

AGENDA

Planning Commission Regular Meeting

Tuesday, November 26, 2024

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 October 22, 2024 Regular Meeting Minutes
- 5. OLD BUSINESS**
- 6. PUBLIC HEARINGS**
 - a. Request by Frattalone Companies, Inc. for renewal of its Small-Scale Mineral Extraction Permit for 2025.
 - b. Request by Keystone Development Partners, LLC., for approval of a site plan to construct office/warehouses in the Biscayne Business Park.
 - c. Request by Minnesota Paving Materials for renewal of its interim use permit for a seasonal asphalt plant.
- 7. NEW BUSINESS**
- 8. DISCUSSION**
- 9. ADJOURNMENT**

ROSEMOUNT PLANNING COMMISSION

REGULAR MEETING PROCEEDINGS

OCTOBER 22, 2024

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Pursuant to due call and notice thereof a regular meeting of the Planning Commission was held on Tuesday, October 22, 2024, at 6:30 PM. in Rosemount Council Chambers, 2875 145th Street West.

Chairperson Kenninger called the meeting to order with Commissioners Whitman, Ellis, Beadner, Reed, and Rivera. Commissioner Buggi was absent.

Staff present included the following: Community Development (CD) Director Kienberger, Senior Planner Anthony Nemcek, and Planner Hogan.

The Pledge of Allegiance was said.

ADDITIONS TO AGENDA

Staff recommended changing the order of the items under Section 6. Public Hearings to switch item A, a Comprehensive Plan Amendment proposing changes to the Metropolitan Urban Services Area Boundary, and item C, a request by DevCo Preservation LLC for PUD Final Site and Building Plan approval.

AUDIENCE INPUT

None.

CONSENT AGENDA

Commissioner Kenninger identified a typo in the Old Business section on page three, motion B which says capacity instead of opacity.

Motion by Kenninger **Second by** Whitman

Motion to approve the Consent Agenda with the edit to the minutes as sent to staff to correct the typo from capacity to opacity.

Ayes: 6.

Nays: None. Motion Carried.

- a. Minutes of the September 24, 2024, Regular Meeting Minutes

OLD BUSINESS

None.

PUBLIC HEARINGS

- a. Comprehensive Plan Amendment proposing changes to the Metropolitan Urban Services Area boundary.

Senior Planner Nemcek presented on two amendments to the City of Rosemount Comprehensive Land Use Plan to expand the Metropolitan Urban Service Area (MUSA). The boundary identifies areas that are anticipated to receive municipal services like sewer and water. The first amendment will expand the MUSA boundary to include the rest of the middle school site that it currently bisects. The second amendment would incorporate 60 acres of the UMore Park into the MUSA boundary as they begin to market land guided for a Business Park in the area for development. Staff is supportive of the changes and there will be no alterations to the land use map designations as a part of the MUSA expansion.

Nemcek stated that if the expansion is approved by city council it will also be sent for review by adjacent jurisdictions and the amendments will be sent to the metropolitan council for approval.

Chairperson Kenninger opened the public hearing.

Motion by Kenninger **Second by** Beadner

Motion to close the public hearing on Item 6a.

Ayes: 6.

Nays: None. Motion Carried.

Motion by Rivera **Second by** Ellis

Motion to recommend the City Council approve two amendments to the Comprehensive Land Use Plan to expand the MUSA to contain the entire site of the new middle school and sixty acres south of Meta's data center project within UMore Park.

Ayes: 6.

Nays: None. Motion Carried.

- b. Zoning ordinance text amendments to Title 11 of the Rosemount City Code and revisions to the City of Rosemount's Zoning Map.

Planner Hogan presented on the proposed amendments to sections 11-3-4: Site Dimensions, 11-4-4: Site Dimensions, 11-4-5: District Standards, 11-6-3: Principal Uses, Commercial, 11-7-2: Architectural Standards, 11-7-6: Landscaping, Screening, and Buffering Standards, as well as Zoning Map revisions.

Zoning map revisions included corrections to a few areas that were intended to maintain the same zoning as before the map update but were shown incorrectly on the new map.

Chairperson Kenninger asked if this correction was just a change to the map or if this was a rezoning process. Hogan clarified that it is just a correction to the map and no zoning changes are being made.

The changes to section 11-3-4, 11-4-4, and 11-4-5 included amendments to the minimum side yard setback for 2-story structures on parcels that are located in the R-1 zoning district that were platted prior to 1979, the minimum side yard setback for accessory structures in the R-1 and R-2 zoning districts, and the minimum building size of 10% of the property for parcels in the I-1 district.

Commissioner Beadner asked if there were any variance requests that were denied previously but would have been approved if the change to the side yard setbacks had been made earlier. Kienberger replied that there was none of the staff's knowledge.

Chairperson Kenninger asked if it made sense to have a 30-foot setback requirement on accessory structures greater than 120 square feet, considering that a resident could build a structure up to 200 square feet without a permit, which is also present in table 3.5. Nemcek clarified that if a shed requires a slab for a foundation, it requires a permit and that is where the 30-foot setback requirement comes from. Chairperson Kenninger asked if a change to the setback requirement could be added into this set of amendments. Commissioner Whitman stated that he felt it may require additional public notice since it was not explicitly called out in the original postings for the meeting. Kienberger responded that staff could consult with the city attorney and ensure the city is meeting proper public processes before the City Council meeting on the item.

The change to section 11-6-3 included an amendment allowing for animal daycare centers with overnight boarding within the B-2 district to be located on properties less than five acres in size. Commissioner Reed asked for clarification on what the language change would mean. Hogan responded that it would allow animal daycare centers, specifically within the B-2 Employment District, to be under 5 acres and include overnight boarding services. Commissioner Ellis asked if this particular case had come up recently or if this is simply a correction. Kienberger replied

that as new questions come up, staff has been keeping a list and, with the code update, had incorporated things like this item to clarify questions from businesses and residents.

The change to section 11-7-2 included an amendment allowing for additional types of roofing materials on properties located within the Agricultural and Residential zoning districts. Nemcek clarified that this section was somehow missed in the original code update, but staff wanted to make sure that there was certainty for contractors and residents when building. Kienberger also stated that any and all roofing materials still need to meet the state building codes.

The change to section 11-7-6 included an amendment changing the minimum landscaping requirement for multi-unit residential sites from one overstory or coniferous tree per 1,000 square feet of land area to one overstory or coniferous tree per 1,500 square feet of pervious land area. Commissioner Ellis asked about the difference between open space and pervious area. Nemcek explained that pervious would be the wording used in the actual amendment. Commissioner Ellis asked if that meant pervious as developed. Nemcek confirmed it was based on the site plan. Chairperson Kenninger asked if it was fair to say that in most cases the tree requirement would be less with the amended code. Nemcek said that it would generally. Commissioner Beadner asked why the code was changed from the original.

Nemcek responded that for non-residential developments the landscaping is calculated based on square footage of the site area and the city wanted to be consistent with using site area instead of calculating by unit.

Commissioner Beadner asked if going back to the original code would be problematic. Nemcek stated that it wouldn't be problematic, but the updated language would reduce the number of variances for sites, like the DevCo site, that have site constraints like large easements. Chairperson Kenninger asked if it made more sense to keep the old code language and have more consistency through the residential districts. Commissioner Rivera commented that she liked the idea of calculating with buildable space and, in this case, putting as many trees in as possible could create a safety issue, particularly around the driveway area. Chairperson Kenninger stated that she thought the original code language may be a simpler calculation. Commissioners Whitman and Reed agreed.

Nemcek asked the Commission if they would be open to removing the "plus eight" from the original code language because there is already additional parking lot landscaping and the eight feels arbitrary. Commissioner Ellis brought up that the building is not being landscaped, the land around the building is being landscaped, so it may be better to base it on open space. Chairperson Kenninger countered that the likelihood of a developer buying a large plot of land and building a small building on it is unlikely. She also stated that the "plus eight" likely came

from the office space or the rooms for amenities that don't count toward the unit space but said that she would be fine removing it. Nemcek noted that staff believes, from the way the code was written, that eight was originally the minimum number of trees.

Chairperson Kenninger opened the public hearing.

Motion by Kenninger Second by Reed

Motion to close the public hearing on Item 6b.

Ayes: 6.

Nays: None. Motion Carried.

Chairperson Kenninger stated that she would be fine removing the "plus eight" requirement from the code language. Commissioner Reed asked what the unit requirements look like for the different densities. Nemcek read the code definition of an apartment building. Commissioner Reed responded that there should be a minimum of eight and the code can be returned to the original language.

Motion by Kenninger Second by Reed

Motion to recommend the City Council approve the Text Amendments amending Sections 11-3-4: Site Dimensions, with the modification to include structures of 200 square feet or less have a five-foot setback and structures greater than 200 square feet have the 30-foot setback of the rear yard, 11-4-4: Site Dimensions, 11-4-5: District Standards, 11-6-3: Principal Uses, Commercial, Section 11-7-2: Architectural Standards, 11-7-6: Landscaping, Screening, and Buffering Standards of the Rosemount Zoning Code with 11-7-6 reverting the multi-residential buildings back to what it was prior to the zoning code update.

Ayes: 6.

Nays: None. Motion Carried.

Motion by Ellis Second by Whitman

Motion to recommend the City Council approve the recommended corrections to the City of Rosemount's Zoning Map.

Ayes: 6.

Nays: None. Motion Carried.

- c. Request by DevCo Preservation, LLC, for PUD Final Site and Building Plan Approval.

Senior Planner Nemcek provided an overview of a request by DevCo Preservation, LLC for a PUD final site and building plan approval for the construction of a 192-unit apartment complex in the Emerald Isle development. The subject property is on a 9.81-acre parcel approximately

0.4 miles east of Akron Avenue between CSAH 42 and Connemara Trail. The project will consist of two buildings, which will split the 192 units equally. The site was rezoned for high density residential and will generally conform with the zoning requirements except for being unable to meet the 10-foot additional setback from Connemara Trail, due to its status as a collector, and landscaping requirements. Staff recommended approval of the PUD final site and building plan, subject to conditions. Before final approval can be made, there must be a conversion of the subject parcel from an outlot to a buildable lot.

The site meets all the setback requirements, except for the additional 10-foot setback required along collector roads. Parking requirements will be met with surface parking lots. The landscaping requirements are unable to be met because of the large easement containing a gas line in the middle of the site and a retention pond on the south side of the site. There will be trees planted within the boulevard of Connemara Trail and landscape plans show additional plantings between buildings and the bituminous trail which staff has found to be sufficient to meet requirements. Staff recommends approval with a minor amendment to the PUD agreement to waive the additional 10-foot setback. The requirement of 363 parking spaces was determined by the parking ratio based on unit type. There will be 48 one-bedroom units, 96 two-bedroom units, and 48 three bedroom units. A condition of approval is that the minimum parking lot landscaping requirement is met, which will add another tree to the current landscaping plan. Staff worked with the applicant to create a reasonable ratio for overall number of trees based on the site excluding the easement and retention pond.

Chairperson Kenninger opened the public hearing.

Robert Elliott

14349 Acer Avenue Rosemount, MN

Mr. Elliott expressed concerns about the effects of the development on neighboring property values. He also asked if the commission and staff would speak about the rumors regarding Section 8 housing being included in the project. Mr. Elliott also questioned if this meeting was the proper way to amend codes regarding landscaping and address the setbacks for the project. He stated that amending the code should have its own public hearing. He also expressed concerns about whether there would be an impact on other future developments in the area as well. Mr. Elliot asked how many of the units in the other apartment units that have recently gone up have been rented out and what the traffic impacts will be on Akron Avenue and Connemara Trail.

Trevor Martinez 4275 Large Place

Plymouth, MN 55442

Mr. Martinez stated that the project is intended to be workforce housing and there will not be a contract with the government to create individual units paid for and administered through HUD. The project is intended to be for people making around \$30,000 to \$90,000 a year based on household size and number of occupants. There will be screening standards for all applicants that require them to be making at least two and a half times the amount of monthly rent. Mr. Martinez said that because the housing is aimed toward 50 to 70 percent of the area median income, individuals are less likely to opt for additional services and amenities like underground parking.

Mr. Martinez assured that as much landscaping as possible is being put on the site with the constraints caused by the easement. Chairperson Kenninger asked if more than one landscape plan had been created for the project. Mr. Martinez replied that the civil engineers and landscape planners have created some different plans and tried to incorporate as many trees as possible. Nemcek added that there are additional trees in the parking lot area and along the road on the south side of the property. He also stated that, as directed by staff, the applicant had sent out a letter inviting the neighborhood to a neighborhood meeting on October 17th at 5:30 pm and there were no attendees.

Nemcek clarified that there was another item on the agenda for a public hearing relating to zoning ordinance text amendments, such as the one being discussed currently, that was published in accordance to state statutes. He said that no letters would have gone out if it had been a standalone zoning code text amendment, not tied to another item that required public notice. He stated that the amendments were going through the proper public hearing process.

Commissioner Reed asked for clarification on if any vote on the current item would be a change to the zoning code or if it would just be variances added as conditions. Nemcek stated that there wouldn't be any changes to the zoning code until the next item and clarified that the Planning Commission can only make recommendations on changes, not approvals.

Commissioner Beadner asked if there would be covered parking and Mr. Martinez replied that there would not be. Commissioner Beadner asked where the trash would be located on the site. Mr. Martinez replied that it is stored inside of the building. Chairperson Kenninger asked if the rent will be the same for every applicant. Mr. Martinez responded that there are different units that have different incomes associated with them. There will be units designated for 50, 60, and 70 percent of the area median income and possibly others. Chairperson Kenninger asked if the system was based on the unit and ratios and not the individual applicant income. Mr. Martinez stated that was correct.

Mr. Elliot returned to the podium and stated that if the scope of the project were smaller, they would be able to plant more trees. He also said that many of the residents living on Acer Avenue had children, which is why they could not attend meetings. He stated that building codes drive up the cost of building and questioned how a residential building can comply with the various codes and be affordable. Mr.

Martinez replied that the project is affordable through tax credits. He stated that the project had applied through Dakota County's CDA, which is a public application for tax credits and the tax credits cover most of the gap.

There was some discussion about the market demand for the project and staff's role in determining the viability of a project. Kienberger stated that unless city dollars are attached to a project, they do not require proforma for a development project. Commissioner Beadner asked if staff could determine the scope of a project. Kienberger responded that as long as it meets the zoning code requirements, staff cannot dictate what is placed on a site.

Motion by Kenninger Second by Reed

Motion to Close the public hearing on Item 6c.

Ayes: 6.

Nays: None. Motion Carried.

Chairperson Kenninger asked if staff had heard anything regarding the development of the land east of the site. Nemcek stated that staff had not seen any applications come forward or had any conversations with 11010 homes about an apartment project. The site to the east of the DevCo site is designated for commercial development. The land immediately to the west is owned by Dakota County Technical College and is guided for public institutional. It's very likely that someone would like to redevelop it and seek a change to the city's comprehensive plan to get it out of that public institutional land use if the Dakota County Technical College would like to sell that land, but at this point staff has seen no applications.

Chairperson Kenninger asked about traffic near the site. Nemcek stated that Connemara Trail is a major collector in the city, and its intent was to be a reliever for County Road 42, which means it was designed to handle quite a bit of traffic. He also noted that the city is currently working with the county to look at constructing a roundabout at Connemara Trail and Akron Avenue to help with some of the traffic. Nemcek assured that the site has been analyzed deeply in regard to traffic from both a resident standpoint and a commercial standpoint. Chairperson Kenninger also asked if there would be a stop sign coming out of the complex and if Connemara Trail would be a through street. Nemcek replied that there would be a stop sign exiting the complex and confirmed that Connemara Trail would be a through street.

Commissioner Beadner asked if in the future Connemara Trail will have more developments that will increase density. Nemcek responded that the city's transportation plan anticipates extending Connemara Trail down to Bonaire Path as development continues to occur moving east.

Commissioner Reed asked Nemcek what the city's recommended way to have residents' voices heard was. Nemcek responded that all the letters that are sent out for public hearings include staff phone numbers and an address to send letters to. He also stated that the neighborhood meetings that staff requires of applicants can provide information to neighboring residents and help them formulate feedback to give to staff prior to a public hearing. This could help staff prepare suggestions or conditions ahead of time. Nemcek noted that all public comment is also given to the commission or summarized in staff reports.

There was a discussion about the process for the minor amendment to the master development plan. A minor adjustment was made to the wording of the conditions.

Motion by Kenninger Second by Beadner

Motion to approve the Planned Unit Development Final Site and Building Plan allowing DevCo Preservation LLC to construct a multi-unit residential development, subject to the following conditions:

- a. Approval of a zoning ordinance text amendment to Section 11-7-6: Landscaping, Screening, and Buffering Standards.
- b. Submittal of a landscaping surety equal to 110% of the cost of trees based on \$350 per tree.
- c. Conformance with all requirements of the City Engineer detailed in the attached memorandum dated October 17, 2024.
- d. Approval of a final plat to convert the outlot into a buildable lot.
- e. Approval by Council of a minor amendment to the Emerald Isle PUD to waive requirement for an additional 10' of setback from Connemara Trail.
- f. A sign permit is required for any site signage.
- g. Applicant shall update the landscape plan to provide one additional parking lot tree
- h. Applicant shall submit a final landscaping plan for staff review that provides at least the minimum number of trees as required by the zoning code prior to the issuance of a building permit

Ayes: 6.

Nays: None. Motion Carried.

NEW BUSINESS

None.

DISCUSSION

Kienberger reported that there had been an offer made to someone to fill the vacancy of the Community Development Technician position. Pending the final approvals, they will be present at the November Planning Commission meeting.

Chairperson Kenninger asked if there was any necessary follow-up action from the Port Authority meeting that needed to be discussed. Kienberger responded that there was not.

Chairperson Kenninger stated that Hogan had been working on setting up the 2025 calendar. She noted that the November meeting will be held on November 26th, the week of Thanksgiving. The December meeting will not be held on the fourth Tuesday of the month and instead will take place on Monday the 16th.

ADJOURNMENT

There being no further business to come before the Planning Commission at the regular meeting. The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Liz Kohler

Community Development Technician

Planning Commission Regular Meeting: November 26, 2024

Tenative City Council Meeting: December 17, 2024

AGENDA ITEM:	Request by Frattalone Companies, Inc. for renewal of its Small-Scale Mineral Extraction Permit for 2025.	AGENDA SECTION:	PUBLIC HEARINGS
PREPARED BY:	Julia Hogan, Planner	AGENDA NO.	6.a.
ATTACHMENTS:	Site Location, DRAFT 2025 Mineral Extraction Permit , Applicant's Narrative, 2023 Conditions, Site Plan, Reclamation Plan , Site Photos, Aerial Imagery, Panoramic Imagery	APPROVED BY:	AK
RECOMMENDED ACTION: Motion to recommend the City Council approve the Frattalone Companies, Inc. Small Scale Mineral Extraction Permit for 2025, subject to the terms and conditions in the attached 2025 Draft Conditions for Mineral Extraction.			

BACKGROUND SUMMARY

Applicant & Property Owner(s):	Frattalone Companies, Inc., 3205 Spruce Street, Saint Paul, Minnesota
Location:	Immediately west of Emery Avenue along CSAH 42
Area:	73.39 Acres (overall site); 26.08 (active mining area)
Comp. Guide Plan Designation:	CC-Community Commercial, MDR-Medium Density Residential, HDR-High Density Residential
Current Zoning:	A2 – Agricultural

The Planning Commission is being asked to consider a request from Frattalone Companies, Inc. for renewal of a small-scale mineral extraction permit that is located on a 73.39-acre parcel immediately west of Emery Avenue and south of County Highway 42. This small-scale mineral extraction operation was newly approved by the City Council in May 2023. Typically, interim use permits for mineral extraction are valid for one calendar year (January – December 31). However, due to the timing of the initial permit request, staff recommended that the permit be issued through 2024 with administrative staff review at the end of 2023. Staff recommends approval of the renewal request for 2025 based upon a review of the information submitted by the applicant, the mineral extraction standards in Section 11-6-4 M. of the City Code, and the attached permit.

BACKGROUND

The applicant, Frattalone Companies, Inc., owns a construction and excavation business in Little Canada and is asking to establish a new mineral extraction site along Highway 42 in Rosemount.

Because the mineral extraction use will be closely tied to the applicant's primary business, there will be limited sales of materials to outside projects from the mine. The applicant provided a detailed application packet for the mining operation with their initial submittal in 2023.

The mineral extraction site is located along the western frontage of Emery Avenue and south of County Highway 42 (145th Street East). Similar to other neighboring properties along Highway 42, there is a 45-50-foot rise in height between the northern and southerly property lines, with a steep ridge that provides a break/transition between the lower portions of the property along Highway 42 and the higher elevations to the south. Other than the ridge, most of the site is gently rolling, but relatively flat.

There are currently no structures on the site, which has been used for agricultural fields for many years, similar to much of the surrounding land. The other uses in the area include single-family residences southeast of the site, and the Danner and Bolander mineral extraction uses to the west.

The applicant's mine will share a common border with Bolander, and as excavation occurs in both gravel pits along this boundary, the final grades for each mine will likely be adjusted to match each other. This shared lot line approach has been used on the other side of the Bolander operation (adjacent to Danner) and the final reclamation plans may be able to eliminate the western slope as currently shown. Because the boundary is within the latter phases of the Bolander mining permit, the reclamation plan should continue to show the slope as proposed until Bolander progresses to its later stages.

The proposed extraction activity will take place on 26.08 acres in the southern portion of the site in accordance with the "mine boundary" depicted in the mining plan. The applicant was initially proposing primary access to the active mining area via a new driveway from Highway 42 running along the western property boarder and secondary access was shown off of Emery Avenue near the northeast portion of the mining area. Due to the denial of the entrance permit for access onto County Road 42 by Dakota County, the access entrance to the site was constructed off of Emery Avenue.

Mining is proposed to occur over two phases, generally moving from the east to the west on the southern portion of the property. Excavation will lower the active mining portions of the site to the 840-850 elevation range, which represents a cut of roughly 40 feet across the active mining part of the site. The proposed final grades as depicted on the reclamation plan will bring the southern portion of the property very close to the elevation of the northern part of the property. Essentially, the applicant is proposing to excavate into the ridgeline and maintain these grades (with a slight incline) throughout the mine. The phases have been developed to comply with the City's extraction requirements that each phase be no more than 15 acres in size. The applicant has stated that they anticipate removing 100,000 cubic yards of material per year, which corresponds to an operational life of the facility of 16 years.

The applicant has provided an update on the activity that has been occurring on site since its initial approval. In 2023, no material was extracted from the site. In 2024 22,475 cubic yards of sand was extracted from the site during quarter 3. It is estimated that 30,000 cubic yards of sand will be extracted during quarter four of 2024. There have been no cubic yards of imported material brought into the site, though they expect approved material to start being imported in 2025. Mining initially

occurred on the northern portion of the site in phase 1. For the remainder of 2024 and into 2025, mining will continue to occur in that area with plans to work their way south.

ISSUE ANALYSIS

Aggregate mining is reviewed through an interim use permit, which is a Quasi-Judicial action. As such, the City has a set of standards and requirements for review. Generally, if the applications meet the ordinance requirements, they must be approved. The standards and requirements for this mineral extraction are detailed in Section 11-6-4 M. of the Zoning Ordinance and the attached Mineral Extraction permit.

The subject property is zoned A2 – Agricultural and meets or exceeds the applicable performance standards for small scale mineral extraction. Small scale mineral extraction is listed as an interim use within the A-2 – Agricultural district. The table below details the current land use, zoning, and future land use information for the surrounding properties. These properties are all currently zoned Agricultural and are located within the 2040 Metropolitan Urban Service Area (MUSA). The 2040 Future Land Use Map anticipates a mixture of residential and commercial uses in this area.

Surrounding Land Use and Zoning Information			
Direction	Current Land Use	Zoning	Guided Land Use
North	Agriculture	Agricultural	CC - Community Commercial
South	Agriculture	Agricultural	LDR – Low Density Residential
East	Agriculture	Agricultural	CC -Community Commercial MDR - Medium Density Residential HDR - High Density Residential
West	Agriculture/Mining	Agricultural	CC - Community Commercial LDR - Low Density Residential MDR - Medium Density Residential

The 2040 Comprehensive Plan designates commercial development at the intersection of Emery Avenue and County Road 42, while medium- and high-density residential development is designated over the proposed mining and grading area. Future reclamation of the site will need be performed before an impacted area may be developed for housing. Because of the site’s location further east of 52, the development staging of properties in the area should not create as much of an impact on the timing of mining operations in the future as it would on the mining operations to the west, such as the Steiniger pit.

The water table is located at an approximate elevation of 800 feet or lower based on information provided by Dakota County, and the lowest mining elevation is well above that number. Throughout the majority of the site, there will be approximately 40 feet between the bottom of the mine and groundwater, which is consistent with other mines in the vicinity.

As a part of the annual review of all mineral extraction permits, staff performs an inspection of the site and consults with the Rosemount Police Department regarding any police activity. No ordinance or permit condition violations were apparent during the inspection and police records found no incidents at the subject property during 2024.

RECOMMENDATION

Staff recommends approval of this request based upon a review of the information submitted by the applicant, the mineral extraction standards in Section 11-6-4 M. of the City Code, and the attached permit with conditions of approval.



Mineral Extraction Permit

~~2023-2024~~2025 Conditions for Small Scale Mineral Extraction Permit

FRATTALONE COMPANIES, INC.

- A Frattalone Companies Inc., hereinafter referred to as the "Property Owner", shall sign a written consent to these conditions binding itself and its successors or assigns to the conditions of said permit.
- B The property Owner shall comply with all terms of this permit as well as the standards for mineral extraction listed in Section ~~11-10-04~~11-6-4 M. of the City Code.
- C This permit is granted for the area designated as Phase 1 (approximately 15 acres) on Exhibit A, Mineral Extraction Permit Mine Plan, which is attached hereto as an exhibit. Regrading and reclamation shall occur in the area designated Phase 1 on Exhibit A in accordance with the requirement of Section ~~11-10-4.4~~11-6-4 M.4 of the City Code. Reclamation is not expected to occur in the ~~2023 or 2024~~2025 calendar year,
- D The term of the permit shall extend from the date approved by the City Council until December 31, 202~~5~~4 unless revoked prior to that for failure to comply with the permit requirements. An Annual Mining Permit fee shall be paid to the City of Rosemount.
- E All required permits from the State of Minnesota, County of Dakota and City of Rosemount (hereinafter "City") or any of their agencies shall be obtained and submitted to the City prior to the issuance of the permit. Failure by the Property Owner to comply with the terms and conditions of any of the permits required under this paragraph shall be grounds for the City to terminate said mining permit.
- F The final grading for the permit area shall be completed in accordance with the Final Reclamation Plan, attached as Exhibit B, or as approved by the City Engineer, and any other conditions that may be imposed by the City from time to time.
- G Primary access to the site by all gravel trucks and other mining related traffic shall be from ~~County State Aid Highway 42 Emery Avenue, pending approval by Dakota County of an access permit.~~ It shall be the Property Owner's responsibility to obtain any access permits or easements necessary for ingress and egress. The location of the accesses and/or easements for ingress and egress shall be subject to approval by the City, as well as the County Highway Department if any changes occur relative to the mining process. ~~If an access permit is not granted by the County, access shall be from Emery Avenue, subject to seasonal restrictions.~~
- H A plan for dust control shall be implemented and subject to approval by the City. The Property Owner shall clean dirt and debris from extraction or hauling operations related to the Mineral Extraction Permit from streets. After the Property Owner has received 24-hour verbal notice, the City may complete or contract to complete the clean-up at the Property Owner's expense. In the event of a traffic hazard as determined by the Public Works Director or Rosemount Police Department, the City may proceed immediately to complete or contract cleanup at Property Owner's expense without prior notification.
- I The surface water drainage of the mining area shall not be altered so as to interfere, contaminate, or otherwise affect the natural drainage of adjacent property.
- J No topsoil shall be removed from the site and the Property Owner shall take necessary measures to prevent erosion of the stockpiled topsoil. The location of the stockpiled topsoil shall be as indicated on Exhibit A.

- K Any costs incurred now or in the future in changing the location of existing public or private utilities including but not limited to pipelines, transmission structures and sewer infrastructure located within the permit area shall be the sole obligation and expense of the Property Owner.
- L All costs of processing the permit, including but not limited to planning fees, engineering fees and legal fees, shall be paid by the Property Owner prior to the issuance of the permit. The Property Owner shall reimburse the City for the cost of periodic inspections by the City Engineer or any other City employee for the purpose of insuring that conditions of the permit are being satisfied. The Property Owner agrees to reimburse the City for any other costs incurred as a result of the granting or enforcing of the permit.
- M The daily hours of operation for the mining area shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday, subject, however, to being changed by the City Council.
- N The Property Owner shall deposit with the Planning Department a surety bond or cash escrow in the amount of Seven Thousand Five Hundred Dollars per acre (\$7,500.00/acre) of active phase in favor of the City for the cost of restoration, regrading and/or revegetating land disturbed by mining activities and to assure compliance with these conditions by the Property Owner. The required surety bonds must be:
- (1) With good and sufficient surety by a surety company authorized to do business in the State of Minnesota with the right of the surety company to cancel the same only upon at least thirty (30) days written notice to the permit holder and the City.
 - (2) Satisfactory to the City Attorney in form and substance.
 - (3) Conditioned that the Property Owner will faithfully comply with all the terms, conditions and requirements of the permit; all rules, regulations and requirements pursuant to the permit and as required by the City and all reasonable requirements of the City Engineer, or any other City officials.
 - (4) Conditioned that the Property Owner will secure the City and its officers harmless against any and all claims, or for which the City, the Council or any City officer may be made liable by reason of any accident or injury to persons or property through the fault of the Property Owner.
 - (5) The surety bond or cash escrow shall remain in effect from ~~June 4~~ January 1, 202~~5~~3 to July 31, 202~~6~~5.

Upon thirty (30) days' notice to the permit holder and surety company, the City may reduce or increase the amount of the bond or cash escrow during the term of this permit in order to insure that the City is adequately protected.

- O. The Property Owner shall furnish a certificate of comprehensive general liability insurance issued by insurers duly licensed within the State of Minnesota in an amount of at least Five Hundred Thousand and no/100 (\$500,000.00) Dollars for injury or death of any one person in any one occurrence, bodily injury liability in an amount of at least One Million Five Hundred Thousand and no/100 (\$1,500,000.00) Dollars and property damage liability in an amount of at least Two Hundred Fifty Thousand and no/100 (\$250,000.00) Dollars arising out of any one occurrence. The policy of insurance shall name the City as an additional insured and shall remain in effect from January 1 ~~June 4~~, 202~~5~~3 to July 31, 202~~6~~5.
- P. The storage of equipment (unrelated to the sand and gravel mining and processing), manure, construction debris, or hazardous materials of any kind shall not be permitted on site. The placement of construction debris, manure, asphalt in any form or hazardous materials within the pit as fill shall be strictly prohibited.
- Q. No processing or mixing of materials shall occur on the site, except as approved by the Dakota County Environmental Management Department as incidental to a sand and gravel mining operation. Any such activities will be enclosed with snow or cyclone fencing or as approved by City staff. Construction of any ponding areas, wash plants or other processing or equipment brought to the site shall require additional site and grading plan information subject to review and approval of the City Engineer.

- R. The Property Owner shall hold the City harmless from all claims or causes of action that may result from the granting of the permit. The Property Owner shall indemnify the City for all costs, damages or expenses, including but not limited to attorney's fees that the City may pay or incur in consequence of such claims.
- S. The Property Owner shall comply with such other requirements of the City Council as it shall from time to time deem proper and necessary for the protection of the citizens and general welfare of the community.
- T. Complete mining and reclamation is required in all phases before any additional mining is authorized. Modifications or expansion of the mining areas must be approved in writing to the City. Property Owner shall submit to the City semiannually a written report indicating the amount of material extracted from the site for the prior six-month period.
- U. The Property Owner shall incorporate best management practices for controlling erosion and storm water runoff as specified by the Minnesota Pollution Control Agency and the United States Environmental Protection Agency.
- V. Reclamation shall include the replacement of the entire stockpile of topsoil on the mined area, reseeding and mulching necessary to re-establish vegetative cover for permanent slope stabilization and erosion control. The minimum depth of topsoil shall not be less than two inches after reclamation. No restored slopes may exceed a gradient of 25% or four to 1 (4:1).
- W. The Property Owner must show how materials stockpiled for recycling will be processed and inform the City of all stockpiled materials.
- X. The Property Owner may not assign this permit without written approval of the City. The Property Owner will be responsible for all requirements of this permit and all City ordinances on the licensed premises for the permit period unless the Property Owner gives sixty (60) days prior written notice to the City of termination and surrenders the permit to the City. The Property Owner shall identify all Operators prior to their commencement of mineral extraction-related activities in the pit area. The City shall have the authority to cause all mineral extraction activities to cease at any time there is an apparent breach of the terms of this Permit.
- Y. The Property Owner shall install and maintain a "stock" gate (or equivalent) at the entrance to the property where the mining operation is located. The gate must be secured at 7:00 p.m. and at any time the pit is not in use.
- Z. There shall be no "haul-back" of materials from any other property or job site that would be imported to the property for fill or other purposes other than incidental concrete recycling as referred to in paragraphs Q, W, and topsoil imported for the purpose of re-establishing turf as accepted by the City.
- AA. Mining to the elevation of 840 feet above mean sea level provided that the site is reclaimed to the elevation shown on Exhibit A with haul-back, clean-fill material. In no instance shall mining occur in the groundwater aquifer.
- CC. Blasting or the use of explosives is prohibited.
- DD. Truck operators within the pit area shall not engage in practices involving slamming tailgates, vibrating boxes, using of "jake" or engine brakes (except in emergency situations) or other such activities that result in excessive noise.

EE. The City of Rosemount shall have the ability to collect independent soil and water samples.

FF. The operator shall install and maintain "No Trespassing" signs consistent with the standards outlined in Minnesota State Statute 609.605.

Frattalone Companies, Inc., Property Owner, hereby consents and agrees to the foregoing conditions of said mining permit.

IN WITNESS WHEREOF, the Property Owner has hereunto set his hand this _____ day of _____, 2023.

Frattalone Companies, INC.

By: _____

Its: _____

STATE OF MINNESOTA)
) §
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2023, by _____, on behalf of Frattalone Companies, Inc., Property Owner.

Notary Public



October 28, 2024

Julia Hogan
City of Rosemount
2875 145th Street West
Rosemount, MN 55068-4997

Re: *Application for Renewal of the Small Scale Mineral Extraction Permit for 2025*

Dear Ms. Hogan:

Enclosed you will find the application to renew our existing Mineral Extraction Permit for 2025. In addition to the permit application, here is a summary of our pit operations.

Summary of Activity Since the Permit was Issued:

- All required state and county permits have been obtained.
- A construction entrance was installed off of Emery Ave and that is where 100% of access has occurred
- Here are the quantities of sand material that have been extracted from the site
 - o 2023 0 CY
 - o 2024Q1 0 CY
 - o 2024Q2 0 CY
 - o 2024Q3 22,475 CY
 - o 2024Q4 TBD – Estimating 30,000 CY
- There has been 0 CY of imported material to the site. We expect approved material to start being imported in 2025.

I have also included a current aerial photo of the pit conditions as well as our originally submitted plans. As you can see, mining has begun on the north portion of Phase 1. The plan for the rest of 2024 and into 2025 is to continue mining in that area and to move south. All within Phase 1 of the original plan.

If you have any further questions or concerns, please reach out to me directly and we will address. Thank you in advance for your consideration of this renewal.

Sincerely,

A handwritten signature in black ink, appearing to read "Nick Frattalone", is written over a faint, larger version of the same signature.

Nick Frattalone
CEO

Revised 6-16-2020

SMALL SCALE MINERAL EXTRACTION PERMIT APPLICATION

Applicant

Name: Frattalone Companies - Nick Frattalone Phone No. 651-484-0448

Address: 3205 Spruce Street Little Canada MN 55117
Street Number City State Zip Code

Email Address: nickf@frattaloneco.com

Property Owner

Name: Landspec Fund 4, LLC - Luke Appert Phone No. 651-315-6641

Address: 4558 Trading Post Trail S. Afton MN 55001
Street Number City State Zip Code

Email Address: Luke.Appert@cushwake.com

Person/Corporation Conducting Extraction

Name: Frattalone Companies - Chris Niemand Phone No. 651-484-0448

Address: 3205 Spruce Street Little Canada, MN 55117

Email Address: chrisn@frattaloneco.com

Purpose of Excavation/Extraction: *(Describe in Detail)*

Property Information/Excavation Site

Legal Description: E72 1/2 A of SE 1/4 Subj to Hwy Easmt Parcel 17 on Cty R/W Map 21A

(include PID #) 340290075010

TOTAL ACREAGE: 73.39

Type of Material to be Extracted: Sand and Gravel

Total Cubic Yards to be Extracted: 1,566,025 CY

Estimated Number of Years of Operation: 16

Estimated Date for Completion of Site Rehabilitation: 2040

Access/Transport Routes:

Co Hwy 42 and Emery Ave E to MN Hwy 55

(Name of highways, streets or other public roadways within the City upon which the material will be transported)

Required Attachments

- ☐ Phasing Plan
- ☐ Site Reclamation and Rehabilitation Plan
- ☐ Map showing physical relationship of excavation site to the community and existing community development
- ☐ Site analysis information (trees, depth of topsoil, adjacent on-site structures and land uses, flood levels, watercourses and elevation and percent slope within 100 feet beyond site perimeter)
- ☐ Depth of water tables throughout excavation site
- ☐ Plan of Operation
- ☐ Drainage, Wind and Water Erosion Control Plan

Neighboring property owners within a 500-foot radius of the subject property or, if application pertains to property located in Agricultural (AG), Agricultural Preserve (AP), or Rural Residential (RR) District, property owners within a quarter (1/4) mile will be notified of the public hearing.

This permit, upon authorization by City Council, is valid from January 1 through December 31 of the year of issuance. The proposed mineral extraction will be reviewed according to submitted plans and description of the proposed operation as required under provisions detained in City of Rosemount Zoning Ordinance, Section 12.4 Mineral Extraction. In submitting this application, the applicant recognized the requirements set forth in the City of Rosemount Ordinance for the regulation of mining and agrees to meet those conditions prior to requesting approval of this permit.

☒ BY CHECKING THIS BOX, I HEREBY AGREE TO ALL STATEMENTS
HEREIN AND SUBMIT MY SIGNATURE ELECTRONICALLY TO THIS FORM.



Signature of Applicant
10/28/24

Date



Signature of Property Owner
10/28/24

Date

Initial Permit Fee of \$700.00 Paid?

☐ Yes

☐ No

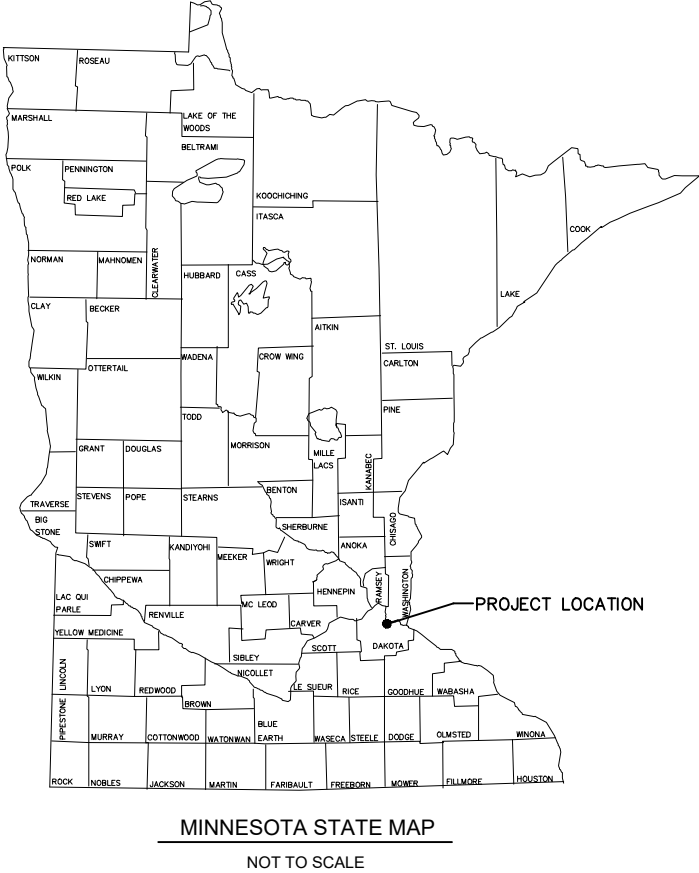
Annual Operating Permit Fee of \$370.00 Paid?

☐ Yes

☐ No



POLLUTION PREVENTION PLAN
BERGER PIT
ROSEMOUNT, MN



SHEET NO.	TITLE
1	INDEX SHEET
2	EXISTING CONDITIONS & ADJACENT LANDOWNERS
3	SITE PLAN
4	RESTORATION PLAN
5	NARRATIVE
6	INSPECTION FORM
7	TRAINING FORM

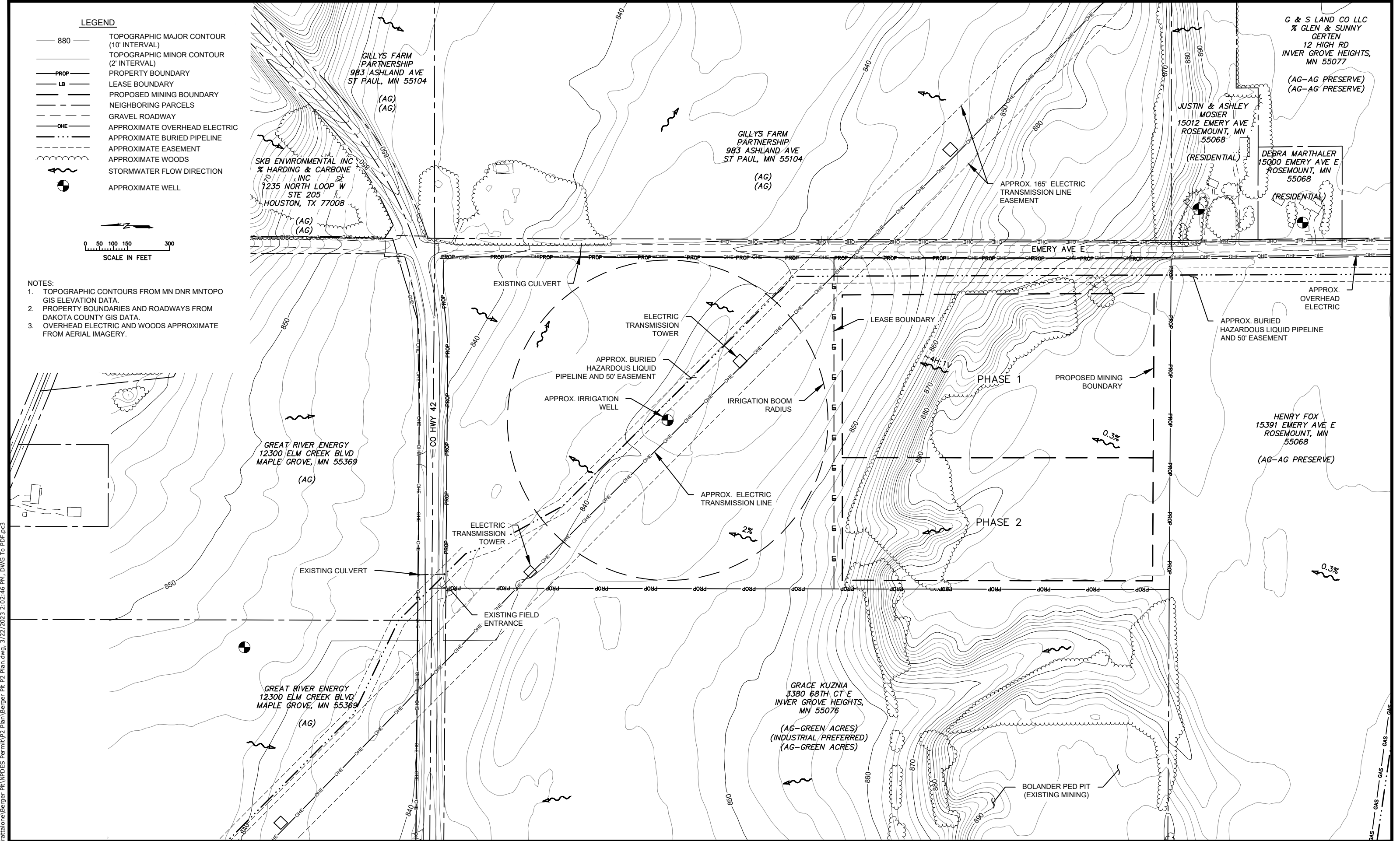
NOTES:

AERIAL IMAGE OBTAINED FROM US FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY MAPPER.

UNIDENTIFIED WETLANDS ON LOCATION MAP ARE NOT ABLE TO RECEIVE A STORMWATER DISCHARGE FROM SITE.

SCALE IN FEET
0 500 1000 2000

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15650 36TH AVE N
SUITE 110
PLYMOUTH, MN 55446
TEL (952) 346-3900
FAX (952) 346-3901
CARLSONMCCAIN.COM

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota

Print Name: Brannon L. Peterson, PE
Signature: *Brannon L. Peterson*
Date: 3/22/23 License #: 58910

Drawn: BLP
Designed: BLP
Date: 3/22/23

REV	DATE	BY	DESCRIPTION
1	3/22/23	BLP	ISSUED FOR PERMIT APPLICATION

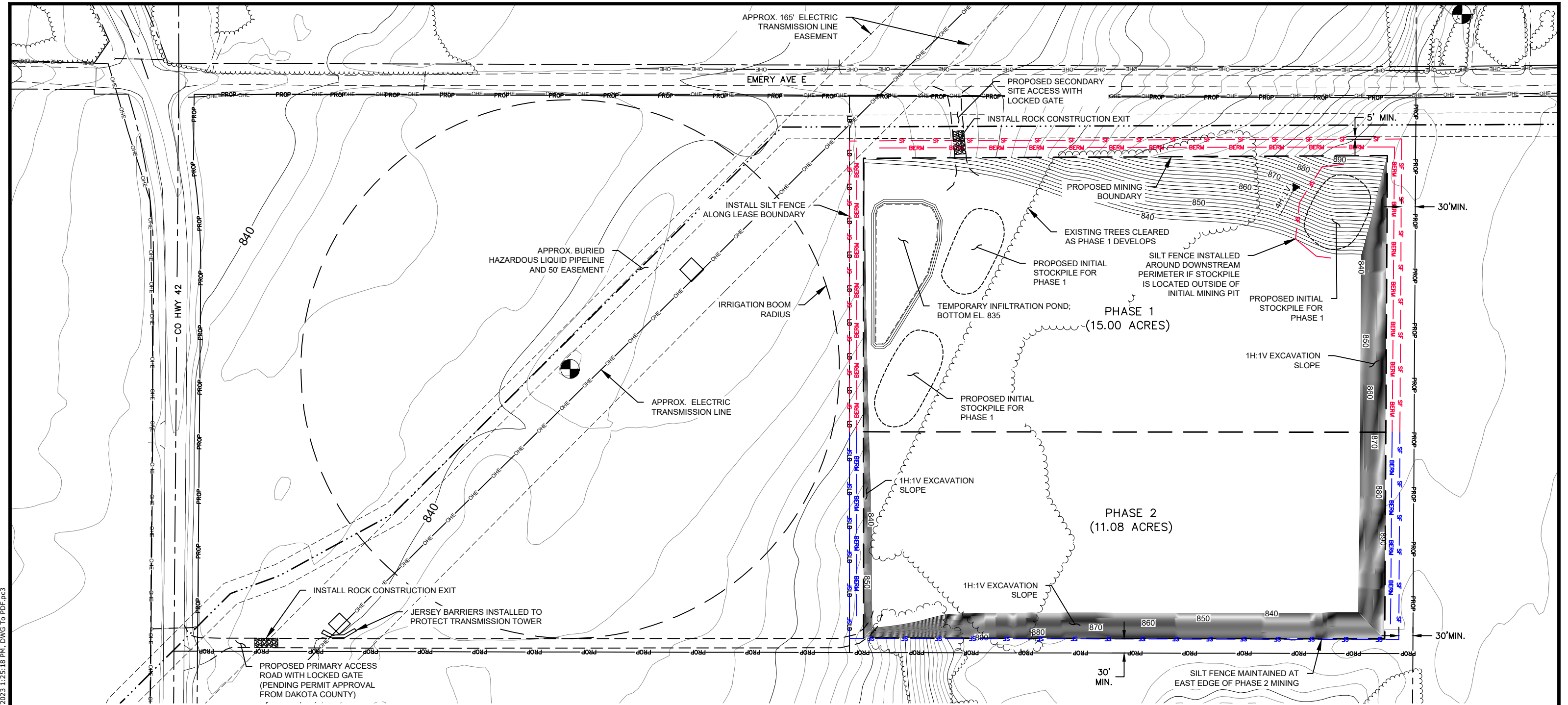
FRATTALONE COMPANIES, INC.
3205 SPRUCE STREET, ST. PAUL, MN 55117

BERGER PIT
ROSEMOUNT, MN

**EXISTING CONDITIONS
& ADJACENT LAND OWNERS**
POLLUTION PREVENTION PLAN

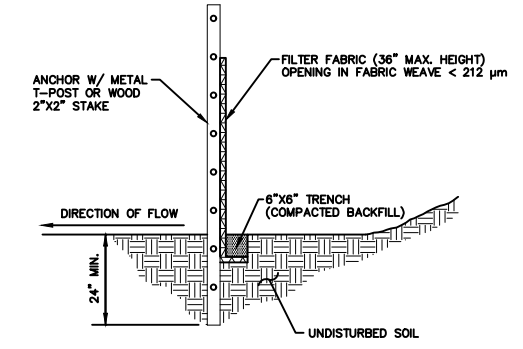
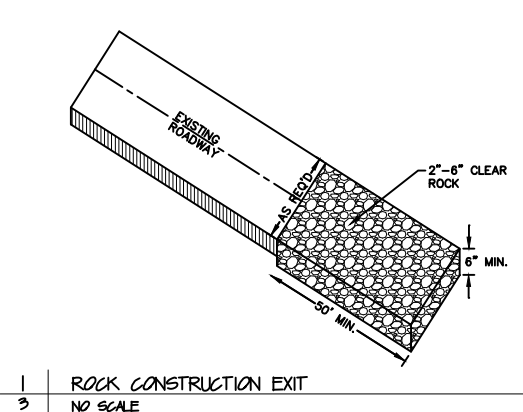
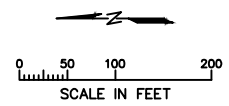
2 of 7

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- LEGEND**
- 880 TOPOGRAPHIC MAJOR CONTOUR (10' INTERVAL)
 - TOPOGRAPHIC MINOR CONTOUR (2' INTERVAL)
 - PROP PROPERTY BOUNDARY
 - LB LEASE BOUNDARY
 - MINING BOUNDARY
 - NEIGHBORING PARCELS/SUBDIVISIONS
 - GRAVEL ROADWAY
 - OHE EXISTING OVERHEAD ELECTRIC
 - APPROXIMATE BURIED PIPELINE
 - APPROXIMATE EASEMENT
 - APPROXIMATE WOODS
 - 930 EXCAVATION MAJOR CONTOUR (10' INTERVAL)
 - EXCAVATION MINOR CONTOUR (2' INTERVAL)
 - SF PHASE 1 SILT FENCE
 - BERM PHASE 1 DIVERSION/SCREENING BERM
 - SF PHASE 2 SILT FENCE
 - BERM PHASE 2 DIVERSION/SCREENING BERM
 - APPROXIMATE WELL

- NOTES:**
- PHASE 2 SHALL NOT BE EXCAVATED UNTIL AT LEAST 70% OF PHASE 1 HAS BEEN RECLAIMED AS SHOWN ON SHEET 4. MINERAL EXTRACTION IS NOT TO EXCEED 19.5 ACRES OF OPEN EXCAVATION AT ANY ONE TIME.
 - INSTALL DIVERSION BERMS AS NECESSARY TO CONTAIN ALL STORMWATER AS MINING PROGRESSES.
 - STABILIZE ALL DIVERSION AND SCREENING BERMS WITH VEGETATION ON THE UPSTREAM AND DOWNSTREAM SIDE OF THE BERMS. ENSURE BERMS ARE 70% COVERED WITH VEGETATION BEFORE REMOVING SILT FENCE. MAINTAIN VEGETATION ON THE BERMS AS NECESSARY.
 - MAINTAIN ROADWAYS IN WELL GRADED CONDITION, LIMIT HAUL TRAFFIC TO ROADWAYS, AND LIMIT TRAFFIC TO 15 MPH TO PREVENT OFFSITE SEDIMENT TRACKING, INCLUDING MUD AND OTHER DEBRIS.

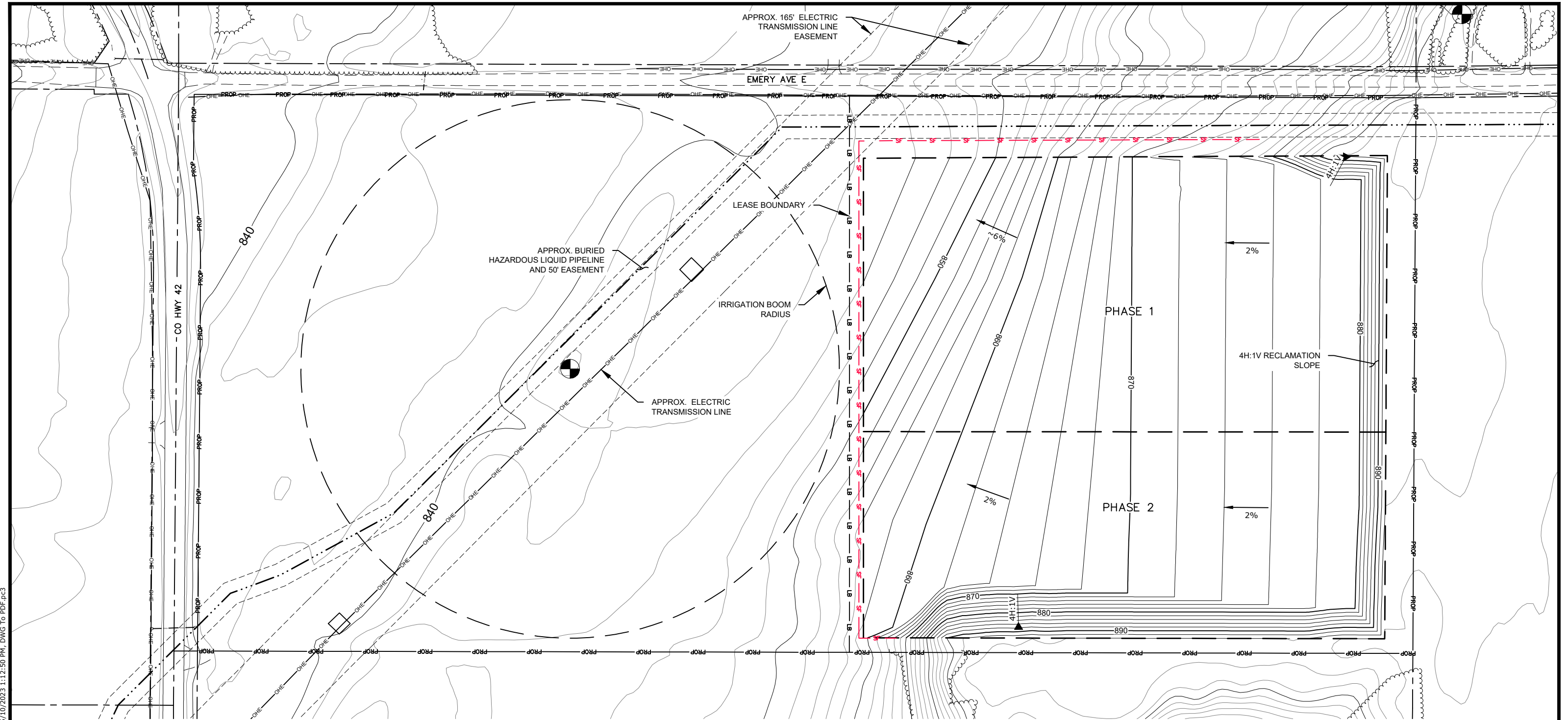


- NOTES:**
- DIG A 6"x6" TRENCH ALONG THE INTENDED SILT FENCE LINE.
 - DRIVE ALL ANCHOR POSTS INTO THE GROUND AT THE DOWNHILL SIDE OF THE TRENCH.
 - POSTS SHALL BE SPACED A MAXIMUM OF 6 FEET APART.
 - LAY OUT SILT FENCE ALONG THE UPHILL SIDE OF THE ANCHOR POSTS AND BACKFILL 6"x6" TRENCH.
 - SECURELY ATTACH SILT FENCE TO ANCHOR POSTS W/ MINIMUM OF THREE ATTACHMENTS PER POST.
 - SEE MNDOT SPECIFICATIONS 2573 & 3886.

1 ROCK CONSTRUCTION EXIT
3 NO SCALE

2 SILT FENCE
3 NO SCALE

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LEGEND

- 880 TOPOGRAPHIC MAJOR CONTOUR (10' INTERVAL)
- PROPR PROPERTY BOUNDARY
- LB LEASE BOUNDARY
- MINING BOUNDARY
- NEIGHBORING PARCELS/SUBDIVISIONS
- GRAVEL ROADWAY
- OHE EXISTING OVERHEAD ELECTRIC
- APPROXIMATE BURIED PIPELINE
- APPROXIMATE EASEMENT
- APPROXIMATE WOODS
- 930 RECLAMATION MAJOR CONTOUR (10' INTERVAL)
- RECLAMATION MINOR CONTOUR (2' INTERVAL)
- SF PROPOSED SILT FENCE
- APPROXIMATE WELL

NOTES:

1. INSTALL SILT FENCE, AS NECESSARY, ALONG ALL DOWNSTREAM PERIMETERS OF RECLAMATION ACTIVITIES.
2. ALL TEMPORARY ACCESS ROADS SHALL BE SALVAGED AND REMOVED FROM THE SITE.
3. ALL RECLAIMED AREAS SHALL RECEIVE A MINIMUM OF 6" OF TOPSOIL.

1. TURF ESTABLISHMENT SHALL APPLY TO ALL DISTURBED AREAS AND SHALL BE ACCORDING TO MNDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION (LATEST EDITION) EXCEPT AS MODIFIED BELOW.
2. TURF ESTABLISHMENT SHALL OCCUR AS SOON AS POSSIBLE BUT IN NO CASE NO MORE THAN 14 DAYS AFTER FINAL LAND GRADING ACTIVITIES.
3. SEED: MNDOT MIXTURE 32-241 AT 38 POUNDS PER ACRE OR 35-241 AT 36.5 POUNDS PER ACRE.
4. DORMANT SEED: SHALL BE APPLIED AT TWICE THE NORMAL RATE AFTER NOVEMBER 1ST.
5. MULCH: TYPE 1 AT 2 TONS PER ACRE (DISK ANCHORED).
6. FERTILIZER: TYPE AND RATE TO BE DETERMINED FROM TOPSOIL TESTING..

1 TURF ESTABLISHMENT
4 NO SCALE



15650 36TH AVE N
SUITE 110
PLYMOUTH, MN 55446
TEL (952) 346-3900
FAX (952) 346-3901
CARLSONMCGAIN.COM

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota

Print Name: Brannon L. Peterson, PE

Signature: *Brannon L. Peterson*

Date: 5/10/23 License #: 58910

Drawn: BLP

Designed: BLP

Date: 5/10/23

REV	DATE	BY	DESCRIPTION
1	3/22/23	BLP	ISSUED FOR PERMIT APPLICATION
2	5/10/23	BLP	UPDATED PER CITY COMMENTS

FRATTALONE COMPANIES, INC.
3205 SPRUCE STREET, ST. PAUL, MN 55117

BERGER PIT
ROSEMOUNT, MN

RECLAMATION PLAN
POLLUTION PREVENTION PLAN

4 of 7







August 2023



October 2024



April
2023



April
2024



Planning Commission Regular Meeting: November 26, 2024

Tentative City Council Meeting: Site Plan Reviews are solely the purview of the Planning Commission, and unless denied and appealed are not reviewed by the City Council.

AGENDA ITEM: Request by Keystone Development Partners, LLC., for approval of a site plan to construct office/warehouses in the Biscayne Business Park.	AGENDA SECTION: PUBLIC HEARINGS
PREPARED BY: Anthony Nemcek , Senior Planner	AGENDA NO. 6.b.
ATTACHMENTS: Site Location, Existing Conditions, Site and Landscape Plan, Elevations and Floorplans, Renderings, Utility Plan, Engineering Review Memo dated November 18, 2024, Parks and Recreation Review Memo dated November 18, 2024	APPROVED BY: AK
RECOMMENDED ACTION: Motion to approve the site plan for Keystone Development Partners proposed office/warehouses in the Biscayne Business Park, subject to the following conditions being met prior to the issuance of a building permit: 1. Vacation of perimeter easements along existing interior parcel boundaries. 2. The applicant shall update the landscape plan to relocate two trees and provide an additional 65 foundation plantings. 3. The applicant shall combine the subject property into a single parcel. 4. The applicant shall provide verification of site lighting and, if necessary, a photometric study to prove conformance with site lighting standards. 5. If centralized waste collection is utilized, the applicant shall provide plans for a trash enclosure that meets the requirements of City Code Section 5-1-3. 6. Payment of \$42,330 cash-in-lieu of park land dedication, as detailed in the Parks and Recreation Director's memo dated November 18, 2024. 7. Conformance with the requirements of the City's engineer as detailed in the attached review memo dated November 18, 2024. 8. Conformance with any requirements of the City's fire marshal.	

BACKGROUND

The Planning Commission is being asked to review the site plan submitted by Keystone Development Partners, LLC., to construct a series of multi-tenant buildings that will house primarily warehousing space with small offices and waiting areas near the entrances. The subject property is located within the Biscayne Business Park on a site comprised of three existing parcels. The plans submitted by the applicant meet all the requirements of the zoning ordinance within the City Code, and staff is recommending approval of the site plan, subject to conditions listed in the recommended action above.

Applicant	Keystone Development Partners, LLC.
Property Owner	Stordahl Partnership, LLLP
Site Location	2501, 2511, and 2521 158th Circle West
Site Area in Acres	4.70 Acres
Current Zoning	B-2 PUD: Employment Planned Unit Development
Comp Plan Designation	Business Park

GENERAL INFORMATION

The site of the proposed warehouses is within the Biscayne Business Park Planned Unit Development that was approved in 2019. The business park was designed with a private roadway that serves the parcels, and stormwater is managed by several ponds that are located around the business park's perimeter. It's located in the southern portion of the city near the intersection of Biscayne Ave and 160th Street West (CSAH 46). The business park so far has seen the development of a single building that was built on spec by the developer. That building currently houses Valley's Own Bakehouse and Conquer Ninja Gym. The applicant is proposing to construct five buildings and rent office/warehouse space within the units to tenants. The buildings will be constructed in a manner that allows the various spaces to be right-sized for specific tenants.

The Biscayne Business Park is zoned B-2 Employment with a PUD overlay. Office/warehousing is an allowed use in that zoning district. The approved PUD for the site includes provisions that allow for shared driveways and buildings to be constructed on lots without frontage on a public street. Because the buildings would be constructed across existing parcel boundaries, the applicant must combine the parcels into one. The zoning ordinance allows for multiple principal structures within PUDs.

SITE PLAN REVIEW

The purpose of a site plan review is to evaluate each project as it relates to the performance and site design standards of the zoning ordinance. Site plan approval is required for all commercial, industrial, institutional, and multi-family development projects.

Site Plan Review applications are approved by the Planning Commission and considered a quasi-judicial action. As such, the City has a set of standards and requirements for review. Generally, if a site plan application meets the ordinance requirements, it must be approved. These standards are outlined in Section 11-6-3 (Use-Specific Standards) and 11-9-1 (Site Plan and Building Design Review).

Site Standards

The five proposed buildings will consist of two types. The buildings located more centrally to the site will be double loaded with units placed back to back. Two buildings in the northwest portion of the site will be single-loaded. Parking will be provided near each entrance to the buildings, and additional parking is provided around the periphery. The table below shows the required setbacks in comparison with those provided by the site plan.

Frontage	Required Setback	Provided Setback
----------	------------------	------------------

	Building	Parking	Building	Parking
North, Rear Yard	10'	10'	35.13'	91.5'
East, Side Yard	10'	10'	57.25'	14.32'
South, Front Yard	30'	20'	31.54'	43.27'
West, Side Yard	10'	10'	143.52'	75.82'

in addition to the setback standards listed in the table above, the B-2 Employment zoning district also has a maximum lot coverage standard of 75%. The proposed site plan shows impervious surfaces covering just 52% of the site.

Building Massing and Materials

The applicant provided architectural plans and renderings that depict buildings that meet the zoning code requirements. The exteriors feature architectural metal panels with a striated pattern in varying colors. Staff finds this material to be better than precast concrete panels or other materials specifically listed in the zoning ordinance, both from a durability and visual standpoint. Focus is drawn to the corners of the buildings through the use of contrasting colors and parapet accents along the roofline. Glass entrance areas are augmented by awnings to provide further variation along the facades. The proposed buildings, at 20' tall, are well below the maximum height of 50'.

Access and Parking

There will be two curb cuts that allow access into the site from the private 158th Circle West.

Vehicular traffic will be allowed to circulate through the site and around the buildings. Parking will be provided both at each entrance and also along the perimeter of the site. A total of 60 stalls are required and the applicant's plans show 66 stalls provided. The fire marshal will review the plans to verify enough ADA stalls are provided and if their location meets statutory requirements. The excess 6 parking stalls will allow the applicant to replace some of the parking stalls closest to building entrances with wheelchair loading zones. The table below describes how parking needs are calculated as required by the zoning ordinance.

Use	Required
Warehousing (49,130 s.f. @ 1 stall per 2,000 s.f.)	25 stalls
Office (10,350 @ 1 stall per 300 s.f.)	35 stalls
Total Required	60 stalls (66 provided)

Landscaping

The applicant's submittal includes a landscaping plan that meets the minimum planting requirement for trees, but falls short of the minimum foundation planting requirement. Areas where trees can be planted are limited by the onsite stormwater ponding, although the applicant could have made use of some of the areas outside those easements, particularly in the western portion of the site. The applicant's landscape plan shows trees planted along the building perimeter and along Biscayne

Avenue and 158th Circle West. The City's engineer has reviewed the landscape plan and found no conflicts between the proposed planting and City utilities except for two trees in the western portion of the site that will need to be relocated from the easement area that contains stormwater infrastructure. The applicant will need to ensure that private utilities, such as fiberoptic cable, will not be impeded by its proposed placement of trees. This is noted in the conditions of approval as well as the requirement to provide additional foundation plantings. Staff recommends their placement along the eastern drive aisle that is most visible from Biscayne Avenue. Parking lot landscaping, equal to 5% of the parking areas, is provided along the perimeter of the parking areas in the north and west areas of the site.

Planting Type	Required	Provided
Trees	69 trees (1 per 3,000 s.f. site area)	69 trees
Foundation Plantings	215 (1 per 10 linear feet of building perimeter)	150 shrubs (short 65)

Site Lighting

The applicant's plans do not indicate any site lighting, although the rendering provided shows some lighting beneath the awnings at each entrance. The applicant will need to confirm the presence or absence of site lighting and provide proof that any lighting provided is within the maximum lumen allowed at the property boundaries. Given the site layout, staff expects the site will be able to comply with the standards of the code.

Engineering

The site will be served by existing utilities installed in 158th Circle West, and stormwater will be collected and managed onsite. The City's engineer has provided a review memo that is attached to this report. In addition to technical comments, the engineer notes that turning radii should be provided to ensure larger vehicles are able to maneuver. The applicant has since provided those to the City. Additionally, the City's engineering memo includes a comment on the location of trash containers. The applicant is working on a centralized location for waste management. This must meet the requirements of Section 5-1-3 of the City Code. Specifically, it must be enclosed in a structure that matches the principal buildings on site. Staff has included a condition of approval related to this in the recommended action. If centralized trash collection is not utilized, all waste containers must be stored inside each unit.

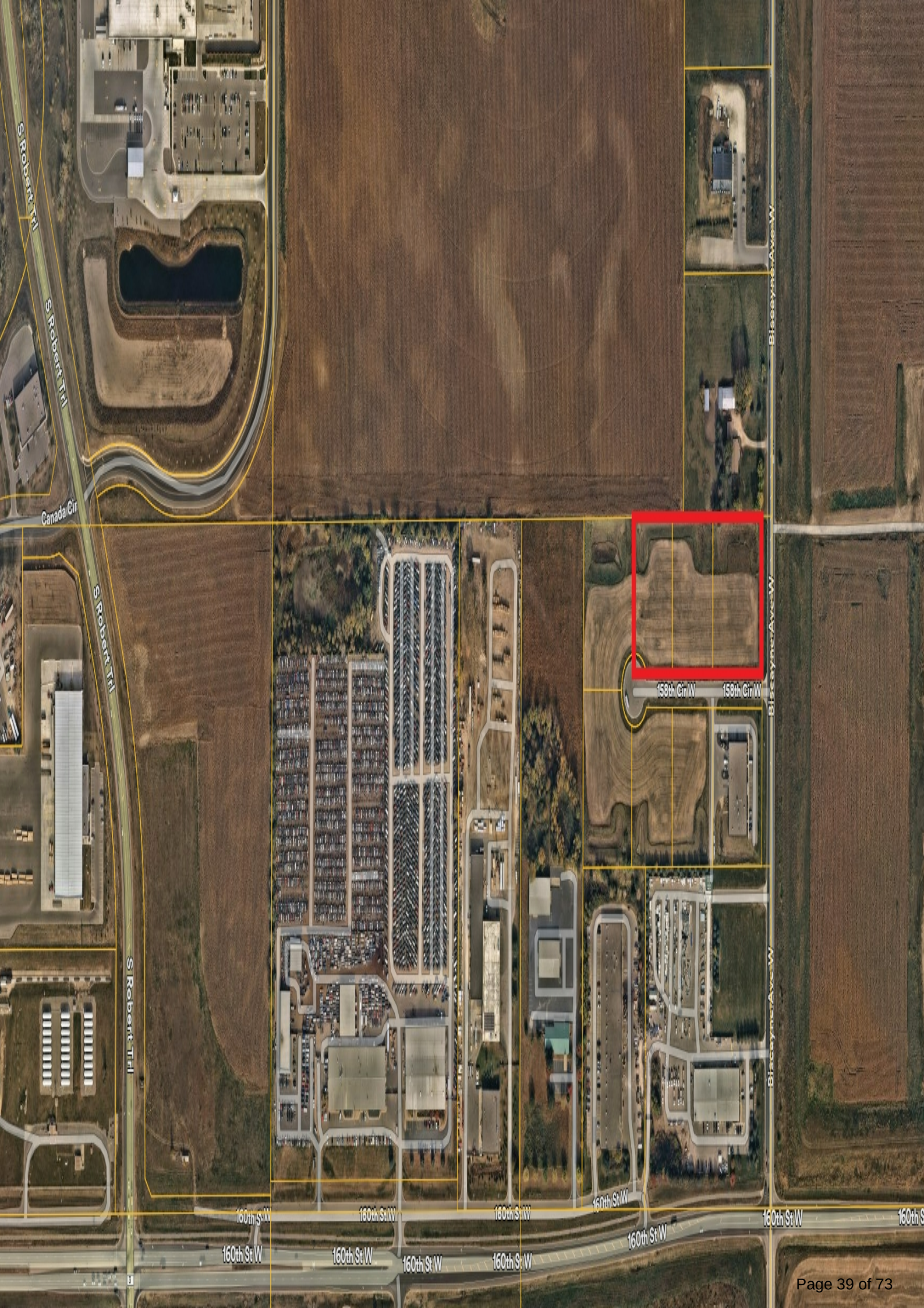
Park Dedication

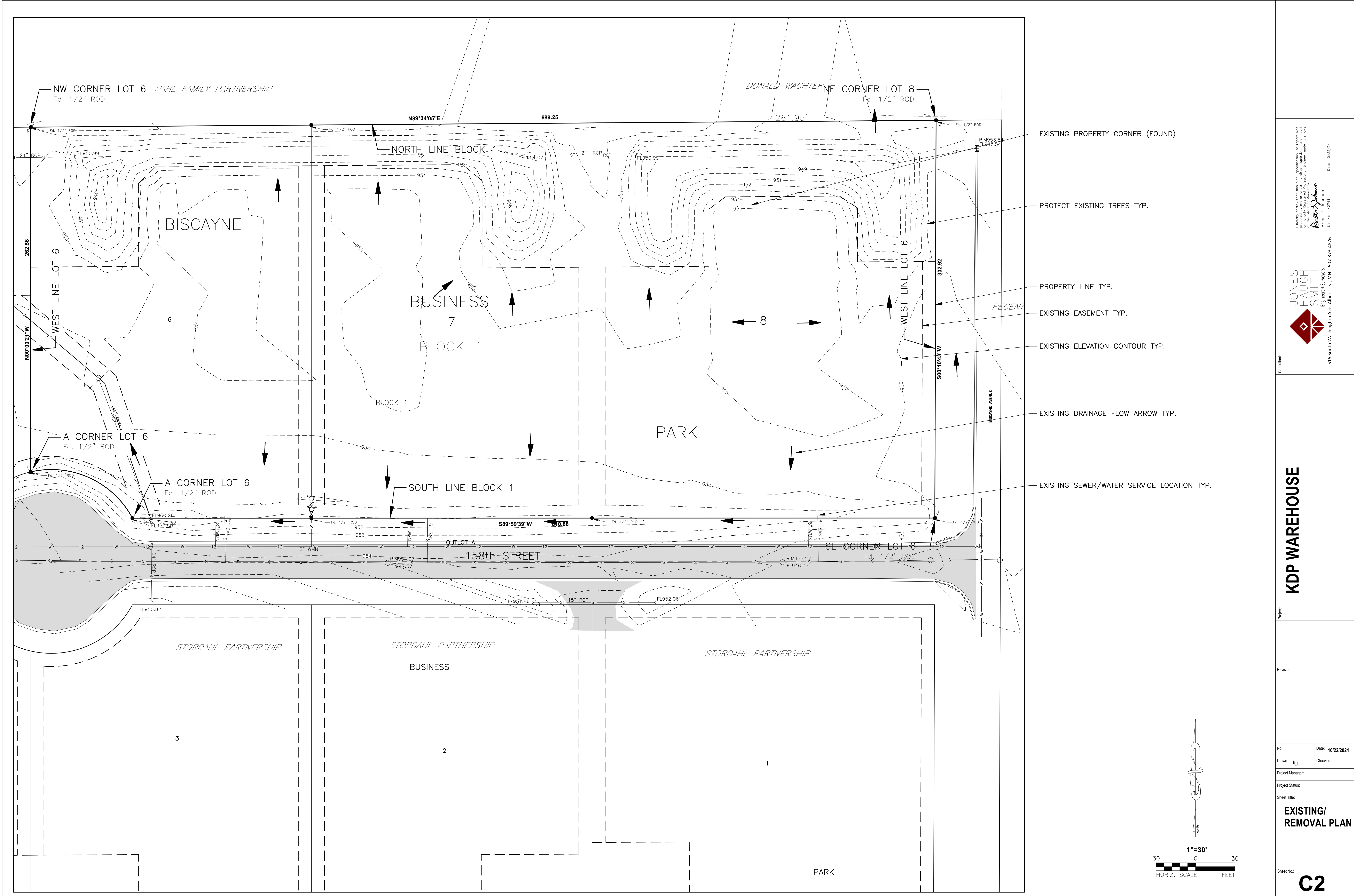
Park land dedication is typically determined and collected at the time of plat approval. In this case, the developer asked that park land dedication be collected as each site is developed. Parks and Recreation staff has provided a memo describing the park dedication requirement for this project, and is recommending cash-in-lieu in the amount of \$42,330.

RECOMMENDATION

Staff is recommending approval of the site plan, subject to specific conditions that, when met, will

ensure conformance of the proposed development with the Zoning Ordinance. None of the shortfalls within the applicant's submittal are significant enough that they could not be met prior to the issuance of a building permit.





Consultant:

JONES HAUGH SMITH
Engineers + Surveyors
515 South Washington Ave. Albert Lea, MN 55737-4876

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

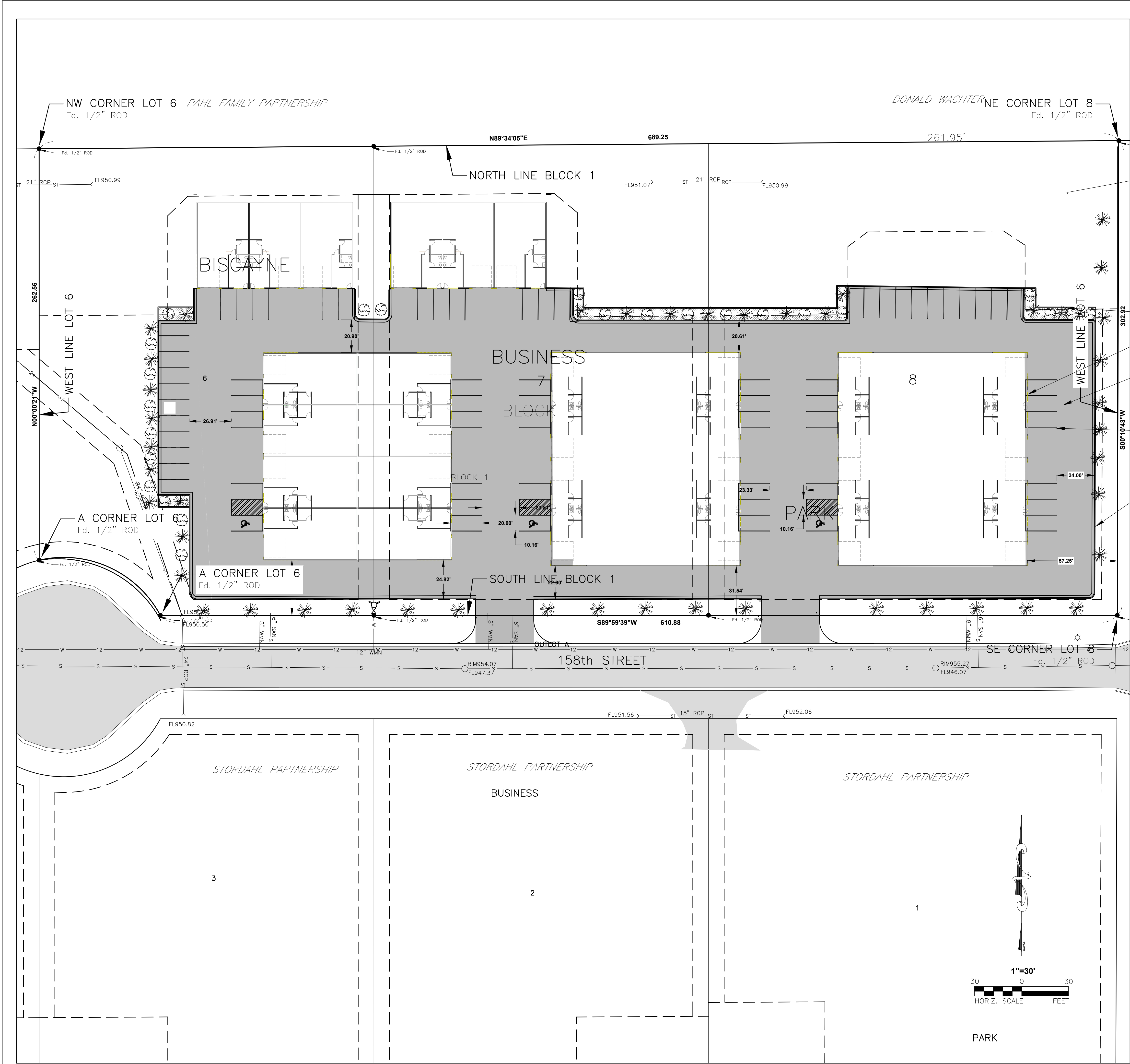
Brian J. Johnson
Lic. No. 42744 Date: 10/22/24

KDP WAREHOUSE

Project:

Revision:

No.:	Date: 10/22/2024
Drawn: bjj	Checked:
Project Manager:	
Project Status:	
Sheet Title: EXISTING/ REMOVAL PLAN	
Sheet No.: C2	



ZONING NOTES

B2 EMPLOYMENT DISTRICT

BUILDING SETBACKS:
FRONT: 30'
SIDE: 10'
REAR: 10'

IMPERVIOUS COVERAGE

LOT AREA (LOTS 6,7,8): 4.70 ACRES
PROPOSED IMPERVIOUS AREA: 2.45 ACRES
WATER QUALITY VOLUME REQUIRED: 8892 CU. FT.
WATER QUALITY VOLUME PROVIDED: SEE
DRAINAGE PLAN/REPORT BY OTHERS

6" WIDE CONCRETE CURB X 12" DEPTH AROUND ALL LANDSCAPE ISLANDS TYP.

SEE BUILDING PLANS BY OTHERS-TYP.

F&I BITUMINOUS PAVEMENT-SEE TYPICAL SECTION

F&I LATEX PAVEMENT STRIPING/MESSAGES

F&I B618 CURB & GUTTER AROUND PERIMETER OF PARKING LOT-SEE DETAIL

PLANT LIST

SYMBOL	QTY	COMMON NAME		SPAC.
TREES				
	23	JAPANESE TREE LILAC	2.5" B.B.	20'
	37	ARBOVITAE, EMERALD GREEN, 3'-4' BB		15'
	9	EXISTING TREES-SEE EXISTING CONDITIONS FOR LOCATION		
SHRUBS				
	75	GLOSSY BLACK CHOKEBERRY/#2 CONT.		
		SEA GREEN JUNIPER 5#		3' O.C.
		HOLMSTRUD ARBOVITAE #10 CONT.		
FLOWERS				
	75	STELLA DE ORO DAYLILLY/	#2 CONT.	2.0' O.C.

LANDSCAPING NOTE

CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES REGARDING LANDSCAPING.

CONTRACTOR SHALL INSTALL WATER SERVICE WITHIN THE PARKING AREA SUFFICIENT TO MEET LOCAL JURISDICTIONAL REQUIREMENTS OR SHALL BE SUFFICIENT TO PROPERLY IRRIGATE THE LANDSCAPING AND GRASS AREAS LOCATED IN THE FRONT YARD AND SIDE YARD(S) ADJACENT TO THE PARKING LOT.

GENERAL CONTRACTOR IS TO CLEAN ENTIRE SITE OF ALL CONSTRUCTION DEBRIS AND RAKE ENTIRE SITE.

CONTRACTOR SHALL APPLY 4" OF LANDSCAPE GRADE TOP SOIL TO AREAS TO BE LANDSCAPED, (INCLUDING ANY ADJACENT EASEMENTS, SPREAD RIGHT-OF-WAY AREAS OR PROPERTY.) PLANT GRASS SEED AND MN/DOT TYPE 1 MULCH OVER ALL SEEDED AREAS.

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ESTABLISH A HEALTHY STAND OF GRASS ON ALL SEEDED AREAS.

IN THE EVENT OF PLANTING BEDS AND MULCH ARE REQUIRED, THE CONTRACTOR SHALL INSTALL BLACK FABRIC MESH UNDER THE MULCH TO PREVENT WEED GROWTH.

CONTRACTOR SHALL BE RESPONSIBLE FOR THE WATERING AND THE MAINTENANCE OF ALL LANDSCAPED AREAS UNTIL FINAL ACCEPTANCE BY THE OWNER.

KDP WAREHOUSE

Project:

Revision:

No.: Date: 10/22/2024

Drawn: bj

Checked:

Project Manager:

Project Status:

Sheet Title:

HARDSCAPE &
LANDSCAPE
PLAN

Sheet No.:

C3

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
Brian Schumacher
PE License No. 42144
Date: 10/22/24

Consultant:
JONES HAUGH SMITH
Engineers & Surveyors
515 South Washington Ave. Albert Lea, MN 55737-3748
Tel: 218-421-4444

KDP WAREHOUSE DEVELOPMENT

ROSEMOUNT, MN

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330 Stadium Road, Suite 202, Mankato, MN 56001
T: 507.385.1158

CONSULTANT

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PROJECT # 24-039RM

DATE 10/18/2024

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SHEET TITLE

TITLE SHEET

SHEET

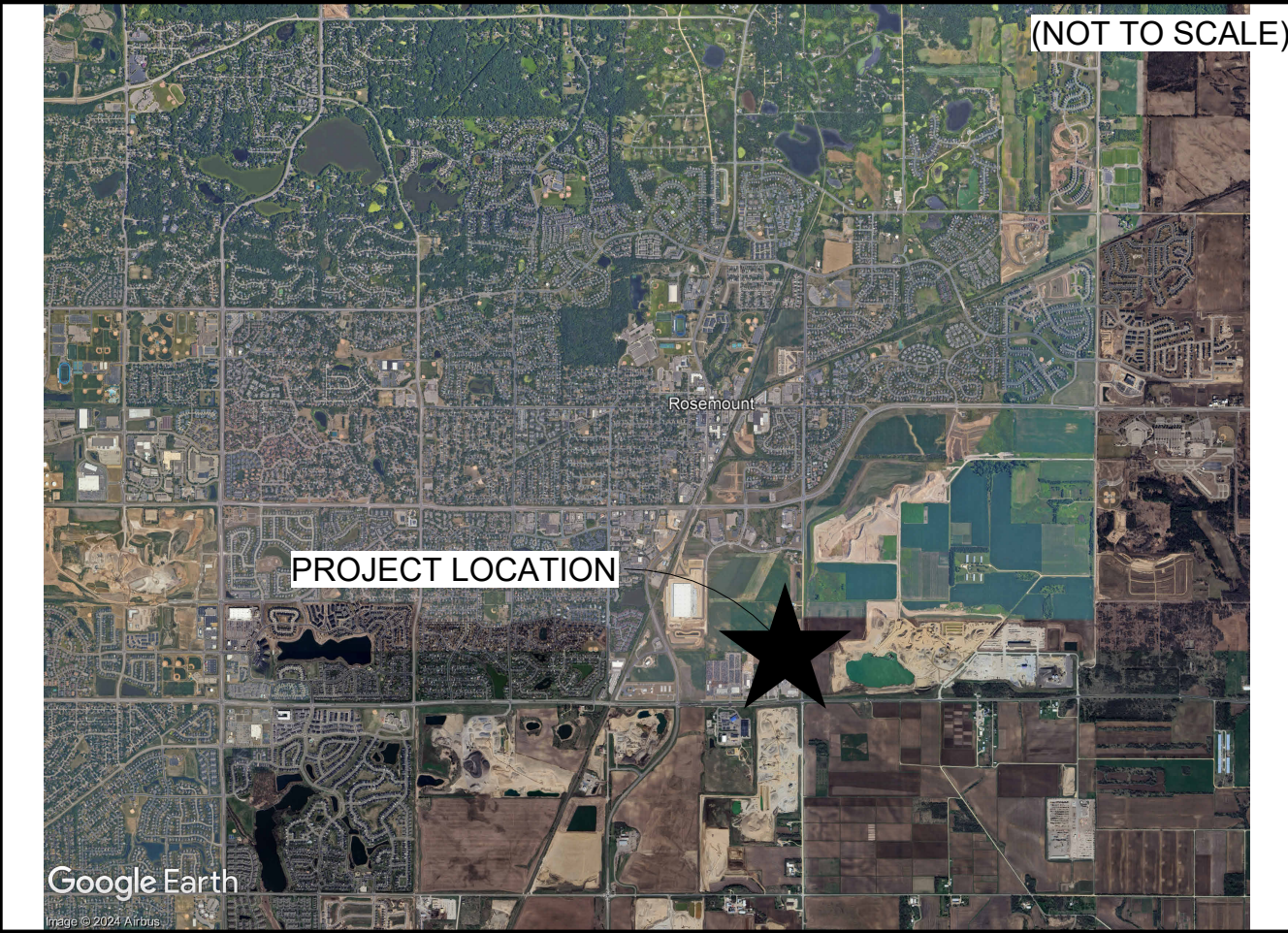
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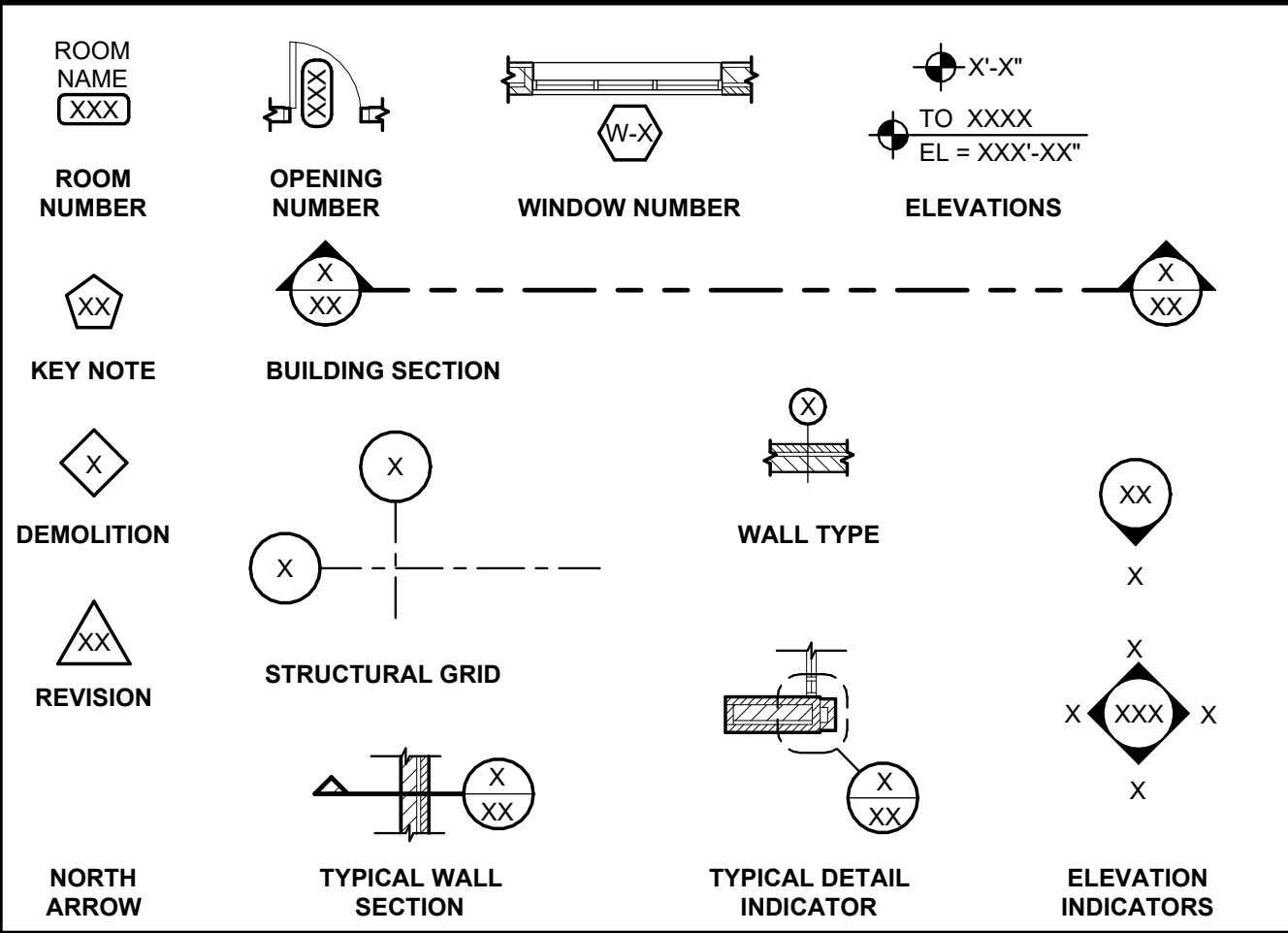
ABBREVIATIONS

AB	ANCHOR BOLT	FLSHG	FLASHING	RAD	RADIATION
AC	ACOUSTIC	FOS	FACE OF STUD(S)	RCP	REFLECTED CEILING PLAN
ACT	ACOUSTICAL CEILING TILE	FP	FIREPROOF(ING)		REINFORCED CONCRETE PIPE
ADJ	ADJUSTABLE	FR	FRAME	RD	ROOF DRAIN
AFF	ABOVE FINISH FLOOR	FRP	FIBERGLASS REINFORCED PANEL	RDWD	REDWOOD
ALT	ALTERNATE			REC	RECESSED
ALUM	ALUMINUM	FTG	FOOTING	REF	REFRIGERATOR
ANCH	ANCHOR	GA	GAUGE	REINF	REINFORCE(ED), REINFORCING
AP	ACCESS PANEL	GALV	GALVANIZED	REQD	REQUIRED
APPROX	APPROXIMATE(LY)	GB	GRAB BAR	REV	REVERSE
ARCH	ARCHITECT	GC	GENERAL CONTRACTOR	RFG	ROOFING
AWC	ACOUSTICAL WALL COVERING	GEN	GENERAL	RFM	RECESSED FLOOR MAT
BC	BOTTOM OF CURB	GI	GALVANIZED IRON	RH	ROBE HOOK
BCS	BABY CHANGING STATION	GL	GLASS, GLAZED	RI	RIGID INSULATION
BD	BOARD	GMU	GLAZED MASONRY UNIT	RL	RAIN LEADER
BF	BOTH FACES	GR	GRILLE	RO	ROUGH OPENING
BIT	BITUMINOUS	GYP	GYP SUM	RT	RUBBER TREADS
BL	BRICK	GYP BD	GYP SUM BOARD	S	SINK
BLD	BORROWED LITE	HB	HOSE BIB	SB	SOIL BORING
BLDG	BUILDING	HC	HOLLOW CORE	SC	SOLID CORE, SEALED CONCRETE
BLK	BLOCK	HD	HEAD	SCHED	SCHEDULE
BLKG	BLOCKING	HDR	HEADER	SD	SEE DETAIL: SOAP DISPENSER
BM	BEAM, BENCH MARK	HDW	HARDWARE	SECT	SECTION
BO	BY OTHERS, BY OWNER	HM	HOLLOW METAL	SF	SQUARE FOOT
BOT	BOTTOM	HORIZ	HORIZONTAL	SGT	STRUCTURAL GLAZED TILE
BRDG	BRIDGING	HR	HOUR	SHT	SHEET
BRG	BEARING	HT	HEIGHT	SIM	SIMILAR
BRKT	BRACKET	HW	HOT WATER	SM	SMOOTH
BS	BACKSET	ID	INSIDE DIAMETER, INSIDE DIMENSION	SND	SANITARY NAPKIN DISPENSER
BSMT	BASEMENT	INSUL	INSULATION	SPEC	SPECIFICATIONS
BUR	BUILT-UP ROOF(ING)	INT	INTERIOR	SPK	SPEAKER
CAB	CABINET	JAN	JANITOR	SQ	SQUARE
CB	CATCH BASIN, CHART BOX	JST	JOIST	SS	STAINLESS STEEL, SOLID SURFACE
CER	CERAMIC	JD	KNOCKED DOWN	ST	STREET, STORM WATER
CG	CORNER GUARD	LAM	LAMINATED	STAG	STAGGERED
CJ	CAST IRON	LAV	LAVATORY	STD	STANDARD
CL	CEILING	LB	POUND (WEIGHT)	STL	STEEL
CLO	CLOSET	LLV	LONG LEG VERTICAL	STOR	STORAGE
CLR	CLEAR	LONG	LONGITUDINAL	STRUCT	STRUCTURAL
CMU	CONCRETE MASONRY UNIT	LSJ	LONG SPAN JOIST	SUSP	SUSPENDING
CO	CLEAN OUT	LT	LIGHT	SV	SHEET VINYL
COL	COLUMN	LWC	LIGHT WEIGHT CONCRETE	SW	SLAT WALL
COMP	COMPOSITION	MAT	MATERIAL	SYM	SYMMETRICAL
CONC	CONCRETE	MAS	MASONRY	T	TONGUE & GROOVE
COND	CONDUCTOR, CONDUIT	MAT	MATERIAL	T&G	TONGUE & GROOVE
CONST	CONSTRUCTION	MC	MECHANICAL CONTRACTOR	TD	TRENCH DRAIN
CONT	CONTINUOUS	MECH	MECHANICAL	TEMP	TEMPORARY, TEMPERED
CONTR	CONTRACTOR	MEMB	MEMBRANE	TERR	TERRAZZO
CONV	CONVECTOR	MET	METAL	THK	THICK(NESS)
CORR	CORRIDOR	MEZZ	MEZZANINE	THRESH	THRESHOLD
CRS	COURSE	MFG	MANUFACTURER	TO	TOP OF
CSK	COUNTERSINK	MGR	MANAGER	TOB	TOP OF BEAM
CT	CERAMIC TILE	MH	MANHOLE	TOD	TOP OF DECK
CTR	CENTER	MIN	MINIMUM	TOF	TOP OF FOOTING
CUH	CABINET UNIT HEATER	MISC	MISCELLANEOUS	TOJ	TOP OF JOIST
CWT	CERAMIC WALL TILE	ML	METAL LATH	TOS	TOP OF STEEL
DBL	DOUBLE	MO	MASONRY OPENING	TP	TOP OF PAVEMENT
DEMO	DEMOLITION	ND	NAPKIN DISPOSAL	TPH	TOILET PAPER HOLDER
DET	DETAIL	NIC	NOT IN CONTRACT	TR	TRASH RECEPTACLE
DF	DRINKING FOUNTAIN	NOM	NOMINAL	TRANS	TRANSVERSE
DIA	DIAMETER	OAL	OVERALL LENGTH	TYP	TYPICAL
DIM	DIMENSION	OBS	OBSCURE	UH	UNIT HEATER
DN	DOWN	OC	ON CENTER	UNEX	UNEXCAVATED
DR	DOOR	OD	OUTSIDE DIAMETER, OUTSIDE DIMENSION	UNFIN	UNFINISHED
DS	DOWNSPOUT	OFCI	OWNER FURNISHED/ CONTRACTOR INSTALLED	UNOT	UNLESS OTHERWISE NOTED
DW	DISH WASHER	OFOI	OWNER FURNISHED/ OWNER INSTALLED	UR	URINAL
DWG	DRAWING	OH	OVERHEAD	UV	UNIT VENTILATOR
DWL	DOWEL	OPP	OPPOSITE	VB	VINYL BASE
EA	EACH	OZ	OUNCE	VCT	VINYL COMPOSITION TILE
EC	ELECTRICAL CONTRACTOR	PAR	PARALLEL	VERT	VERTICAL
EF	EXHAUST FAN	PART	PARTITION	VFY	VERIFY
EHD	ELECTRIC HAND DRYER	PC	PARTICLE BOARD	VOL	VOLUME
EIFS	EXTERIOR INSULATION AND FINISH SYSTEM	PERIM	PERIMETER	VWC	VINYL WALL COVERING
EJ	EXPANSION JOINT	PERP	PERPENDICULAR	W	WIDTH
EL	ELEVATION	PL	PLATE	WI	WITH
ELEC	ELECTRICAL	PLAM	PLASTIC LAMINATE	W/O	WITHOUT
ELEV	ELEVATOR	PLAS	PLASTER	WC	WATERCLOSET
ENCL	ENCLOSURE	PLBG	PLUMBING	WD	WOOD
EP	ELECTRICAL PANEL	PLWD	PLYWOOD	WDB	WOOD BASE
EQ	EQUAL	POL	POLISHED	WDF	WOOD FLOORING
EQUIP	EQUIPMENT	PP	POLISHED PLATE	WDSC	WOOD SOLID CORE
EW	EACH WAY	PR	PAIR	WDW	WINDOW
EWIC	ELECTRIC WATER COOLER	PREFAB	PREFABRICATED	WH	WALL HYDRANT
EXC	EXCAVATE	PREFIN	PREFINISHED	WI	WROUGHT IRON
EXIST	EXISTING	PS	PROJECTION SCREEN	WP	WATERPROOF(ING)
EXP	EXPANSION, EXPOSED STRUCTURE	PSF	POUNDS PER SQUARE FEET	WR	WATER RESISTANT
EXT	EXTERIOR	PSI	POUNDS PER SQUARE INCH	WS	WEATHERSTRIPPING
FA	FRESH AIR	PT	PORCELAIN TILE	WSCT	WANSOT
FC	FIRE CODE	PTD	PAPER TOWEL DISPENSER	WWM	WELDED WIRE MESH
FD	FLOOR DRAIN	QT	QUARRY TILE		
FDN	FOUNDATION	R	RISER, RADIUS		
FE	FIRE EXTINGUISHER	RW	REINFORCED WITH		
FEC	FIRE EXTINGUISHER CABINET				
FF	FINISHED FLOOR				
FIN	FINISH				
FLEX	FLEXIBLE				
FLR	FLOOR				

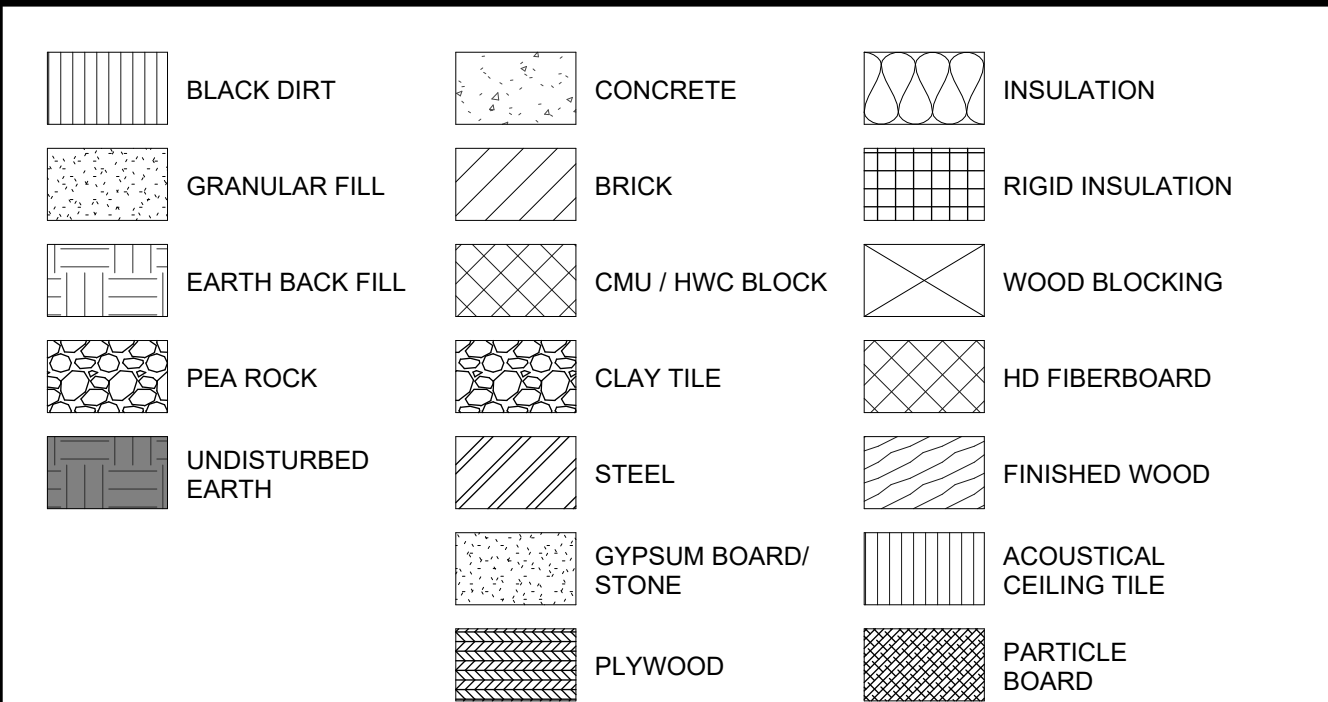
VICINITY MAP



SYMBOL ANNOTATION



MATERIAL GRAPHICS



Oleson + Hobbie Architects, LLC.

Architect

330 Stadium Road, Suite 202
Mankato, MN 56001
T: 507.385.1158

www.oharchitects.com

JONES HAUGH SMITH
112 East Oakland Avenue
Austin, MN 55912
T: 507.373.4876
www.jhseng.com

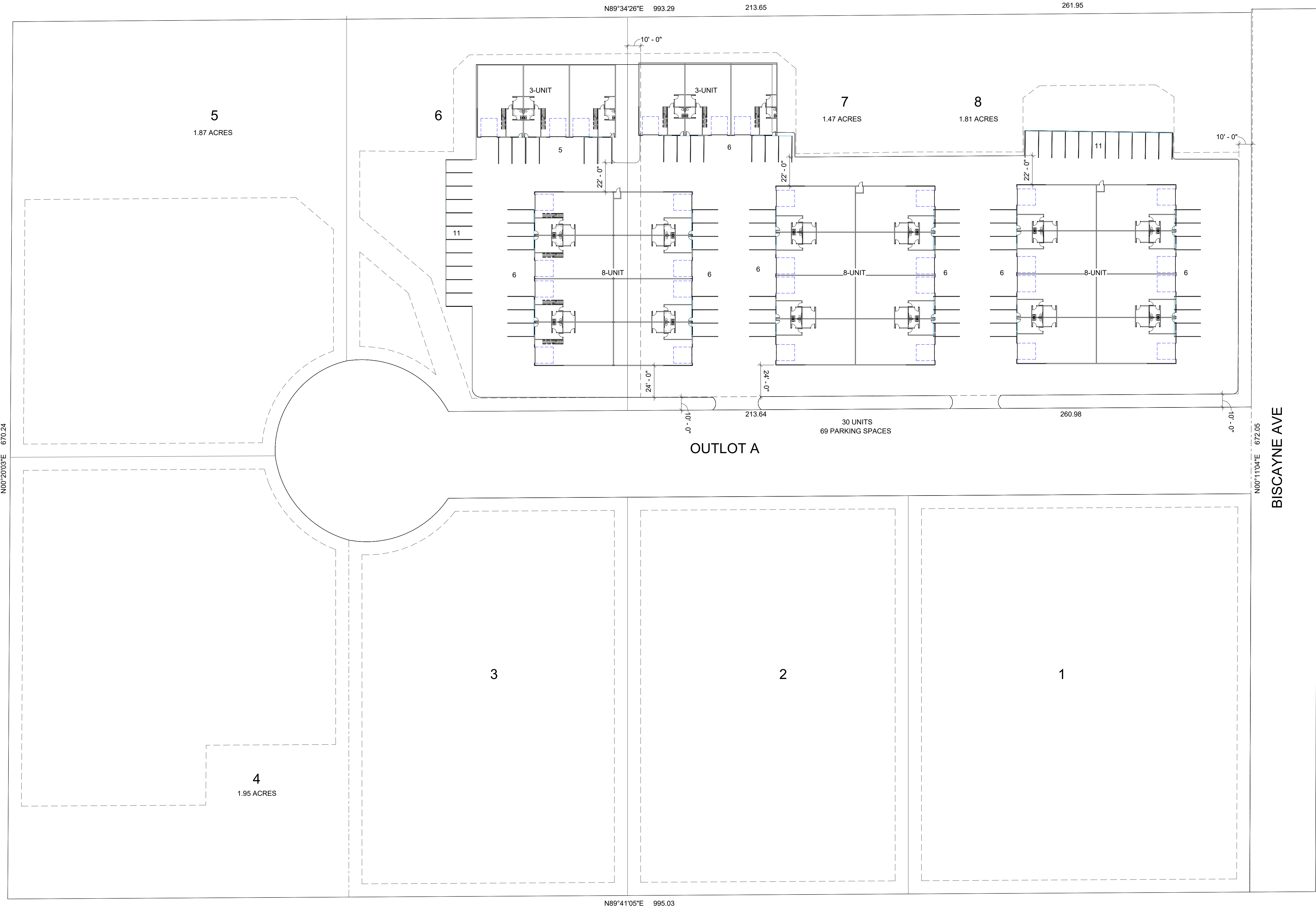
Civil Engineer

RISE STRUCTURAL
6909 S Lyncrest Place
Suite 110
Sioux Falls, SD 57108
T: 605.743.2510
www.riseincorp.com

Structural Engineer

COMPANY NAME
Address
City, ST, Zip
T: Phone Number
F: Fax Number
website

Consultant



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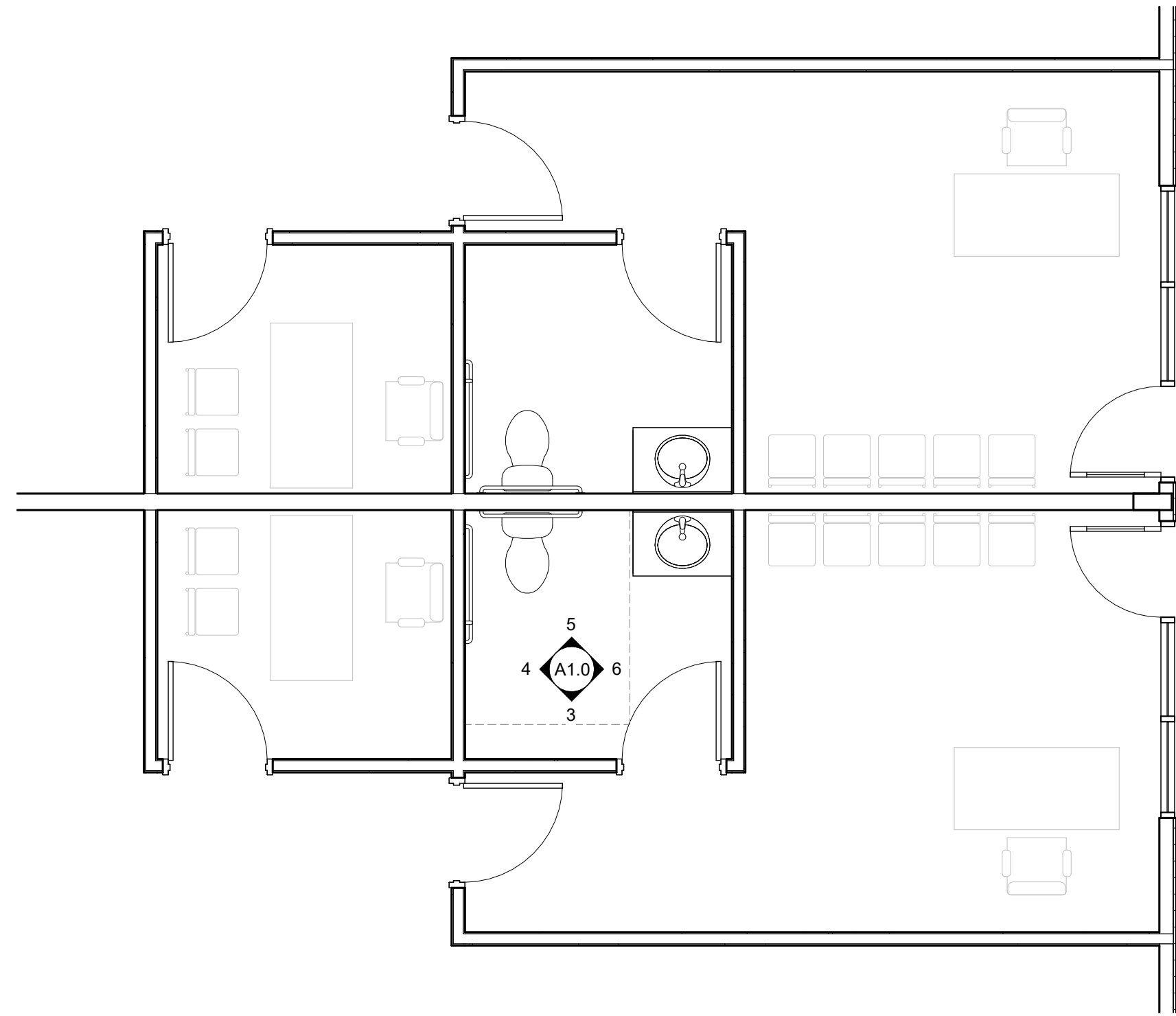
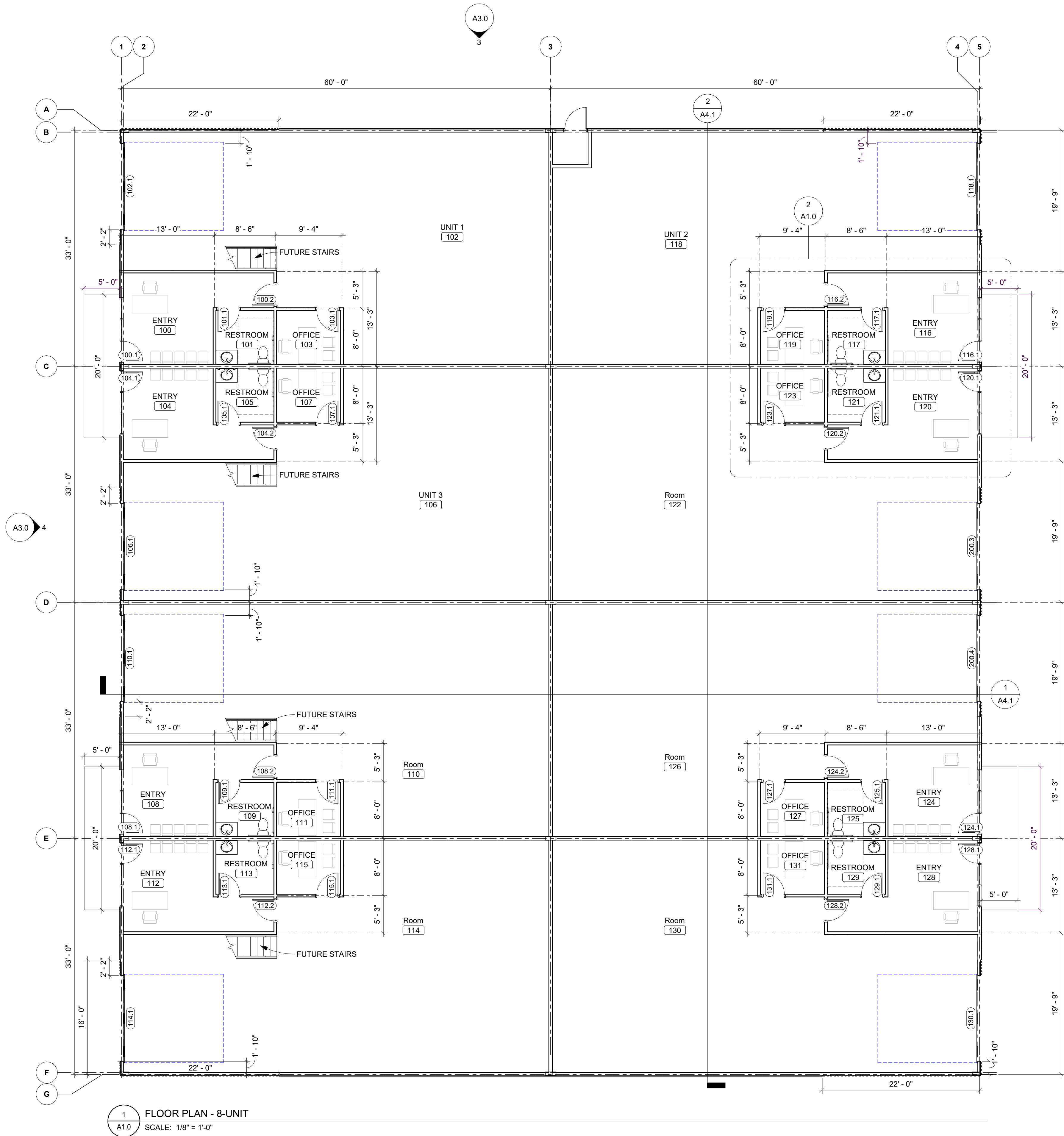
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ARCHITECTURAL
SITE PLAN

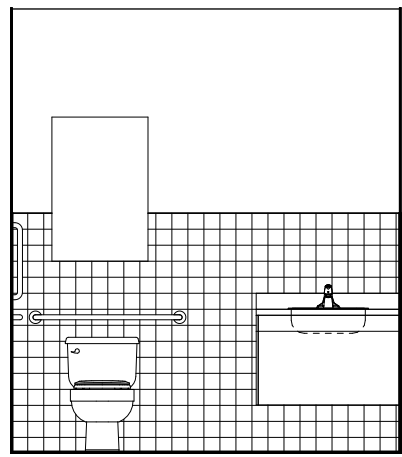
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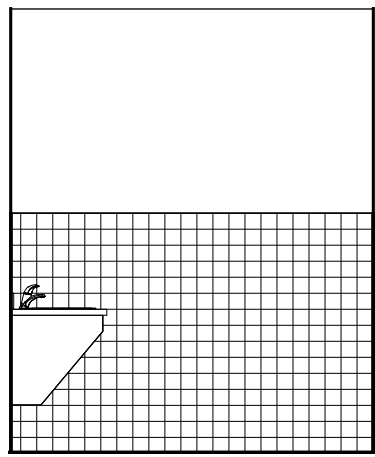
NORTH



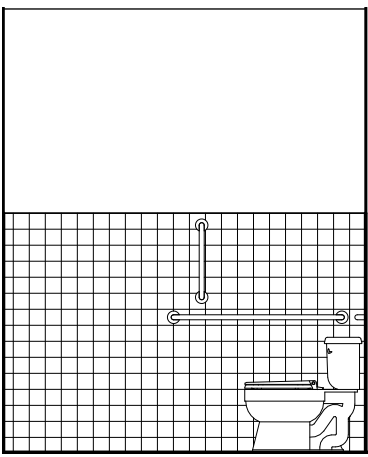
2 01 Floor Plan - Callout 1
SCALE: 1/4" = 1'-0"



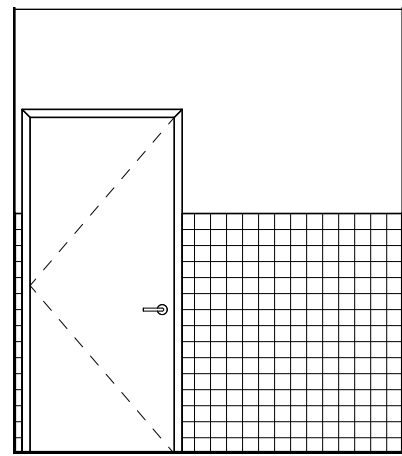
5 RESTROOM - NORTH ELEV
SCALE: 1/4" = 1'-0"



6 RESTROOM - EAST ELEV
SCALE: 1/4" = 1'-0"



4 RESTROOM - SOUTH ELEV
SCALE: 1/4" = 1'-0"



3 RESTROOM - WEST ELEV
SCALE: 1/4" = 1'-0"

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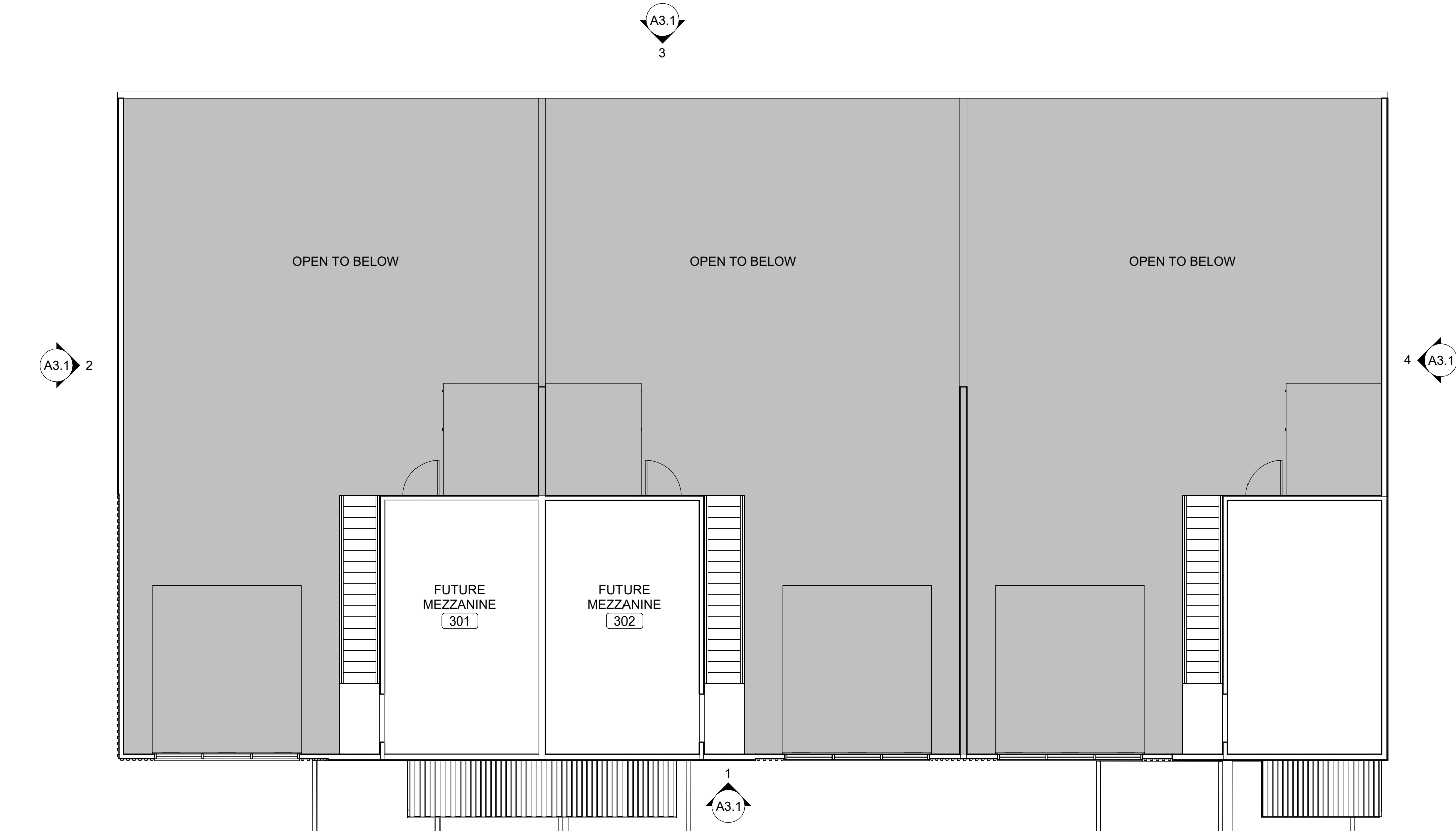
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FLOOR PLAN -
8-UNIT

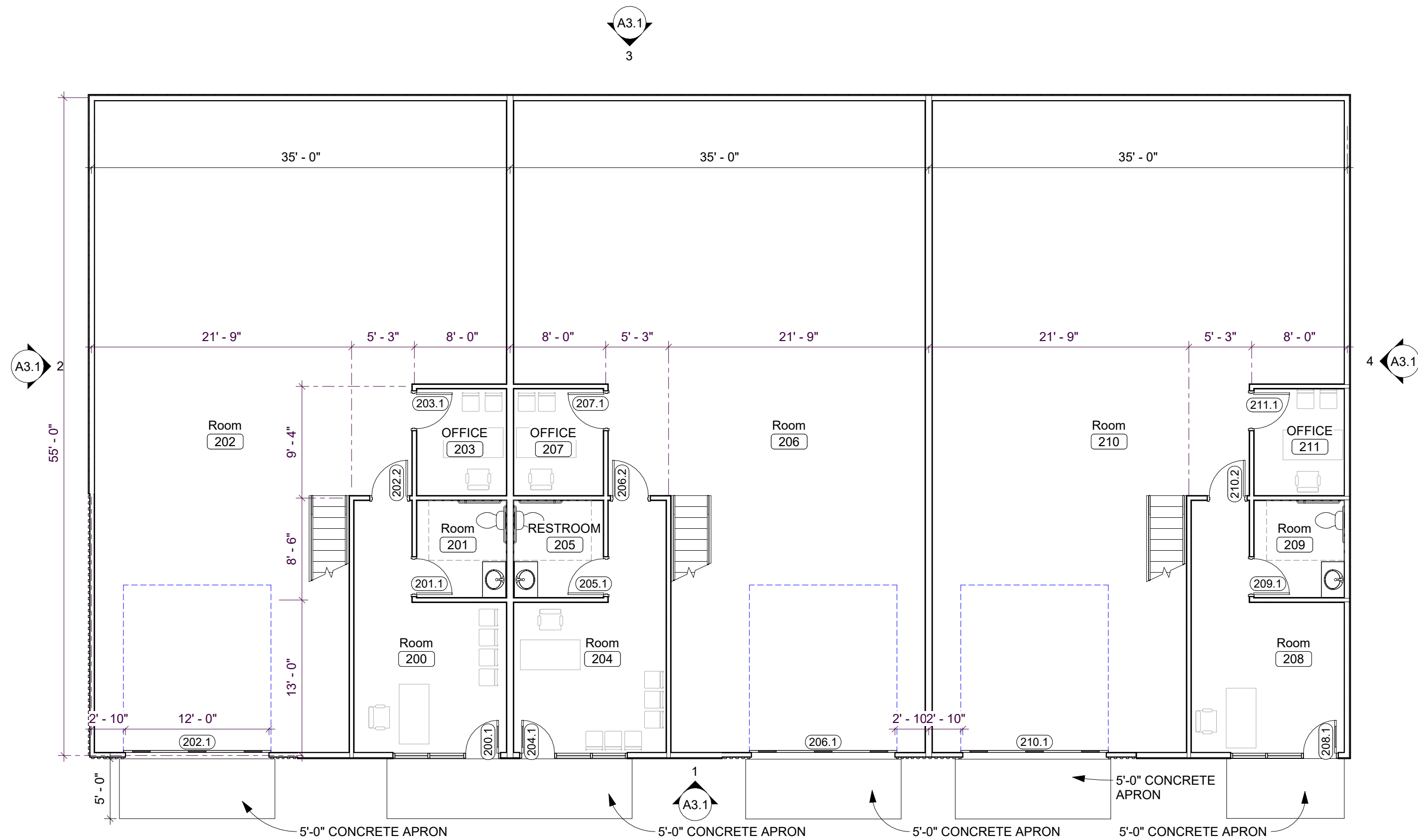
SHEET

A1.0





2 FLOOR PLAN - SECOND LEVEL
SCALE: 1/8" = 1'-0"



1 FLOOR PLAN - 3-UNIT
SCALE: 1/8" = 1'-0"

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SHEET TITLE
**FLOOR PLAN -
3-UNIT**

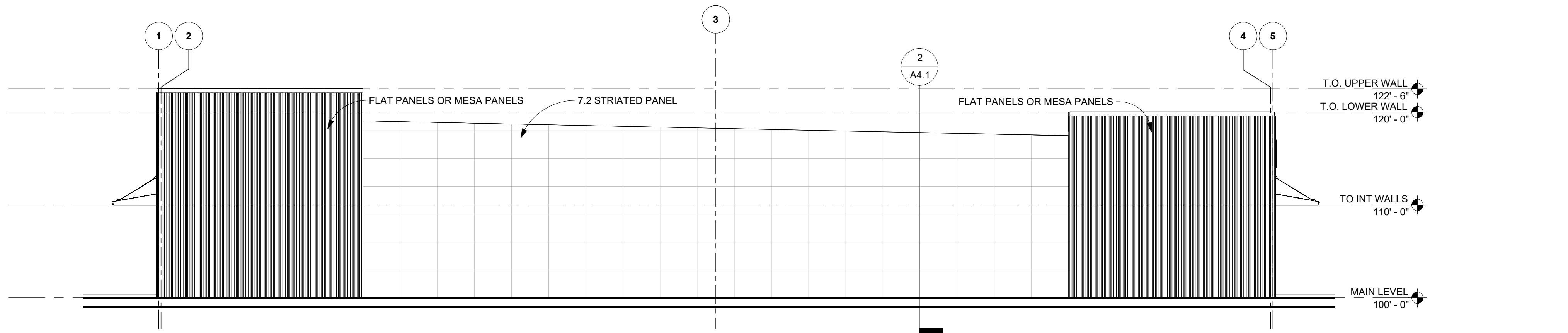
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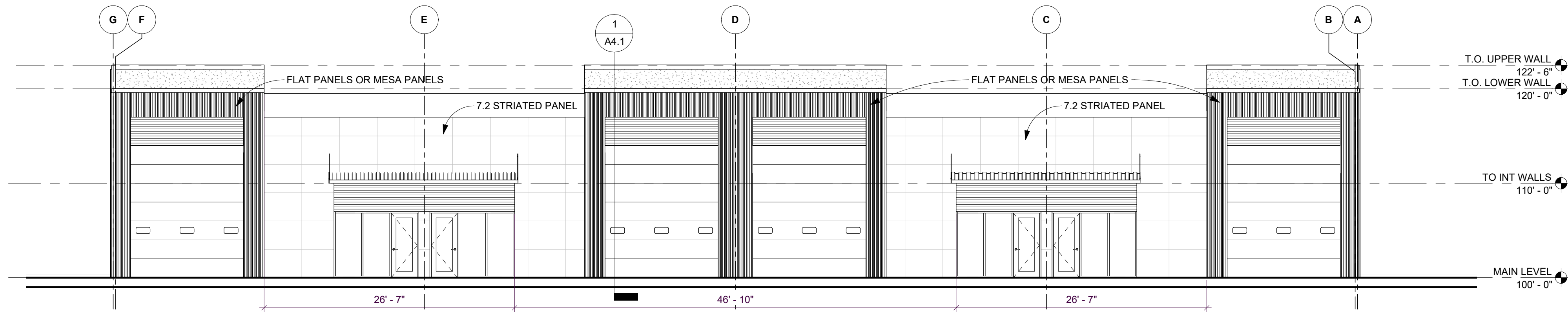


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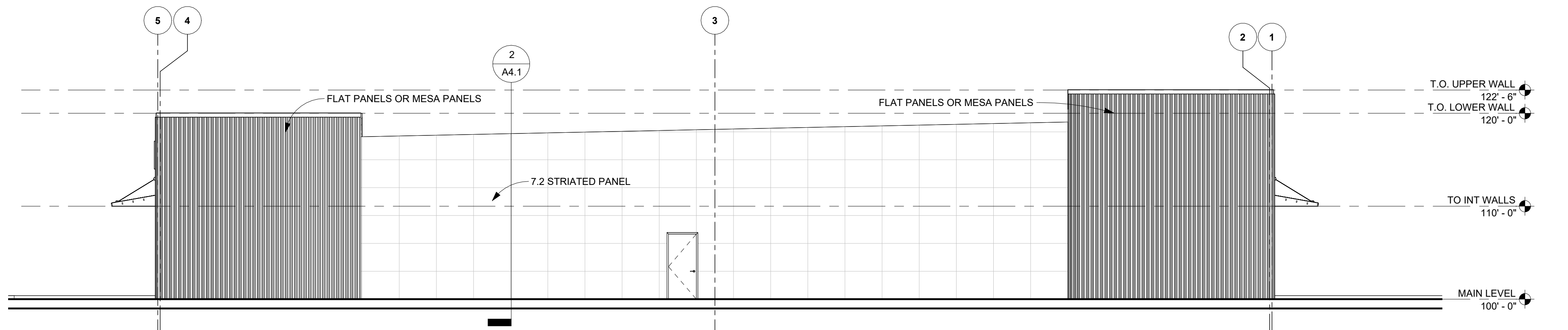
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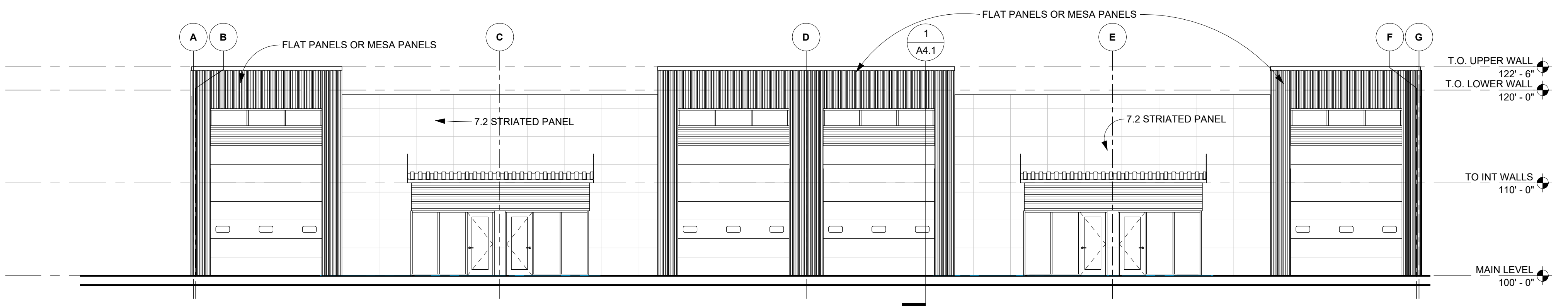
1 SOUTH ELEVATION 8-UNIT
A3.0 SCALE: 1/8" = 1'-0"



2 EAST ELEVATION - 8-UNIT
A3.0 SCALE: 1/8" = 1'-0"

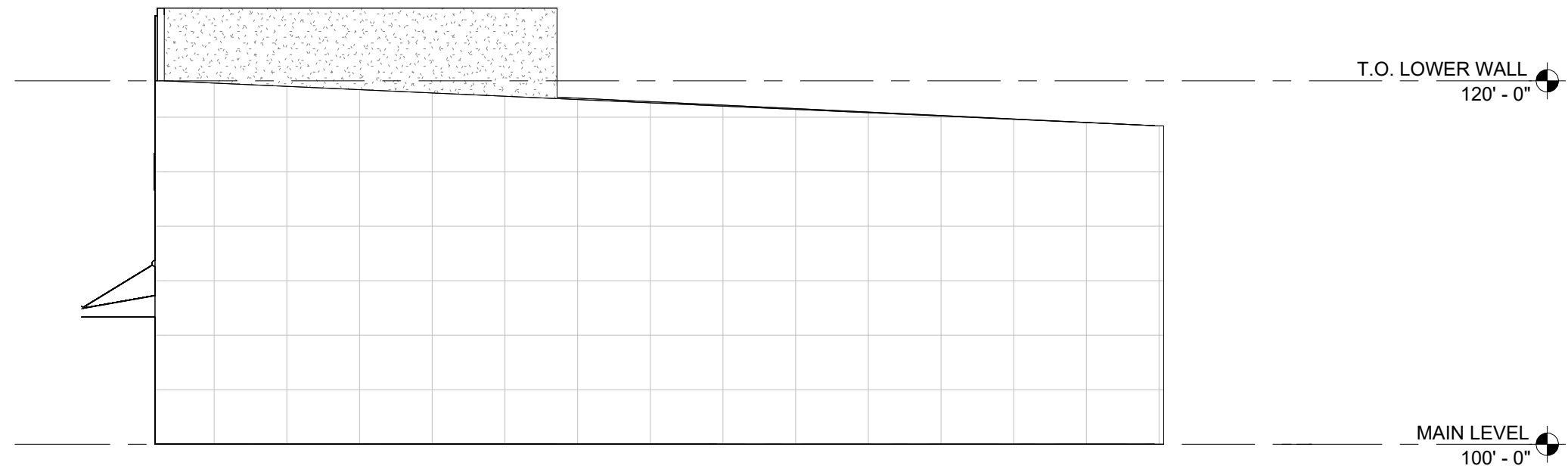


3 NORTH ELEVATION - 8-UNIT
A3.0 SCALE: 1/8" = 1'-0"

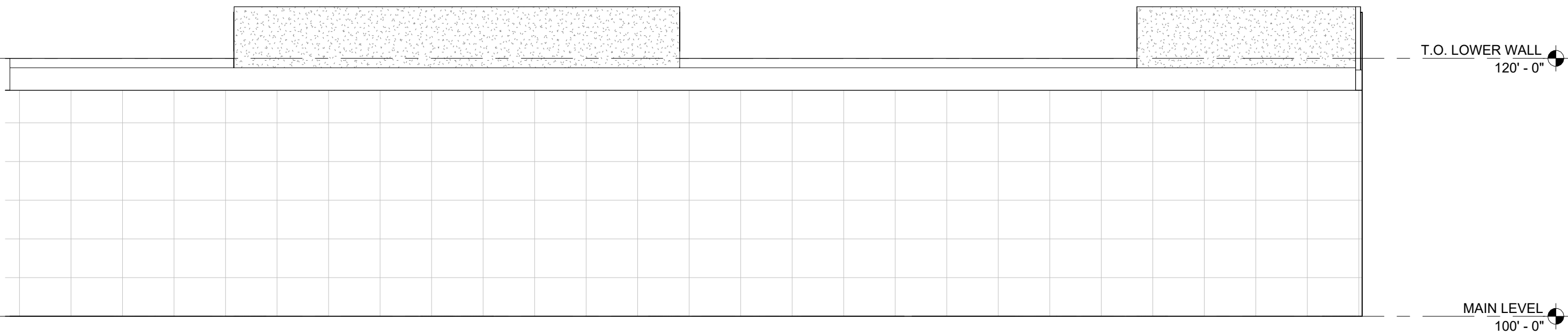


4 WEST ELEVATION - 8-UNIT
A3.0 SCALE: 1/8" = 1'-0"

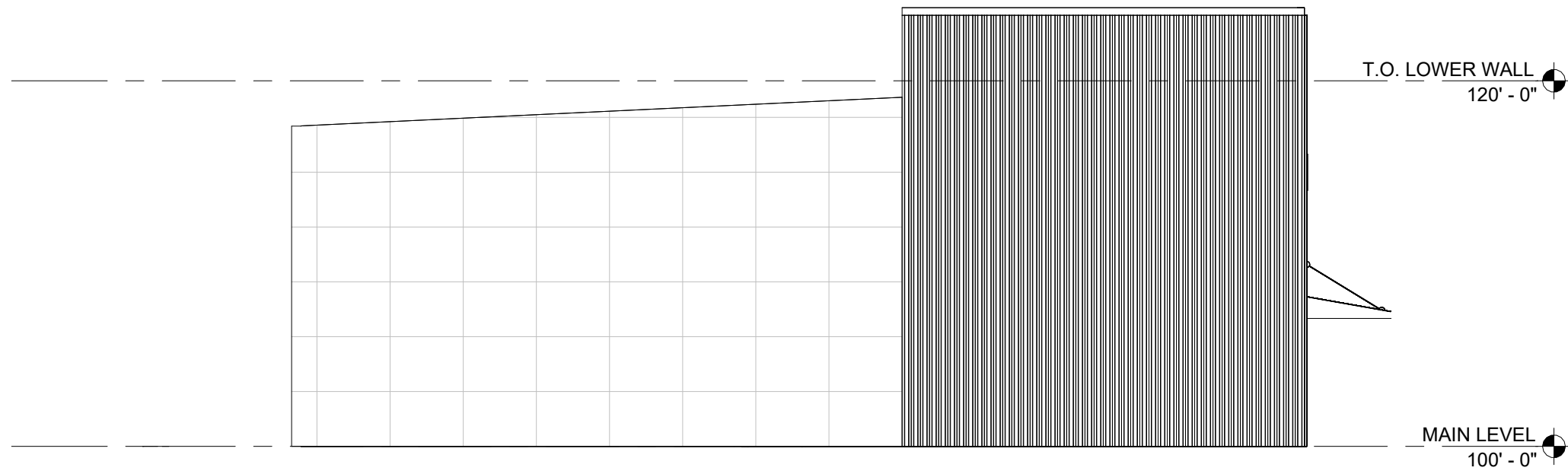
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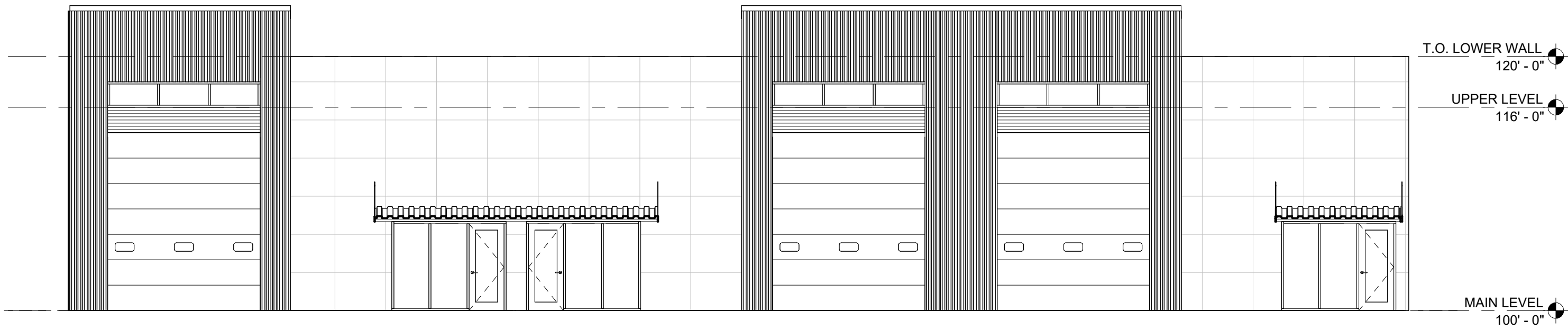
4 EAST ELEVATION - 3-UNIT
A3.1 SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION - 3-UNIT
A3.1 SCALE: 1/8" = 1'-0"



2 WEST ELEVATION - 3-UNIT
A3.1 SCALE: 1/8" = 1'-0"



1 SOUTH ELEVATION - 3-UNIT
A3.1 SCALE: 1/8" = 1'-0"

GENERAL NOTES

1. XXX
2. XXX
3. XXX
4. XXX

EXTERIOR FINISH LEGEND

MARK	MFR	MODEL	COLOR	COMMENTS
BRICK				
BR-1				
BR-2				
ENGINEERED WOOD				
EW-1				
EW-2				
PAINT				
PNT-1				
PNT-2				
PRECAST				
PC-1				
PC-2				
PREFINISHED METAL				
MTL-1				
MTL-2				
ROOFING				
RF-1				
RF-2				
RF-3				
SIDING				
S-1				
S-2				
STONE				
STN-1				
STN-2				
WOOD				
WD-1				
WD-2				

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T: 507.385.1158

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SHEET TITLE

EXTERIOR
ELEVATIONS -
3-UNIT

SHEET

A3.1

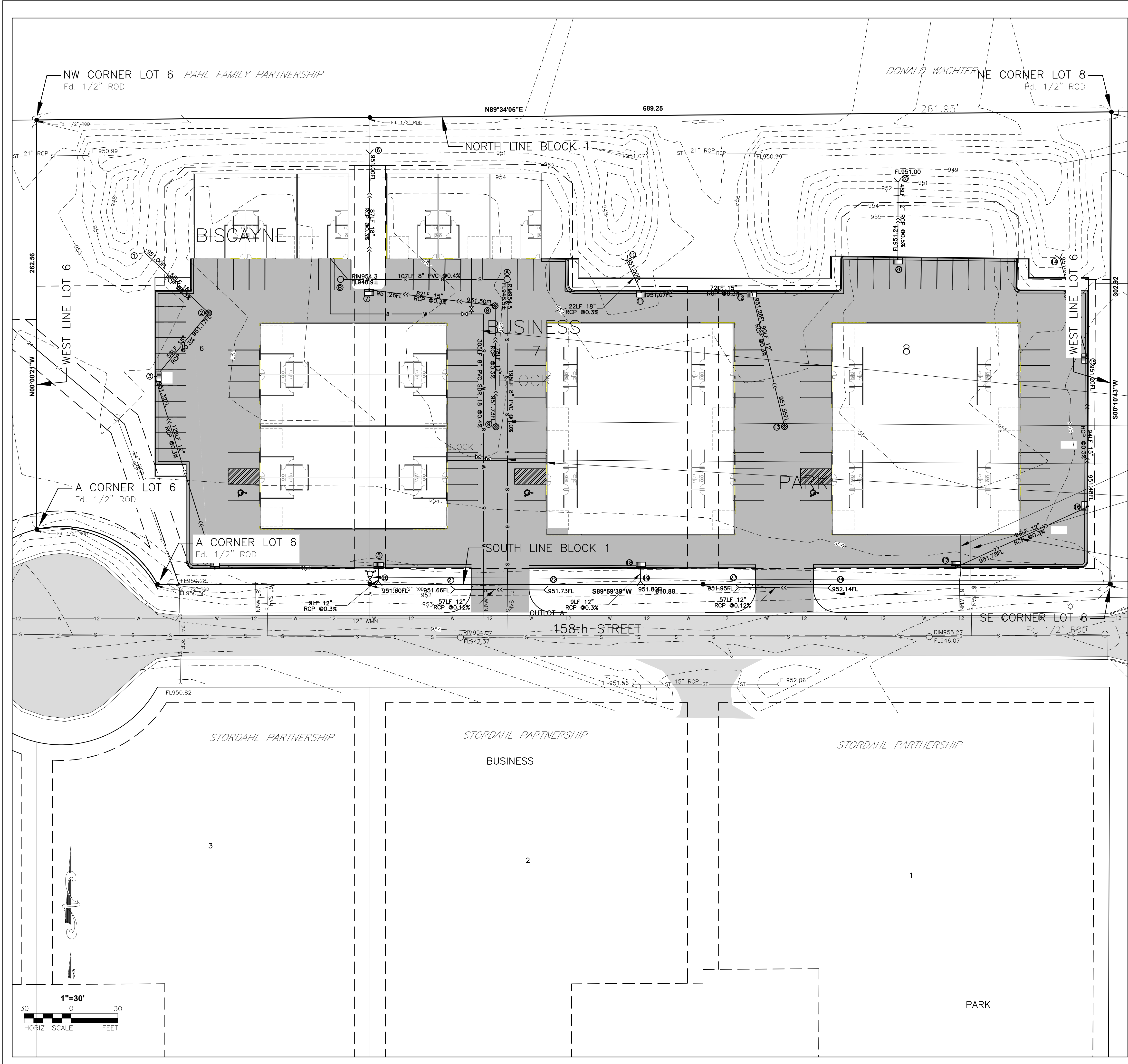












STORM SEWER STRUCTURE SCHEDULE						
NO.	RIM EL.	INVERT EL.	HEIGHT	CASTING	DESIGN	REMARKS
1	—	951.00	—	—	—	F&I 18" RCP APRON & TRASH GUARD
2	953.85	951.17	3.68	R2573	48-4020	F&I 1' SUMP AT ELEV. 950.17
3	953.50	951.32	3.18	R3067	48-4022	F&I 1' SUMP AT ELEV. 950.32
4	953.75	951.71	3.04	R3067	2X3	F&I 1' SUMP AT ELEV. 950.71
5	953.75	951.62	3.13	R3067	2X3	F&I 1' SUMP AT ELEV. 950.62
6	—	951.00	—	—	—	F&I 18" RCP APRON & TRASH GUARD
7	953.75	951.26	3.49	R3067	2X3	F&I 1' SUMP AT ELEV. 950.26
8	954.00	951.50	3.50	R2573	48-4020	F&I 1' SUMP AT ELEV. 950.50
9	953.74	951.73	3.01	R2573	G	F&I 1' SUMP AT ELEV. 950.73
10	—	951.00	—	—	—	F&I 18" RCP APRON & TRASH GUARD
11	954.00	951.07	3.93	R3067	48-4022	F&I 1' SUMP AT ELEV. 950.07
12	954.00	951.28	3.72	R3067	48-4022	F&I 1' SUMP AT ELEV. 950.28
13	953.75	951.55	3.20	R2573	G	F&I 1' SUMP AT ELEV. 950.55
14	—	951.00	—	—	—	F&I 18" RCP APRON & TRASH GUARD
15	953.75	951.20	3.55	R3067	48-4022	F&I 1' SUMP AT ELEV. 950.20
16	953.75	951.48	3.27	R3067	2X3	F&I 1' SUMP AT ELEV. 950.48
17	954.00	951.78	3.22	R3067	2X3	F&I 1' SUMP AT ELEV. 950.78
18	954.00	951.82	3.18	R3067	2X3	F&I 1' SUMP AT ELEV. 950.82
19	—	951.80	—	—	—	F&I 12" RCP APRON & TRASH GUARD
20	—	951.60	—	—	—	F&I 12" RCP APRON & TRASH GUARD
21	—	951.66	—	—	—	F&I 12" RCP APRON & TRASH GUARD
22	—	951.73	—	—	—	F&I 12" RCP APRON & TRASH GUARD
23	—	951.95	—	—	—	F&I 12" RCP APRON & TRASH GUARD
24	—	952.14	—	—	—	F&I 12" RCP APRON & TRASH GUARD
25	—	951.00	—	—	—	F&I 12" RCP APRON & TRASH GUARD
26	953.20	951.24	2.96	R3067	2X3	F&I 1' SUMP AT ELEV. 950.24

- ALL OUTLET APRONS TO HAVE CL. III RIPAP PER DETAIL INSTALLED WITHIN 24 HOURS OF CONNECTION
- F&I 8" PVC SDR 18 WATERMAIN AS SHOWN—F&I CONCRETE BLOCKING AT ALL BENDS
- F&I 8" PVC SDR 35 SEWER W. MANHOLES AS SHOWN. SEE STRUCTURE SCHEDULE
- F&I 6" PVC SDR 18 WATER SERVICE TO EACH BUILDING W/ 6" GATE VALVE TYP.
- F&I 6" SCHED. 40 PVC SANITARY SEWER SERVICE TO EACH BUILDING TYP. SEE MECHANICAL FOR ROUTING
- F&I STORM SEWER & STRUCTURES AS SHOWN. SEE STRUCTURE SCHEDULE
- RELOCATE EXISTING HYDRANT & VALVE 8' SOUTH
- F&I (2) DRIVEWAY CULVERTS AS SHOWN

SANITARY SEWER STRUCTURE SCHEDULE						
NO.	RIM EL.	INVERT EL.	HEIGHT	CASTING	DESIGN	REMARKS
A	954.50	948.5±	4.8	R1772	4007C	
B	954.30	948.9±	3.6	R1772	4007C	

- PLUMBING SPECIFICATIONS**
- All plumbing shall be installed in accordance with the Minnesota Plumbing Code (see Minnesota Rules, Chapter 4714).
 - The water distribution system shall be disinfected per City of St. Peter Public Works.
 - PVC sanitary sewers will meet one of the following ASTM Standards: D3034, F789, D2665, or F891. ASTM D2241 pipe may be used for sewers 6 inch and larger. The installation will comply with ASTM D2321, which requires installation by open trench on a continuous granular bed.
 - PVC solvent weld joints will include a primer of contrasting color to the pipe and cement.
 - RCP storm sewers must comply with ASTM C76.
 - All joints and connections in the storm sewer system shall be gastight or watertight. Approved resilient rubber joints must be used to make watertight connections to manholes, catchbasins, and other structures. Cement mortar joints are permitted only for repairs and connections of existing lines constructed with such joints.
 - Polyethylene (PE) water services must meet ASTM D2239 or D2737 installed per ASTM D2774. Joints must use approved insert fittings with metal clamps. No more than two feet may be exposed within the building.
 - The bottom of the water service pipe located within ten feet of the sewer crossing must be at least 18 inches above the top of the sewer. When this is not feasible, the sewer pipe must be constructed of materials listed in the Minnesota Rules. The water service should not contain any joints or connections within 10 feet of the crossing. See City Standard Plate 6005.
 - All portions of the storm sewer system located within 10 feet of the building or water service line must be tested in accordance with Minnesota Rules.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

BRITTON SCHWAB
Brifton J. Johnson
Lic. No. 42744 Date: 10/22/24

JONES HAUGH SMITH
Engineers + Surveyors
515 South Washington Ave. Albert Lea, MN 56007-3734 507-373-4876

KDP WAREHOUSE

Project: _____

Revision: _____

No.: _____ Date: **10/22/2024**

Drawn: **bjj** Checked: _____

Project Manager: _____

Project Status: _____

Sheet Title: **UTILITY PLAN**

Sheet No.: **C4**

Memorandum

To: Brian Erickson, City Engineer
Nick Egger, Director of Public Works

From: Amanda Sachi, PE
Bill Alms, PE
Emma Rae Roberts, EIT
Kris Keller, PE

Date: November 18, 2024

Re: KDP Warehouse
Engineering Review
WSB Project No. 027246-000

We reviewed the documents provided by Jones Haugh Smith Engineers + Surveyors on October 29, 2024. Documents reviewed include:

- KDP Warehouse - Civil Plans – prepared by Jones Haugh Smith, dated 10/22/24

Additional redline comments are provided on the submitted civil plans. Applicant should provide responses to each comment and redline comment. We offer the following comments below.

Engineering Review:

- General
 - The project consists of the construction of a 30-unit warehouse facility on a 4.7-acre site as part of combining Lots 6-8 Block 1 of the Biscayne Business Park.
 - The site is located north of 158th Street and west of Biscayne Avenue.
 - Provide copies all required permits to City.
- Existing Conditions/Removal Plan
 - Verify with Public Works whether the existing service serving Lot 6 Block 1 would need to be removed or abandoned.
 - Show salvaging the existing hydrant assembly (w/ gate valve) and removing an additional length of hydrant lead pipe.
 - Show installing salvaged hydrant assembly on Utility Plan
- Hardscape and Landscape Plan
 - Provide turning movements for all expected vehicles including emergency, garbage, and delivery vehicles (note impact of vehicles parked at loading bay doors on potential access)
 - Provide garbage enclosure location and access
 - Fire Official to review emergency access
 - Parking in front of the large doors for each end unit will need to be restricted so that clear turning movements will be maintained
 - Install commercial entrance per current City Standard Detail Plates

- i. Provide radii for turning at entrance
 - ii. Provide transitions (beaver tails) for any curb terminations
- c. Verify minimum drive lane requirements are being met between and around buildings
- d. Verify whether all drive lanes are bi-directional or whether some segments are one way
 - i. Provide signage and/or pavement markings as necessary
 - ii. Consider curb/barrier between building and driving lanes (typ.)
- e. Label typical parking spaces
 - i. Verify whether all spaces are 10'x20'
- f. Provide wheel stops or barrier between parking spaces and building (typ.)
- g. Parking spaces shown in front of entry doors (typ.)
- h. Verify need for minimum walking area in front of access doors (typ.)

4. Utility Plan

- a. Fire official to review fire coverage and emergency access
 - i. Show all existing and proposed hydrants.
 - ii. Demonstrate that the requirements of MSFC Appendix C – Fire Hydrant Locations and Distribution are being met
- b. Provide top and bottom of pipe elevations at utility crossings
 - i. Maintain minimum 18" separation between water and sewer
 - ii. Insulate if separation between storm sewer and water is less than 36"
- c. Show all existing gate valves on service stubs and adjacent watermain.
- d. Label watermain and water service material type as PVC C900 SDR 18
 - i. Provide proposed pipe lengths
 - ii. Label all fittings
- e. Call out connection to existing 8" PVC C900 water stub with 8" to 6" reducer
 - i. Provide length of 6" PVC C900 installed from connection to building
 - ii. Verify with Fire Official based on building characteristics whether need for sizing for both fire and domestic supply
- f. Call out connection to existing 6" PVC SDR 26 sanitary sewer service stub
 - i. Provide proposed pipe service lengths and grades(assumed minimum 2%)
 - ii. Western 8" sanitary sewer service is shown connecting to a 6 service stub.
 - 1. Verify necessary capacity and potentially utilize the third 6' sanitary sewer service to the west.
- g. Deeper sumps (3-4') are typically only installed at the last accessible structure prior to discharge to the basin/bmp instead of with each structure
- h. Minimal cover (~1') over several storm sewer pipe segments
 - i. Typically minimum 2.5' cover under paved surfaces
 - ii. Typical minimum storm sewer structure 4' build without sump
 - iii. Issues with damaging the pipe as part of construction and compaction of the parking area section (17"+)

5. Grading and SWPPP Plan

- a. Provide all existing basin characteristics (NWL, 100 YR HWL, EOF, etc.)
- b. Call out and provide EOF elevations and routes for all low points in the parking areas and green spaces
 - i. Maintain minimum required freeboard from lowest opening elevations (LOE/FFE) of impacted buildings
 - ii. Provide FFE First Floor Elevation for all buildings
- c. Areas exceed maximum 3:1 Slopes.
- d. Any grading on adjacent property will require the approval and permission of the adjacent property owner.

6. Erosion and Sediment Control Plans

- a. No comments.

7. Details & Specifications

- a. Utilize current City Standard Detail Plates
- b. Provide detail for commercial entrance

Stormwater Management

General Storm Sewer Design

1. Provide rational method storm sewer sizing calculations to confirm storm sewer is sized for a 10-year storm event.
2. Verify storm sewer is meeting the minimum slope requirements to maintain a velocity of 3 fps.
3. Junction manholes should be designed to limit the hydraulic head increase by matching flow lines.
4. Increase junction manholes 7 and 16 to a 48" diameter structure.

Water Quantity – No comments

Rate/Volume Control – No comments

Freeboard – No comments

Water Quality – No comments

Easements – No comments

Erosion Control

5. Install inlet protection devices on all stormwater inlets.



M E M O R A N D U M

To: Adam Kienberger Community Development Director
Anthony Nemcek, Senior Planner
Julia Hogan, Planner

From: Dan Schultz, Parks and Recreation Director

Date: November 18, 2024

Subject: Biscayne Business Park Site Plan Review Plans

The Parks and Recreation Department recently reviewed the plans for the Biscayne Business Park. After reviewing the plans, the Parks and Recreation Department staff has the following comments:

PARKS DEDICATION

As approved in 2019, the parks dedication requirement for this business park development was 10% of the land area or the cash in lieu of land at \$8,500 per acre. The total cash in lieu of land dedication for the entire development was \$112,880 (\$8,500 per acre x 13.28 acres, which does not include road ROW).

Staff recommend that the city collect cash in lieu of land for the Biscayne Business Park and that the cash payment should be paid for each lot being created at the time of issuance of the building permit for each lot in the plat. The price per lot is \$14,110.

At this time, staff is recommending the parks dedication be collected for three lots in the amount of \$42,330.

Please let me know if you have any questions about this memo.

Planning Commission Regular Meeting: November 26, 2024

Tentative City Council Meeting: December 17, 2024

AGENDA ITEM:	Request by Minnesota Paving Materials for renewal of its interim use permit for a seasonal asphalt plant.	AGENDA SECTION:	PUBLIC HEARINGS
PREPARED BY:	Anthony Nemcek , Senior Planner	AGENDA NO.	6.c.
ATTACHMENTS:	Site Location, Applicant's Narrative, Site Plan, Site Aerial	APPROVED BY:	AK
RECOMMENDED ACTION: Motion to recommend the City Council approve the renewal of an Interim Use Permit allowing Minnesota Paving Materials to operate a seasonal asphalt plant, subject to the following conditions: 1. Compliance with the Interim Use Permit Application for the Primary Asphalt Plant dated July 23, 2014. 2. Compliance with the Large Scale Mineral Extraction Permit for Dakota Aggregates (Resolution 2012-105). 3. The Interim Use Permit expires on December 31, 2034. 4. Asphalt trucks shall access CSAH 46 either via the Station Trail access or the Akron Avenue access only. Asphalt trucks may not use Biscayne Avenue or any UMore roadway (Akron, Angus, Barbara or Blaine Avenues) to access CSAH 42.			

BACKGROUND

Dakota Aggregates (a partnership of Ames Construction and Cemstone) currently operates under a Large Scale Mineral Extraction (LSME) permit. The LSME includes an Ancillary Use Facility (AUF) which is essentially an industrial park of businesses that use significant amounts of aggregate in their production. The approved ancillary uses include recycled aggregate production (RAP), asphalt production, concrete production, concrete product casting yard and a maintenance facility for the vehicles used in the mine and AUF businesses. The Zoning Ordinance requires that each of the AUF businesses apply for and receive their own Interim Use Permit (IUP). The applicant, originally known as Hardrives, is requesting renewal of its IUP for a seasonal asphalt plant within the AUF for another 10-year term. Staff has received no complaints related to the applicant's operation, nor has the police department fielded any calls.

SUMMARY

Applicant:	Minnesota Paving Materials
Owner:	Regents of the University of Minnesota
Location:	Northwest corner of CSAH 46 and Akron Avenue
Net Acres:	17.35 Acres

Comprehensive Plan Designation: AGR – Agricultural Research
Current Zoning: A2 – Agriculture

Legal Authority

The interim use permit approval is a quasi-judicial action, meaning that if the application meets the City Code, the large scale mineral extraction permit conditions and interim use permit regulations, then the interim use permit must be approved. Staff supports approval of this interim use permit renewal and finds that it is substantially in conformance with the approved large scale mineral extraction permit and the interim use permit regulations with recommended conditions. The detailed analysis of this finding is provided below.

Site Layout

The 17.35 acre site is located within the designated ancillary use facility and is approximately 250 feet north of CSAH 46, directly west of Akron Avenue and directly south of the private AUF access drive (158th Street). Within the 250-foot separation between the asphalt plant and CSAH 46, there is an area of existing trees 125 feet wide and a berm that is 16 feet in height. The plant site is located at the northwest corner of CSAH 46 and Akron Avenue. The site has two accesses to 158th Street with the western access being used by the concrete delivery trucks.

The site is divided into three general areas. On the western third of the site is the asphalt plant, associated asphalt oil tanks, truck access and employee parking. The asphalt plant is located about 550 feet north of CSAH 46 and the asphalt oil tanks are located about 400 feet north of CSAH 46. The northwest portion of the site is the raw aggregate storage that is brought to the site from Dakota Aggregates' aggregate processing facility located about ½ mile to the west. The southwest portion of site is recycled asphalt product (RAP) storage and portable crusher that will grind the used asphalt brought from Hardrives construction projects. The RAP crusher is located about 400 feet north of CSAH 46.

The asphalt trucks leave CSAH 46 at Akron Avenue, head north to 158th Street, turn left on 158th Street and then turn left into the paved plant area. The trucks head south, turn 180 degrees and drive under the storage silos to be loaded with asphalt. The plant features three storage silos that will supply one lane of trucks. A set of two storage tanks were installed following approval of an amendment to the applicant's IUP in 2016. Once loaded, the trucks leave the through 158th Street and Akron Avenue to CSAH 46.

The asphalt plant is made up of multiple pieces of equipment that heat and combine all the materials needed to make various types of asphalt. The equipment starts with 12 cold feed material bins in which front end loaders load the various bins with various size of aggregate. A conveyor carries the cold material into a rotating heated drum that mixes the aggregate with RAP and asphalt oil to create the various asphalt recipes. The mixed asphalts are conveyed to the three storage silos to be loaded into trucks. The exhaust from the plant is feed into a baghouse to remove pollutants. The fines (removed pollutants) from the baghouse are fed into drum for future asphalt mixes.

Following the 2016 IUP amendment, the site now includes two large above-ground storage tanks that are 40 feet in height and hold 1,217,000 gallons each. In addition to the storage tanks, the facility also

features two let-down tanks which each hold 240,000 gallons as well as an additive tank, a wetting tank, and two blending tanks all with capacities of 30,000 gallons. The original plan consisted of a liquid asphalt storage tank, three let-down tanks, and two blending tanks.

The asphalt plant is described as seasonal because asphalt is only installed during the summer and fall in Minnesota. The application narrative describes the typical season as May 1 through December 15 each year. While the plant is described as seasonal, MPM expects to install the plant and leave it in place for 40 years, which the same time period that Cemstone expects to use its concrete plant and the same time period as the Dakota Aggregates' Large Scale Mineral extraction period approval. Staff is proposing a 10-year interim use permit for MPM, the same term as the IUP Cemstone has for the concrete plant. Staff does not support an IUP for any longer period because staff expects that the operational conditions of approval may need to change as development occurs around the asphalt plant.

The asphalt plant is a part of the Dakota Aggregates' Minnesota Total Facility Operating Permit (Air permit #03700370-001) and NPDES stormwater permit. Stormwater from the site flows north to the ditch on the south side of 158th Street, then north through a culvert under 158th Street to a stormwater and infiltration pond. This pond was designed and built to handle all the stormwater from the entire AUF, including the asphalt plant.

Large Scale Mineral Extraction Ordinance and Permit

11-10-4-1 G. 3. a. Location: The asphalt plant and all equipment associated with it shall be located a minimum of six hundred sixty feet (660') from any nonagricultural zoned land: The nearest nonagricultural zoned land is the southernmost extent of the Amber Fields development, located more than 1,700 feet north. Currently, this standard is met, but development is expected to move closer to the asphalt plant as UMore continues to develop. For this reason, staff does not support an IUP renewal longer than 10 years in length.

11-10-4-1 G. 3. b. Setback And Buffering: The plant and all equipment and materials associated with it shall be set back a minimum of seventy-five feet (75') from any EIS boundary line and screened by natural features including berming or vegetation. Year round one hundred percent (100%) opaque screening with earthen berms and landscaping shall be required from ground level to the first thirty percent (30%) of the overall height and fifty percent (50%) opaque to fifty percent (50%) of the overall height of the plant as viewed from eye level from surrounding rights of way or roadways: The plant is located at least 300 feet from Akron Avenue and 400 feet from CSAH 46 (the EIS boundary). There is a 100-foot wide stand of mature trees directly north of CSAH 46 followed by a 16-foot tall berm. Along the west side of Akron Avenue, there is a ten-foot tall grassy berm. Staff finds that these setbacks and screening meet the City standards.

11-10-4-1 G. 3. c. Haul Routes: Traffic generated by this use shall utilize haul routes approved by the city and other agencies as required. The plant owner shall be responsible for road improvements and easements needed for ingress and egress subject to approval by the city. The haul routes may require Dakota County highway department or the Minnesota department of transportation approval as well: The main access to the asphalt plant is CSAH 46 via Akron Avenue. From CSAH 46, the asphalt trucks can access various County, State and U.S. highways to reach the neighborhood of the construction project requiring the asphalt. Staff finds that this standard has been met.

11-10-4-1 G. 3. d. Access: Traffic generated by this use shall enter onto streets consistent with city access and design standards. The owner of these uses shall be responsible for all costs associated with road improvements required to serve the use: The trucking to and from the asphalt plant site will access CSAH 46 using the private AUF road (158th Street) at either of the accesses at Station Trail or Akron Avenue. Asphalt trucks may not use Biscayne Avenue or any UMore roadway (Akron, Angus, Barbara or Blaine Avenues) to access CSAH 42, although they are currently being allowed to use these internal roadways to reach the site of Meta's new data center. With this specific condition within the IUP, staff finds that this requirement is achieved.

11-10-4-1 G. 3. e. Material Stockpiles: Stockpiles associated with these uses shall be limited to a height of sixty feet (60'): Material stockpiles are identified in the application narrative to be no more than 60 feet in height. This is a specific recommended condition of approval. Staff finds that with this condition, this standard has been met.

11-10-4-1 G. 3. f. Outdoor Storage: There shall be no outdoor storage of finished material or products. All equipment and raw material associated with the asphalt plant must be screened from view from an adjacent residential use or public right of way in conformance with section [11-6-8 D.](#), "Outdoor Storage", of this title: The plant, tanks, stockpiles and equipment are described in detail in the sections above. All these elements are integral to the operation of the asphalt plant. The screening and setbacks are described in City Code Section 11-6-4 F. With that screening and setbacks, staff finds that this standard has been met.

11-10-4-1 G. 3. g. Air Emissions: Asphalt operations shall comply with Minnesota rules, part 7011 for testing, monitoring and operational requirements: The asphalt plant is a part of the Dakota Aggregates' Minnesota Total Facility Operating Permit (Air permit #03700370-001). As long as this permit is active, staff finds that this standard is met.

11-10-4-1 G. 3. h. Waste Byproducts: This use shall operate so as not to discharge onto the soils within the EIS boundary, across the boundaries of the EIS boundary line or through percolation into the subsoil within the EIS boundary or beyond the EIS boundary line where such use is located, toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare; or, cause injury or damage to property or business: Trucks travel and are filled on a paved surface. The asphalt tanks will be installed with appropriate containment structures. These measures will control any asphalt spills. Staff finds that that this standard is met.

11-10-4-1 G. 3. i. Odors: This use shall operate so as to prevent the emission of odorous matter of such quality as to be detectable beyond EIS boundary line: The exhaust from the asphalt plant is run through a baghouse that will treat the air emissions. Staff finds that this standard is met.

11-10-4-1 G. 3. j. Surety Bond: This use shall comply with the applicable operating, special requirements and bonding for restoration standards for mineral extraction specified in subsection K7 of this section: The proposed grading for the asphalt plan matches the reclamation grades of the site. The equipment and tanks (except the large 70-foot diameter tank) of the asphalt plant are able to be mounted on to a truck and moved after the asphalt plant stops operating. The City is holding a letter

of credit in the amount of 110% the cost of removing the 70-foot-diameter tank.

11-10-4-1 G. 3. k. Hours Of Operation: The hours of operation shall be limited to seven o'clock (7:00) A.M. to seven o'clock (7:00) P.M. Monday through Saturday unless special permission is granted by the city council within the interim use permit. The extra hours of operation may be conditioned on more restrictive performance standards to address the adverse impacts caused by the extra hours: MPM is requesting 24 hour, 7 day a week operation. Often, transportation construction projects require night and weekend delivery. In recognition of this demand and recognition that urban development is currently more than a mile from this site, staff supports 24 hour, 7 day a week operation during the term of this IUP. At this time, staff finds that development remains far enough away that 24-hour operation can continue. As urban development continues to move into the UMore property there may come a time when the City will determine that 24 hour operations would be too disruptive to adjoining residential development.

LSME 2012-105 Condition 18: The path of any road licensed vehicles using the concrete processing, asphalt processing, and vehicle maintenance facility shall be paved with curbing per the City Code: Akron Avenue and 158th Street have been constructed by Dakota Aggregates with a concrete pavement. The site features an asphalt parking lot and drive lanes for the over the road asphalt trucks. Staff finds that this standard is met.

Interim Use Permit Regulations

11-10-8 E. 1. The extent, location and intensity of the use will be substantially in compliance with the Comprehensive Plan: The Comprehensive Plan states that asphalt plants are incompatible with adjacent residential uses and discourages interim uses within the 2030 MUSA. Within the timeframe of this recommended IUP, staff finds that the request is compliant with the Comprehensive Plan.

11-10-8 E. 2. The use will provide adequate ingress and egress to minimize traffic congestion in the public streets: With the accesses to CSAH 46 via Station Trail or Akron Avenue and the recommended condition limiting the access to CSAH 42, staff finds the access adequate.

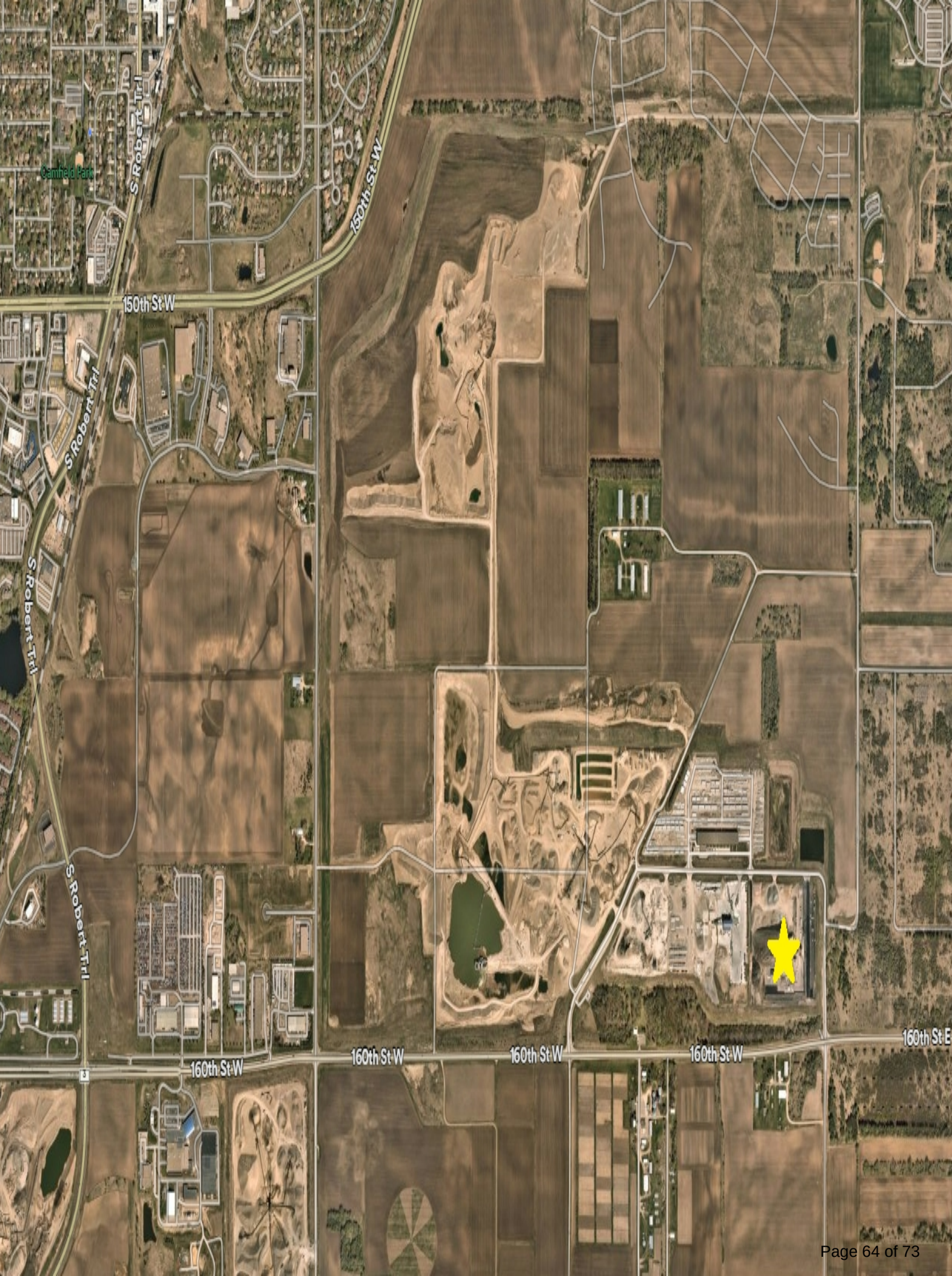
11-10-8 E. 3. The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety, and general welfare: The immediate neighborhood land uses are currently agriculture or agricultural research. Within the term of this IUP, staff finds that the request will not be detrimental to the public or the neighboring land uses.

11-10-8 E. 4. The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district: In 2013, the City adopted the UMore Alternative Urban Areawide Review (AUAR) which anticipates the development of this area over the next 40 years. Within the timeframe of this IUP, staff finds that the request will not impede the development or improvement of the surrounding properties.

11-10-8 E. 5. The use shall, in all other respects, conform to the applicable regulations of the district in which it is located: With the recommended conditions, staff finds that the request will conform to the applicable regulations.

RECOMMENDATION

Staff recommends approval of the interim use permit renewal for the operation of the seasonal asphalt plant with the conditions within the recommended action. This recommendation is based on the information submitted by the applicant, findings made in this report and the conditions detailed in the attached memorandum.



October 29, 2024

City of Rosemount
2875 14th Street West
Rosemount, MN 55068

Via email to: anthony.nemcek@rosemountmn.gov

RE: IUP Renewal Application for a Seasonal Asphalt Plant

1. Ancillary Use Facility Legal Description

That part of the southwest Quarter of Section 34 and the Southeast Quarter of Section 33, all in township 115, range 19, Dakota County, Minnesota, described as follows:

Beginning at the southwest corner of said Southwest Quarter of Section 34; thence South 89 degrees 42 minutes 10 seconds East, assumed bearing along the south line of said Southwest Quarter of Section 34, a distance of 2192.17 feet; thence North 04 degrees 21 minutes 18 seconds East a distance of 142.12 feet; thence North 01 degrees 12 minutes 32 seconds West a distance of 368.88 feet; thence North 01 degrees 58 minutes 09 seconds West a distance of 266.72 feet; thence northeasterly 112.50 feet, along a tangential curve, concave to the southeast, having a central angle of 56 degrees 02 minutes 58 seconds and a radius of 115.00 feet; thence northerly 56.43 feet, along a non-tangential curve, concave to the east, having a central angle of 35 degrees 55 minutes 23 seconds, a radius of 90.00 feet and a chord which bears North 17 degrees 26 minutes 35 seconds West; thence North 00 degrees 31 minutes 07 seconds East, tangent to last described curve, a distance of 206.76 feet; thence northerly 83.26 feet, along a tangential curve, concave to the west, having a central angle of 34 degrees 04 minutes 23 seconds and a radius of 140.00 feet; thence North 56 degrees 26 minutes 44 seconds East a distance of 45.08 feet; thence North 00 degrees 31 minutes 07 seconds East a distance of 299.38 feet; thence North 88 degrees 50 minutes 09 seconds West a distance of 537.90 feet; thence North 01 degrees 06 minutes 55 seconds East a distance of 542.56 feet to the following described line;

Commencing at the northwest corner of said southwest quarter of Section 34; thence South 00 degrees 11 minutes 58 seconds West, along the west line of said Southwest Quarter of Section 34, a distance of 549.45 feet to the point of beginning of the line to be described; thence South 89 degrees 28 minutes 53 seconds East a distance of 2646.92 feet to the east line of said Southwest Quarter of Section 34 and there terminating.

Thence North 89 degrees 28 minutes 53 seconds West, along said described line, a distance of 1701.18 feet to said west line of the southwest Quarter of Section 34; thence South 89 degrees 42 minutes 48 seconds West a distance of 133.00 feet; the North 89 degrees 25 minutes 32 seconds West a distance of 1911.08 feet; thence South 00 degrees 00 minutes 00 seconds West a distance of 6.69 feet; thence South 24 degrees 59 minutes 14 seconds East a distance of 32.7 feet; thence South 38 degrees 36 minutes 54 seconds East a distance of 58.76 feet; thence South 24 degrees 48 minutes 30 seconds East a distance of 21.39 feet; the South 08 degrees 35 minutes 01 seconds East a distance of 17.27 feet; thence South 01 degrees 13 minutes 27 seconds East a distance of 55.61 feet; thence South 20 degrees 01 minutes 53 seconds East a distance of 40.77 feet; thence South 20 degrees 03 minutes 43 seconds East a distance of 111.64 feet; thence South 15 degrees 03 minutes 51 seconds East a distance of 118.93 feet; thence South 27 degrees 25 minutes 38 seconds East a distance of 247.59 feet; thence South 21 degrees 09 minutes 19 seconds East a distance of 78.57 feet; thence South 18 degrees 19 minutes 12 seconds East a distance of 190.08 feet; thence South 26 degrees 25 minutes 05 seconds East a distance of 227.06 feet; thence South 46 degrees 46 minutes 51 seconds East a distance of 98.15 feet; thence South 33 degrees 47 minutes 16 seconds East a distance of 171.67 feet; thence South 23 degrees 42 minutes 30 seconds East a distance of 90.20 feet; thence South 17 degrees 56 minutes 04 seconds East a distance of 178.92 feet; thence South 17 degrees 54 minutes 28 seconds East a distance of 132.38 feet; the South 25 degrees 39 minutes 33 seconds East a distance of 126.20 feet; thence South 30 degrees 29 minutes 59 seconds East a distance of 103.92 feet;

thence South 28 degrees 45 minutes 36 seconds East a distance of 250.67 feet to the south line of said Southeast Quarter of Section 33; thence North 89 degrees 34 minutes 22 seconds East, along said south line, a distance of 1060.22 feet to the point of beginning.

EXCEPT that part lying southerly of north right of way line of County State Aid Highway No. 46 per DAKOTA COUNTY ROAD RIGHT OF WAY MAP NO. 254 according to the recorded plats thereof, Dakota County, Minnesota.

OVERALL GROSS AREA (Entire AUF): 171.86 ACRES

NET USABLE AREA (Entire AUF) : 100.30 ACRES

NET USABLE AREA: 30.00 ACRES

Land Owner:

Regents of the University of Minnesota
335 Morrill Hall
100 Church St SE
Minneapolis, MN 55455

Applicant:

Minnesota Paving and Materials
14475 Quiram Drive
Rogers, MN 55374

Operator:

Minnesota Paving and Materials
14475 Quiram Drive
Rogers, MN 55374

2. Seasonal Asphalt Plant

A seasonal asphalt plant is in the Ancillary Use Facility. Production in this area requires an asphalt plant capable of storing and mixing the ingredients for various asphalt mix designs. The asphalt plant site with the AUF has 3 asphalt material storage silos each having a 300 ton capacity, 5 AC liquid storage tanks at 30,000 gallons each, 1 Diesel fuel tank at 15,000 gallons, 12 aggregate cold feed bins, 3 RAP bins, 1 counter flow mixing drum 11'x54', 1ea. 100,000 CFM bag house, 1 control house center, 5 material conveyors, 1 material slat conveyor, 1 AC tank heater, 1 lab trailer, 2ea. 980k CAT loaders to feed the seasonal asphalt plant facility. Once per year we will move in a portable crushing plant to process the bituminous millings and chunks. This will take about one to two weeks to complete this process. The

3. Site plan and plant layout

The seasonal asphalt plant is in the south-central portion of the AUF site. The plant is not located near any residential property; however, it is located just north of CSAH 46. The asphalt plant and all aggregate stockpiles are screened from view from the public right of way by berms and existing mature trees on the north side of CSAH 46. The AUF site is surrounded by land owned by the Regents of the University of Minnesota, who also own the AUF site. The asphalt plant site has a fully paved parking lot and a paved pad where the asphalt plant sits. The site has designated employee parking and truck parking areas. All traffic associated with the asphalt plant facility at the AUF site enter and exit the AUF site from Akron Ave onto CSAH 46 to the east of the asphalt plant site. Any lighting that is required for nighttime operations is shielded to prevent lights from being directed at traffic on public roadways, and to not disturb any traffic or surrounding properties, the level of lighting shall not exceed 1 lumen at the EIS boundary. Noise levels comply with the regulations established by the MPCA. The asphalt plant facility does not require a well for water. Portable water will be in the control house and lab facility on site for employee use and a portable toilet will be provided for the seasonal asphalt plant facility by an on-site sanitation service company. The height of the seasonal asphalt plant is 89' tall to the top of the material storage silos. A cordoned off southern section of the AUF site is sub-sub leased to Flint Hills Resources and is utilized as a liquid AC blending facility. A portion of the blending facilities product is introduced into the asphalt plant's production process.

See attached aerial photo dated 8-20-24.

4. Hours of Operations

The hours of operations for the asphalt plant facility are 24 hours per day 7 days per week; job driven only to meet the bid requirements for MnDOT and local counties and cities that are now calling for more and more nighttime and weekend construction projects. The normal operating hours for the asphalt plant facility is 6am to 9pm Monday through Saturday. The seasonal asphalt plant facility will operate only from May 1st through December 15th each year.

5. Aggregate Materials & Bituminous Milling Stockpiles

The material stockpiles are primarily located along the perimeters of the asphalt plant facility. The stockpiles vary in height but should not exceed 60' in height at any point. Most of the aggregate material used is mined on site by Dakota Aggregates and transported to MPM stockpile area by off road trucks. Bituminous millings and chunks are imported, stockpiled and processed once per year. The processed millings are inserted back into new bituminous mix being made at the plant. This process of using recycled asphalt back into the new bituminous mix is a very good way to practice environmental stewardship by conserving natural resources. The stockpiles and associated equipment are screened from view from the public right by way of berms and existing trees on the north side of CSAH 46. The aggregate stockpiles act as natural sound barriers.

6. Dust Control

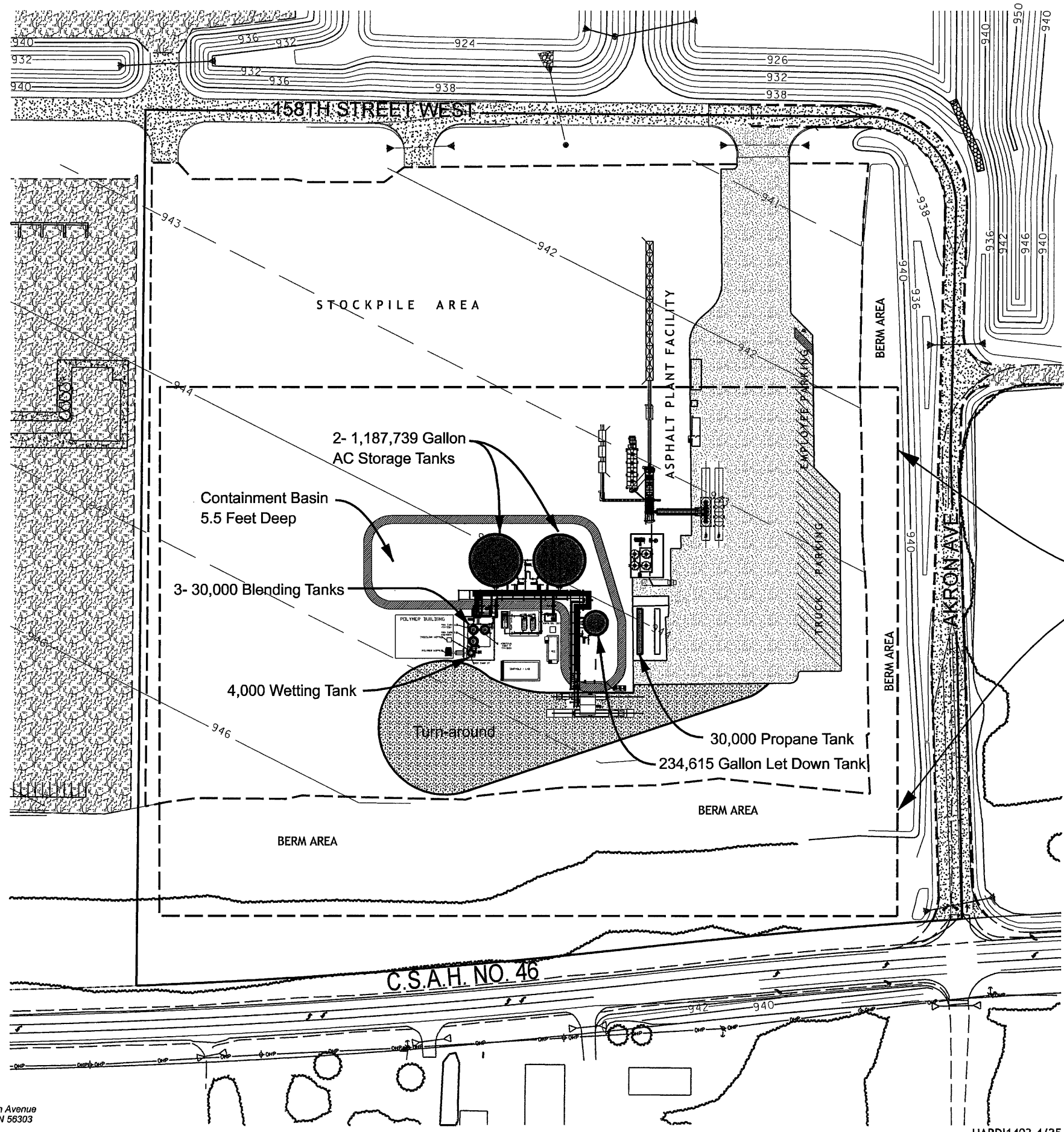
The AUF site Haul roads are all paved hard surfaces. There is a 15-mph speed limit on all paved/unpaved areas in the AUF site. Water trucks are used intermittently to help control the dust along with at least one calcium chloride application per year.

7. Required Permits for the AUF site.

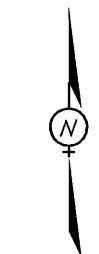
The seasonal asphalt plant facility is covered under the Minnesota Total Facility Operating Permit (Air Permit # 03700370-001) issued to Dakota Aggregates, LLC. The plant will be required by the MPCA to run an emissions source stack test within 180 days of startup and if any major emissions components on the plant are changed. The plant is covered under the Minnesota Total Facility Operating Permit issued by the MPCA on completion of the stack test. This permit places limits on the production throughput of the plant and lays out maintenance requirements for control equipment. The plant is covered under the previously issued Minnesota (NPDES) permit # MNG490289, covering stormwater discharges and the on-site handling of process water. All stormwater and spill procedures can be found in the previously submitted SWPPP and SPCC plans. These plans encompass the entire site, including the asphalt plant. MPM is required by our lease agreement with Dakota Aggregates to comply with all requirements of Dakota Aggregates' NPDES, SWPPP and SPCC permits for the AUF site.



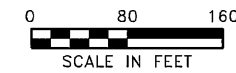
Drone Flight Aerial Photo Taken 8-20-24



Refer to Inset A on Sheet 2



NORTH



13 North 11th Avenue
St. Cloud, MN 56303
320-259-1266

HARDI1403 4/25/2016

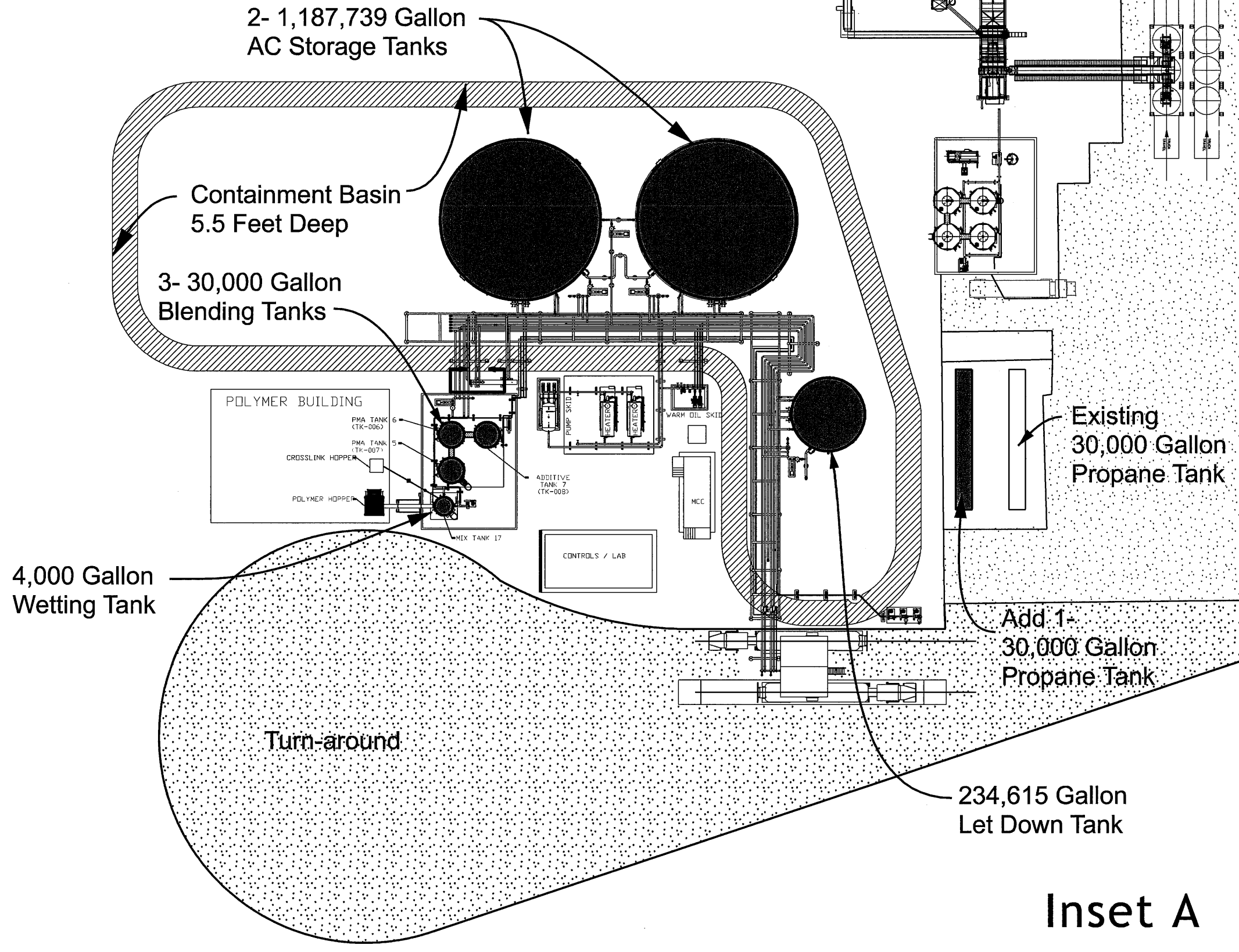
SITE PLAN (Phase 1)

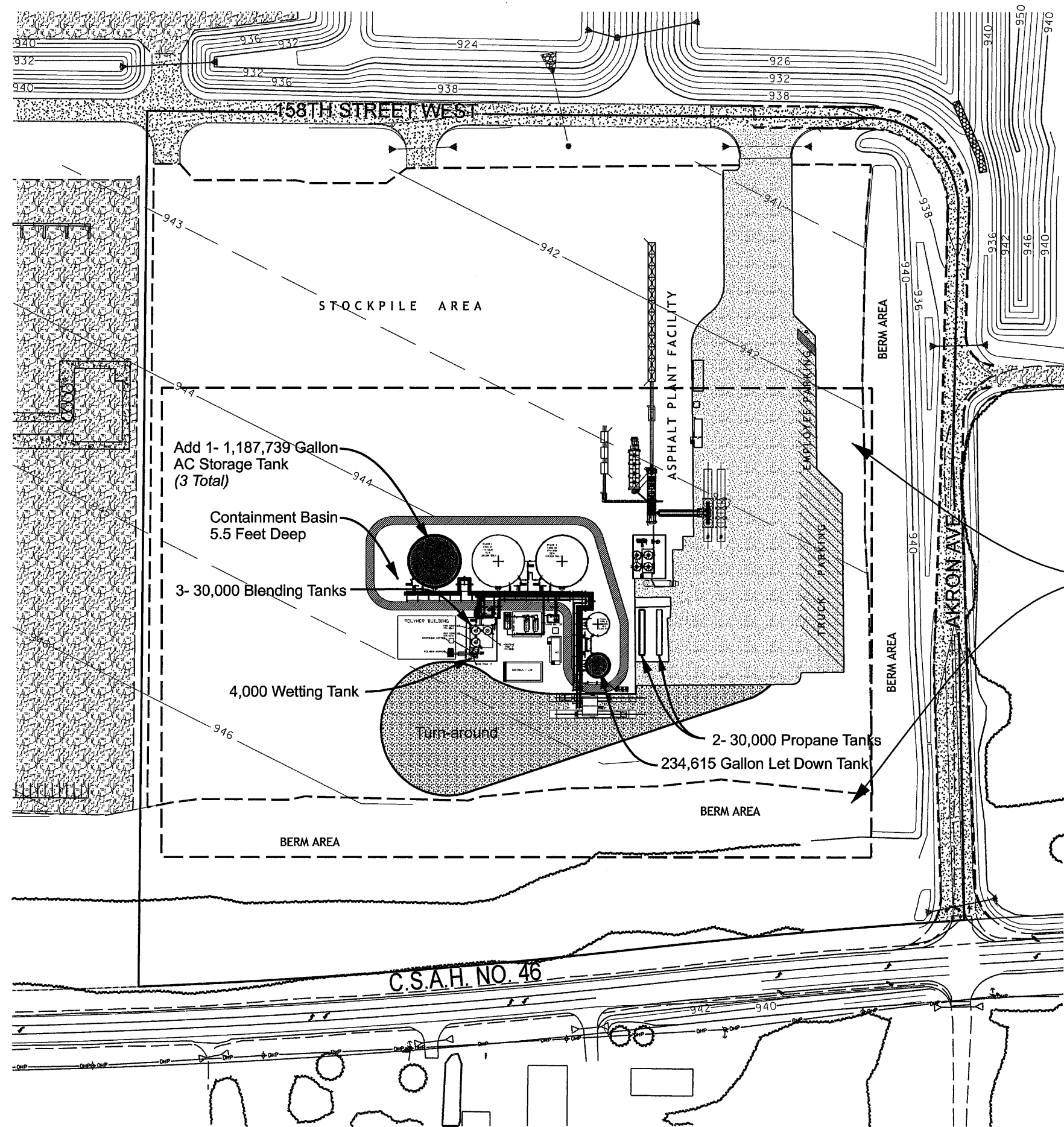
AC Blending Facility at UMORE

Hardrives Inc.

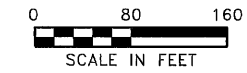
City of Rosemount, County of Dakota, State of Minnesota
Located in Section 34, Township 115, Range 19 West

Sheet No. 1 of 2





NORTH



Refer to Inset A on Sheet 2



13 North 11th Avenue
St. Cloud, MN 56303
320-259-1266

HARDI1403 4/25/2016

SITE PLAN (Phase 2)

AC Blending Facility at UMORE

Hardrives Inc.

City of Rosemount, County of Dakota, State of Minnesota
Located in Section 34, Township 115, Range 19 West

Sheet No. 1 of 2

Phase 2, Add 1
1,187,739 Gallon
AC Storage Tank

Containment Basin
5.5 Feet Deep

2 - 1,187,739 Gallon
AC Storage Tanks

3- 30,000 Gallon
Blending Tanks

4,000 Gallon
Wetting Tank

POLYMER BUILDING

PMA TANK
(TK-006)

PMA TANK
(TK-007)

CROSSLINK HOPPER

POLYMER HOPPER

MIX TANK 17

ADDITIVE
TANK 7
(TK-008)

CONTROLS / LAB

WARM OIL SKID

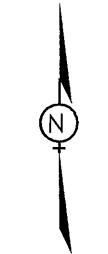
MCC

PHASE 1
TANK 8
(TK-004)
32'Ø
(25,500 BBL)

2- 30,000 Gallon
Propane Tanks

Phase 2, Add 1
234,615 Gallon
Let Down Tank

Inset A



NORTH

NO SCALE

Turn-around



13 North 11th Avenue
St. Cloud, MN 56303
320-259-1266

HARDI1403 4/25/2016

SITE PLAN (Phase 2)

AC Blending Facility at UMORE

Hardrives Inc.

City of Rosemount, County of Dakota, State of Minnesota
Located in Section 34, Township 115, Range 19 West

Sheet No. 2 of 2



158th St W

158th St W

Akron Ave

Akron Ave