

PLANNING COMMISSION REGULAR MEETING MINUTES

JULY 23, 2019

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I. Regular Meeting

Call to Order:

Pursuant to due call and notice thereof, the Regular Meeting of the Planning Commission was held on Tuesday, July 23, 2019. Chair Kenninger called the meeting to order at 6:30 p.m. with Commissioners VanderWiel, Freeman, Reed, Rivera, and Lundquist. Commissioner Schmisek was absent. Also in attendance were Community Development Director Lindquist, Senior Planner Klatt, Planner Nemcek, City Engineer Smith and Recording Secretary Bodsberg.

The Pledge of Allegiance was said.

Additions to Agenda: None.

Audience Input: None.

Consent Agenda:

- a. Approval of the June 25, 2019 Regular Meeting Minutes.

MOTION by Reed.

Second by VanderWiel.

Ayes: 5. Nays: 0. Kenninger abstained because she was absent for the June 25, 2019 meeting.

Wetlands Regulation Presentation by Roxy Franta, WSB Engineering

Public Hearing:

6.a. Request by Rebecca and Ronald Gruenes for a Rezoning, Simple Plat, with Variance to create a three-lot subdivision called Deer Haven. **(19-32-SMP, 19-33-V, 19-34-RZ)**

Senior Planner Klatt gave a brief summary of the staff report for the Planning Commission.

Commissioner Rivera questioned what the benefit would be to rezone this specific property since the property below will still be AG-Agricultural. Klatt stated that the properties usually keep the AG zoning until development is close and that it would be then consistent with the Comp Plan.

Commissioner VanderWiel inquired if the shared driveway would potentially hurt the existing wetland. Klatt stated that the driveway has been evaluated by staff. Staff is requesting that the driveway get expanded to 16 feet and this will help ensure that the impact is limited. VanderWiel inquired how close the driveway is to the edge of the wetland. Klatt stated it is roughly 10-15 feet. When expanded the driveway will be moved further away from the wetland.

Commissioner VanderWiel inquired why Coffee Trail is not being extended versus the property having the shared driveway. Klatt stated that its possible to extend Coffee Trail in the future but at this time there isn't a right-of-way to run a city road without impacting the wetland and property. It would be difficult to do without negatively impacting the property and wetlands. Vander Wiel questioned if that road will ever be extended in the future. Klatt stated that it probably would not be but possibly as other properties near Coffee Trail develop.

Public Hearing opened at 7:39 pm.

Public Comments:

John Slizor, 4990 120th Street West, stated that the property has an easement along the back, the shared driveway is not necessary and would like to see Coffee Trail extended. Mr. Slizor is concerned that the development will diminish the rural setting that surrounds their home.

William Meyer, 4000 120th Street West, questioned if the developer could replat the L shaped section into 2 acre lots in the future.

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Ron Gruenes, 48545 Shanaska Creek Road, Kasota, stated that he is the applicant and that their intentions are to move up to Rosemount. Mr. Gruenes would like to only sell one lot and keep the other lot.

MOTION by Freeman to close the public hearing.

Second by VanderWiel.

Ayes: 6. Nays: 0. Motion Passes.

The public hearing was closed at 7:54 pm.

Additional Comments:

Kenninger inquired if there are any constraints on subdividing this land into smaller lots. Klatt stated that they are limited to how many homes that they can put on the land.

VanderWiel stated that she would like to explore placing the access on the south of the property. She would not like to permanently place a hard surface on the current driveway so that it would not alter the wetland that is located around the driveway.

Rivera stated that she would also have a hard time moving forward without looking closer at the option of using the Coffee Trail cul-de-sac to create another access point onto the property.

Community Development Director Lindquist stated that they would prefer to not place a driveway through a wetland but the driveway is already in place and are just recommending that it gets a minor adjustment so that it has a wider access. The south of the property was not looked at because if a driveway was placed in that area it would have to go through 50 percent of the property just to reach the current house.

Reed stated that he would feel comfortable placing a condition about the easement on the south of the property.

Freeman stated that she is also leaning toward approval because the driveway is already in place instead of creating a road through the entire site.

Kenninger stated that by using the current driveway it would be less in cumbersome then creating a road through the property.

VanderWiel stated that with the information that is before her she is unable to vote on this item.

MOTION by Reed by the Planning Commission to adopt a resolution approving a variance to allow the creation of two lots that share one driveway and that do not meet the minimum lot width requirements for an RR-Rural Residential Zoning District.

Second by Freeman.

Ayes: 3. Nays: 3. Rivera, Lundquist, VanderWiel. Motion Denied.

MOTION by VanderWiel to table this item and bring it back to the August 27, 2019 regular meeting.

Second by Reed.

MOTION by VanderWiel to table the remaining two motions.

Second by Rivera.

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6.b. Request by Novel Energy Solutions for a Site Plan Review of a Solar Installation. (19-38-SP)

Planner Nemcek gave a brief summary of the staff report for the Planning Commission.

Kenninger inquired if the trees will be located inside the fence. Nemcek stated that the trees will be outside of the fence.

Reed inquired if the current landscape needs to stay in tack. Nemcek stated that the applicant will be adding trees to the existing landscape. Reed questioned if the applicant would need to keep the trees in place throughout the years. Nemcek stated that it is.

Rivera stated that she would have to agree that the added condition to maintain the landscape would be appropriate.

Kenninger stated that she also agrees that the trees should be kept in place to provide a buffer for the neighborhood.

Lundquist inquired what type of fence would be used. Nemcek stated that the plan didn't state what material would be used.

Public Hearing opened at 8:37 pm.

Public Comments:

Paula Fitzgerald and Ralph Galpher, 1633 South Robert Street, WSP, stated that the intent of this project is to bring the church clean energy.

Kenninger questioned what type of fence material will be used. Mr. Galpher stated that it will most likely be chain link.

Rivera questioned what the timeline would be for the project. Ms. Fitzgerald that the building permit would get applied for in the next week and then start construction shortly after.

Lundquist questioned if there is any reflective material on the panels. Ms. Fitzgerald stated that glare would be a non-issue.

David Berg, 15213 Danbury Ave, stated that he is on the church council and that the congregation is very excited about this project.

Kenninger suggested an additional condition for making sure that the landscape around the buffer is kept maintained and plantings replaced should any die within the buffer area. Reed suggested something like the applicant maintain landscape plan with approximate 90% opacity on east and southern area.

Michael Gurtin, 2249 Birch Street West, stated that although he is not thrilled at his new view of solar panels looks like the project will be moving forward. Mr. Gurtin agrees with the additional condition for the maintained landscape.

Tom Hannasch, 12550 Dorchester Trail, Apple Valley, stated that he is a long time church member and appreciates the favorable consideration of the proposed project.

MOTION by Freeman to close the public hearing.

Second by VanderWiel.

Ayes: 6. Nays: 0. Motion Passes.

The public hearing was closed at 8:54 pm.

Additional Comments: None.

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Motion by Reed to Approve the Site Plan submitted by Novel Energy Solutions, subject to the following conditions:

1. Applicant shall provide a landscaping surety in the amount of \$15,180.
2. The execution of an encroachment agreement for the electrical wiring that will cross the drainage and utility easement.
3. The applicant shall register the location of the electrical wires within the drainage and utility easement with Gopher State One Call.
4. The applicant shall receive a grading permit prior to any excavation on the site.
5. Compliance with all the conditions contained within the Engineer's Memo dated July, 23, 2019
6. Applicant will maintain the landscape plan, and replace dead or dying vegetation to maintain an approximate 90% opacity along the south and east buffer areas, for the life of the solar field.

Second by Freeman.

Ayes: 6. Nays: 0. Motion Passes.

Adjournment: There being no further business to come before this Commission, Chair Kenninger adjourned the meeting at 8:57 pm.

Respectfully submitted,

Stacy Bodsberg, Recording Secretary