

**ROSEMOUNT PLANNING COMMISSION
REGULAR MEETING PROCEEDINGS
APRIL 22, 2025**

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Pursuant to due call and notice thereof a regular meeting of the Planning Commission was held on Tuesday, April 22, 2025, at 6:30 PM. in Rosemount Council Chambers, 2875 145th Street West.

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

Staff present included the following: Community Development (CD) Director Adam Kienberger, City Administrator Logan Martin, Public Works Director Nick Egger, Senior Planner Anthony Nemcek, Planner Julia Hogan, and CD Technician Liz Kohler.

a. Oath of Office / Appointment and Re-appointment of Planning Commissioners

Commissioner Reed noted the change to the agenda for the swearing in of the commissioners. Logan Martin administered the Oath of Office to Brenda Rivera, Jeff Ellis, and Furhath Arnob. Commissioner Reed thanked Commissioners Ellis and Rivera for continuing to serve and extended a welcome to Commissioner Arnob.

ADDITIONS TO AGENDA

None.

AUDIENCE INPUT

None.

CONSENT AGENDA

a. Minutes of the March 17, 2025 Regular Meeting Minutes

Motion by Reed Second by Buggi

Motion to approve the minutes of the March 17, 2025 meeting

Ayes: 6.

Nays: None. Motion Carried.

OLD BUSINESS

None.

PUBLIC HEARINGS

a. Request by David Kensinger and Appro Development for approval of a site plan review to construct a combination coffeeshop and wine bar.

Senior Planner Anthony Nemcek presented on a request by David Kensinger and Appro Development for approval of a site plan review to construct a combination coffee shop and wine bar. Nemcek stated the lot currently also hosts the Morrison apartment building. He said there will be drive-through and an

outdoor dining area and that the site had previously been approved for a restaurant. He also said that the site plan meets the standards of the MX-1 Downtown Mixed-Use zoning district. Nemcek showed the site location and noted the temporary nature of the parking area. He also stated that the previously approved restaurant did not have a drive-through component but was a larger building.

He showed the site layout and identified the peninsulas that will facilitate the ability for cars in the parking lots to reverse out without any issues from the drive-through stacking. He highlighted the parking for the site and compared it with similar apartment buildings and noted the extra parking at city hall and the park and ride location adjacent. Nemcek also discussed access and additional signage that will give cars accessing the lot from Highway 3 the right of way. He showed elevations and discussed a traffic study from when the Morrison was approved.

Nemcek stated that there is no minimum requirement for car stacking in the drive-through, but the ten-car stacking exceeds requirements in other business zoning districts. He said that the landscaping requirements are all met according to the city code. Staff recommended approval. Staff did add conditions including that a sidewalk be striped, creating a pedestrian connection and lighting guidelines.

Commissioner Reed asked if the sidewalk was intended for the Morrison residents. Nemcek confirmed that it was. He also asked if the drive-through traffic would be directed left and if there would be signage identifying yielding to Highway 3. Nemcek confirmed both were correct. Commissioner Ellis asked if there would be something to deter people leaving the drive-through from turning right. Commissioner Beadner asked about problems with the shared parking lot. Nemcek responded that it would be expected and residents could adjust.

Commissioner Reed opened the public hearing.

Mike Waldo

Waldo discussed the history of the Morrison and stated that an original goal for downtown was maintaining retail spaces. He stated that the Taphouse was an exciting project but then the pandemic hit and it was unable to go through. He stated that he thought this was the best use for the space and that the drive-through is an essential component to the business but will not be the main component. He noted that the sit-down coffee shop space was intended to be the main use of the restaurant. He said that they paved the area because people were parking on the space while it was dirt anyway. He also stated that the loss of Morning Glory bakery created space for the new coffee shop to replace it.

Commissioner Reed asked if there will be any additional signage. Waldo responded that they will be working on it internally with their management team and the coffee shop team will meet on a continual basis. Commissioner Reed asked if he was comfortable with the current plan. Waldo responded that he was.

David Kensinger

3585 Clare Downs Path

Kensinger identified that when he and his wife moved to Rosemount they purchased the building their floral shop resides in. He noted that a drive-through was fairly essential for the success of a coffee shop and the building they had purchased was not compatible with that, and so they were excited by the prospect of this space. He stated that the goal is to create an elevated space to reunite people after the pandemic. He also noted that there will be a component that is more geared toward craft coffee and wine. He identified the closing of Morning Glory and the need in the community for a local coffee shop.

Commissioner Reed asked about Commissioner Ellis' question regarding the signage exiting the drive-through. Kensinger replied that he will be working with the Morrison on the project to make the access safe for everyone. Commissioner Rivera asked about food in the space. Kensinger responded that it would be a small menu.

Nadia Ritter
21476 Grenada Ave.

Ritter said she works for Appro Development and that they have a team of civil engineers looking into the issue, but she can answer any questions.

Susan Gjemse
14589 S Robert Trl

Asked if her written comments had been received. Commissioner Reed confirmed that they had been. Gjemse also asked if they were going to be directing the residents coming out of the garage or not.

Daniel Nas
13665 Carrach Ave

He stated that the concept is really interesting and that he believes it could be good for the city. He spoke to the character of the owners and described his support.

Motion by Reed Second by Ellis
Motion to close public hearing
Ayes: 6.
Nays: None. Motion Carried.

Commissioner Reed asked about residents coming out of the garage and how that would be affected. Nemcek responded that there would be no change in access because the access that had been brought up was currently an entrance only and would be staying an entrance only.

Nemcek stated that there were also written comments about snow removal and deferred to the applicant. Waldo returned to the podium and stated that snow would be hauled away from the site in cases of heavier snowfall. Commissioner Reed asked if there was a change to the dumpsters with the plan. Waldo responded that there should be no change to the current process.

Commissioner Reed asked if a condition could be added to push for more signage to prevent drive-through users from turning the wrong way. Nemcek stated that it probably wasn't needed, but it was an option. Commissioner Rivera stated that she was on the commission when the original plans were brought forward and this type of use was always the plan. She also said she felt this was a good project, and a good fit for downtown. Commissioner Reed agreed.

Motion by Reed Second by Buggi

Motion to approve the proposed site plan allowing David Kensinger and Appro Development to construct a combination coffee shop/wine bar at 14557 South Robert Trail, subject to the following conditions:

1. Directional signage should be installed near the exit of the drive-thru giving cars entering from Highway 3 the right of way.

2. If the applicant decides to use landscaping for screening of the drive-through, the proposed landscaping shall be 6' in height and screen to 90% opacity in conformance with the zoning ordinance.
3. Only lighting necessary for security shall be illuminated after business hours.
4. A crosswalk shall be striped connecting the sidewalk along The Morrison and that of the subject property.

5. The applicant will work with engineers to define a safe exit design preventing drive-through traffic from entering onto Highway 3.

Ayes: 6.

Nays: None. Motion Carried.

- b. Request for a Planned Unit Development final site and building plan and a minor amendment to the Prestwick Place Planned Unit Development Agreement to construct a 10,000 square foot restaurant.

Planner Hogan presented on a request for a PUD final site and building plan and a minor amendment to the Prestwick Place PUD. Hogan showed the site location and the lot split establishing one parcel as buildable and one as an outlot for future development. She discussed the site plan, zoning and land use. The site will be used for a restaurant and will include an outdoor dining area that is allowed as an accessory use.

She discussed parking and access to the site. She stated that the plan does not meet the parking requirements but that there is a potential for cross parking with surrounding businesses. She showed the landscape plan and identified a sanitary easement on the property and that trees in the easement would need to be moved, and the applicant will be working with city staff to ensure there is no overlap. Staff recommended the city collect cash-in-lieu of parkland dedication. Hogan showed the lighting plan, elevations, and floor plan. She also showed photos of an existing restaurant from the developers. Staff recommended approval.

Commissioner Reed asked about the easement and if plantings would be allowed. Hogan responded that they would not be allowed. Commissioner Ellis asked about lighting height in regards to the second floor. Hogan responded that the code referred to pole mounted lighting and clarified that there will be lights on the second floor. Commissioner Buggi asked for more clarification on the deviation with the EIFS. Hogan replied that EIFS isn't as heavy so there would need to be additional columns needed if they used brick instead of EIFS. Commissioner Beadner asked about parking spillover into Lifetime's parking lot. Hogan stated that the spillover parking will be in the lot to the north, not Lifetime necessarily. Commissioner Reed asked about sidewalks across the road from lifetime.

Commissioner Reed opened the public hearing.

Cory Bannerman
5511 Southwood Drive

Commissioner Reed asked about the project not meeting parking requirements and pedestrian safety. Bannerman stated that there is an existing sidewalk on the west side. Commissioner Rivera asked about the other Copper Pint. Commissioner Ellis asked about the EIFS. Bannerman responded that there would be columns supporting the second floor and the additional brick would increase the number of columns necessary. Commissioner Buggi asked if it could be readdressed to meet city standards. Bannerman replied that they would take a second look at the plans.

Alan Catchpool

Catchpool confirmed there were sidewalks on the south side of the road with crosswalks on the west side of the roundabout.

Motion by Reed Second by Rivera

Motion to close the public hearing.

Ayes: 6.

Nays: None. Motion Carried.

Commissioner Reed asked about any other comments received. Hogan responded that there were none. Commissioner Rivera stated that she felt it would be a nice addition to the area.

Motion by Beadner Second by Ellis

Motion to approve the Planned Unit Development Final Site and Building Plan to allow for the construction of a 10,000 square foot restaurant with outdoor dining areas on Lot 1, Block 1, Prestwick Place 27th Addition, subject to the following conditions:

1. Approval by the City Council for a minor amendment to the Prestwick Place Planned Unit Development Agreement.
2. Compliance with all comments and requirements of the City's Engineer detailed in the Engineer's Memorandum dated April 11, 2025.
3. Conformance with all comments and requirements outlined in the City's Park and Recreation Directors Memorandum dated April 17, 2025.
4. The applicant shall apply for a sign permit for any site signage.
5. Submittal of a landscape surety equal to 110% of the value of trees planted on the property.
6. The applicant shall work with City Staff to address tree location issues on site and resubmit an updated landscape plan prior to the issuance of a building permit.
7. Conformance with all the required standards associated with outdoor dining.
8. No public address system shall be audible from adjacent non-commercial property boundaries.
9. Non-essential lighting shall be turned off after business hours.
10. Light fixtures within 100 feet of a residential property line shall be no higher than 20 feet.

Ayes: 6.

Nays: None. Motion Carried.

c. Request for an Amendment to the Rosemount Comprehensive Guide Plan Land Use Map

Senior Planner Nemcek presented on a request for a comprehensive land use amendment to re-guide about 420 acres on the eastern side of the city and expand the Metropolitan Urban Services Area (MUSA) into the site. He showed the location of the proposed land use change and stated that it is currently being used for agriculture and as a mineral extraction site. The land is in seven different parcels. The land would be re-guided from residential and commercial to business park. This would expand the MUSA line to bring urban services into the area. He stated that there was an AUAR

published and that the comments that were received will be incorporated into the AUAR prior to the council review.

Nemcek showed the current land use designations and discussed the business park designation specifically. He stated that the comprehensive plan contains ten guided principals and that two of those principals identify diversifying development. He also called out the economic competitiveness of chapter six and chapter seven on resilience. He also brought up the City Council's strategic goals. He noted that there will be a realignment of County Roads 42 and 55. He identified the timeline as sometime in the 2030s.

Nemcek discussed the utility study and its goals of bringing city utilities to the subject area. He described the amendment adoption process. Staff recommended approval of the proposed amendment change.

Commissioner Reed called out that the area to the northwest was waste management. Nemcek confirmed that and stated that business park land was re-guided for waste management, reducing the business park designation in that area. Commissioner Reed identified it would be nice to have a buffer between the waste management area and potential residential areas. He also asked about what businesses would be included in community commercial. Nemcek replied that it's typically similar to businesses seen on the south side of County Road 42, including fast food restaurants and grocery stores, and also stated that it's likely that the amount of community commercial identified in the comprehensive plan is likely too high for the current and future residential spaces.

Commissioner Reed discussed the AUAR process and asked Nemcek if there was anything that might arise from the AUAR that the Commission should be aware of. Nemcek stated that it is not yet complete, but only four comments had been received, and they were regarding water and wildlife and nothing was surprising. He also said that the AUAR lays out possible impacts and mitigation possibilities. Commissioner Reed also asked about traffic studies and if MnDOT was aware of possible changes to the comprehensive plan and traffic impacts they may have. Nemcek confirmed they were.

Commissioner Arnob stated that even with the amendment, the community commercial would still be more than exists in the city currently. Commissioner Rivera asked about the other steps in the process and if this area will be seen more in future meetings. Nemcek responded that it would have to be seen multiple times before any development would occur and many developers try to get amendments done before putting energy and resources to further planning on a site until the amendment is approved. Commissioner Beadner asked about the mineral extraction site that currently exists on the site. Nemcek stated that the reclamation will take place during the mass grading of the site for development.

Commissioner Reed opened the public hearing.

Jacob Stein

8300 Norman Center Drive

Stein represented the applicant and stated that this is the early stage of the project. He said the policies and principals of the comprehensive plan are supportive of the plan. He said they are working with the city county, and MnDOT about the right of way needs. They are also looking at extending the utilities that will bring growth not only to the proposed site but also everything between the site and the other developed areas of the city. He discussed the jobs created by the data center as well as those created

during the buildout of the site.

Commissioner Reed asked if they could expect a similar approach that was taken for the Meta project in town. Stein confirmed that they could expect a similar approach.

Kimberly Dimmick

15001 Fisher Ave

She stated that during the State of the City the mayor made comments about history and agriculture in the area. She voiced her opposition to the amendment and her hope that the city would preserve agriculture. She also discussed the Dakota County Comprehensive plan and the Rosemount Comprehensive Plan. She expressed concern about issues caused by data centers. She stated that Tract wouldn't be the end user of the land. She questioned why this would be approved if the end result is unknown. She also noted the importance of the farmland in the proposed location. She brought up the AUAR and the well capacity on the property. She stressed her concerns over water usage. She also discussed cooling towers and the pollution caused by them. She stated concerns about the accuracy of the AUAR.

Janice Beltz

14997 Fisher Ave.

She identified the private road that runs along the southeastern corner of the area and stated that Tract informed them of a 50-foot buffer from their property line. She voiced concerns over the vision of the city when entering from Hastings.

John Bremer

7048 150th St E

Bremer stated that the township was not informed of the project and asked for more communication on the project. He also mentioned concerns about roadways being affected by development and noted that Nininger Township shares the road with Rosemount. He also brought up that the project may be considered leapfrogging.

Brandon Bourdon

14991 Fisher Avenue

He voiced concerns over changing the comprehensive plan and how they affect choices people had made prior to the changes. He stated that a data center wouldn't be the best use of the property. He said he's not against development, but is not in favor of the change because the land use wouldn't be compatible.

Stephanie Kamen

14995 Fisher Ave.

She voiced concerns over noise and lights from a data center. She stated that everyone in the surrounding community is present at the meeting and wants to continue to pass down their homes and properties to their families.

Melissa Johnson

14700 Furlong Circle

She said it feels like overreach, not balanced growth. She is concerned about hazard stacking and destruction of agriculture. She presented the impacts of past industrial projects in cities and the

negative impacts of data centers. She also expressed concerns over water usage and changes to the physical space.

Maddie Gunhus
14710 Furlong Circle

She stated that the reason for buying her property was the views and lack of businesses in the surrounding area. She is concerned about water, radiation from a data center, and property values.

Peter Johnson
14700 Furlong Circle

He discussed his history in Rosemount and identified concerns about traffic. He stressed concerns about utilities, particularly water and sewage.

Kyle Kaman
14995 Fischer Ave.

He stated his history of living in his home and that he intends to continue to live in his home. He identified a push toward business and stated that he believed it does not represent the community. He said he thinks there is not a benefit to this change.

Russel Beltz
14997 Fischer Ave.

He expressed concerns over elevation changes and the grading of the properties and runoff from snow. He stated safety concerns about student bus stops. He also stressed fears about property values and the longer-term effects of data centers.

Susan Gjemse
14589 S Robert Trail

She stated concerns about transparency from the city. She asked about construction timelines starting in 2025.

Motion by Reed Second by Buggi
Motion to close the public hearing
Ayes: 6.
Nays: None. Motion Carried.

Commissioner Reed asked about the 2025 timeline. Stein returned to the podium. He stated that the anticipated timeline was 2027 for horizontal construction and 2028 for vertical construction. Commissioner Reed asked staff to comment on project Mercury. Nemcek stated that AUARs do not confirm development approvals, and they reviewed the AUAR but have not heard anything about further development on the site and therefore could not comment. Kienberger also noted that AUARs are a common planning tool for large scale development and that AUARs look at problems and mitigation efforts for a variety of development proposals. He clarified that just because something is in an AUAR does not necessarily mean that it will be developed into that project.

Commissioner Reed asked about the runoff. Nemcek responded that the current meeting is regarding the amendment and any further development would be required to adhere to stormwater requirements. Commissioner Reed asked about street improvements on Fischer Avenue in the case of

development. Nemcek replied that if improvements were needed it would be the responsibility of the developer to make those improvements. He also said that traffic impacts would be determined as part of development proposals.

Commissioner Reed asked about the water table. Nemcek stated that the well onsite is an irrigation well. He stated that the water brought in and sent out through wastewater would be through the municipal systems. It would be provided by the city wells allocated by the DNR. Commissioner Reed brought up water usage. Nemcek stated that they would need to provide information related to the type of cooling and the anticipated amount of water that would be used for the cooling system. He also noted that even without this amendment the site would be using a large amount of water. Commissioner Reed brought up the aesthetics of the site. Nemcek stated that the business park zoning district does have requirements for things like screening and a large project would have other requirements negotiated in the PUD process.

Commissioner Reed asked about engagement with the surrounding residents. Stein stated that they have started public engagement and that there will be numerous public hearings. Commissioner Reed asked about a few other questions from residents on things like cooling towers and if those would need to be addressed later in the development process. Nemcek confirmed. He also reiterated that Tract is a master developer that will prepare the land for the developer and that the end user of the site is unknown.

Commissioner Beadner asked about how staff views approaching balance in development. Nemcek responded that property owners still have rights, and the city cannot have a say about what gets sold. Kienberger added that there are other possible outcomes for the site with or without the amendment. Commissioner Beadner asked about identifying a site and why the specific site was chosen. Stein stated that they are looking for consolidated large groups of land with a suitable grade. Commissioner Rivera asked how many people own the land for sale. Nemcek responded that two people own the land for sale. Commissioner Rivera asked if the landowner is selling for a particular reason or not. Nemcek responded that he could not speak for the seller.

Commissioner Rivera stated that she does not feel comfortable changing the land use. Commissioner Reed expressed concerns about the future plans, but also said he felt confident that the city will do a thorough review of any plans. He also stated that he is in favor of changing the land use because of concerns over a lack of community commercial coming in. Commissioner Ellis clarified that the planning commission's role in this particular case was legislative. He also stated that he was in favor of the change.

Motion by Buggi Second by Ellis

Motion to recommend the City Council adopt the proposed Comprehensive Guide Plan amendment to change the land use designation from CC-Community Commercial, AG-Agriculture, HDR-High Density Residential, MDR-Medium Density Residential, and LDR-Low Density Residential to BP-Business Park, and to extend the Metropolitan Urban Services Boundary to include the subject property, subject to acceptance by the City Council of the Dakota East AUAR.

Ayes: 5.

Nays: Rivera. Motion Carried.

Nemcek noted that the tentative date for City Council on the staff report said May 20, but it would actually be going to Council on June 3.

NEW BUSINESS

None.

DISCUSSION

Kienberger identified that the Port Authority would be having a joint meeting with the Planning Commission on May 20th. Commissioner Reed asked if there would be background material on the subject. Kienberger responded that all necessary background information would be provided.

Commissioner Rivera asked about the appreciation on the 29th at the Steeple center. Staff confirmed the date.

ADJOURNMENT

There being no further business to come before the City Council at the regular Planning Commission meeting the meeting was adjourned at 8:59 p.m.

Respectfully submitted,

Liz Kohler
Community Development Technician