



COTTAGE GROVE PLANNING COMMISSION
12800 Ravine Parkway South
Cottage Grove, MN 55016

November 25, 2024

COUNCIL CHAMBER - 7:00 P.M.

The Regular Meeting of the Planning Commission was held in the Council Chamber and telecast on Local Government Cable Channel 16.

1. CALL TO ORDER

Frazier called the Planning Commission meeting to order at 7:00 p.m.

2. ROLL CALL

Pradeep Bhat-Here; Ken Brittain-Here; Jessica Fisher-Here; Evan Frazier-Here; Eric Knable-Here; Derek Rasmussen-Here; Emily Stephens-Here.

Members Absent: None

Staff Present: Emily Schmitz, Community Development Director; Crystal Raleigh, Assistant City Engineer; Tony Khambata, City Council Liaison

3. APPROVAL OF AGENDA

Brittain made a motion to approve the agenda. Stephens seconded. The motion was approved unanimously (7-to-0 vote).

4. OPEN FORUM

Frazier opened the open forum and asked if anyone wished to address the Planning Commission on any non-agenda item. No one spoke. Frazier closed the open forum.

5. CHAIR'S EXPLANATION OF THE PUBLIC HEARING PROCESS

Frazier explained the purpose of the Planning Commission, which serves in an advisory capacity to the City Council, and that the City Council makes all final decisions. In addition, he explained the process of conducting a public hearing and requested that any person wishing to speak should go to the podium and state their full name and address for the public record.

6. PUBLIC HEARINGS AND APPLICATIONS

A. Park High School - Case SP2024-023

KOMA Architects, on behalf of South Washington School District ISD 833 (Property Owner), applied for a site plan review for two additions to Park High School and additional site improvements on the Park High School (8040 80th Street) and Crestview Elementary School (7830 80th Street) sites. The additions include approximately 32,000 square feet for a new cafeteria and kitchen and approximately 2,500 square feet of expanded Career and Technical Education (CTE) area. Additional site improvements proposed include additional driveway and access routes throughout the site (Park High School and Crestview Elementary).

Schmitz summarized the staff report and recommended approval subject to the conditions stipulated in the staff report. Frazier asked if there were any questions for staff.

Brittain asked Schmitz to please go back to the Site Improvement Plan diagram. In Area 8, where the bus route is through, that appears different than what I've experienced in the past where that third lane on the bottom is actually parking spaces, or used to be parking spaces; are all those parking spaces now gone, or will they still, in non-school hours, be used as parking? Schmitz replied they will not be used; Frazier stated we'll save that question for the Applicant and Schmitz stated that is just fine, if there are more for the Applicant, we'll bank them. Brittain stated there was also a note in here about 40% tree mitigation, and since this is following rules or whatever else, there was no tree mitigation necessary. My question is that when this property was originally developed, I'm sure if there were trees on it, there might have been tree mitigation. Now this is being redeveloped, but it is being changed; at what point do, it almost sounds like every time we come and do something new, you get 40% where you don't have to mitigate. So, the next time we do it, we get another 40%. I'm not saying that's how it works, I'm looking for some clarification on how that works, such that isn't 40, 40, 40, 40, 40, and then you end up with no trees, not that that would actually happen, but how does that work? Schmitz replied so, we do require a tree inventory, which the School District did, and a Landscaping Plan on top of that. So, yes, as a part of each project we would calculate using that Code Standard or percentage; however, on top of that, you're constantly requiring additional landscaping to be planted as well, so additional trees. As those trees are planted, that percentage is going to come up. Does that make sense? Brittain said so, we'll end up with more trees than we had before; Schmitz said ultimately, yes. Brittain said okay, fair enough, thank you.

Knable asked so, between visitor parking and the buses, I know as a parent trying to drop kids off there, many times you would go through that visitor area to drop your kid off. So, is that still going to be a drop-off area? Schmitz replied no. The intent is to force that traffic around the back side of the building instead of having that conflicting traffic. I assure you the School District recognizes it will be a learning curve. Knable said yeah, okay, thank you.

Rasmussen said I'm curious about, with all the drop-off traffic and then leaving on Ideal for those like who want to make a left turn, for instance, I don't believe that's a traffic light there; is there any concerns with traffic backing up on Ideal or safety at that intersection? Schmitz replied I'm going to defer that to our wonderful Assistant City Engineer if we're ready. Raleigh stated the drop off is going to change a little bit. So, right now, the students are able to exit out of that driveway, onto Ideal. When this is complete, the students will be exiting out the south side of that parking lot and only the parents that are dropping off will be exiting out onto Ideal. So, a lesser amount of students coming out, because there's going to be a gate in there, so there will be less students coming out onto Ideal. The parents will be the ones that are coming out after that drop off, and the students will be coming out on the south side. Rasmussen stated I did notice that gate in there, all right, so, that makes sense.

Fisher said I had a question about the new drop off that's down by Crestview or the new, excuse me, driveway. It looks like it's kind of squeezed between two stormwater collection basins. Are there retaining walls or something that's going to go in there to help kind of protect that roadway from erosion? Schmitz replied there are no retaining walls. The grades do work out so that the roadway will be elevated enough to be protected. Fisher said okay, thank you.

Frazier asked if there were any other questions for staff; there were none.

Frazier asked at this time if the Applicant has anything additional to add; I know we have the one question about the parking spots in the front. He asked the Applicant to state your name and address for us, please.

Kevin Bohl stated I work at BKBM Engineer as a Civil Engineer; my address is 11623 Fergus Street NE, Blaine, MN. To answer your question, it's not shown on this diagram, but we do anticipate putting the green-striped stalls back in, again intending that that's used for after hours, not used during the school day, because we do want that to function as a drive-through area; it would still be available for after-hours activities.

Brittain said I mean, it's good to hear that they're still going to be there because we've lost parking, and it almost comes out to be a wash. I think you guys have done a great job of making this safer and better, all in all. It's unfortunate that we couldn't have more parking for the Ice Arena because you lose a bunch of spots in order to drive through that back area, and then you do gain some back on that back slope; so, there might be a few extra spots in there, but it just would've been nice to have seen even on the back side of the Ice Arena if there could've been more parking, but I understand you've got other fields and stuff that you've got to fit in there. Bohl stated and I will say we did have an option at one point, there is currently kind of a maintenance building back there where they store different obstacles and whatnot, and we did actually look at moving that building at one point and

putting additional parking there. Unfortunately, it wasn't necessarily part of the referendum, and then value engineering came through, and we were coming in over budget; so, that was one of the things that kind of unfortunately had to get scrapped. Brittain said okay, thank you.

Rasmussen said I know where this new drive's coming in by the tennis courts, and it kind of splits the detention pond now, and it looks like you split them up; I'm assuming we've got adequate detention and water-holding capabilities there. I feel like that new drive's kind of right in the middle of the detention, where the detention sits now. Bohl replied yeah, for the most part, the area 9, on the west side of the drive, that's kind of where the existing pond is. Because of the added impervious on the site, or the hard surfaces on the site, we did have to add the additional area, kind of to the east side. So, the one on the west is approximately what's there now, and the addition was really the stuff on the west. Going back to the other question that was had on that, the grade will, from the back of curb area, there's a slightly-flat spot, we'll say, that's maybe about five-to-eight feet wide, and then from there, it does slope down then at a 3-to-1 slope, which is considered typically able to be mowed. It's not like there's like a sheer drop off right on either side of the curb, it's leveled out a little bit there, so. Rasmussen asked is that a new detention, back by the stadium as well, that #9, is that existing? Bohl replied correct. Also, that's part of the Watershed requirements; any new and redeveloped impervious surfaces have to be treated for the site. We're only adding I think it's, and I don't know offhand, but I do believe it's .3 acres of hard surface that we're redeveloping on a significant portion of the site; so, the one behind the stadium is intended to treat kind of the redeveloped impervious surfaces on the north side of the site.

Fisher said so, continuing on with that, there's a lot of foot traffic, obviously, back there for the stadium and things. Are there some sort of barriers or something going up, kind of around where that drainage spot is so when it does hold water, that people aren't, not that people are going to walk right into it; I just feel like with the stadium right there, there's lots of foot traffic in the area. Bohl replied sure, so, we anticipate a lot of the foot traffic will actually come off of the, from the new entrance by the cafeteria, kind of where that 18 is shown. And then, people will either head left and head up to the practice fields, which are area 15, or over to the baseball fields from there. Or, if you're going into the stadium, you would enter through the main entrance to the stadium, which is a little bit, just kind of north of the northeast corner of the building. So, there's actually a fence behind the grandstand and no gates or anything through there, so we don't anticipate many people would use that; if they did, likely they would just use the sidewalk to wrap around. Fisher said okay, thank you. Bohl said another item to maybe point out, too, is after it rains, you'll see water in these ponds, but they're designed to drain dry within 48 hours, so.

Frazier opened the public hearing. No one spoke. Frazier closed the public hearing.

Frazier asked if there was any further discussion by commission.

Rasmussen said overall, I think it's a great idea. I drive by it quite often and see traffic backing up at both these schools, so I'm hoping this really helps.

Frazier said yeah, I agree. I live in the area, and I know especially Crestview backs up, especially the people going in and then people going out, and then when you get to Hinton there, the backup there; so, hopefully this will help that traffic merge better onto 80th, especially in the mornings.

Brittain made a motion to approve the site plan review, subject to the conditions stipulated in the staff report. Knable seconded. Motion passed unanimously (7-to-0 vote).

B. NorthPoint - Cases ZA2024022/CUP2024-022

NP BGO Cottage Grove Logistics Park, LLC has applied for a Zoning Amendment to rezone 38.85 acres of land from AG-2, Agricultural, to I-1, General Industrial District and amend the existing PUD to include the additional 38.85 acres of land owned by NP BGO Cottage Grove Logistics Park, LLC; amend the Cottage Grove Logistics Park Master Site Plan to include those additional 38.85 acres of; and a Conditional Use Permit (CUP) for a data center use over the Cottage Grove Logistics Park Master Site Plan.

Schmitz summarized the staff report and recommended approval subject to the conditions stipulated in the staff report.

Frazier asked if there were any questions for staff.

Knable said so on the AUAR, it was first done when? I don't remember when the first one was done. Schmitz replied that was completed in 2017. Knable said and we updated in 2021, and then were there any major changes that came out of either of those for that area? Schmitz replied there was not, no, it stayed consistent.

Rasmussen said so, the proposed CUP, if I'm understanding correctly, it pretty much allows for distribution and/or data center in here, correct? Schmitz replied that's correct; the distribution is permitted, the data center requires that CUP, which is the request.

Fisher asked can you explain to me exactly what a data center is? I feel like there's, I don't know, maybe I'm just missing something, but there wasn't a whole lot of like information on what that exactly is that we're approving a permit for. Schmitz replied so, again, my non-technical version of what a data center is, they are typically larger buildings, right, that house equipment to store data. Minimal traffic is my understanding, again, the large buildings, but a reduced level of traffic in my understanding and my experience. Fisher said okay. Brittain said you might think of it as a server farm, tons and tons of computers. Fisher said that's kind of what I thought. Brittain said so, information storage in an electronic format of some kind, if that's helpful at all. Schmitz said I'll add it's important for me to know from a staff perspective, the use is indoors, right; when we think about uses, we certainly always focus on the impact to adjacent properties, and we recognize that a large portion of this is indoors. Fisher said right. I just was curious if I was missing something bigger because needing a Conditional Use Permit for something that seems pretty benign, seems like excessive to me to need a CUP for it. So, I just was wondering if I was missing something for that, you know? Because if it's all interior and very quiet, and there's no traffic, like it just doesn't make sense why like a whole separate permit would need to be applied for, when it's not even like there yet. So, or it's not even planned to be there at this point, you know. I don't know, I was confused by that. Schmitz said planning practice, when we have uses that can potentially expand outside of the walls or create an impact, now in this instance, you're correct, a lot of the use is internal; however, sometimes they're kind of a higher utility user, which could potentially impact some of the improvements that might need to be made. Therefore, we want to make sure that we've got that Conditional Use Permit to allow for some additional standards to be set.

Rasmussen said I'm just trying to recall a few of the other data centers that recently went up in other communities, and some of the concerns residents had were mainly just around like noise, which I can't imagine there's a lot, but some sort of low-tone humming noise. I'm assuming in this area we've got noise restrictions and ordinances that kind of govern that type of thing. Is that true? Schmitz replied my answer is twofold: 1) We do have a specific condition, I forgot to mention we will require the conditions of the Master Site Plan in 2021, if you recall them, it was a couple pages worth, still pertain to this use; and one of those is to ensure that any noise mitigation that's required is to be mitigated. 2) And, yes, we do have ordinance standards that measure that throughout. Rasmussen said thank you.

Frazier asked if the Applicant would like to step to the podium and add anything additional. The Applicant, Mark Militzer, Regional Vice President with NorthPoint Development, 1495 Heritage Valley Drive, High Ridge, Missouri, 63409, thanked the commission for entertaining this recommendation this evening. Emily does a remarkable job on the report, so I'm here more or less just to answer any questions you may have. Thank you.

Frazier asked if there were any questions for the Applicant.

Rasmussen said you've got quite a bit of land out there, approved. Have you had a lot of interest in different developments? Militzer replied so the reason we're here this evening, requesting this Conditional Use Permit, is because it is our desire to put this park into production. We do have the Building 1 fully leased to Lumbermen's and to VanMeter. Building 2, however, is fully vacant; we are speculative developers, so until that building is leased, we will not go forward again. We have responded to a lot of build-to-suit opportunities for specific users, but we have not signed any leases. So, this is just another way to put the park into production. Rasmussen said I wish you luck, and Militzer thanked him.

Fisher said so hearing that, it sounds like the data center would help drive more demand for the site for you guys. Militzer replied absolutely. Fisher said and so, if you do build one, is there, on the map, where is it going to go? I feel like we're approving something that is up in the clouds; like, I don't understand where it's going to go, I don't know where the access points are, I don't know. I feel like there's just a ton of missing pieces for it right now. Militzer said yeah, a very good question. And what we're asking for action this evening is really in large to give the developer of the data center user predictability. So, it's really twofold: 1) Would the use be permitted on the site, is what they're looking for; and 2) They're large, heavy power users, so they would be looking for a load study to be returned from Xcel Energy, which is expected to be any day. But as Emily mentioned, we would be back in front of you with a specific Site Plan. We are entertaining actually a few offers; we've responded to a few RFPs for a potential data center user. However, we have not executed any agreements with any of them to date because again, they'll

need the predictability on whether it's allowable and if there is power available. But with that, and hopefully with your approval this evening and the fact that there is power here, we will then hopefully execute an agreement and be back in front of you with the specific Site Plan, which we can speak to.

Frazier said I guess I was going to have a question similar to Commissioner Fisher's: Basically, this is the ability to advertise the space as hey, we've already got approvals for this kind of use on the site, come on it, use it. I know you've said the two buildings are up, one is fully leased, the other one is vacant; I know we can't hold you to this, but if presumably if someone wanted to use a data center and said hey, Building 2 is already there, we can just go in there, that building's already built, we don't have to do a Site Plan on that. And, so, they'd be able to go in without it coming back in front of us, but it sounds like you're saying that's not really where you guys are thinking this would go, it would have to be a new building. Fair? Militzer replied we would call that a win-win. We would absolutely entertain a data center user in Building 2. However, it's less efficient than I think what they would want; the construction is very much the same, it's precast concrete walls, very similar construction to what's out there. However, that is a very large clear height building, its 40-foot clear for racking clearances, which is inefficient to cool; these data centers need to be cool because of the heat. So, it's less efficient; however, we would actually entertain a data center user in that space. Frazier said okay, all right. So, it may not be likely, but it could be a possibility that a data center user goes into the prebuilt building with the CUP already been granted. Militzer said that's fair. Frazier said all right, thank you very much.

Frazier opened the public hearing. No one spoke. Frazier closed the public hearing.

Frazier asked if there was further discussion by the commission.

Fisher asked Emily, has there been something that you can give me an example of a CUP that we've approved before its coming into existence in the past? I mean, is this a normal thing? I've been on this for four years, and I can't remember doing this particular thing this particular way. I understand in my job that if you're building, you need to make sure, you can build what you want to build on the land that you want to buy, right, so I understand the forward thinking, but I just, I don't know, I'm really struggling with this one. So, is there something you can help me like understand that we maybe have set some precedent before, that we've done this? Schmitz replied I cannot come up with an example off the top of my head, it is unique. However, two planning tools in our toolbox: One is a Conditional Use Permit, the other is a Site Plan review process. Site Plan review process is the actual infrastructure that's proposed to be built on the site. The Conditional Use Permit is the use, okay, this is the activity that's going to happen on the site, how can we condition or regulate that, right? So, two very different things. When we think about a Conditional Use Permit, we think about that use, and in this instance, yes, it's coming ahead of a Site Plan review; so, we're saying that use is permitted. As Mark had indicated, that does help NorthPoint, as a team, market their site. They can say hey, we've got the approval for the use, however, you will have to work through that Site Plan review process with what that looks like. Fisher said so one thing Mark had said is something about the height of the building for racks and clearance and things; are those heights that they're going to require for those buildings something that fits with what our requirements are to build in those zones? Schmitz replied what Mark was getting at was the existing Building 2 was actually built with a taller clearance for that racking and that distribution use. A potential data center use would be a lesser height. Fisher said okay, I heard that wrong. So, okay, thank you.

Frazier said Emily, I guess the only other question I guess I have for you is based on the questions I had for Mark, that it's a possibility, not likely, but possibility that the use just goes right into the building that's already on site. Does staff have any concerns about the fact then that will not come back in front of us, and it'll just be a permitted use at that point, and they can go in without any oversight? Schmitz replied technically, yes, from a staff perspective, no concerns given the level of detail in the conditions that are tied to the potential use on the site to regulate any type of nuisance that might be an impact. Frazier said all right, thank you.

Bhat asked so, supposing if this Building #2 were to be used as a data center, if they have to request any changes to the building or any additions to the building, would then it come to our review? Schmitz replied it depends how large those expansions might be. Typically, a Site Plan is only triggered with a certain percentage of an addition to a building, as opposed to perhaps an interior remodel; the interior wouldn't trigger that Site Plan review. Bhat said thank you.

Stephens made a motion to approve all three, the Zoning Amendment, Amendment to the Site Plan, and the Conditional Use Permit for NorthPoint, subject to the conditions in the staff report. Brittain seconded. Motion passed unanimously (7-to-0 vote).

7. APPROVAL OF PLANNING COMMISSION MINUTES OF OCTOBER 28, 2024

Fisher made a motion to approve the minutes of the October 28, 2024, Planning Commission meeting. Bhat seconded. Motion passed unanimously (7-to-0 vote).

8. REPORTS

A. RECAP OF NOVEMBER CITY COUNCIL MEETINGS

Schmitz provided a summary of actions taken at the November 6 and 20, 2024, City Council meetings:

Khambata said I don't have anything to add, but I will stand for questions.

Rasmussen asked Emily to remind him what is out for review, what report you referenced? Schmitz replied Holcim, formerly Aggregate Industries, has been working for quite some time on this EIS process for a potential mining project in the backwaters of the Mississippi River. As they run to the end of their aggregate supply, they are looking for opportunities and options to continue their efforts to provide that to the metro area, this is one of them; so, with that project, they've evaluated all the potential impacts and how they might be able to mitigate those efforts. Rasmussen said I look forward to taking a look at it, thank you.

B. RESPONSE TO PLANNING COMMISSION INQUIRIES

Frazier said we got a response from Emily on three items: One was the appliance rebate program for the City. The second was whether the City provides financial assistance to people who have dead trees that go down on the property, and it sounds like the City does not have an opportunity for that but looks for assistance from other agencies that may be out there. The last one was a question about how projects in the CIP were funded and what amount of those were taxpayer or property tax funded vs. other funds from other agencies, and so we received that.

C. PLANNING COMMISSION REQUESTS

Bhat said I have a question, maybe this can be answered in this meeting only. So, during a Site Plan review, what is considered? Do you just look at the Site Plan and ask questions around the plan, or can you also ask questions about okay, how the building is going to come up or what height the building is going to be and what kind of glazing is going to be there? Schmitz replied so, with a Site Plan review, we review quite a number of standards that are outlined in the Zoning Code: Parking, landscaping, tree mitigation, as Mr. Brittain brought up. That's just to name a few, but we evaluate all of those standards as we review a Site Plan as a whole. Bhat said I'll give you an example, during the Site Plan review that we had today, you had mentioned about the glazing for the building. So, if one were to have more questions of the glazing, can that be answered at this point, or would that be some other review at a later point in time? Schmitz replied that could certainly be a question as we think about the glazing and the exterior materials, as we evaluate the architectural materials, which have minimum standards in the Code. So, that's why we reference glazing and brick and stone, which are considered to be Class I materials, and we require commercial projects, such as that, in residential districts have 65% Class I materials. So, that's why we're looking at the types of materials. But if you have additional questions related to the materials, during that time they certainly should be asked.

9. ADJOURNMENT

Rasmussen made a motion to adjourn the meeting. Fisher seconded. Motion passed unanimously (7-to-0 vote). The meeting was adjourned at 7:45 p.m.