



Minutes

Planning & Zoning Commission Meeting

Location: Zoom Dial: 1-312-626-6799 US (Chicago) Meeting ID: 831 8874 4182 Passcode: 620035

March 10, 2021 7:00 pm

CALL MEETING TO ORDER

M. Willcoxon called the meeting to order at 7:02pm

Members Present: Chair M. Willcoxon, Vice Chair P. Carlson, J. Johnson, D. Milles, B. Schule

Members Absent: S. Brooks

Others Present: Planner K. Moen, Supervisor B. Seekon, Supervisor T. Nelson, Clerk K. Wood, Deputy Clerk B. Schule, 8 members of the public (signed in)

PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)

J. Selvog asked if he could speak.

ADOPT THE AGENDA

D. Milles made a motion to adopt the agenda. Second by P. Carlson. M. Willcoxon added J. Selvog to New Business a. **Votes via roll call Ayes 5, Nays 0. Motion carried.**

APPROVE THE MINUTES OF THE FEBRUARY 10, 2021 PLANNING COMMISSION MEETING

P. Carlson made a motion to approve the minutes of the February 10, 2021 Planning Commission meeting. Second by B. Schule. Votes via roll call Ayes 5, Nays 0. Motion carried.

NEW BUSINESS

J. Selvog said that he wanted to know what direction they are going with his permit. K. Moen said we need to wait for the RTC text amendment first.

Preliminary and Final Plat – Sherco Construction

Public Hearing

K. Moen said she recommends continuing the public hearing to next month so that the applicant can submit updated plans. M. Willcoxon said we are going to open the public hearing and not close it.

M. Willcoxon opened the public hearing at 7:12 pm

J. Johnson made a motion to continue the public hearing until 4/14/2021. Second by P. Carlson. Votes via roll call Ayes 5, Nays 0. Motion carried.



Surrender CUP at 33003 Falcon Ave.

K. Moen said that surrendering the CUP was a condition of the rezoning and the document has been signed. The CUP has officially been revoked.

Proposed Text Amendment of Final Plat language – Section 3.05 Preparing and Filing the Final Plat – Chapter 3

K. Moen said this is an amendment to the final plat language to chapter 3. It removes the requirement that the preliminary plat has to be approved before the final plat can be approved. This is to stay in line to what has been done in the past. Following state statute, you can review both at the same time. K. Moen said it is time saving and this is what the Town has been doing in the past. The Planning Commission did not agree that it was right to continue doing this process.

Public Hearing

M. Willcoxon opened the public hearing at 7:18pm.

D. Milles made a motion to accept the previous testimony into the public hearing. P. Carlson seconded. Votes via roll call Ayes 5, Nays 0. Motion carried.

B. Schule made a motion to close the public hearing at 7:19pm. Second by J. Johnson. Votes via roll call Ayes 5, Nays 0. Motion carried.

D. Milles made a motion to not recommend the amendment to the Town Board. J. Johnson seconded. Votes via roll call Ayes 5, Nays 0. Motion carried.

Proposed Text Amendment Screening language - Section 3. Definitions – Chapter 2

K. Moen said this is an update to the screening definition and read the proposed definition. J. Johnson said regarding the portion that talks about the view of one abutting or nearby structure, if he was on a 2-story home he could see something over the screening. M. Willcoxon said he agrees. He suggested putting something more reasonable or from a one-story/first level.

Public Hearing

M. Willcoxon opened the public hearing at 7:24pm.

J. Selvog said that he has invested a lot of money and now he has to screen. The screening is going to cost an extra \$10k and will cover up his building. He said initially he was told to have stone and boxed eaves and now he will have trees for screening. He feels that it is counterintuitive. M. Willcoxon said we are not asking you to screen your building, we are having you screen your trucks and storage. M. Willcoxon said the screening that we are having you do, does not meet our standards. J. Selvog said there is no screening across the street. J. Johnson said the people who are building need a reference as to what screening is. They need standards. D. Milles said we should keep the first line. The second line should start with, “examples may include but shall not be limited to” and leave it up to the Planning Commission and Town Board to do a case-by-case determination what the screening should be. D. Milles said we should be



able to discuss it specifically on the permits to leave all of the possibilities open. They are going to use the term structure or use.

P. Carlson made a motion to close the public hearing at 7:42pm. J. Johnson seconded. Votes via roll call Ayes 5, Nays 0. Motion carried.

D. Milles made a motion to recommend the ordinance to the Town Board as discussed. J. Johnson seconded. P. Carlson said he does not want a chain link fence. They discussed screening for solar. **Votes via roll call Ayes 0, Nays 4. Motion failed. D. Milles abstained.**

M. Willcoxon said that they need to put the size of the trees and reference how tall the screening should be at the time it is put in. Planted vegetation of appropriate height and we can specify it during the permit review process. K. Moen said now we are starting to specify vegetation, but what about everything else. They put appropriate height at the end on the permit.

J. Johnson made a motion to recommend the screening amendment to the Town Board with the discussed additions. D. Milles seconded. Votes via roll call Ayes 5, Nays 0. Motion carried.

Proposed Text Amendment - Section 5.10. Rural Transit Center District. D. Interim Uses – Chapter 2

K. Moen said this is the proposed amendment regarding an IUP for the RTC. She is proposing to add another use. (13): Other uses as deemed appropriate by the Planning Commission or Town Board. K. Moen said other communities use this language.

Public Hearing

M. Willcoxon opened the public hearing at 7:53pm.

P. Carlson made a motion to close the public hearing at 7:53pm. Second by J. Johnson. Votes via roll call Ayes 5, Nays 0. Motion carried.

D. Milles made a motion to recommend approval of the proposed text amendment to the Town Board. J. Johnson seconded. Votes via roll call Ayes 5, Nays 0. Motion carried.

CUP Review Process

M. Willcoxon said that we have CUPs dating back to when we started. We are typically complaint driven, but feels that they should go in groups of two and grab a stack to review. D. Milles said the County used to review them annually and if they did not recertify by year two, the CUP was void. He said we should put something stating that on the CUP. D. Milles said we can give them a form for them to state that they are continuing the use and have not changed anything. They could sign and have it notarized. J. Johnson said that they could do an annual inspection and give them a friendly call stating what they found. M. Willcoxon said they should see what permits are still current. If they are not using the CUP, the property goes back to being residential.

M. Willcoxon called a recess at 8:02pm. Called the meeting back to order 8:04pm



They discussed a form letter to see if residents still have a business. Certified mail versus regular mail was discussed. An annual reporting fee was also discussed. **B. Schule made a motion for K. Moen to help solve this problem. Second by J. Johnson. Votes via roll call Ayes 5, Nays 0. Motion carried.**

Special Events Permit Process

K. Moen shared the City of Eagan's and Wayzata's temporary outdoor event registration. She said that this is for an event such as the one Mr. Lorr has requested. It is a different process that does not go through the Planning Commission or Town Board for approval, but said they could make it so that it would. J. Johnson said it is important for there to be a checklist and would expedite the process. B. Schule explained what he fills out for his event in North Branch. M. Willcoxon asked K. Moen to send them a couple of these so they can read through them. They discussed what type of events this would or would not apply to. People having a graduation party or family reunions would not have to fill this out. It would be for public events or events where people are parking on Township roads obstructing roadways. They would like the form to be self-explanatory. **J. Johnson made a motion for K. Moen to provide special permit templates for the next meeting. P. Carlson seconded. Votes via roll call Ayes 5, Nays 0. Motion carried.**

Goserud Sketch Plan – Storage at 35091 Grand Ave.

K. Moen shared the sketch plan on the Zoom screen. The property is located on Grand Ave. in the RRA. There is enough frontage for two driveways. The property owner would like an area to rent for self-storage and the RRA is not currently zoned for that. He has two accessory structures and is allowed to have one more. K. Moen said that she wanted the thoughts of the Planning Commission on this. It would require a text amendment. D. Milles said he has plenty of land and we will have to put an acreage number on it. We are not going to initiate it. He has to apply for the text amendment. J. Johnson said we have codes for accessory structures such as boxed eaves and he would have to follow the same guidelines. P. Carlson said there is a new, proposed dirt road and we would want it blacktopped. M. Willcoxon said we allow home occupancy in the RRA. D. Milles said that he keeps hearing that we need to bring in more business and feels that we have to be willing to look at alternatives. B. Schule noted the property has solid trees on much of it. After discussion, the Planning Commission said that he is welcome to apply for the text amendment, but there is some contention.

Home Occupation Ordinance Review & Resubmit

M. Willcoxon said this was brought up and the idea was to run home occupations north on County Road 30 – Forest/340th to 360th. With County Road 17 proposed to go through, this area makes sense. K. Moen said with the comp plan update, she will show on the land use map where this would be. M. Willcoxon said there is a joint meeting with the Board on the 23rd where the map will be discussed.



OLD BUSINESS

Zoning Amendment (Text Amendment) to add “commercial recreation” as an interim use in the RR-A district (from Jim Lorr)

K. Moen said this is continuing the discussion from the last meeting to add commercial recreation as an IUP in the RRA. The goal of the text amendment is to enable J. Lorr to apply for an IUP for the dirt bike event described at the last meeting. This is a way for getting his event properly permitted. M. Willcoxon said we have rural tourism for low impact, small scale; not obnoxious events. Motorcycle racing or loud rock bands are something that we would not be interested in. B. Schule noted the pushback from the neighbors at the public hearing. **J. Johnson made a motion not to recommend the amendment to the Town Board. P. Carlson seconded. Votes via roll call Ayes 5, Nays 0. Motion carried.**

K. Moen said in an attempt to get this attempt approved, we talked about the special events permit and asked if she should move forward with her research. They said yes.

32050 Elk Lane Complaint

M. Willcoxon said that the property is getting worse. Another letter and fine are going to be sent.

32301 Elk Lane Complaint

After discussion, no letter will be sent this month and they will review it next month.

Countryview Marine Update

M. Willcoxon said we have screening language in the RTC and RRA. Screening is the biggest issue. They are making an effort to move the boats out of the back. Their permit allows for them to display what they are selling. The garbage boats in back need to be screened. Screening was discussed. M. Willcoxon is hoping that members from the Planning Commission will do a site visit to come to an understanding. Trees cannot be planted in the ROW. D. Milles said that the Township is complaint based. M. Willcoxon said that we want the RTC to look nice. J. Johnson said we are going to do the CUP evaluations and likes the idea of a cordial conversation. They were supposed to have a timeline and he would like to be clear as to what they are doing. He would be happy to go look at the property and would like to continue working with them.

5265 318th Street Complaint

Another letter and fine will be sent because the property has not been cleaned up.

Commercial vs Residential Citations

K. Moen said P. Teide said it is okay to treat commercial properties differently than residential. We could update chapter 6 to reflect it. Fines vs fees were discussed. After discussion, they felt that a commercial property should receive one warning letter and the second letter should include the fine. They discussed \$1k per day. K. Moen is going to look into it and give the Planning Commission a recommendation at the next meeting.



Comprehensive Plan Update

K. Moen shared the updated future draft of the land use map based on previous discussions. She added County road 17 and once it goes through there will be more potential. K. Moen said that we want to plan 20 years into the future. She is going to email the map out.

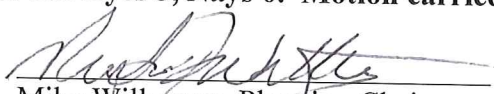
COMMISSIONER/TOWN BOARD REPORT

B. Seekon said the Annual Meeting was last night.

NEXT REGULAR PLANNING COMMISSION MEETING IS WEDNESDAY, APRIL 14, 2021 AT 7:00 PM.

ADJOURN

B. Schule made a motion to adjourn the meeting at 9:47pm. Second by P. Carlson. Votes via roll call Ayes 5, Nays 0. Motion carried.


Mike Wilcoxen, Planning Chair


Kelly Wood, Clerk

