

PLANNING COMMISSION REGULAR MEETING MINUTES

July 27, 2021

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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 July 27, 2021. Chair Kenninger called the meeting to order at 6:30 p.m. with Commissioners Reed, Rivera, Marlow, Thiagarajan, Schmisek and Hebert. Also, in attendance were Community Development Director Kienberger, 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.

Public Hearing:

4.a. Request by Seefried Industrial Properties, Inc. for Approval of a Preliminary and Final Plat, Rezoning, Planned Unit Development Master Development Plan, and a Conditional Use Permit to Construct a Warehouse and Distribution Center with Outdoor Storage. **(21-32-FP, 21-33-PP, 21-34-RZ, 21-35-PUD, 21-36-CUP)**

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

Chair Kenninger questioned if after rezoning the property to Light Industrial does that new zoning stay with the property. Nemcek stated that is correct. Kenninger inquired what other kind of businesses could we see in this area. Nemcek stated that the light industrial zoning buildings are going to be similar to the business park zoning, with the exception of outdoor storage. Kenninger stated that all of the traffic from the property will go onto Highway 42, Highway 3, or Biscayne Avenue. If there is no traffic light to be added at Highway 42 and Business Parkway, there is concern that the traffic from this property will add to an already congested area. Nemcek stated that there may be future improvements at Highway 3. A traffic light will be placed at Biscayne Avenue in the future. Kenninger inquired about the applicants lighting request having their lights be taller than what is allowed. Nemcek stated that the applicant has provided staff with a detailed photometric plan for their lighting and it is acceptable. Kenninger inquired about the fence with the barbed wire will not be coated in black, but all of the other fencing will be coated in black. Nemcek stated that is correct.

Commissioner Reed questioned that since this property includes a railroad spur, would that be included in this application or would a separate application be needed. Nemcek stated that the spurs are apart of the site plan review and grading permit. Reed inquired that if a spur is placed in this area, will it affect the traffic. Nemcek stated that the applicant can answer that question. Reed questioned how they would know that more trees aren't needed. Nemcek stated that when the trees are planted there will be space in between them per the guidance of the applicant's landscape architect. They won't look together until they are full grown. The applicant should try to fit as many trees on the property as possible.

The public hearing opened at 7:00 pm.

Public Comments:

Brian Novak, 8745 West Higgins Road, Chicago, IL, developer for the proposed project, stated that this building product has been built around the country for this specific tenant. Adding additional trees can be done along the south side of the property. Some foundation plantings may be included around the building and can also be placed along the screening wall. The tenant has shown that the screen wall will be extensive. The tenant will be maintaining the fence/wall. He stated that the taller poles will be interior of the business park. There will be no lights shining on the outside of the building.

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Commissioner Reed questioned if there has been any study done to see how this project will impact the intersection of Highway 42 and Highway 3. Mr. Novak stated that there are obligations of the railroad as it relates to how they affect the traffic at that intersection. There are two spurs that come onto the site for unloading railcars. Chair Kenninger inquired if the railcars will require a closure of that intersection. Mr. Novak stated that they will be crossing that intersection just like any other rail traffic.

Commissioner Marlow inquired about the trailer spaces on the outside of the building and if that will be used for storage space. Mr. Novak stated that the trailers will not be sitting on site for long periods of time. The storage and product is all inside of the building.

Ryan Preusse, 14400 Bayberry Circle, inquired what the tenant is storing at this facility, and if a traffic review could be done before anything is decided on this project. Sounds like there will be a lot of truck traffic and with the railroad so close to the intersection, it could create a traffic issue.

Mr. Novak stated that the storage will be building products. There will not be chemical storage. For the railroad question there are rules and regulations in place about blocking the intersection and those will not be exceeded.

MOTION by Schmisek to close the public hearing.

Second by Reed.

Ayes: 7. Nays: 0. Motion Passes.

The public hearing closed at 7:18 pm.

Additional Comments:

Commissioner Rivera stated that she works for the railroad that will service this warehouse project. Inquired if she should abstain from voting on this item. Kienberger stated that if there is a financial or perceived conflict of interest, then it would be suggested to abstain from voting on a specific item. Rivera explained the railroad process with this specific warehouse.

Commissioner Marlow stated that this project will be great to bring jobs to Rosemount.

Commissioner Thiagarajan stated that it is good to see that the storage is at the back of the property, so that you aren't seeing it from Highway 3.

Chair Kenninger stated the additional traffic from the warehouse is still concerning. Requested that the landscaping plan be completed before this item goes to City Council. Kenninger stated that more trees should be added along Boulder Avenue.

Commissioner Schmisek stated that in the included traffic study it looks like this development shouldn't have a direct impact for the Highway 3/42 intersection.

MOTION by Reed to recommend the City Council approve the Preliminary and Final Plats for JJT Business Park, 2nd Addition, subject to the following conditions:

- a. Approval of a Planned Unit Development Agreement Master Development Plan with Rezoning.
- b. Conformance with all the requirements of the City Engineer as detailed in the attached memorandum dated July 20, 2021.
- c. Payment of \$332,250 as cash-in-lieu of park dedication.

Second by Hebert.

Ayes: 6. Nays: 0. Motion Passes. (Commissioner Rivera abstained from voting)

MOTION by Schmisek to recommend the City Council approve a Zoning Map amendment to rezone the site from BP-Business Park to LI-Light Industrial.

Second by Marlow.

Ayes: 6. Nays: 0. Motion Passes. (Commissioner Rivera abstained from voting)

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MOTION by Hebert to recommend the City Council approve the Planned Unit Development Master Development Plan with rezoning of the property from LI-Light Industrial to LI PUD-Light Industrial Planned Unit Development, subject to the following conditions:

- a. Execution of a PUD Agreement.
- b. A deviation from City Code Section 11-4-15-1 G.5.D. to increase the maximum height of lighting fixtures within the outdoor storage area to forty (40) feet for pole mounted lights and thirty-five (35) feet for wall mounted lights.
- c. A deviation from City Code Section 11-4-15-1 G.3 to allow for the tarping station to be a pre-engineered metal building in lieu of precast concrete.
- d. A deviation from City Code Section 11-4-15-1 D to permit a solid wood wall to be used to screen the outdoor storage area in lieu of materials that match the principal building.
- e. A deviation from City Code Section 11-5-2 C.h. to permit an eight (8) foot tall security fence with three strands of barbed wire on the western portion of the site.
- f. Incorporation of the recommendations of the City Engineer as detailed in the attached memorandum dated July 20, 2021.
- g. Conformance with the requirements of the Fire Marshall as detailed in the memorandum dated July 21, 2021.
- h. Signs shall be subject to sign permits and normal zoning standards.
- i. The applicant shall update the landscaping plan to incorporate 181 foundation plantings and additional trees where possible. Any final shortfall from the number of trees required by the City Code shall be incorporated into the Planned Unit Development Agreement.
- j. Boulder Avenue shall be extended to the intersection of Highway 3.

Second by Reed.

Ayes: 6. Nays: 0. Motion Passes. (Commissioner Rivera abstained from voting)

MOTION by Schmisek to recommend the City Council approve a Conditional Use Permit for Outdoor Storage in the LI-Light Industrial zoning district.

Second by Hebert.

Ayes: 6. Nays: 0. Motion Passes. (Commissioner Rivera abstained from voting)

4.b. Request by Maplewood Homes for a Preliminary Plat and PUD Master Development Plan with Rezoning for Amber Fields (UMore Park). **(21-27-PUD & 21-28-PP)**

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

Chair Kenninger inquired if the apartment buildings are going to be a specific height. Also, if there is going to be additional landscaping to be used as a buffer around the apartment building. Kenninger inquired about how many city parks are going to be included in this development.

Commissioner Hebert questioned if the commercial aesthetics will be similar to surrounding commercial properties. Klatt stated that the intent is that it does.

Commissioner Thiagarajan inquired if sidewalks can be included on both sides of the street. Klatt stated that the City policy is that sidewalks and/or trails be included on both sides of the road on minor collector roads. For local access roads the sidewalk will only be on one side.

The public hearing opened at 8:12 pm.

Public Comments:

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Dakota Aggregates letter stated that they would like to see a disclosure included to all potential home buyers that there is a neighboring active mining area. Staff will be reaching out to Dakota Aggregates to address their concern.

Ryan Preusse, 14400 Bayberry Circle, stated that he would like to see the City stay with the minimum lot sizes and street sizes and not stray from them to try and fit in more houses due to potential fire service concerns.

Mario Cocchiarella, 1128 Harmon Place, Suite 320, Minneapolis, stated that the product will be a more traditional neighborhood. The streets proposed for the single-family area are of the standard size.

MOTION by Kenninger to Continue the Public Hearing until the August 24, 2021, Planning Commission Meeting.

Second by Reed.

Ayes: 7. Nays: 0. Motion Passes.

4.c. Request by City of Rosemount for Comprehensive Plan Amendments for portions of the Rich Valley Golf Course Property. **(21-37-CPA)**

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

Chair Kenninger inquired what percent will be switched to commercial. Klatt stated that with the change there will be 270 acres that will be zoned for commercial uses near the highway interchange. Kenninger inquired when the AUAR comes back, will any of the recommendations still stand with this piece being commercial. Klatt stated that will be brought to our project consultants.

Commissioner Reed stated the buildings will bring in a lot more truck traffic. Klatt stated that traffic is a major topic in the AUAR. The topic will be reviewed when the AUAR is finished.

The public hearing opened at 8:37 pm.

Public Comments: None.

MOTION by Reed to close the public hearing.

Second by Schmisek

Ayes: 7. Nays: 0. Motion Passes.

The public hearing closed at 8:38 pm.

Additional Comments: None.

MOTION by Rivera to recommend approval of amendments to the 2040 Rosemount Comprehensive Plan to change the future land use guidance for 63 acres immediately north of 145th Street East (County State Aid Highway 42) and east of Conley Avenue from RC-Regional Commercial to BP-Business Park, subject to the following condition:

- a. Approval of the Comprehensive Plan Amendment by the Metropolitan Council.

Second by Marlow.

Ayes: 7. Nays: 0. Motion Passes.

Discussion: None.

Reports: None.

Adjournment: There being no further business to come before this Commission, Chair Kenninger adjourned the meeting at 8:41 pm.

Respectfully submitted,

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Specialist

Stacy Bodsberg, Recording