

PLANNING COMMISSION REGULAR MEETING MINUTES

October 27, 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 October 27, 2020. Chair Kenninger called the meeting to order at 6:30 p.m. with Commissioners Freeman, Reed, Schmisek, Rivera and Marlow. Also, in attendance were Community Development Director Lindquist, Senior Planner Klatt, Planner Nemcek, City Engineer Erickson and Recording Specialist Bodsberg.

The Pledge of Allegiance was said.

Additions to Agenda: None.

Audience Input: None.

Consent Agenda:

4.a. Approval of the September 22, 2020, Regular Meeting Minutes.

4.b. Request by U.S. Home Corporation for the Approval of a Final Plat for Meadow Ridge 4th Addition. (20-46-FP)

MOTION by Schmisek.

Second by Freeman.

Ayes: 6. Nays: 0.

Public Hearing:

In order to allow time for interested residents to access the Zoom meeting the Planning Commission took the items out of order and moved the Dotseth Variance to the first item on the agenda.

5.b. Request by Christina Dotseth for a variance from the side yard setback standard for a two-story structure and a variance from the lot coverage maximum to construct an addition to the principle structure. (20-50-V)

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

The public hearing opened at 6:46 pm.

Public Comments:

Christina Dotseth, 14775 Camero Lane, is the applicant and is excited to get this project started.

MOTION by Kenninger to close the public hearing.

Second by Schmisek.

Ayes: 6. Nays: 0. Motion Passes.

The public hearing closed at 6:51 pm.

Additional Comments: None.

MOTION by Reed to adopt a resolution approving the request, subject to the following:

1. The application receives all required building permits for the proposed improvements.
2. Use of the structure as a duplex or multi-family building is prohibited by ordinance. The structure shall not be altered in a way that results in more than one single dwelling unit.

Second by Rivera.

Ayes: 6. Nays: 0. Motion Passes.

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5.a. Request by Tamarack Land Development for a Zoning Map Amendment, Preliminary Plat and Planned Unit Development Master Development Plan with Rezoning for Ardan Place. **(20-47-PUD, 20-48-RZ, & 20-49-PP)**

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

Commissioner Reed stated that the landscape plan looks like it needs more trees added to it. Klatt stated that staff could work with the applicant to add trees near the railroad to provide additional screening. Planner Nemcek stated that there are existing trees and brush along the railroad that do screen. It doesn't show them on the aerial photo but that they are there.

Commissioner Rivera questioned when the elementary school will be built. Klatt stated that he is unsure exactly but thinks its closer to the 5-year mark.

Commissioner Schmisek questioned what the traffic plan is on Bonaire Path, especially at Hwy 3. Public Works Director Erickson stated that installation of any traffic controls would be driven by development and would be the decision of the State and Dakota County. Staff noted that the County and State are starting to conduct a study of the Hwy 3 corridor from just north of Downtown Rosemount to I-494 which may assist in understanding timing for future traffic control.

The public hearing opened at 7:34 pm.

Public Comments:

Brian, Tamarack Land Development, stated that they are happy to save as many trees as they can and would like to work with staff on adding trees.

Luke Nickell - 3rd Grade Resident at 13579 Athena Way, stated that he does not like the idea of taking away the corn field and the woods. He explained that he loves to have adventures in the woods and corn field. He also likes to watch the farmer harvest the corn for a living. He did not think the City should take away the corn field and put houses there.

Mark & Jennifer Nickell, 13579 Athena Way, stated that they have enjoyed living in our home for the last 10 years. Having the open area behind our home was a selling point and one of the reasons they bought the home. Having the peaceful land behind our home has given us joy over the years as we have spent spring, summer, and fall mornings on our deck enjoying the peace and quiet that Rosemount offers. We would be sad to see yet another development populate this area of our beautiful city. It would certainly encourage us to consider moving to another area. Please consider this when making your decisions. It certainly looks like this plan is moving forward in some form. We strongly believe that the applicant should be replacing all the trees that will be lost. The current level of tree loss is rather significant.

Ken Roy, 13630 Athena Way, stated that a sidewalk would be necessary along Bonaire Path. The amount of traffic has picked up considerably. It needs to be added now and not down the road. Mr. Roy questioned if the applicant was successful with negotiating with the bump out land owner or would the road be moved.

Senior Planner Klatt stated that the road is moving to the north. The applicant was not successful in negotiating with the current land owner. Klatt stated that the trees that are surveyed are all on the developer's property. The developer will not be touching any trees not on their site.

Chair Kenninger questioned if the trail could be added along Bonaire sooner rather than later. Lindquist stated that there are multiple options for this development and the neighborhood to the west to gain access to the new school site. The walkway along Bonaire will be a trail system and follow the road.

Ken Roy, 13630 Athena Way, questioned what will happen to the trees along both property lines. Klatt stated that it looks like all of the trees that are being removed are on the developer's property.

MOTION by Freeman to close the public hearing.

Second by Schmisek.

Ayes: 6. Nays: 0. Motion Passes.

The public hearing closed at 7:51 pm.

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Additional Comments:

Chair Kenninger stated that it would be good to find some additional ways to add in trees or to save the existing trees. Klatt stated that we could add that request into condition J. Lindquist stated that they will work with the developer to figure out a larger number for replacement and then modify condition H.

Commissioner Reed stated that he is in favor of the development but that we need a clearer plan on when the trails would be completed.

Chair Kenninger stated that she is in favor of the development but that the Bonaire sidewalk plan needs to be worked on.

Commissioner Rivera stated that she is in support of the development.

Commissioner Freeman stated that she is in support of the development, but that Bonaire needs a sidewalk.

Commissioner Schmisek questioned if the homes are a traditional single-story home. Reed with DR Horton stated that this project will have a raised ranch product. It will be a modified split level.

MOTION by Schmisek to recommend the City Council approve a zoning map amendment to rezone 52.19 acres from AG – Agricultural to R1 PUD – Low Density Residential Planned Unit Development.

Second by Freeman.

Ayes: 6. Nays: 0. Motion Passes.

MOTION by Freeman to recommend the City Council approve the Preliminary Plat for Ardan Place, subject to conditions:

- a. Approval of a Planned Unit Development master plan and rezoning the subject property.
- b. Conformance with all requirements of the City Engineer as detailed in the attached memorandum dated October 22, 2020.
- c. Conformance with all requirements of the Parks and Recreation Director as detailed in the attached memorandum dated October 22, 2020.
- d. Drainage and utility easements must be dedicated over all ponding areas as required by the City Engineer.
- e. Conformance with all PUD Master Development Plan conditions pertaining to preliminary plat revisions or approval a final plat.

Second by Schmisek.

Ayes: 6. Nays: 0. Motion Passes.

MOTION by Kenninger to recommend the City Council approve the Planned Unit Development Master Development Plan with the Rezoning of the property from AG – Agricultural to R1 PUD – Low Density Residential Planned Unit Development and R2 PUD – Moderate Density Residential Planned Unit Development, subject to conditions:

- a. The front elevation design of all residential buildings 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.
- b. A deviation from City Code Section 11-4-5 F.1. to reduce the interior lot minimum area of 10,000 to 8,000 square feet and corner lot minimum area from 12,000 to 10,500 square feet.
- c. A deviation from City Code Section 11-4-5 F.2. to reduce the minimum lot width to fifty-five (65) feet for interior and seventy (75) feet for corner lots.
- d. A deviation from City Code Section 11-4-5 F.4. to reduce the front yard setback to twenty-five (25) feet.
- e. A deviation from City Code Section 11-4-5 F.5. to reduce the side yard setback to seven and one half (7.5) feet.
- f. A deviation from City Code Section 11-4-5 F.9. to reduce the maximum lot coverage to forty percent (40%) for lots less than 10,000 square feet and thirty percent (30%) for lots over 10,000 square feet.
- g. A deviation from City Code Section 11-4-5 F.6. to reduce the minimum rear yard setback to 25 feet.

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- h. A deviation from City Code Section 11-6-3 E.10 to reduce the required tree replacement for removed trees from 1,114 caliper inches to 670 caliper inches.
- i. The seed mix in the ponding areas is subject to further review and approval as part of the landscape plan and must be approved prior to release of the final plat.
- j. Submission of a revised landscape plan that includes additional plantings or the preservation of existing trees along the western property boundary. The developer shall make a reasonable effort to preserve the existing heritage tree near the southwest corner of townhouse building 29 through grading plan revisions or changes to the alignment the townhouses in this area.
- k. Trees installed on individual lots shall be planted in the front yard in a location that does not interfere with curb stops or individual sewer or water connections.
- l. Conformance with all requirements of the City Engineer as detailed in the attached memorandum dated October 22, 2020.
- m. Conformance with all requirements of the Parks and Recreation Director as detailed in the attached memorandum dated October 22, 2020.
- n. The developer shall be responsible for all development fees as estimated by the City Engineer, including sanitary sewer trunk charges, water main trunk charges, and storm sewer trunk charges.
- o. The final plat and construction plans shall incorporate all revisions to Street 1 (Ardroe Avenue) as required by the City Engineer, including but not limited to adding a turn lane as necessary to accommodate turning movements through the intersection with Bonaire Path, aligning the road to match the connection to the north, proving access to the school district property that allows for safe bus turning movements, and aligning the road so that a permanent or temporary turn-around is not required.
- p. The developer shall provide additional right-of-way or additional easements across Lot 18, Block 1 as required by the City Engineer to accommodate the final alignment of Street 1 (Ardroe Avenue).
- q. All temporary and permanent easements for Street 1 (Ardroe Avenue) across the adjacent Independent School District 196 property shall provide all temporary construction easements necessary for construction of this street from the adjoining property owner.
- r. The developer shall enter into an agreement with Independent School District 196 concerning the shared costs of Street 1 (Ardroe Avenue), but will assume all responsibility for the construction of the road as part a subdivision agreement with the City.
- s. A separate sign permit will be needed for any neighborhood identification signs. All such signs shall conform to the City's sign regulations.
- t. Landscaping installed on City-owned outlots shall be subject to review and approval by the City and shall not interfere with the operation and maintenance of storm water infiltration areas.
- u. Maintenance of all trees planted within City-owned outlots shall be the responsibility of a private homeowner's association; the applicant shall enter into an agreement with the City concerning said maintenance.
- v. A public access easement shall be provided over the multi-purpose trail in the southern portion of the subdivision.
- w. If the City is not able to secure a trail access agreement with the homeowner's association to the west of Ardan Place, the trail plans shall be revised to show a direct connection to Street 6 and not the adjacent property as shown.
- x. Inclusion of a sidewalk along Street 1 (Ardroe Avenue) from Bonaire Path West to the start of the private townhouse street.
- y. Parking shall be prohibited on all private streets serving townhouses outside of the overflow parking stalls outside of driving lanes. No parking signs shall be installed along the private streets.
- z. The grading plans shall be revised for grading along Bonaire Path right of way to permit future installation of a trail.
- aa. The developer shall be allowed to grade across property lines to better match existing grades and eliminate a retaining wall upon agreement and provision of temporary construction easements with the adjoining property owner.

Second by Reed.

Ayes: 6. Nays: 0. Motion Passes.

Adjournment: There being no further business to come before this Commission, Chair Kenninger adjourned the meeting at 8:20 pm.

Respectfully submitted,
Stacy Bodsberg, Recording Specialist