioner Whitman asked if the Community Development Director had addressed environmental concerns prior to approval of the Planned Unit Development (PUD) and if the amendment affects this.

Planner Hogan explained that the engineering department reviewed the application materials and did not have concerns in their review. Planner Hogan went on to explain that the deviation of the lot requirements would not negatively impact the environment. Chair Kenninger shared that the amendment applied only to a few lots out of the whole development and expressed caution about approving more amendments to the Amber Fields development down the line. Commissioner Rivera asked if setting a minimum number of lots with certain footage would resolve the need for the amendment requests. Planner Hogan stated that developers are planning smaller residential lots, hence why these amendment requests are becoming more frequent.

Commissioner Whitman asked for clarification on landscaping. Planner Hogan stated that developers are required to do the minimum landscaping per city code and to replace any torn-down trees.

No public comments.

Motion by Whitman Second by Powell

Motion to close the public hearing

Ayes: 6.

Nays: None. Motion Carried.

Motion by Kenninger Second by Hebert

Motion to recommend the Planning Commission approve the Preliminary Plat for Amber Fields 13th Addition, subject to:

- a. Conformance with all requirements of the City Engineer as detailed in the attached memorandum dated September 7, 2023.
- b. Approval of a Minor Amendment to the Amber Fields Planned Unit Development Agreement.
- c. Approval of the preliminary plat by the Dakota County Plat Commission.
- d. Payment of \$29,040 as a landscape surety.
- e. Payment of trunk area charges in the amount of:
 - i. Sanitary Sewer Trunk Charge: \$1,075/acre
 - ii. Watermain Trunk Charge: \$6,500/acre
 - iii. Storm Sewer Trunk Charge: \$6,865/acre

Ayes: 6.

Nays: None. Motion Carried.

b. Request by Al Madina Association for a Site Plan Review

Senior Planner, Nemcek, presented the request to review the site plan for a new building on a site that has received a conditional use permit for a place of worship.

Commissioner Comments:

Commissioner Rivera asked what the capacity of the site was prior to the proposed site, with a capacity of 248. Senior Planner Nemcek explained that the original capacity amount is unknown, but the maximum capacity guided the number for the site plan review. The proposed building would be 40 by 85 feet, totaling to 3400 square feet.

Commissioner Rivera asked if the lot is zoned residential since there is a residence on the lot, if the use is permitted by the zoning, and if parking space was going to be adequate. Senior Planner Nemcek explained that places of worship are a conditional use permitted under R-1 zoning and confirmed on-street parking is not permitted on Bonaire Path, and the site will have 83 parking stalls, which will be more than needed for the site's intended use. Senior Planner Nemcek also noted it is up to the city staff's discretion to require proof of parking from the owners if a complaint, change or increased use occurs. If the gravel becomes regularly parked, the city will consider requiring proof of additional paved parking.

Commissioner Powell asked what type of approval the owner is seeking from the Commissioners. Commissioner Powell also asked if credit is given to existing trees onsite for tree count, if existing trees onsite would be included in the total tree count, and if any of the proposed trees were Ash. Senior Planner Nemcek clarified the Commissioners would be approving additional conditions paired with the originally approved Conditional Use Permit (CUP). He also noted that existing trees do count towards the total tree count and that the number of existing trees that are Ash is unknown but will get taken down if there are any.

Commissioner Whitman expressed that the exterior fiber cement siding meets the aesthetic facade requirements. In addition, Commissioner Whitman asked what the longevity was of the exterior material compared to natural rock and stone. Senior Planner Nemcek shared that the material is requested more frequently on a regular basis by other developers and that it is reflective of modern construction materials and techniques. Commissioner Thiagarajan asked what the planned color of the exterior would be. Senior Planner Nemcek referred to the applicant's architect as for material specifics and color, since color is not regulated within the City's Code.

Commissioner Hebert asked if the existing structures would remain or get demolished. Senior Planner Nemcek stated that it is understood that the existing structures will remain.

Chair Kenninger asked how the credit for trees was calculated and asked for clarification if adding a condition of no on-street parking was something to consider with parking stall counts. Senior Planner Nemcek explained that tree count is calculated by Caliper inches in new and preexisting trees. He also noted that since parking is clearly prohibited on Bonaire Path and Bacardi Avenue, it is not a concern for city staff. Chair Kenninger shared concern if parking needs would be stressed or cause complications down the line due to increased use, changed use, etc.

Muhammad Shahzad**14250 Ailesbury Ct, Rosemount, MN 55068**

Shahzad is a member, not an applicant, of the Al Madina Association. Shahzad stated that parking is not a concern since their growth from 25 members 12 years ago to under 40 members currently.

Chair Kenninger asked about what the color of the exterior would be. Shahzad explained that no colors have been selected yet, but it will be a neutral color and not a flashy nor bright color. Shahzad also

explained that they are open to changing the exterior color if it is deemed inadequate.

Chair Kenninger asked if the existing home was to remain. Shahzad notes that the existing home would stay and there would be no removal of any large existing structures onsite.

Commissioner Whitman asked if fiber cement siding has a shorter lifespan than rock and stone. Shahzad explained they were not given the difference in life spans between fiber cement siding compared to rock/stone. Shahzad then stated the exterior material was more cost-effective and long-lasting.

Commissioner Powell appreciated the parking conditions and did not recommend an alteration to them.

Motion by Kenninger Second by Powell

Motion to close the public hearing

Ayes: 6.

Nays: None. Motion Carried.

Motion by Powell Second by Hebert

Motion to approve the site plan of the proposed place of worship for Al Madina Association, subject to the following conditions:

1. The applicant shall update the site plan to eliminate parking within the required 30' buffer yard along the western portion of the site adjacent to a residential use.
2. The landscape plan shall be updated to provide evergreens within the buffer yard along the western property line.
3. The driveway and parking areas shall be paved with an approved surface.
4. The site shall be connected to municipal sewer and water using the stubs located on the eastern property boundary.
5. The applicant shall comply with all requirements of the City Engineer and Building Official related to stormwater and drainage and incorporate any required updates prior to receiving a building permit.
6. The applicant shall provide a surety in the amount of 110% of the cost of any trees planted to be returned following one year of survival.

Ayes: 6.

Nays: None. Motion Carried.

NEW BUSINESS

None.

DISCUSSION

Senior Planner Nemcek reminded the Commission of the joint work session with the City Council on October 3rd, from 5:00 to 6:30 pm and explained that this session's purpose is to discuss the zoning code update from city staff and consultants HKGi. Commissioner Rivera and Reed are unable to attend the upcoming session.

Chair Kenninger confirmed the next meetings for October 24th, November 28th, and December 18th. The meeting on December 18th is a Monday, meaning it is a special meeting. Commissioner Powell is unable to make it on December 18th, and the date may be subject to rescheduling to ensure a quorum. Chair Kenninger also reminded commissioners that if there are questions on agenda items to send those in ahead of time. Thus, planners can research and answer any questions. It was noted to send any questions to the planner who put together the item and to copy Community Development Director Kienberger in case of illness. It was verified that emails are a public record between city staff and the Commissioners.

ADJOURNMENT

There being no further business to come before the Planning Commission. The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Alysha Grant
Community Development Technician