



Shakopee Planning Commission

Meeting

Minutes

April 7, 2022

7:00 PM

City Hall, 485 Gorman St.

1. Roll Call

Chair Robbins called the meeting to order.

Commissioners present: Josh Forsythe, Jesse Lara, Daniel Olson, Bennet Olupo, Noreen Reding, Ashlee Sepulvado

City staff present: Director of Planning & Development Michael Kerski

2. Approval of Agenda

Commissioner Noreen Reding made a motion to approve the agenda, seconded by Commissioner Ashlee Sepulvado and the motion passed.

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3. Call for Notarized Affidavits, Proof of Neighborhood Meeting and Sign in Sheet for appropriate Public Hearing

4. Recognition by Planning Commission of Interested Citizens

5. Consent Business - (All items listed in this section are anticipated to be routine. After a discussion by the Chair there will be an opportunity for members of the Commission to remove any items from the consent agenda for individual discussion. Those items removed will be considered following the Public hearing portion of the agenda. Items remaining on the Consent Agenda will not be discussed and will be approved in one motion.)

Commissioner Ashlee Sepulvado made a motion to approve the consent agenda, seconded by Commissioner Daniel Olson and the motion passed.

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A. Summerland Place Easement Vacation

B. Powers 2nd Addition Easement Vacation

C. Meeting Minutes of March 3, 2022

6. General Business

A. Canterbury Comprehensive Plan Amendment

Commissioner Josh Forsythe made a motion to open the public hearing, seconded by Commissioner Daniel Olson and the motion passed.

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Mr. Kerski presenting Canterbury Comprehensive plan amendment.

Commissioner Forsythe wanted to clarify that it just was the small area that need to be reguided. Mr. Kerski confirmed that it needed to be corrected to be cleaned up per the MET Council recommendation.

Commissioner Josh Forsythe made a motion to close the public hearing, seconded by Commissioner Daniel Olson and the motion passed.

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Commissioner Josh Forsythe made a motion to recommend to the city council that they approve Resolution R2022-056 for a Comprehensive Plan amendment to Figure 4.12 - Planned Land Use in the 2040 Comprehensive Plan, seconded by Commissioner Ashlee Sepulvado and the motion passed.

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B. Amphitheater Environmental Assessment Worksheet (EAW)

Mr. Kerski noted that amphitheaters require that an EAW be performed. He presented what is currently understood from the EAW such as parking, noise, and traffic.

Commissioner Sepulvado asked who would own the amphitheater. Mr. Kerski stated it was going to developed by Sworvo Development. Canterbury has nothing to do with it besides leasing them some parking spaces when they have big events.

Commissioner Forsythe asked if the land would be bought by Sworvo and Mr. Kerski said yes. Forsythe then asked if Canterbury would then lease parking spaces. Mr. Kerski said yes for larger events. They have an operational agreement.

Commissioner Olupo asked if they would make any modifications to the exits off the highway. Mr. Kerski said no that the big modifications are happening right now. County Highway 83 is going to be 100% concrete with traffic and lane modifications. One of the big changes will be when you turn under the bridge off 169 headed north towards Canterbury there will be a large digital board above the lanes that will inform you, depending on the night, race nights this lane for card room, for

concerts, this lane for amphitheater. There is a similar existing board in Eden Prairie/Bloomington. There needs to be some additional signage before the 101 exit saying, all amphitheater traffic exit here.

Commissioner Lara asked if there could be an amphitheater event and a race at the same time. Mr. Kerski said that Canterbury have changed their race nights because of this. The two parties have an operational agreement, so they won't have major events at the same time. There could be racing during the day and a concert at the amp at night since the traffic would not conflict.

Mr. Kerski continued with his presentation of the amphitheater plans.

Commissioner Sepulvado said that the parking equations is not adding up for her. Mr. Kerski explained that there would be agreements with Southwest Transit from their Eden Prairie and Chanhassen to bus people here and those buses would remain here. The city owns the part of the Seagate parking area and the Southwest Transit buses would remain there until the end of the event and then return riders. MVTA would be using three remote lots that they own to provide parking for attendees. There would also be an area set aside near the amp to rideshare like Uber and Lyft. All of these mode shifts could reduce parking demand by 20 to 25%.

Commissioner Forsythe shared his excitement for this to go forward.

Commissioner Olson asked if the sound volume would be controlled by the venue or what's to prevent the performer turning up the volume as loud as it can. Mr. Kerski the sound levels are lower in the facility because of the design that includes a roof so there is a need for speakers in the rear for those in the grassy area can hear. It is a multimillion-dollar digital sound system that will have lots of regulation on it because they did a sound study based on the maximum that you could run the system at that's what was generated. The facility will be partially in the ground and will rise about 50 feet out of the ground.

Commissioner Olson asked if there will be follow up studies after this is open that will monitor the volume outside the area. Mr. Kerski said yes. There will have to be big change to city ordinances because we don't allow any music after 10 o'clock and these if it's on a weeknight they will probably go to 11 because they will have to let people to leave work to get here.

Commissioner Olson how confident are we of the numbers of people in the lawn areas, like what happened in Houston where the mass of people ran forward. Mr. Kerski stated that this operator was not the operator for that facility. That was all general admission for the whole facility.

Commissioner Olson said he didn't see it in the EAW but what about security. Is Shakopee Police going to be hired? Mr. Kerski said the facility will have its own security along with Shakopee police.

Commissioner Olson asked if there had been any neighborhood meetings about this. Mr. Kerski said yes and there has been extensive outreach about this and as we get past the EAW and see the PUD you'll see more public meetings.

Commissioner Olson asked if Canterbury's Twin Cities Summer Jam will be moved to this establishment? Mr. Kerski said that will have to be worked out between the two promoters. The amp may start construction this year but it is dependent on supply chain.

Commissioner Olson asked if the city would have any control over who would perform. Mr. Kerski stated that it is not our facility and does not have a CUP on it but I can tell you that if the owner operator multi multimillion dollar facility it would not be in their best interest to have it damaged or its reputation hurt.

Commissioner Olupo wanted to make a comment on the concern about people rushing the stage since that usually happens in General Admission situations where people want to get really close to the stage. I don't see that happening on the lawn in the back.

Commissioner Josh Forsythe made a motion to Recommend to the City Council a finding of no adverse impact, seconded by Commissioner Noreen Reding and the motion passed.

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C. PUBLIC HEARING - PUD Amendment for Arasan Apartments - Phase II

Commissioner Noreen Reding made a motion to open the public hearing, seconded by Commissioner Ashlee Sepulvado and the motion passed.

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Mr. Kerski presented the PUD Amendment for Arasan Apartments. This is amendment of the original project of an office building to an apartment with a dog park.

Commissioner Olson asked on where we are on the roundabouts on the project. Mr. Kerski explained the county has decided to install a signal at Marystown and 17th and that will be installed sooner rather than later. Then we have numerous requests for funding for the roundabout and eventually that signal may go away and be replaced by a roundabout but the city only owns just past the first phase of this project to the highway. It requires MnDOT approval because two of the ramps would have

roundabouts and if we would have a roundabout at this intersection required the county's approval and they decided to do the signal for now.

Commissioner Sepulvado asked if there has there been an additional traffic study due to the change of the project. Mr. Kerski stated that extensive traffic study was completed that generated the roundabouts that included this project. Apartments won't generate any more traffic then the office building that was proposed, and in fact they will generate fewer trips.

Commissioner Sepulvado asked about the concerns with the school. Mr. Kerski said that if it was an office building there were more peak traffic time with traffic because people would be going in and out of there all day with this some people work from home, some people leave during the day or different hours. It's not as concentrated. Sepulvado asked if the school was notified and prepared. He said yes.

Mr. O'Brien, developer, made a comment on the traffic study that there is 25% less trips with this project then the office building.

Commissioner Olupo asked how the project is heated or power supplied from a greener perspective. Mr. O'Brien said it's a LEED certified building but there are no wind towers on it, and that we will use hot water boiler heat. We don't have to heat our garages much. use a heated insulated concrete footing. The R value is unreal. The rest is normal HVAC. To build a building today is very expensive and the cost to build this building is increasing 3% a month over the last six months. There's no incentive to put solar panels on the roof because the cost up front is great to do it and there are no incentives to help underwrite the initial costs. You can't get it to appraise out. You can't get it to finance.

Commissioner Sepulvado asked Mr. Obrien how is the first phase filling up. Mr. O'Brien said he hasn't open it yet, but has received interest and a few leases. But if he isn't going to open the doors until May 15 and he just opened the model last week. He has to work with the city with safety issues because it is an active construction site to open units. The company we have managing talks about the pricing.

Commissioner Sepulvado asked if we believe there is demand for the second phase. Mr. O'Brien said it is my name on the loan so there better be demand.

Commissioner Lara asked why a three level not match it with the previous building. Mr. O'Brien said sightlines, cost, parking and size constraint. I couldn't add another 40 units on top because I couldn't park it.

Commissioner Forsythe asked what the breakdown of studios, 1, 2, and 3 bedroom apartments there are going to be in this building. Mr. O'Brien is proposing potentially 25 studios, 30 one bedrooms, 30 two bedrooms, 20 three bedrooms

somewhere around that range. When we do a studio we do a unique studio. It feels like there is a bedroom. He explained how he achieves that.

Commissioner Olson asked if the dog park is still going to be built. Mr. O'Brien said yes.

Commissioner Forsythe asked that it is not just for resident's. Mr. O'Brien said no that it's the city's dog park. Mr. Kerski said that it's the first dog park that is an agility dog park.

Chair Robbins asked if Mr. O'Brien would classify this as a market rate project and what kind of rents. Mr. O'Brien said it is a market rate apartment. It is a class A class A- apartment. which means we try to keep the rents down for our resident's. Basically the way we do that is nowadays is you can't have granite everywhere. You can't have stainless everywhere. We do put granite in most places but we don't have granite sills in the bedroom try to save a little bit there. In this building we are going to share the pool with Phase I but Phase I has to share with Phase II that really nice deck that overlooks the river and has the golf simulator it, from an amenity package it is right in the middle not at the top of the rates.

Commissioner Robbins asked about the rental cost by square foot. Mr. Obrien said its probably going to be around a \$1.90 per square foot range. So a 600 hundred square foot studio is probably going to be in that \$1200 to \$1300 dollar range.

Commissioner Noreen Reding made a motion to close the public hearing, seconded by Commissioner Jesse Lara and the motion passed.

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Commissioner Olupo looks forward to a time when people bring forward plans for sustainable buildings and houses. I hope that day is sooner rather than later.

Chair Robbins comments on the cost of sustainability and maybe there are ways to help that come about.

Commissioner Noreen Reding made a motion to recommend to the city council the adoption of Ordinance No. O2022- 012, approving an amendment of Planned Unit Development District #2 for property located north of 17th Avenue (CSAH 16), east of Marystown Road (CSAH 15) and south/west of Lusitano Street, seconded by Commissioner Josh Forsythe and the motion passed.

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- D. PUBLIC HEARING: Zoning Text Amendment to City Code Section 151.007, General Regulations

Commissioner Ashlee Sepulvado made a motion to open the public hearing, seconded by Commissioner Noreen Reding and the motion passed.

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Mr.. Kerski presented a text amendment concerning compressed fuel stations to the city code.

Ms. Rogers, an attorney was present representing CT Realty and Clean Natural Energy. She explained that this is creating a fleet fueling station for a contracted fleet. The trucks come into a secured area to park overnight. In that overnight period, it allows trucks to refuel during the least energy concentration.

Chair Robbins asked about what type of vehicles. Ms. Rogers stated box trucks and possibly vans. Mr. Robbins asked what they fuel with. She replied with compressed natural gas. Mr. Kerski also stated that there is a new renewable natural gas that is coming from the landfills in the area. So that is another fuel source for these vehicles.

Commissioner Reding asked that they walk her through how this would work.

Ms. Rogers stated that they would be coming back for a CUP as well as site building plans later if the text amendment were approved.

The facility would operate with essentially truck drivers that are contracted from a specific fleet will pull up, there are two options available on our site as we are proposing it and as the code amendment allows. There is a timed fuel station as well as a quick fuel station. A quick fuel station is going to mirror what you might see in a traditional gasoline fueling option and those are pedestal stands. You plug in and get stored compressed natural gas that is put into the vehicle.

In the timed fuel station, they line up in rows of cars and trucks and other shipping vehicles and attached to long term fuel stations. Those long-term fuel stations utilize 8 hours for timed filled fueling. So the trucks sit there overnight and they are filled up. This process is more efficient because of how much natural gas you can get into the vehicle and the process behind it. The drivers will come back in the morning and pick up their vehicles, make their deliveries, work within the community and come back, and with this opportunity that fleet will be maintained, they will be washed, they will be cleaned along with minor repairs for things like wipers.

To your earlier point about the concerns of blockage of fire, emergency vehicle access, having dirty truck and engine parts. You will not see any of that on this site. The organization of this site is related to the efficiency of the fueling mechanism as well.

Commissioner Reding asked what determines whether it is a long term or a short term fueling. Is it based on what the person wants or is it certain qualifications. Ms. Rogers it is based on the fleet needs.

Mr. Nelson with Clean Energy Fuels gave a little more background about the renewable fuels being used in this type of fueling station.

Chair Robbins wanted to clarify the process of natural gas. Mr. Nelson agreed and added detail. Robbins asked if it was a green fuel. Mr. Nelson said yes the vehicles have zero emissions.

Commissioner Olupo has heard that methane is worst for the atmosphere then CO2 so capturing that and using that and putting that through the combustion engine is more beneficial because it would be releasing water instead of CO2. Mr. Nelson agreed.

Commissioner Sepulvado asked that that this is fleet specific, who is that fleet and is this just for this fleet. Mr. Nelson said that it is for a specific fleet that is behind the fence. The fast fueling is for the fleet or anyone else that wanted to use as a station. Sepulvado asked if it is company owned fleet. Mr. Nelson said it is independent drivers but it's all for one company.

Commissioner Forsythe asked if it was package delivery. Mr. Nelson agreed.

Commissioner Sepulvado asked if they were not at liberty to say who. Mr. Nelson said no they were not at this point.

Mr. Kerski said that this was right next to WPT just south of logistics Centers so short haul semi now are switching over to natural gas instead of diesel. Sepulvado said she works in logistics and she hadn't heard that this was becoming a thing. I was interested in what the truck population on the road was. Mr. Kerski said that it's huge. He said that all the garbage trucks you see that the majority of them are running on compressed natural gas right now.

Chair Robbins asked does this work if he has a truck and I use this. Mr. Kerski said most of the garbage trucks have their own fueling stations or there is one nearby or owned by a company like Mr. Nelsons. A good example, natural gas has less wear and tear for a whole bunch of different reasons on the motor probably a little bit less efficient but much better on wear and tear on the engine and way less pollution.

Mr. Kerski said that there is an operator in the area that is looking at doing a renewable natural gas. He was talking to their CEO and they will be able to produce that gas right in this area and put it back in the pipeline. Mr. Nelson said that they also are in contact with them and that that gas will come into their station.

Commissioner Forsythe asked how far are you transporting the gas now to get it here. Mr. Nelson said that the gas that is here is coming from the local utility. Forsythe asked SPU and Mr. Kerski said no CenterPoint or Xcel. Mr. Nelson said that they transport it through their lines. It gets injected in then it gets transported through but it all runs on credits on what goes in and what goes out. It's the benefit of the clean air. It gets kind of confusing. Forsythe said that the eventual plan would be to shorten that distance by maybe involving someone in Shakopee. Mr. Nelson said that they are working on that to try to keep it local.

Chair Robbins asked how do they get the natural gas. Mr. Nelson said the same way we get gas to our home by pipe. Mr. Kerski wanted to explain the reason why we are doing this complicated change is we don't want to see your standard diesel truck fueling station and all the issues that come with it. One of the things we wanted to do is allow if there is someone that is doing unusual that they are proposing here that you won't see tractor trailers parked on the street overnight with people sleeping in them. All those things that come with tractor trailers or even service trucks. This is a very change in the economy in the nationwide where fleets are trying to be more efficient where they have to be near a big enough service line so this site had to be near some big trunk lines for natural gas. And the potential uses are all industrial users in that area so they have the advantage of a fleet behind the fence or general fueling for other vehicles in the area that don't have the capacity they only have two trucks and don't have the ability to build a fueling station.

Commissioner Forsythe just wanted to clarify that they were not talking about the specific project but just the text that will allow these stations in the heavy industry zone. Mr. Kerski confirmed that is right.

Chair Robbins thanked Mr. Nelson for being there to help to help the commission understand the change in relation to the text.

Commissioner Josh Forsythe made a motion to close the public hearing, seconded by Commissioner Jesse Lara and the motion passed.

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Commissioner Jesse Lara made a motion to recommend City Council approval of the proposed text amendment, seconded by Commissioner Josh Forsythe and the motion passed.

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7. Other Business

Mr. Kerski gave updates to the commission.

Chair Robbins asked about doing another tour. Mr. Kerski said they will look at late summer or early fall.

8. Adjourn to Thursday, May 5, 2022 at 7:00 p.m.

Commissioner Noreen Reding made a motion to adjourn to Thursday, May 5, 2022 at 7:00 pm, seconded by Commissioner Ashlee Sepulvado and the motion passed.

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