

**PLANNING COMMISSION REGULAR MEETING MINUTES**  
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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 Tuesday, May 28, 2019. Chair Kenninger called the meeting to order at 6:30 p.m. with Commissioners VanderWiel, Freeman, Reed, Rivera, Schmisek, and Lundquist. Also in attendance were Community Development Director Lindquist, Senior Planner Klatt, Planner Nemcek, Assistant City Engineer Smith and Recording Secretary Bodsberg.

The Pledge of Allegiance was said.

**Election of Chair and Vice Chair:** Commissioner Kenninger asked for nominations of Chair.

Commissioner VanderWiel nominated Commissioner Kenninger for the position of Chairperson.

There were no further nominations.

**MOTION** by Schmisek to elect Commissioner Kenninger by unanimous consent to the position of Chairperson.

**Second** by VanderWiel.

Ayes: 7. Nays: 0. Motion approved. Commissioner Kenninger is appointed as Chairperson.

Commissioner Kenninger asked for nominations of Vice Chair.

Commissioner Schmisek nominated Commissioner VanderWiel for the position of Vice Chairperson.

There were no further nominations.

**MOTION** by Reed to elect Commissioner VanderWiel by unanimous consent to the position of Vice Chairperson.

**Second** by Schmisek.

Ayes: 7. Nays: 0. Motion approved. Commissioner VanderWiel is appointed as Vice Chairperson.

**Additions to Agenda:** None.

**Audience Input:** None.

**Consent Agenda:**

- a. Approval of the April 23, 2019, Regular Meeting Minutes.
- b. Approval of the May 14, 2019, Regular Meeting Minutes.
- c. Approval of the McMenemy Addition (Caramore Crossing Outlots) Final Plat for DR Horton. (19-35-FP)

**MOTION** by VanderWiel.

**Second** by Freeman.

Ayes: 7. Nays: 0.

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## Public Hearing:

**5.a. Request by Anastasia Maier** for Conditional Use Permit to establish an event/meeting center within an existing commercial structure at 14537 Dodd Boulevard. **(19-31-CUP)**

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

Commissioner Kenninger inquired if the person renting the facility would be able to bring in liquor during their rental time. Klatt stated that they will not be able to because the applicant has not indicated that they will be obtaining a liquor license.

Commissioner Schmisek inquired if the applicant will need to remove the snow from the property. Klatt stated that the snow should not be moved across the street but that the snow will be removed as needed.

Commissioner Kenninger stated that because they are 10 parking spots short of the requirement that the snow should not be able to stay in the parking spots. Klatt stated that the building was built prior to adoption of the City's current parking standards.

Commissioner Lindquist inquired if staff is aware of how many parking spaces are in use during busy times. Klatt stated that staff is not aware of any parking shortages or times when parking is spilling over into the neighboring streets. Lindquist inquired if they could restrict parking on adjacent streets. Klatt noted that the City can require additional parking to be constructed if necessary under the proof of parking concept.

Commissioner Rivera inquired if the parking shortage should be proactive versus having to fix the issue down the road. Klatt stated that there is a benefit to not overbuilding parking and that the businesses that share parking do not typically need to provide as much on the site.

The public hearing opened at 6:56pm.

## Public Comments:

John & Anastasia Maier, 15367 Eagle Bay Drive, Apple Valley, described their plans for the meeting and event space, and noted that they are hoping to create a space that can be used by the surrounding residents.

Deborah Aebi, 14574 Chrome Avenue, stated that her main concern is noise from the facility and what the potential future could hold for the site.

John Maier, stated that the use will be similar to TOPS Pizza and that they also have had a liquor license. The uses for this area would be family events.

**MOTION** by Reed to close the public hearing.

**Second** by VanderWiel.

Ayes: 7. Nays: 0. Motion Passes.

The public hearing was closed at 7:04 pm.

## Additional Comments:

Commissioner Kenninger inquired what the future would entail if the use would change. Klatt stated that the use is being placed under the same as TOPS Pizza, a restaurant. If there are, any changes staff can bring it back to adjust the conditional use permit.

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**MOTION** by Reed to recommend the City Council approve a conditional use permit for Anastasia Maier to establish an event/meeting space within an existing commercial strip mall at 14537 Dodd Boulevard, subject to the following conditions:

- 1) The operation shall comply with all applicable public health codes concerning the serving of food and beverages within the facility. Any changes in the preparation or serving of food may require approval by the County Department of Health, or the Agricultural Department, or the City of Rosemount. Provision of liquor at the site is currently prohibited unless the applicant receives an approved liquor license. These modifications may be approved administratively so long as appropriate licenses are obtained and inspections are conducted prior to modifications to the operation. Compliance with licensing standards is a requirement of the conditional use permit.
- 2) Applicant shall submit storm water calculations consistent with the recommendation of the City Engineer prior to issuance of a building permit for any interior work.
- 3) Applicant shall obtain a building permit for any renovation requiring a permit.
- 4) A revised proof of parking plan shall be submitted to comply with all applicable accessibility requirements, and shall include at least one additional accessibility aisle, prior to issuance of a building permit. The property owner will construct the improvements necessary to implement the proof of parking concept plan upon notification of the City that said improvements are necessary to meet the parking demand for the commercial center. The applicant shall secure a grading permit prior to implementing the proof of parking plan.
- 5) The proof of parking plan shall include the installation of two trees along the 145th Street right-of-way.
- 6) Snow must be stored on the subject property or hauled away from the site and may not be deposited on any adjacent property without consent of the affected property owner. No snow may be moved across a City Street.
- 7) The Event/Meeting Center shall not operate later than 10pm Sunday through Thursday and 12am (midnight) Friday and Saturday.

**Second** by Rivera.

Ayes: 7. Nays: 0. Motion Passes.

## **Old Business:**

### **7.a. Update on Traffic Concerns relating to Furlong Mining Pit**

Planner Nemcek gave a brief update on traffic issues raised during the Planning Commission hearing on the mining pit.

**New Business:** Next Planning Commission meeting is on June 25, 2019.

**Adjournment:** There being no further business to come before this Commission, Chair Kenninger adjourned the meeting at 7:16 pm.

Respectfully submitted,

Stacy Bodsberg, Recording Secretary