

PLANNING COMMISSION REGULAR MEETING MINUTES

February 23, 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 February 23, 2021. 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, Economic Development Coordinator Van Oss, Public Works Director/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 January 26, 2021, Regular Meeting Minutes.

4.b. Request by Tamarack Land for Ardan Place 1st Addition Final Plat. (21-04-FP)

MOTION by Freeman.

Second by Reed.

Ayes: 6. Nays: 0.

Public Hearing:

5.a. Request by Rosemount Senior Living Associates for a Major Amendment to the Rosemount Senior Living Planned Unit Development to Construct a 25-Unit Apartment Building. (21-01-AMD)

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

Commissioner Reed inquired about the property south of the lot line. Nemcek stated that is a stormwater basin associated with the library. Reed inquired about the parking during events/visitors. Nemcek stated that there is street parking along Cameo and then there is the parking lot on the other side of Robert Trail on the east side. There is available over flow parking in that area. Conditions of approval address some potential solutions if parking issues arise at the site.

Commissioner Freeman inquired if the parking garage parking spaces are assigned. Nemcek stated that the applicant can answer the parking assignments specifically. It was noted that one parking spot is included with each apartment. Freeman inquired if the use of the building is for senior living, are they required to have more handicap parking available. Nemcek stated that he was not sure on the specifics.

Chair Kenninger inquired if the building was senior living and if the property is privately owned. Nemcek stated that the building is for more independent senior living and that this is a private development and purchase of the property is between the owner and the developer; the City is not involved.

The public hearing opened at 6:55 pm.

Public Comments:

Mark Applebaum, 2950 Dean Park Way, Minneapolis, Applicant/Owner, stated that the project is to provide additional living options for the seniors in this community. The building will be more for the active adult. The parking places will be assigned to each apartment.

Mary Jo Thorne, 927 Lakewood Court, Maplewood, stated that people 55 years old and older will be living in this building. Parking stalls will be assigned to each resident and management will ask them if they have mobility issues and how close they need to park to the door. If the resident needs to have two parking stalls they can rent a stall at the building next door.

PLANNING COMMISSION REGULAR MEETING MINUTES

February 23, 2021

PAGE 2

Ben Delwiche, Kaas Wilson Architects, stated that the ability for people to turn around in the parking garage is possible. The number of accessible parking stalls are determined in the building code.

Lauren Horder, 13657 Brick Path, asked who can afford these apartments, is it along the lines of the Dakota County CDA buildings that have affordable rent, or will this be a more luxury price point. Mr. Applebaum stated that this project is not a CDA building. The building is going to be high quality but not necessarily luxury. Ms. Thorne added that this building will be just a rental and will be private paid. Ms. Horder inquired if the City of Rosemount or the developer has any intention of moving the home that currently resides on this property. Mr. Applebaum stated that he would be open to the possibility of moving the home.

Robert Dupre, 14385 Cameo Ave, are there plans for redevelopment on the west side of Cameo Ave. Nemcek stated that there are no current plans to redevelop that side of Cameo Ave.

MOTION by Kenninger to close the public hearing.

Second by Schmisek.

Ayes: 6. Nays: 0. Motion Passes.

The public hearing closed at 7:11 pm.

Additional Comments:

Chair Kenninger, stated that it is sad to lose the current house and it would be awesome to see it moved to a different location, if possible. This development will bring a nice option for senior living into the community.

Commissioner Reed agreed with Chair Kenninger and that the architectural plans look good and that it will be a nice fit in the neighborhood.

Commissioner Schmisek stated that this additional source of housing for seniors will be great.

MOTION by Reed to recommend the City Council adopt an ordinance rezoning the subject property from R1A: Low Density Residential and DT: Downtown to DT PUD: Downtown Planned Unit Development.

Second by Rivera.

Ayes: 6. Nays: 0. Motion Passes.

MOTION by Reed to recommend the City Council approve a Major Amendment to The Rosemount Senior Living Planned Unit Development rezoning the subject parcel from R1A: Low Density Residential and DT: Downtown to DT PUD: Downtown Planned Unit Development to allow the construction of a 25-Unit Apartment building at 14370 Cameo Avenue, subject to the following conditions:

- a. Compliance with the City Engineer's Memorandum dated February 4, 2021.
- b. Applicant shall provide a landscaping surety in the amount of \$8,250.
- c. Payment \$62,500 for fee-in-lieu of park dedication.
- d. The applicant shall enter into a maintenance and encroachment agreement with the City that specifies the applicant's responsibility to own and maintain the underground stormwater filtration system located on City-owned property.
- e. The applicant shall receive a temporary easement from the County for any grading that takes place on County-owned property.
- f. The Rosemount Senior Living shuttle bus shall be parked in the cutout on 143rd Street West unless loading and unloading at the main entrance.
- g. Dumpsters shall not be placed in parking areas when not being emptied.
- h. Excess parking stalls in The Rosemount underground garage shall only be used by residents, staff, and guests. The applicant shall submit a parking plan to the City for staff review and approval. Should parking issues arise at the site, the developer and City will meet to discuss a revised parking plan.
- i. In the case of parking issues as defined by the City, signage that limits the duration of parking shall be installed by the developer, including stalls along Cameo Avenue.
- j. The applicant shall work with the City to reach a resolution that ensures the minimum separation of 5' from either a property line or a right-of-way, as required by the building code, is achieved.

Second by Schmisek.

Ayes: 6. Nays: 0. Motion Passes.

PLANNING COMMISSION REGULAR MEETING MINUTES

February 23, 2021

PAGE 3

5.b. Request by Valley Natural Foods for a Conditional Use Permit to establish a Commercial Bakery. **(21-02-CUP)**

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

Chair Kenninger inquired if the commercial bakery will have any sales for the residents. Van Oss stated that they have a retail establishment at their co-op in Burnsville.

Commissioner Reed inquired about the disposal of food products in the business park area. Van Oss stated that the City did not have any concerns.

The public hearing opened at 7:21 pm.

Public Comments:

Ralph Hale, 3410 125th Street, Burnsville, Manager at Valley Natural Foods. Kenninger inquired about the waste of foods. Mr. Hale stated that most of their trash is cardboard and wrappers. They have minimal food waste. The oils are barreled up and taken away by a company that they pay for. He did mention that on occasion there is some sales that occur at the premises for the public.

MOTION by Kenninger to close the public hearing.

Second by Marlow.

Ayes: 6. Nays: 0. Motion Passes.

The public hearing closed at 7:26 pm.

Additional Comments:

Chair Kenninger stated that this is a very nice addition to our community.

MOTION by Freeman to recommend the City Council approve a Conditional Use Permit for a Commercial Bakery in the BP Business Park District at 2500 158th Circle West.

Second by Marlow.

Ayes: 6. Nays: 0. Motion Passes.

5.c. Request by Eric Ruud for a Minor Subdivision of a Parcel Located at 4357 160th Street East to Create a New Buildable Lot. **(21-05-SMP)**

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

Commissioner Schmisek inquired if there is a requirement once services are provided would the homes need to connect. Klatt stated that they would be required to hook up once the services are provided.

The public hearing opened at 7:40 pm.

Public Comments:

Greg Shuck, 4231 160th Street East, inquired what the relationship is with Eric Ruud and McClung Acres. Klatt stated that Eric Ruud is the property owner and McClung Acres is the name of the subdivision. All plats in the County have to have a name.

Wendy Rueger, 16240 Fischer Ave, Hastings, stated that she owns the farm to the south of Mr. Ruud's property. Ms. Rueger stated that there is a triangle of land that is owned by the County and that they own the strip of land to the north of that land. It is apart of their larger farming parcel. She requested to please take that into consideration when talking about the driveway locations. Klatt indicated that it was discussed that the triangle piece isn't needed anymore by the County and that it could be returned to the previous owners.

PLANNING COMMISSION REGULAR MEETING MINUTES

February 23, 2021

PAGE 4

Steve Kahl, 4171 160th Street East, stated that the original farm was owned by the Miller family and Raymond McClung married one of their daughters. That is where the name of the plat came from.

Eric Ruud, 2088 270th Street West, Randolph, stated that the access for the larger parcel will be farmed by the person that farms the land surrounding that parcel. He will access the parcel from the land around it.

MOTION by Kenninger to close the public hearing.

Second by Rivera.

Ayes: 6. Nays: 0. Motion Passes.

The public hearing closed at 7:55 pm.

Additional Comments: None.

MOTION by Schmisek to recommend the City Council approve the Minor Subdivision for McClung Acres, subject to the following conditions:

1. Recording of a restrictive covenant with the plat prohibiting the use of Lot 3, Block 1 for residential purposes.
2. Revision of the restrictive covenant to allow removal of covenant upon approval by the City Council. The final restrictive covenant is subject to review and approval by the City Attorney.
3. Dedication of all easements within the plat as required by the City Engineer.
4. Payment of a fee-in-lieu of park land dedication for the one new buildable lot within the subdivision.
5. The applicant must demonstrate compliance with all applicable City, County and State standards to install a subsurface sewage treatment system and private well on Lot 1, Block 1 prior to issuance of any building permits for this lot.

Second by Marlow

Ayes: 6. Nays: 0. Motion Passes.

5.d. Request by Furlong Excavating for renewal of its Small Scale Mineral Extraction Permit for 2021. **(21-03-ME)**

Planner Nemcek gave a summary of the staff report for the Planning Commission. It was noted that the applicant was in attendance if there are any questions.

The public hearing opened at 8:03 pm.

Public Comments: None.

MOTION by Kenninger to close the public hearing.

Second by Reed.

Ayes: 6. Nays: 0. Motion Passes.

The public hearing closed at 8:04 pm.

Additional Comments:

Commissioner Reed mentioned that his children ride the school bus that stops along Fischer Avenue, and he was unaware of any issues.

MOTION by Schmisek to recommend the City Council approve the Furlong Excavating Small Scale Mineral Extraction Permit for 2021, subject to the terms and conditions in the attached 2021 Draft Conditions for Mineral Extraction.

Second by Kenninger.

Ayes: 6. Nays: 0. Motion Passes.

Adjournment: There being no further business to come before this Commission, Chair Kenninger adjourned the meeting at 8:14 pm.

Respectfully submitted,
Stacy Bodsberg, Recording Specialist