

**ROSEMOUNT PLANNING COMMISSION
REGULAR MEETING PROCEEDINGS
JUNE 24, 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, June 24, 2025, at 6:30 PM. in Rosemount Council Chambers, 2875 145th Street West.

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

Staff present included the following; Community Development (CD) Director Adam Kienberger, Senior Planner Anthony Nemcek, Planner Julia Hogan, and CD Technician Liz Kohler.

The Pledge of Allegiance was said.

ADDITIONS TO AGENDA

None.

AUDIENCE INPUT

None.

CONSENT AGENDA

- a. Minutes of the May 27, 2025 Regular Meeting Minutes

Motion by Reed Second by Ellis

Motion to approve the minutes of the May 27, 2025 meeting.

Ayes: 5.

Nays: None. Motion Carried.

OLD BUSINESS

None.

PUBLIC HEARINGS

- a. Aspen Fields Land Use Plan Amendment, Rezoning, and Plat Approval Request

Planner Nemcek presented a request by Aspen Field LLC for a land use plan amendment, rezoning, and plat approval. Nemcek discussed the nature of the requests and decisions. He showed the site location, proposed land use changes, and explained what could be expected to be built on the parcel. He also stated support for the amendment backed by the comprehensive plan from the Land Use and Housing chapters. He explained the MVRTA will be expanding their transit routes to the area. Nemcek discussed residents' desire for more commercial in the area. He explained that commercial development is slow to develop in the area because the land to the east and south would not be used for residential development. He clarified that this is because the area to the northeast is owned by Flint Hills, the area to the south is DCTC and to the southwest the area is being used by Dakota Aggregates. He showed the

proposed zoning change. He also stated that there would be four parcels on the plat and showed the proposed plat. Nemcek described issues with the site caused by easements and wells. He reminded that building permits will need to be reviewed before any development can happen.

Nemcek discussed access, landscaping, and engineering plans. He also stated that Parks and Recreations staff recommend a fee-in-lieu of land to be collected with the building permits and that the developer bench a trail. Nemcek said that there are additional approvals still needed for the project to move forward. Staff recommended approval. Nemcek noted that condition D changes the wording, so the developer should install the sidewalk up to the northern boundary of the property, but not along the city-owned land.

Commissioner Ellis asked about the parcel being cut off by the road. Nemcek responded that it would be right of way in the final plat. Commissioner Ellis asked about the pipeline easement. Nemcek responded that the pipeline is no longer in use and the easement may be vacated. He also stated that sometimes parking lots are allowed over easements.

Commissioner Beadner asked why the 2040 plan would still include the land as zoned public institutional. Nemcek responded that at the time of the comprehensive plan, DCTC was not indicating that the land would be sold in the near future. Commissioner Beadner asked about the parcel being all commercial. Nemcek responded that it was something that could be discussed but staff's recommendation is mixed use. He showed the proposed land use again. He reiterated that the staff's opinion was that there was enough land guided for commercial when taking into consideration the land to the east guided for commercial.

Chairperson Reed asked about the size of retail. Nemcek responded that there would likely be three or four bays per parcel and compared it to other areas in the city. Commissioner Arnob asked about access to each particular parcel. Nemcek responded that it would all be private, so the city would not be the one regulating it. Commissioner Rivera asked about the Aspen access. Nemcek responded that it is a right-in, right-out only.

Chairperson Reed opened the public hearing.

John Anderson

Anderson stated that he represented Aspen Field LLC. He clarified that they have an active buyer for the daycare and that section of the site plan was designed for it. He also stated that they have several prospective buyers they are talking to about the high-density project. He discussed the pipeline easement and the high cost of vacating the easement and removing the pipeline. He stated that parking lots are able to be built within the easement. Anderson also discussed the decision to go in this specific direction with what will be on each parcel.

Melvin Evans

14349 Alder Way

Evans asked what the zoning is currently on the property. He also asked how many apartment buildings need to be built to draw in commercial development. He expressed concerns about the number of apartment buildings in the area and the traffic that could be brought in. He expressed safety concerns about children in the area and traffic. He asked if there was anything that could make it easier to access the other side of Akron Avenue aside from the roundabout. He asked about residential development in

the Amber Fields area. He also asked about the train and backups with a possible increase in traffic.

Ashley Lopez
14371 Aspen Ave

Lopez expressed concerns over traffic and safety issues that might come with a high-density residential development. She also stressed that there are several daycares in the area and also expressed concerns over what else may go in the commercial sites.

Vesna Klin
14336 Alder Way

Klin also expressed concerns over traffic and safety. He stated that he didn't feel that the infrastructure could support the high-density residential and believed commercial would be a better fit.

Motion by Reed Second by Ellis

Motion to close the public hearing.

Ayes: 5.

Nays: None. Motion Carried.

Nemcek stated that the only things that could be built on the property currently are public institutional. He identified the Amber Fields development plan has 1900 housing units, so residents should not be concerned about five to ten thousand new residents. Nemcek also noted that public works could be followed up with on traffic and safety concerns. Kienberger responded that the roundabout construction is the main thing he knows about. Reed asked about safety and community input for the roundabout. Kienberger responded that it was already finalized and was a county project. Chairperson Reed asked about safety on Connemara Trail. Nemcek responded that the road was designed as a collector for County Road 42, so it would be able to handle the traffic. He also said that the traffic safety committee will work with residents on their concerns. Kienberger also noted that the plan for Connemara Trail was to continue eastward and connect to Blaine Ave.

Nemcek stated that the city has no power over what businesses go in and can only determine what uses are allowed. He also noted that the land on the southwest corner of Akron Avenue and County road 42 is expected to become a grocery store. Nemcek stated that commercial development creates more traffic than residential. Chairperson Reed asked about the train. Kienberger responded that eventually there will be a flyover bridge at the intersection of Highway 3 and County Road 42. Commissioner Ellis clarified that the project would be a county and state project, not a city project.

Motion by Rivera Second by Beadner

Motion to recommend the City Council approve an amendment to the City's Comprehensive Land Use Plan to change the designated land use on the site from PI-Public/Institutional to CC-Community Commercial and HDR-High Density Residential.

Ayes: 5.

Nays: None. Motion Carried.

Motion by Ellis Second by Arnob

Motion to recommend the City Council approve a rezoning of the site from PI-Public/Institutional to B-1 General Business and R-4 High Density Residential, subject to the approval of an amendment to the City's Land Use Plan.

Ayes: 5.

Nays: None. Motion Carried.

Motion by Reed Second by Beadner

Motion to recommend the City Council approve the Aspen Fields Preliminary Plat, subject to approval of an amendment to the zoning map to change the zoning of the site to B-1 General Business and R-4 High Density Residential and the following:

- a. Payment of park dedication fees as outlined in the Parks and Recreation Director's memo dated June 16, 2025.
- b. The developer shall bench a future trail along CSAH 42 as part of its site grading and preparation.
- c. Conformance with the requirements of the City's engineer related to civil site plans.
- d. The developer should install a sidewalk along the eastern side of Aspen Avenue between Connemara Trail and CSAH 42.

Ayes: 5.

Nays: None. Motion Carried.

NEW BUSINESS

None.

DISCUSSION

- a. Discussion on potential amendments to the zoning ordinance.

Planner Hogan presented potential amendments to the zoning ordinance for discussion. Kienberger noted that this would be a discussion before staff bring it forward in a more formal way.

Hogan talked about outdoor dining areas in the zoning code, particularly focusing on fencing and barriers, and bringing them into alignment with the liquor licensing requirements. Commissioner Ellis asked about if the zoning code is typically changed to match the rest of the code or if it is the other way around. Kienberger responded that staff will look for state statutes that back one or the other and make any changes based on that. Nemcek stated that the city doesn't really have any drinking establishments and the intention of the code was to prevent issues with those rather than the restaurant patios that are seen in the city. Commissioner Ellis asked about current businesses and if it would affect any of them negatively. Nemcek noted that this change would make things less restrictive. Kienberger stressed staff's focus on outdated or overly complicated code sections.

Hogan then presented on the requirements for commercial event centers. Nemcek provided context, explaining that property owners on agricultural land wanted to use their properties for weddings and other similar events. He stated there were some questions about the number of guests and the owner of the business needing to live on the property. Kienberger highlighted that this has been a more frequent question. Commissioner Rivera asked about restrictions based on building or fire codes. Kienberger stated that it was based on intensity. He also noted that they are difficult to enforce. The commission discussed whether the property owner and venue operator must be the same individual, if the site should be the owner's primary residence and if the operator should be required to stay on the premises for the entirety of the event. They considered the maximum number of guests and if that was

something that should be based on each individual case and determined at the time of the conditional use permit. Nemcek also discussed other commercial uses on agriculturally zoned land and the fact that the owners are not required to be on the land.

Hogan presented on landscaping requirement changes regarding parking lot trees being included as part of the overall landscaping requirement. Chairperson Reed asked about a case in which the developer planted more trees in the perimeter and had no trees in the parking lot. Nemcek clarified they would still need to include parking lot trees, but now that count would be included in the overall requirements. The Commission agreed that it would make it easier for developers.

Hogan also presented landscaping requirement changes to amend the code to eliminate the opacity level and exchange it for coniferous trees. Nemcek stated that it was difficult to measure opacity and enforce the code. Commissioner Reed expressed concerns about coniferous trees' ability to screen. He stated that he would like to see something more enforceable than either of the options presented. Commissioner Rivera asked about remedies for issues with landscaping. Commissioner Beadner stated that something specific should be included to indicate expectations. Kienberger noted that staff could do more research to see what other cities are doing to achieve the expected screening.

ADJOURNMENT

There being no further business to come before the Planning Commission at the regular Commission meeting the meeting was adjourned at 8:08 p.m.

Respectfully submitted,

Liz Kohler
Community Development Technician