



**City of Jordan
City Planning Commission
May 10, 2011**

Members Present: Rolf Hafslund; Council Representative Mayor Pete Ewals; Guy Beck; John Levar, Jeanne Marnoff, John Watkins

Staff Present: Senior Planner Joe Janish

Others Present: Randy Kaiser, Jim Fink, Kathy Lopic.

1.0 Call to Order.

Chair Hafslund called the Planning Commission to order at 6:30 pm.

2.0 Adopt Agenda.

Motion Levar seconded by Beck to approve agenda with moving agenda item 5B in front of 5A. Motion unanimously approved.

3.0 Approval of Minutes.

A. April 12, 2011 Meeting Minutes

Motion Marnoff, seconded by Watkins to approve the April 12, 2011 minutes. Motion approved unanimously.

4.0 Public Hearings.

None.

5.0 New Business.

A. Outdoor Sound for Patio Area Request (Clancy's Bar & Pizza).

Senior Planner Janish indicated staff has had conversations with the Kaiser's about adding sound to the outdoor dining area of their establishment. Janish noted that when the City of Jordan adopted the outdoor dining ordinance, outdoor sound systems were prohibited. Janish noted that if the City of Jordan wanted to allow for the sound system, an amendment to the ordinance would have to occur and then an amendment to this particular Conditional Use Permit would also have to occur.

Randy Kaiser commented that several patrons have questioned the use of music in the outdoor dining area and noted he would be interested in providing some low volume music. Mr. Kaiser stated the

music would help to drown out some of the highway sounds and allow for a more pleasant environment for his patrons.

Mayor Ewals commented he had concerns with spot zoning if an amendment would occur, because it would apply specifically to this particular property.

Commissioner Beck stated he reviewed the State Statute related to noise and would need further information in order to make a decision.

Commissioner Watkins stated he had concerns with how to regulate the sound volume if an amendment of this nature were to be proposed. Watkins stated that once this is permitted then the State Statute would regulate the level of noise generated and not City Ordinance.

Commissioner Levar noted the music would add to the ambiance of the outdoor dining and perhaps some type of measurement could be placed on the sound system by wattage.

Chair Hafslund questioned who regulates and enforces the sound system.

Commissioner Beck indicated that noise is a tough item for police and it would be staff's responsibility to verify the levels generated and make the determination if the sounds are in violation.

Commissioner Levar indicated that this should be an item the Planning Commission looks into.

Motion Beck, seconded Marnoff for staff to provide more information related to noise pollution and how noise complaints are currently handled prior to taking action on Mr. Kaiser's request. Motion approved unanimously.

B. Home Occupation(s) Discussion

Janish stated the Planning Commission wanted to review home occupation requirements after learning the only prohibited use is Tattoo Establishments after a recent code amendment. Janish stated he included copies of Jordan, Elko New Market, Belle Plaine, Norwood Young America, Shakopee, New Prague, Stillwater, and Scott County ordinances related to Home Occupations. Janish noted that of the cities several methods are utilized ranging from allowing the home occupation to occur to requiring permits, or public hearings. Janish noted it was his understanding the Planning Commission wanted to discuss possible alterations to the code related to home occupations and staff is looking for direction on how to proceed.

Janish also noted that Commissioner Beck had provided a two-sided handout related to Home Occupations he had developed. Beck noted he drafted the two-sided handout while looking through the information provided within the packet.

Members reviewed the two-sided handout Beck generated and suggested some possible changes for the next meeting related to: clarification of the purpose is to prevent "commercial" competition; elimination of one bullet point because it was repetitive related to articles displayed for sale; discussion related to listed prohibited uses; what if activities occur within the garage as opposed to the home; company market vehicles within driveways; and proper disposal of waste products.

Members also asked staff to make changes to the handout generated by Beck and provide an invitation to home businesses for the next meeting. It was noted that perhaps the state has a department that tracks down current home occupations within the community.

6.0 Old Business.

A. Appointment Process for the Planning Commission

Commissioners Levar and Beck provided an overview of the application for the Planning Commission, and noted the application is still in process.

Kathy Lopic indicated that item four would prevent someone with a pending lawsuit against the City of Jordan from applying for a position as a Planning Commission member.

Commissioner Beck noted that the vision for the questions is that the Planning Commission Chair would ask the questions and then open it up for other members to provide questions as well.

Beck and Levar commented they would return in the future with more information.

7.0 Planners Report.

Janish stated that the Work Session on April 18th with SCALE provided a situation in which members had to search for a possible site for two different businesses. The presentation allowed for individuals to play the role of measuring what a company is looking for and what the City has to offer.

Janish indicated the Walkable Community Workshop was well attended even with the rain that occurred. Janish noted individuals started at the Fire Station and could select two routes, one walking route went to the Mini-Met while the other walked to County Road 9. The groups returned and shared their comments. The report is being completed by SHIP staff and will be presented to the Park and Recreation Commission once completed.

Janish also noted that the Downtown Parking Study was conducted and input taken. Commissioners may see someone taking counts during the day in order to help evaluate how much space is needed.

8.0 Commissioner Report.

Mayor Ewals commented the Mayors Cup is June 3rd and some of the money raised will be given to the local food shelf.

10.0 Adjournment.

Motion Levar, seconded Watkins to adjourn the Planning Commission meeting at 8:37 p.m. Motion unanimously approved.

Respectfully submitted,

Joe Janish
Senior Planner