

**MINUTES OF THE PROCEEDINGS  
OF THE PLANNING COMMISSION OF THE CITY OF JORDAN  
IN THE COUNTY OF SCOTT  
AUGUST 13, 2019**

1.0 CALL TO ORDER

Present: Tom Sand, Jane Bohlman, Bob Bergquist, Jeff Will, Robert Whipps, Brenda Leiske

Also Present: Lucinda Meyers, Senior Planner, Nathan Fuerst, Planner/Economic Development Specialist, Megan Pavek, Planning Intern

Meeting called to order at 6:31 pm

2.0 ADOPT AGENDA

Motion by Will, second Sand to adopt the agenda as presented. Vote all ayes.  
Motion carried.

3.0 APPROVAL OF MINUTES

A. July 9, 2019

Motion by Bohlman, second Bergquist to approve the meeting minutes as presented.  
Leiske abstains. Vote all ayes. Motion carried.

4.0 NEW BUSINESS

A. PUBLIC HEARING: Request for a Conditional Use Permit for an Automotive Service Center to be located at 424 Broadway St. N.

Fuerst introduced a Conditional Use Permit application for Wherley Wrenches LLC at 424 Broadway Street N. The proposed use is an automotive service center; previous use was a marine repair shop. This property is currently zoned as C-3 Highway Commercial as well as the majority of properties surrounding it except to the east where there are several properties zoned as R-2 Single and Two-Family Residential.

According to City Code it is required that the automotive center has 8 parking stalls and the application states that 9 parking stalls can be established. The proposed hours of operation are 9 am-8 pm, Monday through Saturday. No site improvements were proposed and the proposed use would not conflict with the goals of Jordan's Comprehensive Plan. Fuerst stated that nearby homes in the R-2 district could be impacted by noise from this proposed use, but also noted that similar uses have been occurring on this parcel since the 60s. The City Code does allow automotive centers in

the C-3 if they are granted a CUP. However, City Code does not specify what conditions should be met in order to obtain a CUP, so staff researched this issue.

Staff recommended that the Planning Commission recommend the Conditional Use Permit application for an automotive service center at 424 Broadway Street N to the City Council for approval, subject to the conditions outlined in the staff report.

Meyers stated the City Code definition of an automotive service center as:

“A facility for the sale, service, and repair or replacement of any 1 or more of the following: tires, batteries, brakes, transmissions, shock absorbers, exhaust systems and similar parts, including engine tune up, wheel balancing, and alignment, but not including body repair, painting, engine rebuilding, or tire capping.”

Whipps asked about the difference in the definition provided and what the applicant is proposing. Meyers suggested in the event that the property is used for sales, an amendment to the CUP should be required since the application has been reviewed as a proposed repair shop and not for sales. Will inquired about storage and whether there was a time limit to enforce and or a rule to define what is classified as storage. He is concerned that the applicant is unaware or will be in violation of this. Will also inquired what constitutes as a violation.

Meyers responded that those classifications can be made clearer in the CUP. Will asked what is currently stated in regards to the proposed conditions. Bohlman asked what would happen if the applicant were in violation. Meyers responded that they would be notified of the violation and if they do not respond, the City Council has the authority to revoke a CUP if it isn't in compliance with the necessary conditions.

Whipps referenced a similar business south of Minnesota State Highway 21 and asked whether they had a similar CUP. There have been issues with this business leaving junk cars out in the front lot, as well as other waste. Whipps didn't want to repeat this situation and therefore wanted to be as clear as possible on the set conditions. Leaving junk cars on the property or allowing sales could result in leaking and damage to impervious surfaces. Meyers responded that the staff's attempt to address this issue is to specify that parking is not allowed on pervious surfaces, and ensure that parking is clearly only designated on impervious services.

Fuerst referenced the adjacent property and stated that in order to limit spillover, the property owners would have to combine two parcels to create extra space for parking in the future. Leiske stated that over the years there had been discussions on first impressions when driving into the community. There had been a lot of concerns that the first thing newcomers will see is unkept businesses and how that would create a bad

impression. She inquired whether this had been addressed when reviewing the application.

Fuerst responded that the proposed conditions require clearly marked parking stalls and what they can be used for is regulated. There will also be requirements that all repairs and operations happen inside the principal structure. Leiske inquired about the storage of tires or other smaller items. Meyers responded that a potential condition could be not allowing any outdoor storage. Whipps asked the applicants what specific repairs they are planning on conducting.

Sand opened up the public hearing at 6:57 pm. The applicants stated that all work will be conducted onsite, and services offered do not include body or engine work. Only repairs on accessory parts like brakes, headlights, basic tune ups, and such will be offered. Whipps inquired on whether the nature of most repairs will be short term. The applicants responded yes, and that so far, the longest repair has taken them two weeks but that is very rare. Whipps stated that a time frame should be created, so for example a condition would state that one vehicle cannot be there for longer than two months. That would be long enough to finalize repairs, work out a payment plan and address any other concerns.

Applicants stated that they take pride in their business and want to ensure that it looks presentable and orderly from the outside as well. Whipps stated there might not be a need to eliminate outdoor storage, instead a condition could specify which side of the building can't have outdoor storage depending on what can be seen from Highway 21 when entering the city. The applicants stated that the business recycles tires and does not store them onsite. Sand inquired about exactly what would need to be stored. The applicants responded that mostly it's just vehicles that need to be stored temporarily. Sand responded that the storage issue can be remedied by setting a time limit. The applicants stated that a vehicle should never be there for more than 2 months, and even that is rare.

Planning Commission decided to add the conditions that a vehicle cannot be stored for longer than 2 months and that storage is restricted to the west side of building so it is not visible from Highway 21. Also, if the property is to be used for sales in the future, an amendment to the CUP is required.

**Motion by Whipps, Bohlman second, to recommend approval of the CUP with the conditions recommended by staff and the three additional conditions formulated by the Planning Commission. Vote all ayes. Motion carried.**

#### B. Zoning Code Text Amendments

It has come to the attention of City Staff that the definition of front yard in the City Code is inaccurate. The existing code states that the area from the front lot line to the required front yard setback is currently defined as the front yard. Therefore, the area between

where the actual house is built and the front yard setback is technically "no mans" land. Meyers proposed to change the definition of front yard so that it is defined as the area from the front lot line to the closest point of the building, instead of the front yard setback. Meyers reviewed the entire code to see how changing the definition would impact other areas and regulations. She also found a few other errors that needed to be changed. Some of the deck regulations conflict with other regulations found in code for the R-1 and R-2 districts. Overall there are a few irregularities that need to be remedied in the City Code; this is a housekeeping item.

Changing the definition of front yard will primarily affect fence regulations. Sand agreed that logically anyone would think the area from the front lot line to the front of the house would be the front yard. Whipps inquired whether this will affect developments, namely the Stonebridge parcels that have had issues with rear setbacks. Meyers stated that they requested to encroach into the front yard setback and therefore shouldn't be affected.

**Motion by Leiske, second Whipps, to recommend approval of the zoning text amendments as presented. Vote all ayes. Motion carried.**

5.0 OLD BUSINESS

6.0 PLANNERS REPORT

A. General Updates

Grassmann Park Grand Opening is taking place this Saturday. The City is expecting a big turnout and was able to have Fox News cover a story on the new Challenge Course and the upcoming opening event. Meyers invited the Planning Commission to attend. This is the first Challenge Course in the country to feature both an adult Pro Course and a Youth Course.

Stonebridge Phase 4 will be starting soon and the pre-construction meetings are starting to be scheduled. The development process will begin in September.

Caribou construction is still going smoothly. Caribou Cabin is name of the new prototype, where only drive thru and counter service is provided. Caribou Coffee is still on track for opening in October.

The City is still working on a contract for Brentwood Court Phase 2. Meyers stated that they are currently negotiating with the county on some of the conditions. No new information is available at this time. The property was previously rezoned which is causing some issues that weren't expected.

The City received an application from Bobby and Steve's Auto World for a zoning text amendment.

Pineview Townhomes already have tenants but there have been issues with tenants having no cable. The City has received multiple complaints. The parks in that development are still on schedule for fall opening.

The City was asked for a third extension on the Pekarna Plat. Per state statute the City must act after receiving application within 120 days. Council will not see it until Spring 2020- this project is currently on pause.

Fuerst gave an update on the sign ordinance. The Council only changed one word from the Planning Commission's recommendation. The Welcome to Jordan sign will most likely be removed by the property owner. Sand mentioned that article in the newspaper about the potential removal triggered a lot of people. There is a draft sign ordinance posted on the city website.

Meyers reported that City Staff met with owners of the new winery to discuss finance options. This business probably won't open until the spring so they are not going to meet the original November deadline.

Fuerst reported that the City has resumed actively marketing to potential hotel chains and has received immediate feedback.

#### 7.0 CITY COUNCIL MEMBER UPDATE

Will stated that a lot of people have been asking about the sign ordinance. He has also received multiple phone calls and emails about the homeless shelter discussion. He believes a lot of the homeless shelter discussion was taken out of context. Discussion about the need for more affordable housing follows. Sand inquires whether there are enough starter apartments available in the community. Meyers responded that the City is encouraging the prospective developer of the Peeper Property to submit a proposal that will go before the Planning Commission for comments.

Whipps reported that the roundabout project will not be happening this year. Instead, the focus will be on bridges. MnDOT is not allowing the roundabout for the time being. Whipps expressed his opinion on the homeless shelter presentation, stating that the information presented was conflicting and raised concerns. More thorough research needs to be conducted. Overall the council is not very supportive of this project at this point in time.

#### 8.0 COMMISSION MEMBER REPORT

9.0 ADJOURNMENT

Motion by Bohlman, second by Leiske to adjourn at 7:50. Vote all ayes. Motion carried.

\_\_\_\_\_  
Tanya Velishek, Mayor

ATTEST:

\_\_\_\_\_  
Tom Nikunen, City Administrator