

**ROSEMOUNT CITY COUNCIL
REGULAR MEETING PROCEEDINGS
AUGUST 16, 2022**

CALL TO ORDER

Pursuant to due call and notice thereof a regular meeting of the Rosemount City Council was held on Tuesday, August 16, 2022, at 7:00 p.m. in Rosemount Council Chambers 2875 145th Street West.

Mayor Droste called the meeting to order with Councilmembers Block, Weisensel, Essler and Freske attending.

Staff present included the following;

- City Administrator Martin, Parks & Recreation Director Schultz, Community Development Director Kienberger and Senior Planner Nemcek.

The Pledge of Allegiance was recited.

APPROVAL OF AGENDA

Motion by Weisensel Second by Essler

Motion to Adopt the Agenda

Ayes: 5.

Nays: None. Motion carried.

PUBLIC COMMENT

None

CONSENT AGENDA

Motion by Weisensel Second by Block

Motion to approve consent agenda item with item 6.d. and 6.e. removed

- a. Bills Listing
- b. Minutes of the August 1, 2022 Regular Meeting
- c. Minutes of the August 1 2022 Work Session Proceedings
- ~~d. Authorize Battalion Chief Position~~
- ~~e. Parking Lot Use Joint Powers Agreement with ISD 196~~
- f. Community Center/Armory Lease Agreement
- g. Approve a Subdivision Agreement for Amber Fields 6th Development
- h. Approve a Subdivision Agreement for Rich Valley 1st Addition
- i. Request by The Garrett Companies for approval of a Major Amendment to the Amber Fields Planned Unit Development Agreement and Preliminary and Final Plat approval for Amber Fields 7th Addition to construct a 250-unit multifamily community
- j. Temporary On-Sale Wine License – OMNI Brewing Company LLC
- k. Livable Communities Demonstration Account Grant

Ayes: Weisensel, Block, Droste, Essler, Freske

Nays: None. Motion carried.

6.d. Authorize Battalion Chief Position

Councilmember Essler pulled this item for further understanding on the vision and timing for the Fire Department being it is a volunteer department staffed with paid-on-call fire fighters. City Administrator Martin stated the position is created to prepare for the future and it is important to get a strong command structure in place for this transition. The leadership and guidance of this position at each station will benefit all members of the department. Martin further elaborated on the benefits of having a battalion chief at each station.

Motion by Essler Second By Freske

Motion to Approve the Creation of and Stipend for the position of Battalion Chief

Ayes: Block, Droste, Essler, Freske, Weisensel

Nays: None. Motion carried.

6. e. Parking Lot Use Joint Powers Agreement with ISD 196

Councilmember Essler pulled this item for further discussion. Essler was in favor of having a formalized agreement with the High School for parking. The main question for Essler was regarding the fees; how was \$20 per trimester was decided on, who should retain the fee, etc.

Director of Parks & Recreation Schultz provided additional information regarding the joint powers agreement and the history of the students utilizing the parking lots. Schultz confirmed only a certain number of stalls would be allowed at the community center for students and those stalls would be clearly marked for the students to see and also the school to then enforce.

Council agreed that staff should work with the school to determine the best fee for the parking pass and then 80% of that fee should go to the city as the city maintains the parking lot and 20% to the school for the administration and monitoring of the parking lot.

Motion by Essler Second by Freske

Motion to approve the Joint Powers Agreement with ISD 196 for student parking at the Rosemount Community Center with the exception of changing 80% of the fees to go to the City of Rosemount and 20% to ISD 196.

Ayes: Droste, Essler, Freske, Weisensel, Block

Nays: None. Motion carried.

NEW BUSINESS

9.a. Request by Akron 42, LLC. for a Comprehensive Guide Plan Amendment and a Major Amendment to the Prestwick Place Planned Unit Development

Senior Planner Nemcek discussed the request from the owner of the land north of County Road 42 on either side of Akron Avenue is requesting a Major Amendment to the Prestwick Place Planned Unit Development that was approved in 2007 and also proposing a Comprehensive Guide Plan Amendment to change the designated land use of a portion of the western parcel from CC-

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Community Commercial to HDR-High Density Residential. The proposed amendment would remove the two parcels from the scope of Commercial Area Guidelines contained within the 2007 Prestwick Place Planned Unit Development Agreement and essentially create a blank slate for the two parcels.

The second component of the applicant's request, the proposed Comprehensive Plan Amendment, would allow for residential development in the northern portion of the western parcel, while maintaining the CC-Community Commercial land use designation for the southern eleven acres of the site.

Mr. Nemcek noted this request is consistent with the County Road 42 Commercial Vision that was developed in 2021 and would help attract commercial development at the crucial intersection of County Road 42 and Akron Avenue.

The Planning Commission felt that the amount of residential development that is occurring in the vicinity was enough to support the amount of land designated for commercial development, and that without a project tied to the change in the land use designation the commission voted unanimously to recommend denial of the request to amend the Comprehensive Land Use Designation. However, the Commission did vote unanimously to recommend approval of the Major Amendment to the Prestwick Place Planned Unit Development.

Councilmember Freske's concern is that there is no application at this time and questioned the total number of acreage available for commercial at the Akron/County road 42 quaderant. The applicant stated only a concept has been received at this time.

Councilmember Block confirmed the guidance change this evening would only be for the the norther portion of county road 42 and confirmed the developer would still have to present plans for any potential residential housing the developer is considering. Councilmember Block is in support of the current changes proposed this evening, but noted she will not support any additional residential in this area in the future as she has received feedback from residents regarding opposing additional residential housing.

Councilmember Weisensel questioned how much of the site is buildable; due to an easement, the proposal for residential is further south to accomdate the easement.

The applicant, Melissa Duce of Lennar, was present and discussed the vision for the area. Items noted; the vision is consistant with Council's strategic goals, Rosemount still needs to increase residential growth in order to have successful commercial in the area and there is still 40 acres left for commercial at this area.

Councilmember Essler expressed support for the applicant based on the previous studies completed with Perkins & Will for this area and the market will dictate what will work in this area.

Mayor Droste opened up the floor at 7:50 p.m. for public comments as members of the public were present.

Brad Garms

14262 Ailsebury Court

Mr. Garms expressed his concern for the proposed high density for minimal commercial development and the concern for residents to have less commercial opportunity in the future.

Nick Labelle

14260 Ailsebury Court

Mr. Labelle expressed his concern for residents not being able to spend money in Rosemount and the need for additional commercial uses.

Mayor Droste closed the public forum at 7:57 p.m.

Mayor Droste noted there are opportunities for additional commercial on the south side of 42 in the Amber Fields development.

Motion by Essler Second by Block

Motion to to adopt a resolution approving a Comprehensive Land Use Plan Amendment changing the land use designation of the northern portion of Outlot I, Prestwick Place from CC-Community Commercial to HDR-High Density Residential.

Ayes: Essler, Weisensel, Block, Droste

Nays: Freske. Motion carried.

Motion by Block Second by Essler

Motion to adopt a resolution approving a Major Amendment to the Prestwick Place Planned Unit Development, subject to conditions.

Ayes: Freske, Weisensel, Block, Droste, Essler

Nays: Motion carried.

Motion by Weisensel Second by Essler

Motion to approve the Major Amendment to the Prestwick Place Planned Unit Development Agreement.

Ayes: Weisensel, Block, Droste, Essler, Freske

Nays: Motion carried.

9.b. Request by LTF Lease Company LLC for approval of a Preliminary Plat and a Major Amendment to the Prestwick Place Planned Unit Development to construct a Life Time athletic facility East side of Akron Ave, applicant proposing preliminary plat.

Senior Planner Nemcek presented the request by LTF Lease Company LLC for approval of a preliminary plat, a major amendment to the Prestwick Place Planned Unit Development, and a site plan review to construct an athletic facility on a piece of property immediately east of Akron Avenue

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and north of County Road 42. The preliminary plat provides one large parcel to accommodate the athletic facility and several smaller outlots that will contain future development and stormwater management.

The applicant was present to answer operational questions, noting; the current cost of construction has significantly increased in the last 18 months, however Life Time makes a commitment to open 12 new facilities each year, given the current market he believes starting next spring or fall may make the most sense.

Mr. Nemcek noted a final plat will come before the City Council at a future meeting.

Motion by Freske Second by Essler

Motion to adopt a resolution approving a preliminary plat for Prestwick Place 23rd Addition, subject to conditions.

Ayes: Block, Droste, Essler, Freske, Weisensel
Nays: None. Motion carried.

Motion by Weisensel Second by Block

Motion to adopt a resolution approving a major amendment to the Prestwick Place PUD, subject to conditions.

Ayes: Droste, Essler, Freske, Weisensel, Block
Nays: None. Motion carried.

Motion by Essler Second by Block

Motion to approve a major amendment to the Prestwick Place PUD Agreement.

Ayes: Essler, Freske, Weisensel, Block, Droste
Nays: None. Motion carried.

9.c. Request by Frana Companies, Inc. for approval of a Preliminary Plat, Rezoning, Planned Unit Development Master Development Plan, and a Conditional Use Permit to construct a manufacturing facility with outdoor storage

Senior Planner Nemcek discussed the several requests by Frana Companies, the approval of which will allow the construction of a manufacturing facility in the Rosemount Business Park Zoning District. The facility will be comprised of a 61,050 square foot manufacturing facility consisting of 56,732 square feet of manufacturing space and 4,318 square feet of office space, 83,000 square feet of outdoor storage, and an area for employee and visitor parking near the intersection of county road 46 and highway 3.

Councilmember Freske questioned how people would see the building from county road 46 and the applicant stated the area would be screened in and you wouldn't be able to see it.

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The president of Frana Companies, Mike Benedict, was present to discuss the proposed expansion. Mr. Benedict stated Frana Companies has the demand for the growth and is ready to begin immediately.

Councilmembers thanked Frana Companies for expanding in Rosemount.

Motion by Weisensel Second by Block

Motion to adopt a resolution approving a Minor Subdivision containing the Preliminary Plat for Frana Manufacturing Plant, subject to conditions.

Ayes: Freske, Weisensel, Block, Droste, Essler

Nays: None. Motion carried.

Motion by Block Second by Freske

Motion to adopt an ordinance amending the Rosemount zoning map to rezone the site from BP-Business Park to LI-Light Industrial.

Ayes: Weisensel, Block, Droste, Essler, Freske

Nays: None. Motion carried.

Motion by Essler Second by Block

Motion to approve the Planned Unit Development Final Site and Building Plan with rezoning and the site from LI-Light Industrial to LI PUD-Light Industrial Planned Unit Development.

Ayes: Block, Droste, Essler, Freske, Weisensel

Nays: None. Motion carried.

Motion by Freske Second by Weisensel

Motion to approve the Frana Manufacturing Plan Planned Unit Development Agreement

Ayes: Droste, Essler, Freske, Weisensel, Block

Nays: None. Motion carried.

Motion by Weisensel Second by Block

Motion to adopt a resolution approving a Conditional Use Permit for Outdoor Storage in the LI-Light Industrial zoning district.

Ayes: Essler, Freske, Weisensel, Block Droste

Nays: None. Motion carried.

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ANNOUNCEMENTS

10.a. Staff Updates

City Administrator Martin thanked election staff and volunteers for their time dedicated to the Primary Election.

10.b. Upcoming Community Calendar

Mayor Droste reviewed the calendar of events and upcoming meetings.

ADJOURNMENT

There being no further business to come before the City Council at the regular council meeting and upon a motion by Droste and a second by Weisensel the meeting was adjourned at 8:32 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Erin Fasbender". The signature is fluid and cursive, with the first name "Erin" and last name "Fasbender" clearly distinguishable.

Erin Fasbender
City Clerk