

PLANNING COMMISSION REGULAR MEETING MINUTES

September 28, 2021

PAGE 1

I. Regular Meeting

Call to Order:

Pursuant to due call and notice thereof, the Regular Meeting of the Planning Commission was held on September 28, 2021. Chair Kenninger called the meeting to order at 6:30 p.m. with Commissioners Reed, Marlow, Schmisek, Thiagarajan, Rivera and Hebert. Also, in attendance were Community Development Director Kienberger, Senior 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 August 10, 2021, Regular Meeting Minutes.

4.b. Approval of the August 24, 2021, Regular Meeting Minutes.

MOTION by Schmisek.

Second by Reed.

Ayes: 7. Nays: 0.

Public Hearing:

5.a. Request by Pavane Boesen for a Variance from the Side Yard Setback Requirement for Accessory Structures in the RR-Rural Residential Zoning Districts. **(21-47-V)**

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

Commissioner Marlow questioned if the proposed item had been discussed with surrounding neighbors. Nemcek stated that two phone calls were received. From George Maverick, 12790 Dodd Boulevard, and Robert Hosking, 2890 McAndrews Road, both stated that they have no objections to the proposed item.

The public hearing opened at 6:38 pm.

Public Comments:

Bob Hosking, 2890 McAndrews Road, stated that the proposed project will not be an issue for him.

Pavane Boesen, 12700 Dodd Boulevard, Applicant, stated that she spoke with the neighbor to the north of the property and they stated that they are okay with the proposed project.

Michael Busho, 12605 South Robert Trail, stated that as long as the proposed building will not be close to the pond, they see no issue with the project.

MOTION by Kenninger to close the public hearing.

Second by Reed.

Ayes: 7. Nays: 0. Motion Passes.

The public hearing closed at 6:41 pm.

Additional Comments: None.

MOTION by Reed the Board of Appeals and Adjustments to Adopt a Resolution Approving a Variance from the RR-Rural Residential Side Yard Setback for Structures from thirty (30) to seven and one-half (7.5) feet at 12700 Dodd Boulevard, subject to the applicant receiving a building permit.

PLANNING COMMISSION REGULAR MEETING MINUTES

September 28, 2021

PAGE 2

Second by Hebert.

Ayes: 7. Nays: 0. Motion Passes.

5.b. Request by George and Laura Bruestle for a Minor Subdivision to create a new six-acre buildable lot and a 2.96-acres outlot from an existing 11.59-acre parcel, and a request for a Variance from the requirement that buildable lots must contain frontage along a public street. **(21-45-MS & 21-46-V)**

The public hearing opened at 6:44 pm.

Public Comments:

Larry Lacy, 2140 Heritage Drive, Shakopee, stated that he owns land that borders this property and questioned if the applicant is creating a new lot for buildable purposes.

Nemcek stated that the applicant will be creating a new buildable lot located on the north side of the property.

MOTION by Kenninger to continue item until the October 26, 2021, Planning Commission meeting.

Second by Schmisek.

Ayes: 7. Nays: 0. Motion Passes.

5.c. Request by Scannell Properties #527, LLC, for a Preliminary and Final Plats, a Site Plan Review, and Rezoning of a portion of the site from AG-Agriculture to GI-General Industrial to construct a 548,000 square foot warehouse and distribution facility on the northern portion of the existing Rich Valley Golf Course property. (21-48-FP, 21-49-PP, 21-50-RZ, 21-51-SP).

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

Chair Kenninger questioned what the conversation with Dakota County and the State of Minnesota on traffic in this area and the anticipated traffic levels and plans for upgrades to the 42/52 interchange. Additionally, Chair Kenninger asked about the potential to for the applicant to provide updated plans prior to the Council meeting. Staff indicated that they believed the applicant would be able to submit updated landscape plans prior to the Council acting. City Engineer Brian Erickson discussed recent improvements and planned improvements for the interchange prior to a full reconstruction of the interchange. These include adding signals at the intersections where the ramps meet County Road 42. Commissioner Kenninger expressed concern about the amount of truck traffic that will be generated.

Commissioner Reed asked about the reasoning behind rezoning the site to General Industrial to accommodate a building height of fifty feet vs. Light Industrial with a variance from the maximum height standard. Senior Planner Nemcek described that the findings to approve a variance for a fifty-foot building could also be made for a seventy-foot building, and that it is good practice to avoid using the variance project. The site is planned out for the specific end use of distribution that other uses permitted in the GI district that aren't permitted in the LI district would likely not work with the site.

Commissioner Reed also asked about the shifting of the north/south road along the eastern boundary and if there would be an opportunity to add more trees to the landscape plan. Senior Planner Nemcek described the site limitations that are leading to difficulties fitting the required trees on the site and that wherever more can be fit they will be. Chair Kenninger asked about what happens if a condition isn't met by the time Council takes action on an item. Senior Planner Nemcek stated that if a condition isn't met by the time the Council acts it would be added to the resolution of approval. Staff reviews resolution during the building permit process to ensure compliance with the conditions of approval.

The public hearing opened at 7:10 pm.

Public Comments:

Chair Kenninger asked the applicant about the number of employees could be expected with this project.

PLANNING COMMISSION REGULAR MEETING MINUTES

September 28, 2021

PAGE 3

Scott Moe, Scannell Properties, stated that it is realistic to expect 400-600 employees with up to 300 per shift. Employees would be expected to come from a broad range.

The applicant stated that the exact square footage of the building hasn't been determined as the end user will drive the final footprint, and that final approval by the end user will be made in December. He also described future development on the southern portion of the overall development area so the Commission would know what to expect as those phases come forward.

MOTION by Kenninger to close the public hearing.

Second by Schmisek.

Ayes: 7. Nays: 0. Motion Passes.

The public hearing closed at 7:17 pm.

Additional Comments:

Commissioner Reed stated that his concerns were addressed and that he was excited to have more job opportunities in the City.

Commissioner Schmisek expressed appreciation for the additional employees in the City and the opportunity to bring them into the downtown and residential areas.

Chair Kenninger indicated that she was excited for the project and the opportunities it will bring for additional jobs and development on the eastern portion of the site. Kenninger asked about the specific square footage included in staff's recommendation. Staff acknowledged that the square footage of the building doesn't need to be included in the condition and will be reviewed by staff during the final site and building review in the building permit process.

MOTION by Reed to Approve the Site Plan Review for the Construction of a warehouse and distribution facility, subject to the following:

- a. Incorporation of the recommendations of the Fire Marshall as detailed in the attached memorandum dated September 22, 2021.
- b. Incorporation of the recommendations of the City Engineer contained in the Engineer's Memo dated September 22, 2021.
- c. The applicant shall update the landscape plan to bring it closer to compliance with the requirements of the landscape and tree preservation ordinance. Any remaining shortfall will be carried over and made up for in subsequent phases.
- d. The applicant shall submit a photometric study and a site lighting plan that conforms to the requirements of the Zoning Ordinance.
- e. Approval by the City Council of a rezoning of the site to GI-General Industrial.
- f. The proposed truck maintenance building shall meet all requirements of the zoning ordinances related to building materials.

Second by Schmisek.

Ayes: 7. Nays: 0. Motion Passes.

MOTION by Hebert to Recommend the City Council approve a zoning map amendment to rezone the site from AG-Agriculture to GI-General Industrial.

Second by Marlow.

Ayes: 7. Nays: 0. Motion Passes.

MOTION by Rivera to Recommend the City Council approve the Preliminary and Final Plats for Rich Valley First Addition, subject to the following conditions:

- a. Execution of a subdivision agreement.
- b. Payment of \$431,350 as fee-in-lieu of park land dedication.
- c. The plat shall be updated to reflect the realignment of the north-south road along the eastern site boundary.
- d. Dedication of half right-of-way by the adjacent property owner for the north-south road along the eastern site boundary.
- e. Vacation of the existing drainage and utility easements.
- f. Conformance with the requirements of the City Engineer contained in the Engineer's Memo dated September 22, 2021.

Second by Hebert.

PLANNING COMMISSION REGULAR MEETING MINUTES

September 28, 2021

PAGE 4

Ayes: 7. Nays: 0. Motion Passes.

Discussion:

Community Development Director Kienberger stated that the Planning Commission will need to appoint a Chair for the October 26, 2021 meeting as the Chair and Assistant Chair will be absent for that meeting.

MOTION by Kenninger to Appoint Commissioner Rivera as the Chair for the October 26, 2021, Planning Commission meeting.

Second by Reed.

Ayes: 7. Nays: 0. Motion Passes.

Reports: None.

Adjournment: There being no further business to come before this Commission, Chair Kenninger adjourned the meeting at 7:26 pm.

Specialist

Respectfully submitted,
Stacy Bodsberg, Recording