

CITY OF APPLE VALLEY
PLANNING COMMISSION MINUTES
OCTOBER 5, 2016

1. CALL TO ORDER

The City of Apple Valley Planning Commission meeting was called to order by Vice-Chair Burke at 7:01 p.m.

Members Present: Tim Burke, Keith Diekmann, Angela Polozun, Paul Scanlan and David Schindler

Members Absent: Ken Alwin and Tom Melander

Staff Present: City Attorney Sharon Hills, Community Development Director Bruce Nordquist, City Planner Tom Lovelace, Planner/Economic Development Specialist Alex Sharpe, City Engineer Brandon Anderson and Department Assistant Joan Murphy

2. APPROVAL OF AGENDA

Vice-Chair Burke asked if there were any changes to the agenda. Hearing none he called for a motion.

MOTION: Commissioner Diekmann moved, seconded by Commissioner Schindler, approving the agenda. Ayes - 5 - Nays - 0.

3. CONSENT ITEMS

MOTION: Commissioner Diekmann moved, seconded by Commissioner Scanlan, approving the minutes of the meeting of September 21, 2016. Ayes - 3 - Nays - 0. Abstain – 2 (Burke and Schindler)

4. PUBLIC HEARINGS

--NONE--

5. LAND USE/ACTION ITEMS

A. Uponor Expansion – Consider rezoning, vacation of drainage and utility easements, replatting of two existing lots, and site plan review/building permit authorization to expand the Uponor Annex building at 14800 Everest Avenue onto 14751 Energy Way. **(PC16-34-ZGFB)**

LOCATION: 14751 Energy Way

PETITIONER: Uponor North America

Planner and Economic Development Specialist Alex Sharpe stated that the request is for consideration of the following land use actions to authorize construction of a 57,818 s.f. addition to the Uponor annex building located at 14800 Everest Ave/14751 Energy Way:

1. Rezoning from "BP" - Business Park to "I-1" Limited Industrial to allow contiguous zoning for the proposed parcel.
2. Final Plat/Replat of the two parcels to combine them into one parcel, allowing the expansion of the existing building.
3. Vacation of Drainage and Utility Easements which were created as property line perimeter easements and will no longer be adjacent to property lines.
4. Site Plan Review/Building Permit Authorization for consideration of a building addition including office and warehouse totaling 57,818 s.f.

He said Uponor NA Asset Leasing, Inc. requests consideration of four land use actions which will allow them to construct an addition to their property at 14800 Everest Ave onto an adjacent property at 14751 Energy Way. Uponor is seeking to expand their current operations, which requires additional space. 14751 Energy Way is an adjacent vacant parcel zoned "BP" - Business Park. To expand their existing annex building at 14800 Everest Ave several land use actions are required.

14751 Energy Way is zoned "BP" - Business Park. Uponor is requesting that this parcel be rezoned to "I-1" - Limited Industrial so that the proposed combined parcel has one zoning classification. Spot zoning is not an issue as this request creates a contiguous "I-1" - Limited Industry zone. As both parcels are guided for industrial use a comprehensive plan amendment is not required.

The Planning Commission does not review or recommend actions on a vacation. The most practical way of removing the section of easements, which are no longer needed, is to vacate all of the easements established with the prior plats. These easements will be reestablished and dedicated through the new final plat as needed.

He added Uponor is seeking to begin construction on this facility in 2016. To accommodate this goal City staff is working with the applicant's engineering team to submit materials for review in advance of final approval/decisions.

MOTION: Commissioner Scanlan moved, seconded by Commissioner Diekmann, recommending approval of the rezoning of 14751 Energy Way (Lot 1, Block 1, Knob ridge 2nd Addition) from "BP" - Business Park, to "I-1" - Limited Industrial. Ayes - 5 - Nays - 0.

MOTION: Commissioner Scanlan moved, seconded by Commissioner Diekmann, recommending approval of the site plan review/building permit authorization to allow for construction of a 57,818 s.f. expansion on the existing Uponor Annex facility under the following conditions:

- a) Prior to issuance of a building permit the applicant shall submit a landscape plan which meets the requirement of City code and is approved by the public works department.
- b) If the Building Permit is not paid for and issued within one (1) year of the date of approval, the approval shall lapse.

- c) Prior to issuance of a building permit the applicant shall submit a lighting plan which complies with City code. Any site lighting shall consist of downcast, shoebox lighting fixtures or wallpacks with deflector shields which confines the light to the property.
- d) Construction shall be consistent with all conditions set forth in the City Engineer's memo dated September 30, 2016.
- e) Construction shall occur in conformance with the elevation plan dated September 12, 2016, subject to minor alterations consistent with City code.
- f) Construction shall occur in conformance with the site plan dated September 6, 2016, including parking lot paving and a non-surmountable concrete curb and gutter around the entire perimeter.
- g) Issuance of a Building Permit and a final certificate of occupancy is contingent upon the project being constructed in conformance with all the preceding conditions as well as all applicable performance standards of the current zoning regulations. In the event that a certificate of occupancy is requested prior to completion of all required site improvements, a suitable financial guarantee in the amount of 125% of the estimated cost of the unfinished improvements shall be required along with an agreement authorizing the City or its agents to enter the premises and complete the required improvements if they are not completed by a reasonably stipulated deadline, with the cost of such City completion to be charged against the financial guarantee.

Ayes - 5 - Nays - 0.

B. Remington Cove Apartments-Phase Two – Consider site plan review/building permit request to allow for construction of three-story/95-unit apartment building on 2.66 acres.
(PC16-36-B)

LOCATION: Southeast corner of Founders Lane and Galaxie Avenue
PETITIONER: Trident Development, LLC and Galaxie Partners, LLC

City Planner Tom Lovelace presented the request of the petitioner for site plan review/building permit request to allow for construction of three-story/95-unit apartment building on 2.66 acres, located at the southeast corner of Founders Lane and Galaxie Avenue.

The property is zoned "PD -716, zone 2". No amendment to the zoning code is required this is a Planned Development district.

The site plan shows a U-shaped three-story/95-unit building with an underground garage that meets all setbacks set forth in the zoning ordinance. Trash and recycling will be located on the first floor, and garbage trucks will pick up in the courtyard area. All mechanicals will be located in the garage.

The proposed building requires 171 parking spaces (1.8 spaces/per unit). The plan shows 108 parking spaces in the underground garage in the apartment, and 72 surface spaces, for a total of 180 spaces (1.89 spaces/unit).

He reviewed the site plan, grading plan, landscaping plan and building materials. Individual sidewalk connections should be made from each individual unit's first floor patios to Galaxie Avenue.

Discussion followed.

MOTION: Commissioner Diekmann moved, seconded by Commissioner Scanlan, recommending approval of the site plan/building authorization to allow for construction of three-story/95-unit apartment building on Lot 1, Block 1, The Legacy of Apple Valley Sixth Addition subject to the following conditions:

1. There shall be a minimum 108 parking spaces in the underground parking garage and 72 on-site surface parking spaces.
2. Final locations and sizes of storm sewer, sanitary sewer and watermain shall be reviewed with the final construction plans and approved by City Engineer prior to issuance of a building permit.
3. No building permit shall be issued until a Natural Resources Management Permit has been obtained.
4. Individual sidewalk connections shall be made from each individual unit's first floor patios to Galaxie Avenue.
5. Submission of a nursery bid list that confirms the landscape materials, irrigation system and other common area amenities meet or exceed 2½ percent of the value of the construction of the building based on Means Construction Data.

Ayes - 5 - Nays - 0.

6. OTHER BUSINESS

A. Review of upcoming schedule and other updates.

Community Development Director Bruce Nordquist stated that the next Planning Commission meeting would take place on October 19, 2016, at 7:00 p.m.

7. ADJOURNMENT

Hearing no further comments from the Planning Staff or Planning Commission, Vice-Chair Burke asked for a motion to adjourn.

MOTION: Commissioner Schindler moved, seconded by Commissioner Scanlan to adjourn the meeting at 7:21 p.m. Ayes - 5 - Nays - 0.

Respectfully Submitted,

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/s/ Joan Murphy
Joan Murphy, Planning Department Assistant

Approved by the Apple Valley Planning Commission
on 10/19/16.

/s/ Tom Melander
Tom Melander, Chair