

CITY OF APPLE VALLEY  
PLANNING COMMISSION MINUTES  
AUGUST 5, 2015

**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, Tim Burke, Angela Polozun and Paul Scanlan.

Members Absent: Keith Diekmann and David Schindler.

Staff Present: City Attorney Sharon Hills, Community Development Director Bruce Nordquist, Planner Margaret Dykes, Assistant City Engineer Brandon Anderson and Department Assistant Joan Murphy.

**2. APPROVAL OF AGENDA**

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

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

**3. APPROVAL OF MINUTES JULY 15, 2015**

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

MOTION: Commissioner Burke moved, seconded by Commissioner Scanlan, approving the minutes of the meeting of July 15, 2015. Ayes - 5 - Nays - 0.

**4. CONSENT ITEMS**

**A. Village at Founders Circle 2nd Addition** – Consider rezoning two parcels totaling 4.78 acres from “PD-739, Zones 1 and 2” to “PD-739, Zone 1”, and preliminary plat to create one (1) platted lot. **(PC15-24-ZSG)**

LOCATION: Generally southeast of Garrett Avenue and 153rd Street W.

PETITIONER: Dakota County CDA

MOTION: Commissioner Burke moved, seconded by Commissioner Scanlan, recommending approval of the draft amendment rezoning the subject 4.78-acre site from "PD-739, Zones 1 and 2" to "PD-739, Zone 1". Ayes - 5 - Nays - 0.

**MOTION:** Commissioner Burke moved, seconded by Commissioner Scanlan, recommending approval of the preliminary plat for Founders Circle 2nd Addition, subject to compliance with all applicable City Codes and standards. Ayes - 5 - Nays – 0.

**B. Leach Detached Garage Variance** – Consider previously approved variance to increase size of detached garage from 750 sq. ft. to 957 sq. ft. **(PC15-26-V)**

**LOCATION:** 8460 133rd Street Ct. W.

**PETITIONER:** Thomas C. Leach

**MOTION:** Commissioner Burke moved, seconded by Commissioner Scanlan, recommending approval of a variance to construct a 957 sq. ft. detached garage, subject to compliance with all City Codes, the conditions previously stated in Resolution No. 2013-13, and the following: The exterior of the garage shall be constructed of materials that are compatible with the exterior of the home. Ayes - 5 - Nays – 0.

## 5. PUBLIC HEARINGS

**A. Karamella Addition** – Public hearing to consider zoning amendment to allow for ancillary retail in conjunction with a permitted use in the “I-1”, “I-2”, and “BP” zoning districts, subdivision by preliminary plat of a 21.58-acre site to create one (1) lot and one (1) outlot, and site plan/building permit authorization for an approximately 69,500 sq. ft. manufacturing and warehouse facility, and attached 4,200 sq. ft. ancillary retail facility. **(PC15-26-ZSB)**

**LOCATION:** Northwest of Johnny Cake Ridge Road and 147th Street W.

**PETITIONER:** HBP Property Holdings, LLC, and Karamella, LLC

Chair Melander opened the public hearing at 7:02 p.m.

Planner Margaret Dykes stated the property, located northwest of Johnny Cake Ridge Road and 147th Street W., is zoned "I-2" (General Industrial). It does not allow for ancillary retail sales. The applicant is requesting an amendment to the zoning code to allow for ancillary retail sales in conjunction with the manufacturing facility. The City Attorney has drafted zoning code amendments that would allow ancillary retail sales as a permitted accessory use in conjunction with a permitted use provided the retail does not exceed 10% of the total floor area or 5,000 sq. ft., whichever is smaller. This would allow a tenant to have a retail operation to sell products manufactured or warehoused on the site. In staff's opinion, allowing a small amount of retail in conjunction with a manufacturing or retail facility does not detract from the overall industrial use of the property.

The applicant is requesting a subdivision by preliminary plat of the subject 21.58-acre site into one lot and one outlot. Lot 1 would be 9.84 acres (428,630 sq. ft.), and Outlot A is shown as 9.47 acres. The remaining property is dedicated for right-of-way for 147th Street and Johnny Cake Ridge Road. An additional 26' wide drainage/utility/trail easement is needed along Johnny Cake Ridge Road to accommodate the installation of an 8'-wide bike trail, and right-turn lanes to access the site as well as 147th Street. An approximately 1.4-acre stormwater infiltration area on Outlot A that

accommodates drainage from Lot 1. This area should be incorporated into Lot 1 and a drainage/utility easement placed over it.

The site plan shows an approximately 69,500 sq. ft. manufacturing/warehouse facility, and attached 4,200 sq. ft. ancillary retail facility. The total building area is about 73,700 sq. ft. This is approximately 17% of the lot area. The plan shows a layout for a future expansion, which would increase the building area by approximately 85,280 sq. ft., bringing the maximum building area to 158,939 sq. ft. The building coverage with a future expansion would be about 37%; this complies with the Code, which allows a maximum building coverage of 45% (192,884 sq. ft.). The building is approximately 27 feet tall, which is below the maximum 40 foot height allowed by the Code. A roof parapet or a screen immediately surrounding the unit must screen all rooftop mechanicals. The screening material must be at least the same height as the mechanical unit.

The proposed building requires 139 parking spaces; the plan shows 190 spaces. Also shown on the plan are spaces for tour bus parking that could accommodate large school buses. With the future building addition, the site would require an estimated 266 spaces, depending on the final use of the space. Staff is satisfied the parking plan meets the Code requirements.

The site is accessed by one drive intersecting with Johnny Cake Ridge Road, which is a collector road. The Assistant City Engineer has stated that, due to the traffic volume on Johnny Cake, this must be a right-in/right-out only access point. Right-turn lanes would be required at the access point, and the City would construct a right-turn lane onto 147th Street. There are two driveways accessing 147th Street W. (also a collector), which will provide full access. Right turn lanes will also be required on 147th Street. The Assistant City Engineer has reviewed the grading plan and has several issues that must be addressed by the applicant.

The plan shows one pedestrian connection from public sidewalk on 147th Street W. to the site. The applicant should install additional sidewalk connections due to the retail component to the site. Staff believes there are locations for additional pedestrian connections from 147th Street.

She stated the building materials consist of pre-cast concrete panel and the applicant wishes to use the Double Tee precast building shown on the elevations.

Commissioner Scanlan inquired if bike racks would be installed because of the retail involved.

Ms. Dykes answered that bike racks would be installed.

Commissioner Scanlan asked what materials would be involved for the trash enclosures.

Ms. Dykes said it would be similar materials to the building but she would rather the applicant answer to that.

Commissioner Scanlan inquired if signage would be installed to distinguish between the retail and employee parking.

Ms. Dykes answered that could be looked at.

Commissioner Scanlan asked about design elements to the building and a lighting plan so it does not affect the neighborhoods to the east.

Mike Whalen, Developer/General Contractor for EFH Co., commented that the trash enclosure would be of the same building material as the exterior and would be in the northwest area of the building. He described panel construction.

Steve Hegedus, Karamella, LLC, provided additional information.

Commissioner Alwin asked for clarification that the retail store was really secondary to the manufacturing aspect.

Ms. Dykes answered yes.

Mike Erdmann, 5936 – 144th Street W., expressed concern for the intersection and believes the right-in/right-out issue had been addressed. He would like to see some type of concrete to prevent the left turns where not allowed. He was hoping to see the bike path along Johnny Cake Ridge Road extended and would like more landscaping to shield some of the parking from Johnny Cake Ridge Road. He inquired how the lighting would affect the neighbors to the east. He commented that this is a fantastic facility. It is a nice addition to Apple Valley and he is in support of it.

Ms. Dykes reported that staff is in discussions of creating a concrete island at that right-in/right-out on Johnny Cake Ridge Road.

Chair Melander closed the public hearing at 7:26 p.m.

## **6. LAND USE/ACTION ITEMS**

--NONE--

## **7. 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 Wednesday, August 19, 2015, 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.

MOTION: Commissioner Alwin moved, seconded by Commissioner Scanlan to adjourn the meeting at 7:29 p.m. Ayes - 5 - Nays - 0.

Respectfully Submitted,

                  /s/ Joan Murphy                    
Joan Murphy, Planning Department Assistant

Approved by the Apple Valley Planning Commission on 8/19/15.