

PLANNING COMMISSION REGULAR MEETING MINUTES

APRIL 26, 2022

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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 April 26, 2022. Chair Kenninger called the meeting to order at 6:30 p.m. with Commissioners Reed, Thiagarajan, Rivera, and Hebert. Commissioner Marlow was absent. Also, in attendance were Community Development Director Kienberger, Senior Planner Nemcek, Planner Hogan and Recording Specialist Bodsberg.

The Pledge of Allegiance was said.

Oath of Office:

Mayor Droste gave the oath of office to Commissioner Rivera.

Election of Chair and Vice-Chair:

Chair Kenninger asked for nominations of Chair.

Commissioner Reed nominated Commissioner Kenninger asked for nominations of Chair.
There were no further nominations.

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

Second by Thiagarajan.

Ayes: 5. Nays: 0. Motion approved. Commissioner Kenninger is appointed as Chairperson.

Chair Kenninger asked for nominations of Vice-Chair.

Commissioner Kenninger nominated Commissioner Reed for the position of Vice-Chairperson.
There were no further nominations.

MOTION by Kenninger to elect Commissioner Reed by unanimous consent to the position of Vice-Chairperson.

Second by Hebert.

Ayes: 5. Nays: 0. Motion approved Commissioner Reed is appointed as Vice-Chairperson.

Additions to Agenda: None.

Audience Input: None.

Consent Agenda:

5.a. Approval of the March 29, 2022, Regular Meeting Minutes.

5.b. Request by U.S. Home Corporation, dba Lennar, for a Final Plat Approval of Talamore Farms (22-21-FP).

MOTION by Reed.

Second by Hebert.

Ayes: 5. Nays: 0.

Public Hearing:

6.a. Request by Jaeson Morrison for a Variance from the side yard setback requirement for accessory buildings in the RR-Rural Residential Zoning District (22-22-V).

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

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Commissioner Thiagarajan questioned if the proposed garage includes a second level. Hogan stated that it does include a loft area and that it is an allowed feature in this zoning district.

Commissioner Hebert inquired if the City has received any comments from the northern neighbor. Hogan stated that there have been no comments.

The public hearing opened at 6:38 pm.

Public Comments: None.

MOTION by Reed to close the public hearing.

Second by Hebert.

Ayes: 5. Nays: 0. Motion Passes.

The public hearing closed at 6:39 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 Standard for Accessory Structures from thirty (30) feet to fifteen (15) feet at 12860 Shannon Parkway.

Second by Hebert.

Ayes: 5. Nays: 0. Motion Passes.

6.b. Text Amendment to Zoning Ordinance Modifying the Conditions for Commercial Event Centers in the AG-Agricultural Zoning District **(22-24-TA)**.

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

Chair Kenninger questioned if making the proposed changes would affect the Akron to Blaine and south of 42 area. Hogan stated that no it will not. Kenninger questioned if the proposed motion should be changed to "East of County Road 71" instead of Blaine Ave. Hogan stated that it can be. Community Development Director Kienberger stated that the road name will be finalized before the item is taken to City Council.

The public hearing opened at 6:44 pm.

Public Comments: None.

MOTION by Kenninger to close the public hearing.

Second by Reed.

Ayes: 5. Nays: 0. Motion Passes.

The public hearing closed at 6:45 pm.

Additional Comments: None.

MOTION by Kenninger to recommend the City Council approve the Text Amendment Modifying the Conditions for Commercial Event Centers within the AG-Agricultural Zoning District.

Second by Reed.

Ayes: 5. Nays: 0. Motion Passes.

6.c. Request by Joe Bezotte for a Conditional Use Permit for a Commercial Event Center in the AG-Agricultural Zoning District **(22-18-CUP)**.

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

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Commissioner Reed inquired as to how close other residential properties are to the proposed projects property. Hogan stated that there are not a lot of residential areas on this street, possibly one or two other residential properties.

The public hearing opened at 6:49 pm.

Public Comments: None.

MOTION by Kenninger to close the public hearing.

Second by Reed.

Ayes: 5. Nays: 0. Motion Passes.

The public hearing closed at 6:50 pm.

Additional Comments:

Commissioner Rivera inquired what kind of event center is being proposed. Hogan stated that the applicant is planning on hosting smaller private events and using caterers to take care of the food and beverage needs.

Commissioner Hebert questioned if the 102 parking spots meet the City requirement. Hogan stated that off street parking stall for 2 guests plus an additional 7 parking spots.

MOTION by Hebert to recommend approval of a Conditional Use Permit for a commercial event center, subject to the following conditions:

1. Submission of a Site Plan identifying location of sanitary facilities, trash enclosures, and lighting locations prior to City Council review.
2. Submission of a Concept Safety Plan indication traffic circulation, signage, and access prior to City Council review.
3. Work with Staff to adjust the proposed parking lots to meet the setback requirements of the AG-Agricultural District prior to City Council review.

Second by Rivera.

Ayes: 5. Nays: 0. Motion Passes.

6.d. Request by Spectro Alloys for a Minor Subdivision to combine two Parcels located at 13130 and 13220 Doyle Path (**22-20-MS**).

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

The public hearing opened at 6:58 pm.

Public Comments: None.

MOTION by Kenninger to close the public hearing.

Second by Hebert.

Ayes: 5. Nays: 0. Motion Passes.

The public hearing closed at 6:59 pm.

Additional Comments: None.

MOTION by Reed to recommend the City Council approve the Preliminary and Final Plats for Spectro Alloys 2nd Addition, subject to the requirements of the Site Plan review approved on June 22, 2021.

Second by Hebert.

Ayes: 5. Nays: 0. Motion Passes.

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6.e. Request by Maplewood Development for Approval of the Amber Fields 2nd Addition Preliminary and Final Plats and a Major Amendment to the Amber Fields Planned Unit Development (**22-16-FP, 22-17-PP, 22-27-AMD**).

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

Commissioner Reed inquired about the timeline to the park being completed. Nemcek stated that based on conversations that he has had with the developer of Amber Fields, they would like to get the amenities completed as soon as possible. Having the amenities completed will hopefully be a selling point for potential home builders. Reed inquired about the timing of the underpass on Highway 42. Nemcek stated that will be located east of Akron Ave. The underpass will connect the DCTC property to the Community Center property. The underpass should be happening in the next couple of years.

Commissioner Hebert inquired if the construction of 148th Street West included in phase one of the development. Nemcek stated that street will be a part of the developer's original construction prior to the start of phase one.

Chair Kenninger inquired as to when the future road to the south and run east/west will get developed. Nemcek stated that the extension of Boulder Ave will happen when the University of Minnesota sells more of their land in that area.

The public hearing opened at 7:12 pm.

Public Comments:

Mario Cocchiarella, 1128 Harmon Place, Suite 320, Minneapolis, Maplewood Development, Inc. and Applicant, stated that there is an error under item e according to the already signed master development agreement. The first phase of building will be done by Pulte Homes.

Commissioner Reed inquired if the individual builders would also be developing the proposed parks. Mr. Cocchiarella stated that the parks will be built by Maplewood Development.

MOTION by Reed to close the public hearing.

Second by Rivera.

Ayes: 5. Nays: 0. Motion Passes.

The public hearing closed at 7:20 pm.

Additional Comments:

Commissioner Hebert inquired about the mining timeline that would affect the construction of Auburn Avenue. Nemcek stated that part of the mining operation is scheduled to be completed 2028, but they are ahead of schedule so it may be sooner.

MOTION by Kenninger to recommend the City Council approve the Preliminary and Final Plats for Amber Fields 2nd Addition, subject to:

- a. Execution of a Subdivision Agreement.
- b. Construction plans shall be updated to show five (5) foot wide sidewalks.
- c. Conformance with all requirements of the City Engineer as detailed in the attached memorandum dated April 7, 2022 (and associated stormwater review memo dated April 7, 2022).
- d. Payment of \$112,760 as a landscape surety.
- e. Construction of Phase 2 of the development must coincide with the construction of the Auburn Avenue extension to Road A.

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- f. Outlots B and C shall be dedicated to the City.
- g. The developer shall work with the City to name all public streets and parks within the preliminary plat area.
- h. 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.
- i. Payment of trunk area charges in the amount of:
 - i. Sanitary Sewer Trunk Charge: \$1,075/acre
 - ii. Watermain Trunk Charge: \$6,500/acre
 - iii. Storm Sewer Trunk Charge: \$6,865/acre

Second by Reed.

Ayes: 5. Nays: 0. Motion Passes.

MOTION by Kenninger to recommend the City Council approval of a Major Amendment to the Amber Fields Planned Unit Development Agreement, subject to:

- a. Section 11-4-5 F.1. R-1 Minimum Lot Area: The minimum lot area for interior lots shall be 5,400 square feet and 7,200 square feet for corner lots.
- b. The use and development of the property legally described as Outlots I, G, and M shall conform to the Amber Fields 2nd Addition Preliminary Plat submittal.
- c. Section 11-4-5 F.3. Minimum Lot Depth: The minimum lot depth shall be one hundred twenty (120) feet.

Second by Reed.

Ayes: 5. Nays: 0. Motion Passes.

6.f. Comprehensive Land Use Plan Amendment and Rezoning of Land in the Highway 3 and CSAH 46 Area **(22-25-TA & 22-26-CPA).**

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

Chair Kenninger inquired if the affected residents been made aware of the proposed change. Nemcek stated that they did receive a public hearing notice. Kenninger questioned if the proposed comprehensive plan change will need to be reviewed by the Met Council. Nemcek stated that the proposed change will be shared with surrounding city's and then it will be submitted to the Met Council.

Commissioner Rivera inquired about the difference between Business Park, General Industrial, and Community Commercial. Nemcek stated that Community Commercial is any sort of development on County Road 42. General Industrial would be the properties with a lot of outdoor storage. Business Park is warehousing and office buildings.

Commissioner Reed inquired about the northwest corner on the lot and if it was City owned. Nemcek stated that the City does not own that land and that it is a right-of-way for Highway 3.

Commissioner Hebert questioned how the existing auto business would be affected by the proposed change. Nemcek stated that the code allows for existing non-conforming uses to continue.

The public hearing opened at 7:37 pm.

Public Comments: None.

MOTION by Kenninger to close the public hearing.

Second by Hebert.

Ayes: 5. Nays: 0. Motion Passes.

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The public hearing closed at 7:38 pm.

Additional Comments: None.

MOTION by Reed to recommend the City Council approve a Comprehensive Plan Amendment to change the land use designation of the subject properties from CC-Community Commercial to BP-Business Park.

Second by Hebert.

Ayes: 5. Nays: 0. Motion Passes.

MOTION by Reed to recommend the City Council approve a Zoning Ordinance Text Amendment to Rezone the subject properties from C3-Highway Service Commercial and GI-General Industrial to BP-Business Park.

Second by Thiagarajan.

Ayes: 5. Nays: 0. Motion Passes.

Discussion:

7.a. Port Authority Industrial Development District Planning Commission Review for a Recreation Facility (BA2022-03).

Community Development Director Kienberger gave a summary of the staff report for the Planning Commission.

MOTION by Hebert to Adopt the attached Resolution determining the conformity of the Port Authority's Industrial Development District Plan for a Recreation Facility with the City's Comprehensive Plan.

Second by Thiagarajan.

Ayes: 5. Nays: 0. Motion Passes.

Reports: None.

Adjournment: There being no further business to come before this Commission, Chair Kenninger adjourned the meeting at 7:49 pm.

Specialist

Respectfully submitted,
Stacy Bodsberg, Recording