

CITY OF APPLE VALLEY
PLANNING COMMISSION MINUTES
APRIL 20, 2016

1. CALL TO ORDER

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

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

Members Absent: Tom Melander

Staff Present: City Attorney Sharon Hills, Community Development Director Bruce Nordquist, City Planner Tom Lovelace, Planner Kathy Bodmer, 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 Scanlan, approving the agenda. Ayes - 6 - Nays - 0.

3. APPROVAL OF MINUTES APRIL 6, 2016

Vice-Chair Burke 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 April 6, 2016. Ayes - 5 - Nays - 0. Abstain – 1 (Schindler)

4. CONSENT ITEMS

--NONE--

5. PUBLIC HEARINGS

A. TCF Bank at Mount Olivet – Public hearing to consider comprehensive plan amendment from “INS” (Institutional) to “C” (Commercial), rezoning from “P” (Institutional) to “LB” (Limited Business), subdivision by preliminary plat of Mount Olivet Second Addition to create a 16,570 sq. ft. parcel, variances and site plan review/building permit authorization for construction of a 2,400 sq. ft. bank with drive-thru facilities. **(PC16-13-PZSVB)**

LOCATION: 14201 Cedar Avenue

PETITIONER: TCF National Bank and Mount Olivet Assembly of God Church

Vice-Chair Burke opened the public hearing at 7:02 p.m.

Planner Kathy Bodmer stated TCF Bank requests consideration of following actions on the Mt. Olivet site, 14201 Cedar Avenue, to subdivide a small parcel for construction of a bank facility:

- Comprehensive Plan Amendment from "INS" (Institutional) to "C" (Commercial)
- Rezoning from "P" (Institutional) to "LB" (Limited Business)
- Subdivision by Preliminary Plat to Create a 16,570 sq. ft. lot
- Variances
 - Reducing the TCF building setback from Cedar Avenue from 50' to 8'
 - Reducing the parking setback to the south property line from 5' to zero, and
 - Reducing the number of required parking spaces from 16 to 3
- Site Plan/Building Permit authorization to construct a 2,400 sq. ft. TCF Bank with drive-thru facilities.

TCF wishes to buy a 16,570 sq. ft. parcel from Mount Olivet Assembly of God to construct a 2,400 sq. ft. bank with three drive-thru lanes. Several land use actions would be required to allow the rezoning and subdivision.

The property is guided "INS" (Institutional) in the 2030 Comprehensive Plan; commercial uses such as banks are not permitted in this designation. Any new lot for the bank would require an amendment to the Comprehensive Plan from "INS" to "C" (Commercial). In addition to review and approval by the City, the Comprehensive Plan amendment requires review and approval by the Metropolitan Council. When the City Council reviews a request to amend its Comprehensive Plan, it has the most discretion to make its land use decision to ensure any amendment is consistent with the City's goals and vision.

The proposed bank would require a rezoning of the new lot; staff believes a zoning designation of "LB" (Limited Business) would be appropriate given the properties north of 142nd Street are zoned LB. A variance for building setbacks and approval of a shared parking plan would be required.

The applicant is proposing to subdivide the existing 8-acre church lot to create a 16,570 sq. ft. parcel on the corner of Cedar Avenue and 142nd Street W. Because the site is adjacent to Cedar Avenue, any plat must be reviewed by the Dakota County Plat Commission. No access is shown from Cedar Avenue. Parkland dedication of cash-in-lieu of land would be required for the subdivision.

Vice-Chair Burke asked if the County had concerns of the setback for Cedar Avenue.

Ms. Bodmer answered that Dakota County reviewed the site plan and grading plan as part of their review and they did not raise any objection.

Commissioner Scanlan inquired about the short sidewalk at the north end of the building and where the sidewalk leads to.

Mike Kraft, Mike Kraft Architects, commented that the sidewalk was for an emergency exit and will also be used for trash removal.

Commissioner Scanlan commented that all four sides of the building are visible to the public and he would like to see more architectural design on the north and west exposures to carry that same balance.

Mr. Kraft agreed that the building is very visible on this corner and said the drive-up canopy is different and does not see any reason they could not bring in more secondary material to dress the north and west sides of the building.

Trevor Beckman, Manager at TCF Bank in Apple Valley, introduced himself and said they are excited about the new bank location and are looking forward to a good partnership with Mount Olivet.

Ronald Mansmith, 14055 Granite Avenue, expressed concern for the amount of traffic to be at the intersection of 142nd Street and Granite Avenue that would be generated with the recent apartment building to the north that was just approved by the City. He added that when traveling southbound there is a blind intersection there and how could traffic traveling east and west on 142nd Street be slowed down.

Joanne Zurcher, 14255 Glencove Trail, also had a concern for traffic flow in the area due to the intersection at Cedar Avenue only allowing for cars to travel south. She feels that drivers will opt to use Pennock Avenue more. She inquired if the rezoning will be done before the site is split off from the rest of the property or will the entire property be rezoned.

Ms. Bodmer clarified that the church has no plans to relocate so the zoning and comprehensive plan designation will remain as it is today. There would be no change. It is only the small piece of land that would be rezoned.

Vice-Chair Burke closed the public hearing at 7:23 p.m.

B. PHS Cobblestone Lake Senior Housing Development – Public hearing to consider comprehensive plan amendment, rezoning, replat of existing outlots and site plan/building permit authorization to allow for the construction 175-unit continuum of care facility. **(PC16-14-PZSB)**

LOCATION: Intersection of 157th Street West and Cobblestone Lake Parkway

PETITIONER: Tradition Development and Presbyterian Homes and Services

Vice-Chair Burke opened the public hearing at 7:24 p.m.

City Planner Tom Lovelace stated the applicant is proposing a 175-unit continuum of care complex on 12.28 acres. The site is located along the east side of Cobblestone Lake Parkway, south of Embury Path and north of Elmhurst Lane. The site is currently made up of three outlots that have a variety of Comprehensive Plan land use and zoning designations. The applicant is proposing to

replat the existing outlots into one (1) lot and one (1) outlot. The proposed lot will be the location of continuum of care facility and the outlot will be dedicated as public park. Approval of amendments to the City's 2030 Comprehensive Plan Land Use Map, rezoning of the property and site plan review/building permit authorization are other entitlements needed for this project.

The site plan identified future expansion that will include an additional 64 independent living units and an 80-bed skilled nursing facility, which will need City review and consideration. Improvements to the park will include a parking lot, shelter and other amenities.

He shared that the City received an \$896,000 Livable Communities Demonstration Account (LCDA) grant in 2011, of which \$598,000 is to be used for land acquisition and utility construction for the continuum of care facility, and \$298,000 for Cobblestone Lake public park improvements. Terms of the grant required that the funds be used by the December 31, 2014, which did not happen. The City did apply and received a two-year extension that will expire December 31, 2016.

Jacob Fick, South Shore Development, commented that a senior facility has been sought after for a long time to complete the life cycle housing in Cobblestone Lake. They held a neighborhood meeting and took comments and concerns from people living in the area. Their plans would be to open in 2017.

John Mehrkens, Presbyterian Homes and Services, presented a history of their organization and said they are excited to bring their ministry to Apple Valley.

Commissioner Scanlan, referencing to the areas on the north and south ends that will be used for future building consideration, asked how that will be handled for landscaping. He expressed concern for the building massing and asked if there were any visualization from the east end of the lake looking west toward the building that would include the commercial area in the background. He inquired how the front entry would look and how the signage would sit that close to the roundabout. He asked for what the color palette would be.

Scott Black, Essential Decision Inc., said it would be handled by lawn and some buffering so they can distinguish between what is public park and private property. They are open to ideas for the entrance to the building and any color changes and that they still have a review process coming from Cobblestone.

Commissioner Alwin also agreed that it would be helpful to see the visual coming from the Target Store and asked if the topography slopes down by the time you get to the building site.

Mr. Fick said that the land does slope down toward the lake.

Gayle Woodbury, 15961 Elmwood Way, commented that looking up from the lake a 4-story building will actually look like a 6-story building and had a concern for the color scheme. She would like to see some additional landscaping along the berms and the public path. She asked about the access for service delivery trucks and how they would get into the site.

Robin Ruegg, 15635 Eddington Way, said she had no particular concerns except to be involved in the process. She had more questions for the Parks and Recreation Department related to handicapped accessibility for the park.

Kim Ritter, 15879 Eastbend Way, commented that there already is a 60-unit apartment building there and asked if we really need that much more. She had a concern for parking at the facility with the number of staff people that would be working there. She welcomes the project but had concerns that the massiveness is a little overwhelming. She said no buildings around the lake are 4 stories. She said she called several senior apartment buildings and the majority of them are only 3 stories at the highest.

Dennis Hanson, 15829 Eastbend Way, said he was surprised at the size and mass of the building and has concerns for the height.

Liisa Labno, 15695 Duck Pond Way, objects to the vertical massing and horizontal massing. She does not think this is a good project. She objects and would like to see a re-design.

Elizabeth Pick, 15638 Eddington Way, understands that senior housing is important but thinks this is too big.

Vice-Chair Burke closed the public hearing at 8:14 p.m.

MOTION: Commissioner Alwin moved, seconded by Commissioner Diekmann recommending approval for submittal to the Metropolitan Council of the amendments to the 2030 Land Use Map to designating Lot 1, Block 1, PRESBYTERIAN HOMES AT COBBLESTONE LAKE, "HD" (High Density Residential/12+ units per acre) and Outlot A, PRESBYTERIAN HOMES AT COBBLESTONE LAKE to "P" (Parks and Open Space). Ayes - 6 - Nays - 0.

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, May 4, 2016, at 7:00 p.m.

8. 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 Alwin to adjourn the meeting at 8:20 p.m. Ayes - 6 - Nays - 0.

Respectfully Submitted,

/s/ Joan Murphy
Joan Murphy, Planning Department Assistant

Approved by the Apple Valley Planning Commission
on 5/4/16.

/s/ Tom Melander
Tom Melander, Chair