

PLANNING COMMISSION REGULAR MEETING MINUTES

JANUARY 28, 2020

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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 Monday, December 16, 2019. Chair Kenninger called the meeting to order at 6:30 p.m. with Commissioners Rivera, Freeman, Reed, and VanderWiel. Lundquist and Schmisek were absent. Also, in attendance were Community Development Director Lindquist, Senior Planner Klatt, Planner Nemcek and Recording Secretary Bodsberg.

The Pledge of Allegiance was said.

Additions to Agenda: None.

Audience Input: None.

Consent Agenda:

- a. Approval of the November 26, 2019, Regular Meeting Minutes.

MOTION by Freeman.

Second by Rivera.

Ayes: 5. Nays: 0.

Public Hearing:

5.a. Request by Dakota Aggregates for a Renewal of their Large Scale Mineral Extraction Permit for 2020. (19-54-ME)

Senior Planner Klatt stated that staff is recommending that the Planning Commission continue this item so that Staff can meet with the University of Minnesota to better understand their plans for future development as it relates to the mining phasing plan.

Public Hearing opened at 6:33 pm.

Public Comments: None.

MOTION by VanderWiel to continue the public hearing concerning the request by Dakota Aggregates to renew its interim use permits for a Large Sale Mineral Extraction Permit and Aggregate Processing Facility to the January 28, 2020 Planning Commission meeting.

Second by Freeman.

Ayes: 5. Nays: 0. Motion Passes

5.b. Request by Equity Lifestyle Properties for a Major Amendment to the Rosemount Woods PUD to Develop an Additional thirty-nine home sites within the boundaries of the Rosemount Woods Mobile Home Park. (19-50-AMD)

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

Chair Kenninger inquired if the side yard set backs are similar to other development projects in the City. Nemcek stated that the 5 foot set back would be consistent with the rest of the Rosemount Woods development. Kenninger inquired about the concern for additional traffic within the current development. Nemcek stated that it was reviewed on a first responder stand point and that the development can handle the additional home sites.

Commissioner Rivera inquired if there is concern over storm shelter availability for the additional sites. Nemcek stated that staff is requesting that they add an additional shelter area for the increased number of home sites.

Commissioner Reed inquired if the landscaping needed to be 95 percent coverage. Nemcek stated that the applicant was required to do a tree inventory for the current trees on site. The inventory showed what trees would be removed and what trees would be replaced. They are allowed to remove 25 percent of the trees before they are required to start replacing the trees.

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The public hearing opened at 6:58 pm.

Public Comments:

Angela Durbin, 14060 Burma Ave, stated that she is representing the Glenrose of Rosemount homeowners' association. Ms. Durbin inquired exactly how close to 140th Street would the sites be built. Nemcek stated that the nearest home would be 175 feet to 140th Street. Ms. Durbin stated that a main concern would be that the additional sites would add traffic through their neighborhood.

Todd Franz, South Metro Auto Brokers, 13940 South Robert Trail, stated his displeasure for the proposed additional sites.

Treston Dudek, 14089 Burgundy Court, stated that he lives in the Glenrose development. He is concerned that they will lose some of their privacy if the home sites are added. Mr. Dudek stated that he is concerned about the potential of added traffic onto Connemara Trail. Mr. Dudek is also concerned about adding low income housing into Rosemount.

Nichole Benson, 14038 Burgundy Ave, stated that her property is located right on the corner next to the trailer park. According to the landscape plan she will now look out her window to see the trailer park instead of the trees that she currently looks at. Ms. Benson is also concerned about the added traffic in the area.

Teresa Jakubowski, 2960 140th Circle, stated that the current Rosemount Woods development is expensive. Ms. Jakubowski stated that she is concerned about who will be able to afford the new sites.

Joe Polaczyk, 14092 Burgundy Court, stated that density in this area is already an issue. The traffic onto Highway 3 is already very busy.

Greg Mcelroy, 13898 South Robert Trail, stated that there are other areas in the city that can be developed for high density developments.

Jennifer Morrison, 14039 Burgundy Ave, stated that they currently cannot see the trailer park from her home but when Rosemount Woods adds the new sites, she will unfortunately have to see the trailer park.

Wayne Rychwalski, 14051 Burma Ave, stated that the foot traffic that will increase from Rosemount High School through their neighborhood going into the trailer park. The added traffic going onto Highway 3 needs to be addressed.

Matt Schumacher, Cage Civil Engineering, 3110 Woodcreek Drive, Downers Grove, IL, stated that he worked with staff and altered the layout so that two-thirds of the large trees can be saved. The applicant ended up losing some sites but allowed them to save the larger diameter trees.

John Boyce, 14100 Burgundy Court, stated that the traffic and density in this area is his main concern.

Joe Langel, Ratwik, Roszak & Maloney (counsel for the applicant), 730 2nd Ave S., Suite 300, Minneapolis, stated that the applicant has worked diligently with the City to make sure that the trees are saved so that the buffer is there between the neighborhoods. Mr. Langel stated that he has noticed that no current residents of the mobile home park are at the meeting complaining about the additional sites proposed. He stated that a mobile home park is needed to offer lower income home options. This park has additional space and would like to expand it.

Nichole Benson, 14038 Burgundy Ave, stated that she would not have purchased her home in the location that it is in if she would have known additional mobile home sites and now, she can see them from her home. She is concerned about her townhome's property values.

Greg Mcelroy, 13898 South Robert Trail, inquired how many Police Department calls have been made to Rosemount Woods.

Thomas Reis, 14105 Burnley Way, stated that the average people per household is very much more than two people. The roads in Rosemount Woods is so crowded that you can barely drive down the streets.

Anissa Driscoll, 14093 Burnley Way, stated that this comes down to supply and demand. Has the research been done to see that we need additional home sites?

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Jamal Abdulahi, 14201 Bayberry Trail, stated that diverse housing is needed. Our cities economy cannot survive on only single-family homes.

Jeanne Polaczyk, 14092 Burgundy Court, stated that she understands the need for affordable housing. The trailer park is already in their backyard.

Virginia Allatt, 14081 Burgundy Court, stated that she specifically selected her home because of the proximity to Rosemount High School. Ms. Allatt stated that there is high theft coming out of the trailer park. She asked that the City provide information concerning police department calls that come for Rosemount Woods trailer park.

MOTION by Reed to close the public hearing.

Second by VanderWiel.

Ayes: 5. Nays: 0. Motion Passes.

The public hearing was closed at 7:57 pm.

Additional Comments:

Community Development Director Lindquist described the process for this application. The City does not own this property. The property owner has the land and submitted the application. The City takes in applications and reviews them by making sure that they meet the land use and zoning for the property. The City has given the applicant numerous comments and the applicant has revised the plan to the plan that is before us tonight. The City does need affordable housing and diversity of housing.

Chair Kenninger stated that the Planning Commission position is to look at the land use and zoning of the applicants request and if the project is a proper use of the land.

Community Development Director Lindquist stated that staff has consulted with the Police Department about calls to Rosemount Woods and the Chief stated that calls are consistent with other neighborhoods of this size.

Planner Nemcek stated that a 140th Street expansion would be avoided to maintain the separation between the two neighborhoods.

Commissioner Rivera stated she has a concern about the traffic down Highway 3. Lindquist stated that Highway 3 is a state road and conversations have been had with MnDOT on numerous occasions.

Commissioner Reed stated that he is opposed to the applicant due to the side yard setbacks. The five-foot setback places the homes way too close.

Lindquist stated that after listening to the neighbors they would request a condition to add additional landscaping between the two neighborhoods.

Chair Kenninger stated that she would agree with adding additional landscape to provide more coverage between the neighborhoods. The traffic that the added sites could potentially create is also a concern.

Commissioner VanderWiel stated that her concern is with the landscaping plan. She would be in support if a condition was added for additional landscaping.

MOTION by VanderWiel to recommend that the City Council approve a Major Amendment to the Rosemount Woods PUD to Develop an Additional thirty-nine (39) home sites within the boundaries of the Rosemount Woods Mobile Home Park, subject to the following conditions:

1. Provision of a landscape surety in the amount of \$52,800.
2. Compliance with all the conditions and standards within the City Engineer's Memorandum dated December 16, 2019.

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3. Applicant shall dedicate drainage and utility easement over the public sanitary sewer line that will be relocated along Burgundy Avenue.
4. Applicant shall enter into a Stormwater Maintenance and Easement Agreement with the City for the proposed, private infiltration basin.
5. Applicant shall expand the storm shelter to comply with the structural requirements as determined by FEMA as well as the state building code as it relates to size.
6. Conservation easements are required over the wetland and buffers. Signage for conservation easements shall be provided by the developer.
7. Added: Further review of the landscape plan.

Second by Freeman.

Ayes: 2. Nays: 3. Motion Fails.

Reed, Rivera and Kenninger voted Nay.

Reed stated that he did not support the motion because of the side yard setbacks. He would like to see at least 10 feet on either side of the property. Lindquist stated that some of our other single-family properties have had a side yard setback of 7.5 feet.

Kenninger stated that she has major concerns about the traffic. would like to see the landscape plan before the item moves forward to the City Council.

Matt Schumacher questioned if the applicant would to provide a traffic study showing that there would be no major impacts would that help the commission. Kenninger stated that a traffic study would be helpful to better understand the specific intersections outside of Rosemount Woods.

MOTION by VanderWiel to continue this item until the January 28, 2020, Planning Commission meeting.

Second by Rivera.

Ayes: 5. Nays: 0. Motion Passes.

Recess at 8:25 pm.

Meeting called back to order at 8:30 pm.

5.c. Request by Vesterra, LLC and Stonex, LLC for a Renewal of their Small Scale Mineral Extraction Permit for 2020. (19-52-ME)

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

Reed questioned if there have been any complaints or police reports. Klatt stated that there has not been.

The public hearing opened at 8:36 pm.

Public Comments:

John Chadwick, 4477 Manitou Road, Excelsior, stated that the mine is doing well.

MOTION by Freeman to close the public hearing.

Second by Reed.

Ayes: 5. Nays: 0. Motion Passes.

The public hearing was closed at 8:38 pm.

Additional Comments:

MOTION by Reed to recommend that the City Council renew the Vesterra, LLC. and Stonex LLC. Small Scale Mineral Extraction Permit for 2020, subject to the terms and conditions in the attached Draft 2020 Conditions for Mineral Extraction.

Second by VanderWiel.

Ayes: 5. Nays: 0. Motion Passes.

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5.d. Request by Bolander and Sons for a Renewal of their Small Scale Mineral Extraction Permit for 2020.
(19-51-ME)

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

Commissioner Reed inquired if there have been complaints. Klatt stated that there has not been any.

The public hearing opened at 8:44 pm.

Public Comments: None

MOTION by Reed to close the public hearing.

Second by Rivera.

Ayes: 5. Nays: 0. Motion Passes.

The public hearing was closed at 8:45 pm.

Additional Comments: None

MOTION by Rivera to recommend that the City Council approve the Bolander and Sons Mineral Extraction Permit for 2020, subject to the terms and conditions in the attached 2020 Draft Conditions for Mineral Extraction.

Second by Freeman.

Ayes: 5. Nays: 0. Motion Passes.

5.e. Request by Shafer Contracting Co. for a Renewal of their Small Scale Mineral Extraction Permit for 2020.
(19-53-ME)

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

Commissioner Reed inquired if there have been any complaints. Klatt stated that there has not been.

The public hearing opened at 8:51 pm.

Public Comments: None.

MOTION by Reed to close the public hearing.

Second by VanderWiel.

Ayes: 5. Nays: 0. Motion Passes.

The public hearing was closed at 8:52 pm.

Additional Comments: None.

MOTION by Freeman to recommend that the City Council renew the Shafer Contracting Co. Small Scale Mineral Extraction Permit for 2020, subject to the terms and conditions in the attached Draft 2020 Conditions for Mineral Extraction.

Second by Reed.

Ayes: 5. Nays: 0. Motion Passes.

Discussion

6.a. 2020 Planning Commission Meeting Schedule

Adjournment: There being no further business to come before this Commission, Chair Kenninger adjourned the meeting at 9:00 pm.

Respectfully submitted,
Stacy Bodsberg, Recording Secretary