



Shakopee Planning Commission
Meeting
Minutes
April 5, 2018
7:00 PM
Council Chambers

Presiding Chair Steve Mangan

Vice Chair Kent Robbins called the meeting to order.

1. Roll Call

Commissioners present: Ashlee Sepulvado, Noreen Reding, Mark McQuillan, Jody Brennan, Kent Robbins, Lori Brandon

Commissioners absent: Steve Mangan

City Staff present: Director of Planning & Development Michael Kerski, Senior Planner Mark Noble, Senior Planner Kyle Sobota

2. Approval of Agenda

Commissioner Jody Brennan made a motion to approve the Agenda, seconded by Commissioner Ashlee Sepulvado and the motion passed.

6 - 0

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

Mr. Noble stated that staff has received these.

4. Recognition by Planning Commission of Interested Citizens

No one responded.

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.)

A. Approval of March 8, 2018 Minutes

B. Vacation of Public Right-of-way and Drainage & Utility Easements

Commissioner Mark McQuillan made a motion to approve the Consent Business, seconded by Commissioner Lori Brandon and the motion passed.

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6. General Business

- A. PUBLIC HEARING - Reguide property to Commercial/Rezone property to Highway Business (B-1) Zone; 12321 Marystown Road

Commissioner Lori Brandon made a motion to open the Public Hearing, seconded by Commissioner Ashlee Sepulvado and the motion passed.

6 - 0

Senior Planner Mark Noble presented the staff report.

Ms. Brennan asked Mr. Noble what the proposed traffic control was for Marystown Road and 17th Avenue. Mr. Noble answered that currently there was not anything proposed for the area yet. There is a stop sign in both directions (East/West) on 17th Avenue with no plans at this point for North/South with either a signal or stop sign. He stated that the city did not believe the traffic counts warrant this, since this is a new area of transition.

Mr. McQuillan asked if access exiting the development would not be directly onto Marystown Road, but rather to the south. Mr. Noble stated that he was correct; since Marystown Road is a county road, the county would not allow any kind of access directly onto Marystown Road.

Mr. Kerski clarified on the screen the areas where a new roundabout and large right of way would be located. He stated that in the long term, there are wide right of ways that have been acquired to reconstruct the road to add traffic signals or roundabouts, if warranted. Mr. Kerski explained that Scott County has additional plans for the area in the future, but currently is not in their capital program.

Mr. Robbins asked Mr. Noble what was possible in the B1 zone and Mr. Noble stated that permitted uses included office buildings, supermarkets and general retail. A hotel would need a Conditional Use Permit in the B1 zone.

Mr. Kerski explained in detail the rationale about the re-guiding of this site.

Ms. Renee Davis, 1191 Danube, addressed the Commission. She shared her concerns about traffic and the access onto 17th Avenue and Marystown Road, with even more concern for Jackson Elementary nearby. Mr. Kerski explained to Ms. Davis that the parcel she was referring to was already zoned B1 and was sold by the school district for development. He pointed out a right of way behind the day care that is currently

under construction, with a new city street that will branch into this property and provide access. He went on to explain that all of this was contemplated when the school district planned this and understood that they will need to re-work their parking lot as the area develops.

Ms. Mollie Viola, 1188 Danube, addressed the Commission. She asked if there were any other zoning options for this property other than B1 that would be more conducive to the neighborhood. Mr. Noble stated that this zoning was part of the 2030 Comprehensive Plan, which had a lot of input from the public. It was determined that this area would be best utilized for commercial purposes. He explained the city's rationale behind this as well. Ms. Viola asked if Jackson Elementary was part of the 2030 Comprehensive Plan at the time and Mr. Noble clarified for Ms. Viola how Jackson Elementary was included in the 2030 Comprehensive Plan.

Commissioner Mark McQuillan made a motion to close the Public Hearing, seconded by Commissioner Jody Brennan and the motion passed.

6 - 0

Commissioner Mark McQuillan made a motion to approve Reguide property to Commercial/Rezone property to Highway Business (B-1) Zone;12321 Marystown Road, seconded by Commissioner Noreen Reding and the motion passed.

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- B. PUBLIC HEARING - Reguide property to Single Family Residential/Rezone property to Urban Residential (R-1B) Zone;12800 Marystown Road

Commissioner Jody Brennan made a motion to open the Public Hearing, seconded by Commissioner Mark McQuillan and the motion passed.

6 - 0

Senior Planner Mark Noble presented the staff report.

Mr. Robbins asked that if this item were approved, would there be the potential for houses to be built around Friendship Church and Mr. Noble stated that this was correct.

Mr. Bruce Loney, 5870 Shand Circle, Prior Lake, addressed the Commission. He stated that he supported the re-guiding as part of the Board of Friendship Church. He stated that he believed that it met the requirements of the West End study.

Commissioner Lori Brandon made a motion to close the Public Hearing, seconded by Commissioner Jody Brennan and the motion passed.

6 - 0

Commissioner Lori Brandon made a motion to approve Reguide property to Single Family Residential/Rezone property to Urban Residential (R-1B) Zone; 12800 Marystown Road, seconded by Commissioner Ashlee Sepulvado and the motion passed.

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C. PUBLIC HEARING: PUD Amendment for a proposed mixed use development, and Preliminary Plat of Canterbury Park 7th Addition

Commissioner Mark McQuillan made a motion to open the Public Hearing, seconded by Commissioner Jody Brennan and the motion passed.

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Director of Planning & Development, Michael Kerski presented the staff report.

Mr. Robbins asked if the Preliminary Plat was for the entire site and the PUD was for this specific development and Mr. Kerski stated that he was correct. Mr. Kerski went on to explain that pretty much anything could be built within the PUD, but in the future there would be many amendments where some of them may eliminate current uses. He also clarified that as this development builds out, the allowed uses would shrink dramatically. Mr. Kerski stated that Canterbury would still be allowed to have races, concerts, etc., within their property.

Mr. Robbins asked if the apartments would be rentals and Mr. Kerski answered that he was correct. Mr. Robbins asked if the rental prices would be substantial given the proposed amenities and Mr. Kerski stated that the developer could confirm this, but also stated that this portion of the build out was approximately \$100 million dollars and the rents would reflect the cost of the project.

Mr. Kerski then displayed a video of the proposed development. Mr. Cody Dietrich, representative of Doran Companies, narrated during the presentation and highlighted various areas.

Ms. Brennan asked how many entrances there would be to the apartment complex and Mr. Dietrich answered that there would be 3 gated entrances and showed their locations. Ms. Brennan asked if there would be consideration given for queuing of traffic entering the public streets and Mr. Dietrich answered that they did not see a need for this, since residents will have fob access. He added that there would be 2 entrances at the gatehouses; one for residents and one for guests.

Mr. Robbins asked what kind of response Doran Companies had received with this proposal and Mr. Dietrich explained to him how their Maple Grove and Hopkins

interest had been. Mr. Robbins asked if this Shakopee development was different than what Doran had done in the past and Mr. Dietrich answered that the parking ramp was different from their previous developments in Maple Grove and Hopkins and that the proposed parking structure was more common in the South.

Commissioner Mark McQuillan made a motion to close the Public Hearing, seconded by Commissioner Lori Brandon and the motion passed.

6 - 0

Commissioner Mark McQuillan made a motion to approve PUD Amendment for a proposed mixed use development, and Preliminary Plat of Canterbury Park 7th Addition, seconded by Commissioner Jody Brennan and the motion passed.

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- D. PUBLIC HEARING - Reguide property to High Density Residential, Rezone property to R-4; a PUD Amendment for an apartment complex, and approve the Preliminary Plat of Windermere East 2nd Addition

Commissioner Mark McQuillan made a motion to open the Public Hearing, seconded by Commissioner Jody Brennan and the motion passed.

6 - 0

Mr. Kerski presented the staff report.

Mr. Robbins asked if Common Bond managed the property and Mr. Kerski confirmed that they did.

Ms. Kayla Shuchman, Project Manager for the Real Estate team at Common Bond Communities, addressed the Commission. Ms. Shuchman provided background information on Common Bond, including who they serve, their philosophy and their goals for this development.

Ms. Brennan asked Ms. Shuchman what the process and income level to be qualified as a resident. Ms. Shuchman answered that the highest annual income to qualify is \$54,000.

Ms. Kristen Kvalsten, Property Manager for Common Bond, also added that Common Bond has a rigorous application process to ensure that all residents meet required qualifications at move in. She also added that provided that the residents qualify and meet the income restrictions at move in, they are encouraged to start earning more money. The intention of the program is that they provide affordable rents so residents can save money to eventually purchase their own home.

Mr. Robbins asked how much the rents would be and Ms. Shuchman stated that the exact rents are still being contemplated, but she anticipated that a 1 bedroom would be around \$800, 2 bedrooms around \$975 and 3 bedrooms close to \$1100. Mr. Robbins asked if all of the units would be in one building and Ms. Shuchman answered that this was the case, and would be a mix of units.

Mr. Robbins asked if Common Bond would be using tax credits for this project and Ms. Shuchman answered that they were planning to use tax credits, similar to the MWF Sarazin Flats property. It would have a similar finance structure and the population of residents that they would be marketing to would be similar as well.

Ms. Brennan asked if Common Bond would be asking for similar assistance from the city that MWF has received and Ms. Shuchman stated that Common Bond was not planning to ask for any financing from the city or ask for any type of waivers.

Mr. Robbins asked if Common Bond had applied for the credit from the State Tax Finance Agency and Ms. Shuchman answered that they were waiting to see if this project would be viable first within the Shakopee community. He asked if they had conducted neighborhood meetings and Ms. Shuchman answered that they had.

Ms. Brennan asked if all of the parking was surface parking and Ms. Shuchman stated that she was correct.

Ms. Renee Davis, 1191 Danube, addressed the Commission. She stated that she and another neighbor of hers were the only residents in attendance at the neighborhood meeting. She wanted to let the Board know that none of her other neighbors had received the neighborhood meeting notice from the city.

Mr. Robbins asked city staff about the notices and who they were sent to. Mr. Kerski stated that city ordinance used to require notification to residents within 350 feet of new developments, but the City Council recently changed this to 500 feet, so anyone living within 500 feet of this development had been notified. Mr. Kerski also noted that there was a 4 foot by 8 foot sign on the site, which is also another new requirement. Mr. Kerski commented that since this was a Public Hearing, it was also advertised in the local newspaper and online. Ms. Davis shared her concerns about this development and how there will not be enough of a buffer between the existing neighborhood and this development. She stated that low income housing does create problems of theft and other kinds of things. She was also concerned about the safety of the residents' properties and the students at Jackson Elementary nearby, due to the increased traffic and lack of traffic signals. She also shared her concerns about her property value and did not want this type of development right outside her window.

Ms. Brennan asked Mr. Kerski if Common Bond would have to abide by the rules Shakopee has in place for multi-family housing and Mr. Kerski answered that all of

Shakopee's multi-family housing now is required to be part of the Crime-Free Multi-Housing Association and that there is a specific police officer assigned to work with all of these property owners. He reiterated that this was not a dense project at 60 units. He also noted that the benefit of this development, in contrast to others, is that the landlord and property management company is one and the same.

Mr. Mike Suel, representative of DR Horton, addressed the Commission. He stated that it was always DR Horton's intention to build an apartment complex on this particular site and there will be less traffic than what was proposed and approved previously. He explained how the design of the building would be compatible to what would be built across the street and stated that this development has been included on all of their disclosures to prospective buyers. He stated his support for the Common Bond project and that new school district boundaries have slated this neighborhood for Sweeney Elementary School right now, that that could certainly change over time.

Ms. Brennan asked about the building timeline and Ms. Shuchman answered that they anticipate to begin construction in the summer of 2019.

Ms. Mollie Viola, 1188 Danube, asked how Common Bond planned to interact with the neighborhood and Ms. Shuchman stated that they like to participate in National Night Out, as well as hosting community events at their properties to bring residents out into the community. Ms. Shuchman commented that Common Bond has staff dedicated solely to getting their residents engaged in the community.

Ms. Kvalsten emphasized how important it was for Common Bond to have a positive impact in the community and clarified that the residents being served at this site were most likely already members of the city of Shakopee.

Ms. Yvonne Anderson, resident of Prior Lake, addressed the Commission. She shared her experiences in the past with other Common Bond properties and stated that they were reputable property managers.

Commissioner Noreen Reding made a motion to close the Public Hearing, seconded by Commissioner Ashlee Sepulvado and the motion passed.

6 - 0

Commissioner Mark McQuillan made a motion to approve Reguide property to High Density Residential, Rezone property to R-4; a PUD Amendment for an apartment complex, and approve the Preliminary Plat of Windermere East 2nd Addition with conditions as stated, seconded by Commissioner Jody Brennan and the motion passed.

6 - 0

DISCUSSION:

Mr. McQuillan stated that he was very familiar with Common Bond and he thinks that it is a fantastic organization and that he had no concerns with this project.

Mr. Robbins stated that he appreciated the comments from the residents and that he was pleased that Common Bond was doing this project. He believes this will fill a very dire need in the community.

E. PUBLIC HEARING - Reguide property to High Density Residential and Rezone property to R-4

No motion to open???

Mr. Michael Kerski presented the staff report.

Mr. Robbins asked Mr. Kerski how many units there would be and Mr. Kerski answered that there would be 277 units at full build out. Mr. Robbins asked how much it would be for a resident and Mr. Kerski stated that it was a higher than normal cost of market rate housing.

Mr. Scott Black and Andy Opsell, representatives of Benedictine Health Systems, addressed the Commission. Mr. Black explained their goals for this development in detail.

Mr. Kerski added that the applicant did provide a preliminary traffic analysis and the residents of this development will not be generating very much traffic.

Mr. Robbins asked Mr. Black for clarification on the phases of construction and if the property did not sell well, could the development become smaller and Mr. Black clarified the site plan in detail for Mr. Robbins.

Commissioner Mark McQuillan made a motion to close the Public Hearing, seconded by Commissioner Ashlee Sepulvado and the motion passed.

6 - 0

Commissioner Noreen Reding made a motion to approve Reguide property to High Density Residential and Rezone property to R-4, seconded by Commissioner Jody Brennan and the motion passed.

6 - 0

F. PUBLIC HEARING - Preliminary Plat of Windermere South

Commissioner Lori Brandon made a motion to open the Public Hearing, seconded by Commissioner Ashlee Sepulvado and the motion passed.

6 - 0

Mr. Mark Noble presented the staff report.

Mr. Robbins asked for clarification on Windermere South, and if there were an East, West, North, etc. Mr. Noble went over the entire site plan in detail with each location and neighborhood names.

Ms. Reding asked how the city determines tree removal and Mr. Kerski stated that the City Council just modified the tree preservation and buffer/landscape ordinance a few days ago. He explained in detail how the city determines tree removal and replacement.

Ms. Renee Davis, 1191 Danube, addressed the Commission. She asked how the city plans to address changes in housing plans if a developer decides they would like to change it and Mr. Kerski explained that the zoning for the site right now is single family; if the developer wanted to change it, then it would require a Comp Plan amendment with a super majority vote by the City Council and then rezoning as well as updating to their final plat.

Mr. Mike Suel explained DR Horton's rationale about why they changed their original plans from town homes to this type of development.

Commissioner Lori Brandon made a motion to close the Public Hearing, seconded by Commissioner Jody Brennan and the motion passed.

6 - 0

Commissioner Lori Brandon made a motion to approve Preliminary Plat of Windermere South with conditions as stated, seconded by Commissioner Mark McQuillan and the motion passed.

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G. PUBLIC HEARING: Comprehensive Plan Amendment, Rezoning, Preliminary / Final Plat of Countryside 2nd Addition

Commissioner Jody Brennan made a motion to open the Public Hearing, seconded by Commissioner Ashlee Sepulvado and the motion passed.

6 - 0

Mr. Kyle Sobota presented the staff report.

Mr. Robbins asked if a Preliminary Plat and Final Plat could be done at the same

time and Mr. Sobota stated that it is the developer's choice, most commonly done together to shorten the review time. Mr. Robbins asked about the agricultural preservation rezoning and how it would work. Mr. Sobota stated that a single family home would be allowed as well as row crops and livestock.

Ms. Amber Ogle, no address given, addressed the Commission. She shared her concerns about all of the development going on in the city and how this was going to affect the schools, traffic and children in the area. She asked the Commission if there were plans in place to oversee all of these things.

Mr. Kerski explained that Shakopee has a lot of county roads and they are trying to get some of them moved up on Scott County's plans for improvements. He stated that the county needs to hear from the residents themselves about these concerns as well. Mr. Kerski noted that they are working with the County and that Shakopee has asked to take over the planning and platting of Jackson Township, once annexed. He explained that the city and county would now be meeting quarterly to discuss all of the issues that Ms. Ogle has brought up.

Mr. Noble stated that they are working on the 2040 Comp Plan right now and talked about the Envision Shakopee public meetings for residents to discuss and share concerns as well as their ideas on what they would like to see in the city of Shakopee.

Mr. Robbins asked about the traffic studies done in the area and Mr. Kerski stated that there have been traffic studies done, but DR Horton is building their roads to meet the county standards, but the county needs to work with the city on their portion.

Mr. Robbie Friendshug, Jordan, addressed the Commission. He shared his concerns about Shakopee growing way too fast. He also stated that the intersection at Hwy. 169 and County Road 41 works just fine and he does not agree with it.

Commissioner Jody Brennan made a motion to close the Public Hearing, seconded by Commissioner Ashlee Sepulvado and the motion passed.

6 - 0

Commissioner Jody Brennan made a motion to approve Comprehensive Plan Amendment, Rezoning, Preliminary/ Final Plat of Countryside 2nd Addition, seconded by Commissioner Mark McQuillan and the motion passed.

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7. Other Business

Mr. Kerski stated that the City Council has approved a landmark steering committee to work with a consultant to look at all of the city's existing facilities, revenue and expenses, proposed facilities and future facilities. There have been issues that have come up with existing projects and the City Council has put all of these on hold. This steering committee will provide recommendations to the City Council by the 2nd City Council meeting in January of 2019. He stated that it is a large committee of 17 members, with 2 City Council members, 2 members from Parks and Recreation and 2 members from BOAA/PC, as well as residents from the community. They will meet once a month from now until the end of the year. The City Council has asked for names from BOAA/PC who are interested in serving on this.

Mr. Kerski also noted that Eric Weiss would be taking over all of the park planning and Mr. Sobota would be taking over all of the trail planning for the city. He also noted that there is somewhat of a steering committee with city staff to try and get the park system where it needs to be.

Ms. Ashlee Sepulvado, Ms. Jody Brennan and Mr. Kent Robbins all voiced interest in serving on this steering committee and Mr. Kerski will share this with the City Council.

8. Adjourn to Thursday, May 3, 2018 at 7:00 p.m.

Commissioner Lori Brandon made a motion to adjourn the meeting at 10:03 pm, seconded by Commissioner Jody Brennan and the motion passed.

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