

CITY OF APPLE VALLEY
PLANNING COMMISSION MINUTES
APRIL 4, 2012

1. CALL TO ORDER

The City of Apple Valley Planning Commission meeting was called to order by Chair Melander at 7:00 p.m.

Members Present: Tom Melander, Ken Alwin, Keith Diekmann, Paul Scanlan, and David Schindler.

Members Absent: Tim Burke and Brian Wasserman.

Staff Present: Community Development Director Bruce Nordquist, City Planner Tom Lovelace, City Attorney Sharon Hills, Assistant City Engineer David Bennett, and Department Assistant Joan Murphy.

2. APPROVAL OF AGENDA

Chair Melander asked if there were any changes to the agenda.

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

3. APPROVAL OF MINUTES OF March 21, 2012.

Chair Melander asked if there were any changes to the minutes. Hearing none he called for a motion.

MOTION: Commissioner Diekmann moved, seconded by Commissioner Alwin, approving the minutes of the meeting of March 21, 2012, as written. Ayes - 4 – Nays – 0 – Abstained – 1 (Scanlan)

4. CONSENT ITEMS

--NONE--

5. PUBLIC HEARINGS

--NONE--

6. LAND USE/ACTION ITEMS

- A. **Cobblestone Lake Pizza Ranch** – Consideration of a proposed 7,000-sq. ft. restaurant on a 1.5-acre lot in the Cobblestone Lake Commercial development. **(PC12-12-BF)**

City Planner Tom Lovelace presented the request of the petitioner, DDJ Ranch Apple Valley, Inc.

He stated the petitioner is requesting approval for a replat of an existing lot and outlot that will create two new lots and site plan/building permit authorization to allow for construction of a 6,998 sq. ft. building and 102 surface parking spaces on a 1.4-acre lot (Lot 1). The property is located in the northeast corner of Pilot Knob Road (CSAH 31) and 157th Street West in the Cobblestone Lake Commercial development.

COBBLESTONE LAKE COMMERCIAL 2nd and 3rd ADDITIONS have been already recorded with Dakota County. Therefore, the proposed final plat will need to be renamed COBBLESTONE LAKE COMMERCIAL 4th ADDITION. Recording of the final plat with Dakota County shall be required prior to issuance of a building permit.

City code requires that Class I and II restaurants shall provide one parking space for each 2.5 seats. The site plan shows 102 surface parking spaces for the proposed 252-seat facility, which is one more space than the minimum required. Four of those spaces are expected to be removed when the lot to east is developed, thereby making the restaurant short of parking by three spaces.

Pedestrian connections from the restaurant to the sidewalk along the north side of 157th Street West and to the future building on Lot 2 should be made. This may require the loss of up to two additional parking spaces on Lot 1.

The petitioner could remove seating to meet the minimum parking. The petitioner would instead like to propose that a shared parking agreement between the two properties be execute that would allow both properties to meet their parking requirements in the future without removing seating.

Staff does not have an issue with the petitioner's request for the cross parking agreement, as it was expected that parking within the Cobblestone Lake commercial development would be shared. This agreement should be executed and recorded with the property at the time of the recording of the final plat.

Revisions to the landscape, grading and utility plans shall be made per staff's comments as identified in this report at the time of submission of plans for a building permit. Elevation drawings were also provided.

Commissioner Scanlan asked how pedestrians would access the building from the senior living home nearby where there is an unmarked crossing.

Mr. Lovelace stated the intersection could be reviewed and assessed if a marking is needed.

Commissioner Scanlan questioned the drive-up window and thought Cobblestone Lake did not allow drive-up windows on restaurants.

Mr. Lovelace answered that a drive-up window is not in the plans. It is only a carry-out service area where customers will call their order in ahead of time and then park in a designated service area to pick up the order. This service is currently provided in other areas of Apple Valley.

Commissioner Scanlan asked for confirmation if signage on the east side of the building is not to be lit and thought that signage facing Cobblestone Lake area is not to have direct lighting.

Mr. Lovelace stated that is true that if any building is adjacent to a residential area but this building will have commercial buildings all around it and they would be allowed to have lit signage.

Commissioner Diekmann asked what the signage ordinance was and how close the petitioner was to exceeding the total square foot allowable signage.

Mr. Lovelace stated staff would address the allowable signage when the petitioner applies for a sign permit. The diagrams presented are more for illustration purposes.

Commissioner Diekmann commented on the elevation designs and stated considerable time was spent on a previous applicant's elevation designs to complete a four sided architectural design rather than a three sided design. He would like to see these elevation plans be addressed in a similar manner. He feels this design is lacking and stated possibly wrapping the porch around the building further would be more appropriate.

Commissioner Scanlan stated he supports Commissioner Diekmann's comments for changes to be made to the elevation designs to be more conforming with the other commercial properties that have previously been built in the Cobblestone Lake area.

Commissioner Alwin said he agrees with some of these architectural modifications to make it more consistent with what has been done in this development in the past. He feels it would be best served not voting on this proposal this evening.

MOTION: Commissioner Alwin moved, seconded by Commissioner Scanlan, to continue consideration of a proposed 7,000-sq.ft. restaurant on 1.5 acre lot in the Cobblestone Lake Commercial development to the next Planning Commission meeting on April 18, 2012. Ayes - 5 – Nays – 0.

7. OTHER BUSINESS

A. D.R. Horton Concept Plan - Sketch plan review of a proposed 182-lot single-family residential subdivision on 88 acres.

City Planner Tom Lovelace reviewed the concept plan of the petitioner, D. R. Horton, for a proposed development project that will create 182 single family lots on 88 acres. The site is located in the southeast corner of Embry Path and CSAH 42. The site is designated on the City's 2030 Comprehensive Plan Land Use Map "LD" (Low Density Residential/3-6 units per acre). The "LD" is designed to accommodate residential developments that range from zero to six units per acre and

include most of the existing single family residential areas that are zoned "R-1", "R-2", "R-3", and "R-CL". Other zoning districts eligible for this land use category include "R-5" (two family); "M-1", "M-2", and "M-3" (multiple family); and "PD" (planned development). The proposed 182-lot single-family residential development on 88 acres will have a gross density of 2.4 units per acre, which is below the minimum required density within the "LD" designation.

The site is currently zoned "R-3" (Single Family Residential/11,000 sq. ft. min lot area), "M-3C" (Multiple Family Residential/3-6 units per acre), and "M-6C" (Multiple Family Residential/6-12 units per acre). The property was rezoned from "SG" (Sand and Gravel) to the current zoning designations in 2009 to the current designations to accommodate a development plan that would include a mix of low and medium density housing types. That development scenario has been abandoned and a new developer has come forward with a plan for 182 single-family dwelling units. The new development proposal will require the rezoning of the property currently designated "M-3C" and "M-6C" to "R-3".

A neighborhood park is also designated for this area, which the developer has shown on their concept plan. The concept plan indicates a 6.4-acre storm water pond. The City's storm water plan identifies a 9-acre pond at this location, which is sized to accommodate on-site runoff as well as runoff from off-site properties. The developer will need to work with the City Engineer to determine the proper size and location of a ponding area on this property.

An unused sanitary sewer and functioning storm sewer line currently exist on the site. Both will be removed with development of this site. Embury Path will be extended northward and will intersect with CSAH 42 approximately 1,000 feet east of Pilot Knob Road, which falls between the 3/4-and right in/right out intersection distance outlined in the Dakota County spacing guidelines.

The site plan shows that 14 lots will have direct driveway access from Embury Path. Generally, the City discourages this type of access to a minor collector. The design of the street may be the determining factor on whether access will be allowed. The remaining lots will have driveway access from local streets that will be constructed as part of the development.

The plan shows two-legged intersections that will be designed with a bubble, which may be a maintenance concern for the City.

The concept plan shows a 4.44-acre park located adjacent to the storm water ponding area. The proposed park is slightly smaller than the minimum required by the City. The developer has also indicated that they would like to use a portion of the park area for temporary ponding. Review and comments by the City's Parks and Recreation staff of the size and function of the park will be needed as this project moves forward.

Mike Suel, D. R. Horton, stated this design would attract second and third time home buyers and believes this is a good layout. They are considering building two-story single family homes; some with porches and stone brick fronts. He reviewed his designs.

Commission Alwin questioned if sidewalks would be part of the plans since the City tries to promote public walkability to get to where they need to be.

Mr. Suel stated they plan to follow Apple Valley City Code and what is required.

Commissioner Scanlan asked for review of the building materials again.

Mr. Suel stated the plans for the homes are a hardboard front with vinyl sides and rears.

Commissioner Scanlan stated he thought in the past the City required Hardie board in this area.

Mr. Lovelace clarified that in the Planned Development to south which is the Cobblestone Lake area the Hardie board or similar material is required as part of that Planned Development ordinance. Planned Developments can be tailored with negotiations with the developers. This proposed development is looking at a zoning of R-3 which is allowed to use the vinyl siding.

Commissioner Diekmann asked for density clarification.

Clark Wicklund, engineer for D. R. Horton, stated that to get to a density of 3 unit/acre, lots would need to be designed with a lot width of 60 to 65 feet.

Commissioner Alwin stated that when the application is submitted to the City the developer could deal with the lot width at that time. He feels lot width has a big impact on parking and if indeed parking would be allowed on both sides of the streets. He believes this is an intriguing plan if the parking could be worked out.

Mr. Wicklund indicated that an 80' width is able to accommodate a three car garage. He does not feel D. R. Horton has an interest in submitting an application unless R-3 zoning compliant.

Chair Melander said he would welcome this project in Apple Valley and feels it is an attractive development for the City. He would like to see this type of development rather than the high density there does not seem to be a market for.

Commissioner Alwin left the meeting at 8:14 p.m.

B. Review of upcoming schedule and other updates.

Community Development Director Bruce Nordquist stated that the next Planning Commission meeting will take place Wednesday, April 18, 2012, at 7:00 p.m.

8. ADJOURNMENT

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

