



**City of Jordan  
City Planning Commission  
August 11, 2009**

**Members Present:** Chair Terry Jeffery; Council Representative Jeanne Marnoff; Rob Mishica; John Watkins, John Levar, Rolf Hafslund, Dawn Benko?

**Staff Present:** Senior Planner Joe Janish; Planning Consultant, Joanne Foust, MDG Inc, City Administrator Ed Shukle

**Others Present:** Mayor, Pete Ewals; Ray Sandey; Jim Fink, Vanessa Morrell, 1000 Friends of MN (CGO); Michael Knisely, Barbara Johnston, Pat Johnston, Al Weierke, Joe O'Brien, Terri Knox, Thom Boncher.

**1.0 Call to Order.**

*Chair Jeffery called the Planning Commission to order at 6:34 pm. Chair Jeffery noted this meeting followed an Open House which provided an overview of the Downtown Design Standards and the amendments to the zoning code.*

**2.0 Adopt Agenda.**

*Motion Hafslund seconded by Levar to approve agenda as amended. Motion unanimously approved.*

**3.0 Approval of Minutes.**

*Motion Hafslund seconded by Levar to approve the July 14, 2009 as presented. Motion unanimously approved.*

**4.0 CGO Discussion.**

**A. Downtown Discussions.**

**(Due to guest arrival this item was inserted during the Public Hearing which was tabled until after the presentation).**

Darlene Kotelnicki, was present from Litchfield. Kotelnicki discussed how Litchfield went through the process to obtain CLG and developing an HPC. Kotelnicki indicated that the HPC developed Design Standards with the assistance of a State Historical Preservation Office SHPO grant. The grant allowed for a building inventory, which included numbering and photographing the buildings and has a record of all the disasters that have occurred within Litchfield.

Kotelnicki indicated that the standards are performance based allowing for a little more flexibility for the PC when reviewing projects. Kotelnicki also noted that during their process they found that signage was a big deal to the business and building owners. Kotelnicki also noted that Litchfield allows for some staff approval of projects such as window AC units and indicated that the HPC continues to look at adding items to the list of staff approvals.

Kotelnicki indicated that a conference will be held in Chaska on September 15, 16, 17, and 18 at the Arboretum.

## **5.0 Public Hearings.**

### **A. Downtown Design Standards and Central Business District.**

Chair Jeffery noted that a presentation was provided prior to the start of the meeting covering the some of the changes that are proposed within the zoning ordinance along with covering the aspects of the Design Standards.

*Chair Jeffery opened the Public Hearing at 6:40 p.m.*

Thom Boncher, 524 Bradbury Circle, Jordan; noted that the plant materials would not be allowed to touch the building and questioned about vines that could are would climb the sides of the buildings.

Jim Fink, 200 East First Street; noted that he had attended the first meeting back in March for the CGO and originally had good feelings about the program but is troubled with how the design standards have also included amendments to the zoning code. Mr. Fink indicated that both of the items are two large projects and is concerned with how fast the process is occurring and the City has had a history of rushing into things. Mr. Fink noted how his property currently is restricted with the Shoreland Ordinance and also this new amended ordinance will place additional restrictions on his property, by removing permitted ground floor apartments. Mr. Fink also noted that at a previous meeting the Planning Commission may have acted to hastily in regards to the Pawnshops and may be acting too hastily tonight. Fink also questioned where the City of Jordan's new facilities (Library, City Hall, and Police Department) would be located and if the City does not make a commitment to their downtown how can the property owners. Mr. Fink cautioned the Planning Commission that if this new code and standards are passed property owners may give up and walk away. Mr. Fink noted that not enough effort went into contacting the property owners and the meeting is scheduled in August when most people are extremely busy and may not be able to attend the meeting. Mr. Fink noted that the last election reflected change and is looking for change within the City.

Terri Knox, 221 Broadway South; questioned when the design standard would take effect.

Patti Johnston, 264 Water Street; indicated she has been in business in Jordan for the last 20 years. Johnston questioned how much money the City is putting into the program and how property taxes would be affected due to the program.

Ray Sandey, EDA Representative; indicated the Economic Development Authority will need to consider the dollar amount to put into the program at their next meeting. Mr. Sandey also noted the EDA is looking at what type of program to implement. Sandey noted that individuals he has spoken with have issues with the City providing funding for this type of project but the City is looking into supporting the downtown with providing funds for the

property owners. Mr. Sandey also noted that at a personal level he believes the City Hall should remain downtown, however, the City Council would have the final authority to determine the location of the City Hall, Library and Police Department.

John Levar, Planning Commissioner; indicated that in order to preserve the Historic charm of downtown Jordan the Design Standards would work well and the Planning Commission, and City Council need to determine what would preserve the commercial space and provide a benefit to the overall community.

Margaret Fink, 200 East First Street; noted she had moved here 14 years ago for the quaintness of Jordan. Fink noted that several people own and live in some of the downtown buildings which created a friendly atmosphere. Fink indicated that with the proposed change to not allow for an apartment on the ground floor [in the rear portion of the building] this atmosphere could be lost. Fink noted that the downtown area is a special part of Jordan even though it could use some polish and a few special things.

Ray Sandey commented that it is a tougher time to fill commercial space and one of the worst things that could happen to the downtown is to convert all the commercial space to apartments. Mr. Sandey indicated he has been to towns where most of the commercial space is gone due to conversion to apartments and does not want that to happen in Jordan.

Terri Knox, questioned if the City would actually enforce this ordinance, and what would happen with her bed and breakfast? Knox questioned if the building would be able to be sold as a single family residential unit, which is how she had purchased the building.

Barbara Johnston noted that over the last many years she has spent significant amounts of money on the buildings she owns in downtown Jordan. Johnston noted it is difficult to rent commercial space during these economic times and the apartments in the ground floor would help the building owners keep the buildings. Johnston asked the Planning Commission to still allow for the ground floor with a commercial space area, and has a concern with this provision if it is adopted.

Thom Boncher, questioned the Planning Commission if they would prefer to have an occupied apartment or empty store front.

John Levar, noted that the question is does the City of Jordan want to preserve room for the commercial within the Downtown? If apartments are constructed on ground floors more than likely the area would not be reverted back to commercial space.

Consultant Foust noted that the current code allows for a ground floor apartment in the rear of the building with a separate entrance from the commercial space and if green space is available, or under a Conditional Use Permit an apartment is possible. If the zoning amendment passed any structure with a ground floor apartment would become grandfathered in and could continue until the use of the apartment stopped for a one year time period.

Al Weierke, Helena Township, indicated that as an owner of 4 or 5 buildings it is hard to sit with the empty buildings and is considering putting apartments in the rear of some of them. Weierke, indicated he is all for the Design Standards and a financial incentive to help implement the standards however keeping the ground floor apartment at the rear of the building is important to help offset costs for the building owner since costs have gone up over the years with utility increases and tax increases.

Chair Jeffery commented that the guest speaker is present and it may be appropriate to close the hearing and open it again after the speaker is complete.

*Chair Jeffery closed the hearing at 8:00 p.m.*

**(Please see item 4.0 Downtown Discussions)**

*Chair Jeffery re-opened the Public Hearing at 8:40 p.m.*

Chair Jeffery questioned the Planning Commission that the apartments issue has concerns with the building owners and the Planning Commission through the Comprehensive Plan has been trying to draw people into the downtown area from the highways in order to make Downtown Jordan successful and the Commission will need to make a recommendation to the Jordan City Council on how to proceed as to what to do with the apartments.

Commission Benko indicated that the Planning Commission has been trying to develop something to help bring people to town to visit the business in Downtown Jordan, and help the businesses grow. Benko noted tonight's comments felt as though a us vs. them attitude was being developed and the Planning Commission is trying to attract individuals to the downtown area to visit the businesses and make it easier for the building owners to rent out space. Benko noted she does have some concerns about the parking that the residential units use and limit the commercial parking for the businesses.

Commission Levar, commented that in his experience in another city negative comments are received as the loudest. However, if everyone looks at the amount of work and some of the changes it is only two or three items that have concern by the business owners.

Commissioner Hafslund questioned if staff could take a look at the existing buildings and determine which currently have apartments, which could have apartments, and which buildings it is not possible to have an apartment for the next meeting.

*Commissioner Watkins made a motion with Commission Levar seconding to have staff report back at the next meeting with the following information: How many buildings would qualify for apartments, how many are owner occupied, and also look at the building code in regards to ground floor apartments and egress. Motion unanimously approved.*

Senior Planner Janish indicated that the next regular Planning Commission Meeting is scheduled for September 8, 2009, however due to Labor Day the City Council meeting would be on September 8, 2009. Janish indicated that either September 10, or September 17 are open for the Planning Commission to have a meeting.

*Motion Watkins seconded by Levar to hold the next Planning Commission meeting on September 17, 2009. Motion unanimously approved.*

Commissioners encourage those in attendance to also attend the September 17, 2009 meeting.

**6.0 New Business.**

None.

**7.0 Old Business.**

None.

**8.0 Planners Report.**

None.

**9.0 Commissioner Report.**

Mishica questioned if staff has had a chance to look into highway signage for the downtown business district.

Jeffery noted that he noticed a lot of side conversations on the commission and members should try to be aware in the future.

**10.0 Adjournment.**

*Motion, Benko seconded Levar to adjourn the Planning Commission meeting at 9:07 p.m.  
Motion unanimously approved.*

Respectfully submitted,

Joe Janish  
Senior Planner