

**ROSEMOUNT CITY COUNCIL
REGULAR MEETING PROCEEDINGS
AUGUST 5, 2024**

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Pursuant to due call and notice thereof, a regular meeting of the Rosemount City Council was held on Monday, August 5, 2024, at 7:00 PM. in Rosemount Council Chambers, 2875 145th Street West.

Mayor Weisensel called the meeting to order with Councilmembers Freske, Theisen and Klimpel. Councilmember Essler was absent.

APPROVAL OF AGENDA

City Administrator Martin noted item 6.e is pulled and will be on a future agenda.

Motion by Weisensel **Second by** Freske

Motion to approve agenda with item 6.e. pulled.

PRESENTATIONS, PROCLAMATIONS AND ACKNOWLEDGMENTS

None.

RESPONSE TO PUBLIC COMMENT

None.

PUBLIC COMMENT

None.

CONSENT AGENDA

Motion by Weisensel **Second by** Theisen

Motion to approve consent agenda with item 6.i. pulled.

Ayes: 4.

Nays: None. Motion carried.

- a. Bill Listings
- b. Minutes of the July 16, 2024 Regular Meeting Minutes
- c. Subdivision Agreement for Amber Fields 6
- d. Bigfoot Stormwater Maintenance Agreement
- e. ~~Approve Encroachment Agreement – 14044 Belmont Trail~~

Staff pulled this item from the agenda until a later date.

- f. Resolution and Consent Order Imposing Civil Penalty

- g. Amber Fields 20th Addition Final Plat
- h. Life Time Facility – Change Order #9
- i. Rosemount Industrial AUAR Update

Councilmember Klimpel pulled this item for further discussion. Community Development Director Kienberger further discussed the process of an Alternative Urban Areawide Review (AUAR). The study area extends west to Audrey Avenue, an extension of which will be constructed with development of the site. The applicant is proposing an update to the AUAR that adds a potential development scenario of a data center or technology park.

Councilmember Theisen noted Met Council's discussion to withdraw their objection to the amount of water usage as the developer now intends to use a dry cooling system which uses significantly less water.

Councilmember Klimpel noted that currently the potential project is just a scenario at this point and there is no application at this time.

Motion by Theisen **Second by** Freske

Motion to Adopt a Resolution Authorizing the Adoption of the Rosemount Industrial Alternative Urban Areawide Review (AUAR) Update.

Ayes: 4.

Nays: None. Motion carried.

- j. Donation Acceptance from American Legion Post 65 for Community Engagement

PUBLIC HEARINGS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

- a. Appeal by Nick Reitberger of the Planning Commission's denial of the variance to eliminate the side yard setback standard for surface parking and driveways and to increase the maximum lot coverage standard to allow for an existing driveway expansion to remain on the property

Planner, Hogan, provided a summary of the request for a variance at 3574 152nd Street West to allow for the elimination of the side yard setback standard for parking and driveways and to increase the maximum lot coverage to allow for an existing driveway expansion to remain on the property. The maximum lot coverage allowed for properties within the R1 zoning district is 30%.

The Planning Commission reviewed the request and held a public hearing during its meeting on June 25, 2024, and was unable to make the five findings that support approving a variance. The applicant is appealing the Planning Commission's decision.

Property owner, Nick Reitberger, spoke to the request for the variance stating staff was aware of the driveway prior to completion, the grading issues from their property to the neighbor's garage and the unique characteristic of having two garages side by side in a neighborhood. Mr. Reitberger stated the neighbor is in favor of the concrete driveway rather than rock.

Councilmembers agreed the applicant has not satisfied the requirements for granting a variance.

Motion by Klimpel Second by Freske

Motion to adopt a resolution upholding the decision of the Board of Appeals and Adjustments denying a variance to eliminate the side yard setback standard for surface parking and driveways and to increase the maximum lot coverage standard to allow for an existing driveway expansion to remain at 3574 152nd Street West.

Ayes: Weisensel, Klimpel, Theisen.

Nays: Freske. Motion Carried.

Mayor Weisensel stated the next action will be for staff to connect with the applicant to determine the next steps.

ANNOUNCEMENTS

- a. City Staff Updates

None.

- b. Upcoming Community Calendar

Mayor Weisensel reviewed the calendar of events and upcoming meetings.

ADJOURNMENT

There being no further business to come before the City Council at the regular council meeting and upon a motion by Weisensel and a second by Klimpel the meeting was adjourned at 7:29 p.m.

Respectfully submitted,



Erin Fasbender
City Clerk