

PLANNING COMMISSION REGULAR MEETING MINUTES

February 26, 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 February 26, 2020. Chair Kenninger called the meeting to order at 6:30 p.m. with Commissioners Freeman, Reed, Schmisek and Rivera. VanderWiel and Lundquist were absent. Also, in attendance were Community Development Director Lindquist, Senior Planner Klatt, Planner Nemcek, Economic Development Coordinator Van Oss, 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 January 28, 2020, Regular Meeting Minutes.

MOTION by Freeman.

Second by Reed.

Ayes: 5. Nays: 0.

Public Hearing:

5.a. Request by Schmitz Brewery for a Variance, Simple Plat and Conditional Use Permit to Facilitate the Construction of a Microbrewery and Taproom on the subject property. **(20-14-SP & 20-23-CUP)**

Senior Planner Klatt noted that this item is being continued until additional information is provided. Kenninger suggested continuing the item to the next regular Planning Commission meeting which is March 31, 2020.

The public hearing opened at 6:32 pm.

MOTION by Schmisek to Continue the Public Hearing until the Planning Commission Meeting on March 31, 2020.

Second by Rivera.

Ayes: 5. Nays: 0. Motion Passes

5.b. Request by CNC Development IV, LLC., for Planned Unit Development Master Development Plan with Rezoning, Preliminary Plat, and Comprehensive Guide Plan Amendment Approval to develop 151 single-family lots. **(20-09-PUD, 20-10-PP, 20-11-RZ, 20-12-CP))**

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

Kenninger inquired about the proposed land use change map and if Flint Hills has first right of refusal adjacent to the subject property. Nemcek stated that is correct. Kenninger stated that the left over commercial, east of the site, would be effectively abandoned.

Schmisek stated that he has a concern about losing any commercial property but thought that little piece would be cut off. Another concern is that of the additional traffic on Connemara Trail. Schmisek inquired if there are any talks about changing the intersection at Connemara and Akron, such as a round-about or a signal light. Lindquist stated signal lights will be installed at Akron and County Road 42 but none are proposed at Connemara.

Reed inquired about the flow of the sidewalks on Connemara Trail. Engineer Smith stated that the trail and sidewalk along Connemara Trail will be extended into this subdivision and that Dakota County will be installing an underpass under County Highway 42 so that pedestrians will have a safer place to cross the highway in this area.

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The public hearing opened at 6:58 pm.

Public Comments:

Kenninger inquired how the new single-family home owners will be notified that an apartment building is also planned to be built near their new homes.

Rick Osberg, Engineer, James R. Hill, Inc., stated that they have been working with staff to get to today's plan. The property owners do not have an interested party to build the apartment currently. Besides the fact that the property is guided for high density there isn't much information to give to a potential buyer.

Rivera questioned if the stub road would be a future through road. Nemcek stated that is correct.

MOTION by Rivera to close the public hearing.

Second by Schmisek.

Ayes: 5. Nays: 0. Motion Passes.

The public hearing was closed at 7:03 pm.

Additional Comments:

Kenninger stated that her biggest concern was with changing the zoning of this area. But also agrees that this is a great use of the land. She would like to ensure that the 151 new homeowners are aware that there will be a future apartment building on the property next to this site. She requested that be added as a condition of approval.

Reed stated that since having the trail system continue through Connemara Trail he is in favor.

Schmisek inquired if there will be access from the development to Connemara Trail. Nemcek stated that from the commercial there will be one access point onto Connemara Trail.

MOTION by Freeman to recommend that the City Council approve a Comprehensive Guide Plan amendment to reguide 20 acres of the development site from MDR-Medium Density Residential to LDR-Low Density Residential and the southeast 10 acres of the site from CC-Community Commercial to HDR-High Density Residential.

Second by Reed.

Ayes: 5. Nays: 0. Motion Passes.

MOTION by Schmisek to recommend the City Council approve the Preliminary Plat for Emerald Isle, subject to the following conditions:

- a. Approval of a Planned Unit Development Master Development Plan with Rezoning.
- b. Approval of a Comprehensive Plan Amendment regarding the site to LDR and HDR.
- c. Conformance with all the requirements of the City Engineer as detailed in the attached memorandum dated February 26, 2020.
- d. Payment of \$513,400 as cash-in-lieu of park dedication.

Second by Freeman.

Ayes: 5. Nays: 0. Motion Passes.

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MOTION by Rivera to recommend approval of the Planned Unit Development Master Development Plan with rezoning of the property for AG-Agriculture to R1 PUD-Low Density Residential Planned Unit Development and R4 PUD-High Density Residential Planned Unit Development, subject to the following conditions:

- a. Execution of a PUD Agreement.
- b. Approval of a Comprehensive Plan Amendment regarding the site to LDR and HDR.
- c. The front building elevation design shall include one of the following elements:
 - i. Three and a half (3.5) feet of brick or stone wainscoting, excluding doors, windows or the wall behind the front porch;
 - ii. A front porch with railing that extends at least 30% of the width of the front elevation, including the garage;
 - iii. A side entry garage;
 - iv. Or, no more than 70% lap siding, excluding doors and windows.
- d. A deviation from City Code Section 11-4-5 F.1. to reduce the interior lot minimum area of 10,000 to 8,125 square feet and corner lot minimum area from 12,000 to 10,625 square feet.
- e. A deviation from City Code Section 11-4-5 F.2. to reduce the minimum lot width from eighty (80) feet to sixty-five (65) feet for interior lots and from ninety (90) feet to eighty-five (85) feet for corner lots.
- f. A deviation from City Code Section 11-4-5 F.5. to reduce the side yard setback from ten (10) feet to seven and one half (7.5) feet except in areas where existence of larger drainage and utility easements require additional setbacks.
- g. A deviation from City Code Section 11-4-5 F.6. to reduce the rear yard setback thirty (30) feet to twenty-five (25) feet.
- h. A deviation from City Code Section 11-4-5 F.9. to increase the maximum lot coverage from thirty percent (30%) to thirty-five percent (35%) lots more than 9,750 square feet in area.
- i. Incorporation of the recommendations from the City Engineer in a review memorandum dated February 26, 2020, relative to drainage, grading, street design, easements, utilities, and the adjacent sidewalks.
- j. A temporary cul-de-sac shall be constructed at the stub of Street D.
- k. Subdivision monuments shall be subject to sign permits and normal zoning standards.
- l. The applicant shall receive approval from the Metropolitan Council for any connection to the Met Council sanitary interceptor line.
- m. Payment of a landscape surety in the amount of \$97,020.
- n. The applicant must receive final site and building plan approval for the R-4 High Density residential portion of the project.
- o. The developer post a sign on the multi-family site indicating that the property is a future apartment building site.

Second by Schmisek.

Ayes: 5. Nays: 0. Motion Passes.

5.c. Request by Mark Davis for a Site Plan Approval to Allow Construction of a 12,650 Square Foot Medical Office Building. **(20-15-SP)**

Economic Development Coordinator Van Oss gave a brief summary of the staff report for the Planning Commission.

Reed inquired what the purpose of the retaining wall is. Smith stated that the retaining wall is needed for site grading.

The public hearing opened at 7:18 pm.

Public Comments:

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Patrick Giordana, Project Architect, stated that he is available for questions.

Stephen Lyzenga, 15288 Chokecherry Ave, stated that his property backs up to Chippendale and has watched the traffic increase through the years on that road. He inquired about adding a four way stop and dropping the speed limit along Chippendale south of 150th Street.

MOTION by Schmisek to close the public hearing.

Second by Freeman.

Ayes: 5. Nays: 0. Motion Passes.

The public hearing was closed at 7:20 pm.

Additional Comments:

Engineer Smith stated that Chippendale is a collector road that has been built to sustain the amount of traffic currently using the roadway. Smith stated that the suggestions will be passed onto the Safety Committee that meets monthly.

MOTION by Rivera to Approve the Site Plan and Building Design review for Davis Healthcare Real Estate to allow the construction of a 12,650 square foot medical office building at 15265 Carrousel Way, subject to the following conditions:

1. A landscape surety for 110% of the site landscaping is required.
2. City Council approval of the existing drainage and utility easement vacation along the eastern property line.
3. Submission of a lighting and photometric plan conforming to ordinance requirements prior to the issuance of a building permit.
4. Conformance with all conditions of the City Engineer as outlined in the memo dated February 26, 2020, prior to issuance of a building permit, including compliance with the stormwater standards and removal of the spillways.
5. Final tree plantings near the entrance driveway are subject to review and approval by the City to ensure adequate visibility is maintained along Carrousel Way.
6. Review and approval of the trash enclosure by City staff, including use of complementary materials to the principal structure.
7. The applicant revises the southern access to shift the access along the eastern property line and provide a shared access easement to the adjoining property.

Second by Reed.

Ayes: 5. Nays: 0. Motion Passes.

5.d. Request by Equitably Acquired Properties, Inc. for a Rosemount Condominium Garages Conditional Use Permit, PUD Master Development Plan with Rezoning, Simple Plat (Combined Preliminary and Final Plat), and Site Plan Review (Final Development Plan) **(20-17-CUP, 20-18-SP, 20-19-PP, 20-20-PUD, 20-21-FP)**

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

Kenninger inquired if the clients would be living at the facility. She questioned where the clients would be parking as 12 spots do not seem like enough space. Klatt stated that the City's ordinances would not allow people to stay overnight in their unit. Klatt stated that the aisles are designed to be wider and that most clients will be parking right outside their unit.

Reed inquired if there was any discussion on using the garages to work on cars. Klatt stated that there will not be drains onsite and the site is not intended to be a maintenance building where the clients can work on their vehicles.

The public hearing opened at 7:51 pm.

Public Comments:

Lawrence Koland, 4813 Blaine Avenue, Inver Grove Heights, stated that he is the applicant. Koland stated that the concept is to bring people together. The idea is that the development is not a storage facility. We are trying to build a community. There will be a club house and will have charitable events onsite.

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Kenninger questioned where people will be parking when visiting the garage. Mr. Koland stated that there is usually not more than five people on site at a time. When there are different events the attendees just park in front of the garages and walk the site.

Freeman questioned if the garage owners ever use the space for other hobbies such as furniture building or crafting. Mr. Koland stated that it's a hands-on facility. Its community centric. The owners can use the space for all sorts of different reasons such as woodworking, glass blowing, etc.

Rivera questioned if the garages are for sale or rentals. Mr. Koland stated that the garages will be for sale. Usually when a garage goes up for sale it is sold within the garage community.

Garrett Wimer, 6625 Buckley Circle, #202, Inver Grove Heights, Clarity Commercial Property Managers, stated that he will be running the building after it is built and his management company will enforce the HOA rules once the community is built.

Mell Schultz, 12470 Blanca Ave West, Clarity Commercial Property Managers, stated that the idea of this development is to bring families and the community together.

MOTION by Freeman to close the public hearing.

Second by Schmisek.

Ayes: 5. Nays: 0. Motion Passes.

The public hearing was closed at 8:00 pm.

Additional Comments:

Klatt stated that the space between the buildings is wide enough to accommodate parked vehicles while still allowing room for maneuvering for access.

MOTION by Reed to recommend that the City Council adopt an ordinance rezoning the property from BP Business Park to Business Park Planned Unit Development, BP-PUD.

Second by Schmisek.

Ayes: 5. Nays: 0. Motion Passes.

MOTION by Schmisek to recommend the City Council approve a PUD Master Development Plan for a condominium garage facility on Lot 1, Block 1, of the subdivision, subject to the following conditions:

- a. Execution of a PUD Agreement.
- b. A deviation from City Code Section 11-4-15 (F.3) to allow the overall impervious coverage of the site to exceed 75%.
- c. A deviation from City Code Section 11-4-15 (G) to allow buildings that do not meet the City's site and building design standards with regards to entry features and permitted materials. Building design shall be regulated under the PUD Agreement.
- d. A deviation from City Code Section 11-4-13 (D) to allow the facility to be open and available for use for 24 hours per day and not be completely enclosed by a combination of buildings and decorative fencing.
- e. The City will be able to access all manholes on the eastern portion of the property to evaluate discharge into the public sanitary and storm sewer system from the site.
- f. Establishment of a private association that assumes responsibility for maintenance of all common areas and site elements, including but not limited to private access drives, parking areas, storm water retention ponds, landscaping, patios, and exterior building elements.
- g. Incorporation of recommendations from the City Engineer in a review memorandum dated February 20, 2020, relative to drainage, grading, easements, utilities, storm water management, and other subjects covered in the review.

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- h. No parking will be allowed along the driveways providing access between buildings and the developer will be responsible for signage marking these areas following the recommendation of the Fire Marshall.
- i. Freestanding signage will be limited to one for the PUD area in the location identified on the site plan.
- j. Payment of all required area and connection charges consistent with the Engineering memo.
- k. The landscape plan shall be updated to bring the site closer to compliance with the City's minimum landscape requirements for overstory trees. The applicant shall pay a fee-in-lieu of tree plantings for any trees short of the minimum requirement.
- l. A landscape letter of credit for 100% of the site landscaping is required.

Second by Freeman.

Ayes: 5. Nays: 0. Motion Passes.

MOTION by Freeman to recommend the City Council approve a Conditional Use Permit for a self-service storage facility to allow the construction of a 76-unit car condominium garage facility.

Second by Reed.

Ayes: 5. Nays: 0. Motion Passes.

MOTION by Reed to recommend the City Council approve a simple plat of the Rosemount Car Club, subject to the following conditions:

- a. Incorporation of recommendations from the City Engineer in a review memorandum dated February 20, 2020, relative to drainage, grading, easements, utilities, storm water management, and other subjects covered in the review.
- b. Vacation of existing drainage and utility easements over Outlot A of the JJT Business Park subdivision.
- c. Payment of \$36,465 in-lieu of land dedication for Lot 1, Block 1 (\$8,500 per acre x 4.29 acres)

Second by Schmisek.

Ayes: 5. Nays: 0. Motion Passes.

Old Business:

6.a. 2040 Comprehensive Plan – Final Plan Adoption

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

MOTION by Reed to recommend that the City Council put the 2040 Rosemount Comprehensive Plan and Utility System Plans into effect.

Second by Schmisek.

Ayes: 5. Nays: 0. Motion Passes.

Adjournment: There being no further business to come before this Commission, Chair Kenninger adjourned the meeting at 8:08 pm.

Respectfully submitted,
Stacy Bodsberg, Recording Secretary