CITY OF JORDAN
PLANNING COMMISSION
Regular Meeting Agenda

Tuesday, April 14, 2020
6:30 P.M.

City of Jordan Council Chambers
116 First Street East, Jordan MN 55352

1.0 CALL TO ORDER

2.0 ADOPT AGENDA

3.0 APPROVAL OF MINUTES
- A. March 10, 2020

4.0 NEW BUSINESS
- A. PUBLIC HEARING: TH 169/TH 282/CR 9 Official Mapping
- B. PUBLIC HEARING: IUP Request 101 Broadway Street S – Parking as Principal Use

5.0 OLD BUSINESS

6.0 PLANNERS REPORT
- A. General Updates
- B. Next Meeting- May 12, 2020

7.0 CITY COUNCIL MEMBER UPDATE

8.0 COMMISSION MEMBER REPORT

9.0 ADJOURNMENT

Contacts

Lucinda Meyers, Senior Planner, lmeyers@jordanmn.gov (952) 492-7940

Nathan Fuerst, Planner/Economic Development Specialist, nfuerst@jordanmn.gov (952) 492-7929

Megan Pavek, Planning Intern, mpavek@jordanmn.gov (952) 492-7941

MINUTES OF THE PROCEEDINGS OF THE PLANNING COMMISSION OF THE CITY OF JORDAN IN THE COUNTY OF SCOTT MARCH 10, 2020

1.0 CALL TO ORDER

Present: Tom Sand, Jane Bohlman, Bob Bergquist, Robert Whipps, Amanda Schuh
Also Present: Lucinda Meyers, Senior Planner, Nathan Fuerst, Planner/Economic Development Specialist, Megan Pavek, Planning Intern

Meeting called to order at 6:33 pm.

2.0 ADOPT AGENDA

Motion by Whipps, second Bergquist to adopt the agenda as presented. Vote all ayes. Motion carried.

3.0 APPROVAL OF MINUTES

A. February 11, 2020

Motion by Bohlman, second Schuh to approve the minutes as presented. Vote all ayes. Motion approved.

3.0 NEW BUSINESS

A. TH 169/TH 282/CR 9 Official Mapping

City Engineer Mike Waltman presented the official map of the Highway 169, Highway 282, and County Road 9 interchange. The purpose was to inform the Planning Commission on the official mapping process and prepare them for a discussion that will take place in April, when a public hearing will be held and further action is required. By mapping the footprint for this project, it removes uncertainty for property owners and potential developers. It also helps facilitate public purchase of property if/when needed, and helps designate land for any future use. The project will cost roughly 35 million dollars, so it relies on at least two different federal funding programs. Waltman also noted that if an official map is part of an application, it is more likely to be approved and the project will then receive necessary funding. Waltman opens up the floor to questions.

Bohlman inquired on how this project will affect businesses. Waltman responded that nothing on the south side of Highway 169 will be mapped. The only parcel that will be

mapped is Bobby and Steve's property. Most of the parcels that will be mapped and or affected are located in the public right of way.

Sand asked how this construction will impact surrounding wetland. Waltman explained that a culvert may be installed and that a consulting agency will address any concerns that the DNR may have. Waltman also stated that there is a general consensus on prioritizing project adjustments that meet any environmental needs that come up. Sand clarified that the official map makes the application more complete, and increases the chances of funding being awarded. Waltman confirmed. Bohlman clarified that the interchange will be going over Highway 169. Waltman confirmed. Commissioners were happy to finally have a visual for the project.

B. PUBLIC HEARING: CUP Request 860 Quaker Avenue- Vehicle Sales

Planner Fuerst presented the application for a CUP to allow Auto Sales in the I-2. The current uses on this parcel include office space, contracting operations, and an athletic facility for cheerleading training. The property owner would like to add an additional use, and is working with tenant JS Auto Sales to establish their business on this parcel. Auto repair would be the primary function of this business. It was also noted that the applicant intends to sell roughly 20-25 vehicles per year with no more than 5 vehicles for sale at any given time. Vehicles will be stored outdoors on the asphalt parking surface on site where construction equipment is currently being stored. Fuerst noted that this application is not in conflict with any comprehensive plan goals.

Staff recommended that the Planning Commission open the public hearing to receive input on the application prior to discussion. Conditions should then be determined that are appropriate for the use and site.

Schuh inquired on whether any feedback from the mailed public hearing notices had been received. Fuerst responded no.

Sand opened the public hearing at 6:50 pm.

Sand inquired on whether the cheerleading training is still in the building. Applicant responded that it is and that tenant has plans to renew lease for another 4-5 years. Sand inquired on whether cheerleading and auto repair/sales are incompatible uses. The applicant responded that auto repair/sales will be a more compatible than the previous tenant, which was a construction business.

Bergquist clarified that the maximum allowed is 5 cars on the lot for sale at any given time. The applicant confirmed.

Sand closed the public hearing at 6:53.

Bergquist stated his approval of the application. Schuh motioned to approve the application with the conditions that a maximum of 5 cars can be on the lot to sell at any given time and a maximum of 25 can be sold in one year.

Whipps raised concerns on differentiating between cars that are being repaired and cars being advertised on the lot for sale. Meyers asked the commission if they wanted to add striping on the pavement where cars are being stored outdoors. Whipps responded that parking requirements should be set in stone so issues won't arise in future. He also wants to ensure natural screening stays in place and cannot be removed.

Requiring applicant to provide records of sale upon request is an example of a standard condition for similar CUP's approved in the past. This provides an easy way to verify they are adhering to conditions. Whipps stated that he does not care if there is striping or not. The applicant explained that the business is subject to inspections by the state, which also monitors the number of vehicles they sell. Most of the sales occur online so they are not expecting a high amount of traffic from this particular use. Whipps asked to include a condition on the class of vehicles that can be sold there. He also preferred that the natural screening be maintained to prevent it from being cut down in the future. Applicant stated there are no plans to cut down natural screening.

Motion by Schuh, second Bohlman to recommend the approval of the CUP with the conditions that no more than 5 vehicles are stored onsite at a time and no more than 25 are sold per year, only the sales of Class 2 & Class 3 Passenger Automobiles are allowed, and the existing natural screening onsite must be maintained. Vote all ayes. Motion Carried.

C. Discussion Item: City Code Section 154.06, Zoning Amendment

Planner Meyers outlined sections of the City Code identified as requiring changes. These changes are proposed to streamline and clarify sections of code and decrease redundancies. Whipps asked if the City has to pay each time to make these edits are implemented. Meyers replied that there is a system in place, and the edits will occur in three different stages. The final stage consists of all the changes that need to be made once the comprehensive plan is adopted.

Prior to this, the commission gave direction to staff to present a few edits every couple of meetings. City Code amendments are scheduled for three phases per the Planning Commission work plan for 2020. Forthcoming amendments include the sign ordinance, and height requirements in the C-3. Whipps estimated that once the interchange is complete, more businesses will want taller buildings and signs.

Meyers asked the Planning Commission for a recommendation on both discussion items C & D.

Motion by Bergquist, second Whipps to adopt the amendment to City Code Section 154.06. Vote all ayes. Motion carried.

D. Discussion Item: City Code Section 154.371-378. Home Occupations

Motion by Schuh, second Bergquist to adopt the amendment to City Code Section 154.371-378. Vote all ayes. Motion carried.

5.0 OLD BUSINESS

6.0 PLANNERS REPORT

Meyers reported that staff is still working on the parkland dedication and the R-4 height requirement items. The commission recommended that staff receive a bid for a parkland study, and staff are meeting tomorrow to discuss study options.

Fuerst reported that staff is continually preparing code amendments to present to the Commission. There is an upcoming Ladies Night Out event this Thursday. Staff has also been working on a Downtown Summer Event Series. The main goal of these events is to draw people downtown to support local businesses during highway 21 road construction this summer.

Mousse Sparkling Wine has completed basement excavation. Construction is reportedly 2 weeks behind schedule, but the owners remain optimistic about a Memorial Day business opening. All wine and cider production will occur onsite. They will sell sparkling wine and cider, and local meat and cheese. There will be an indoor tasting room/bar as well as outdoor seating.

Staff met with a hotel company, however both parties are looking for investors so there is nothing new to report on. Once interchange is complete, staff foresees that area as being a prime spot for new development.

7.0 CITY COUNCIL MEMBER UPDATE

Schuh and the Mayor will be in attendance at Ladies Night Out. The visioning survey is out and the deadline to complete it by is May 20th. Sand stated he has received complaints about not including an envelope with the survey to send responses back in. Also lacking on instructions regarding submittal/drop-off at City Hall. Sand suggested that staff do an informative post on Facebook to increase awareness of the survey.

Whipps stated that Siwek CUP passed. He also apologized to staff for the comments made about the pay study. He acknowledged the hard work and dedication of city staff and wants them to be fairly compensated.

8.0 COMMISSION MEMBER REPORT

Bohlman asked if any new applications have been received for the open seat on the Planning Commission and indicated that Tony Walsh may be interested in returning to the commission when she moves back to town. Bergquist gave a summary of his experience serving as an election judge.

9.0 ADJOURNMENT

Motion by Whipps, second Bohlman, to adjourn at 7:33. Vote all ayes. Motion carried.

_____
Tanya Velishek, Mayor

ATTEST:

_____
Tom Nikunen, City Administrator

DATE: April 14, 2020

TO: Members of the Planning Commission

FROM: Mike Waltman, P.E., City Engineer

AGENDA ITEM: 4.0 (A) TH 169/TH 282/CR 9 Official Mapping

****

ACTION REQUESTED:

1. Conduct a public hearing regarding the proposed official map
2. Make recommendation to Council regarding the official map

****

BACKGROUND

The City of Jordan, Scott County, and MnDOT have long desired improvements at the intersection of Highways 169, 282, and CR 9. Over two decades ago, discussions between agencies began to identify appropriate improvements for the area. Over 25 unique concepts have been developed.

In 2018, the City of Jordan led a Concept Design and Consensus Building regarding the intersection. The process involved formation of a Technical Advisory Committee (TAC) made of Jordan, Scott County, and MnDOT as well as three Jordan City Council members. The purpose of the TAC was to understand individual agency perspectives and to gain insight relative to key issues or perceived impacts, discuss potential mitigation strategies to minimize negative impacts, and identify considerations that could influence the study outcome. The TAC met several times to review existing deficiencies and build consensus around a shared vision for improvements. The process involved traffic engineering, conceptual design, and public engagement to enhance existing and create some new layouts for the intersection. These layouts were critiqued by the TAC based on numerous factors and an evaluation matrix with detailed report were produced to document the alternative considerations. The TAC group successfully worked in a collaborative and cooperative manner to ultimately develop a process for the next steps toward implementation.

The goal of this study was to establish an agency supported design concept and estimated cost for the improvements to allow the City, County, and MnDOT to move forward with additional planning and the pursuit of project funding. The project is currently in the preliminary design stage and environmental review process. This will enable compliance with National Environmental Policy Act (NEPA) requirements. Funding is not currently available to allow the improvements to proceed to construction. Completion of the environmental review and preliminary design steps will enable the City and County to pursue State and Federal funding for implementation with the goal of implementing the improvements within the next 5 to 10 years.

Attached is a layout of the agency supported concept. In 2015 the City of Jordan officially mapped a boundary covering the footprint of a different interchange concept. An official map designates land necessary for construction of an interchange. The current process proposes to adopt a new official map for the current agency supported concept. This mapping process accomplishes two primary goals:

1. This designation removes uncertainty for businesses and prospective developers with

respect to the footprint of the planned interchange, thereby allowing proper planning by those private entities for development and redevelopment in the adjacent highway commercial areas not encumbered by the footprint.

2. It allows the City, and indirectly other public agency partners of the City in the project, the opportunity to purchase property prior to construction of private improvements within the mapped boundary. Once an Official Map has been adopted and filed, if a complete and acceptable building permit is requested for a property within the officially mapped right-of-way, the City must either issue the permit or purchase the property. If the City were to issue the permit and allow the private construction to occur, the ultimate purchase price of the property for construction of the interchange would increase as a result.

Per MN Statutes 394.361 and 462.359, the City is required to conduct a public hearing on the proposed Official Map. Notice of the public hearing has been published in the local newspaper and mailings sent to all properties within 500 feet. Public comment for this public hearing is being collected via three primary outlets to save people the need to provide in person testimony during this COVID-19 era:

1. Email to publiccomments@jordanmn.gov by 3:00 pm the day of each public meeting.
2. Email to lmeyers@jordanmn.gov by 3:00 pm the day of this meeting. Future public comments for meetings are being directed to the address in bullet #1.
3. Letters delivered via US Mail to City hall by 3:00 pm the day of each public meeting.

Following the public hearing, the Planning Commission will be asked to make a recommendation to the City Council on the proposed Official Map. The City Council will be presented that recommendation at their April 20th meeting for consideration of the official map. If/when adopted by the City, the Official Map will be filed with Scott County.

For further background on the project if desired, a wealth of information is available by request to the City Engineer and on the project website at www.jordanmnengineering.com or more specifically, at https://clients.bolton-menk.com/jordanengineering/us169-hwy282-cr9interchange/

****

FISCAL IMPACT:

No direct fiscal impacts to the City associated with this discussion. Indirect economic development impacts are broad reaching. Having an adopted official map in place will benefit the scoring of this project of competitive funding applications necessary to build the improvements.

****

STAFF RECOMMENDATION:

1. Conduct a public hearing regarding the proposed official map
2. Recommend to the City Council the adoption of the official map

****

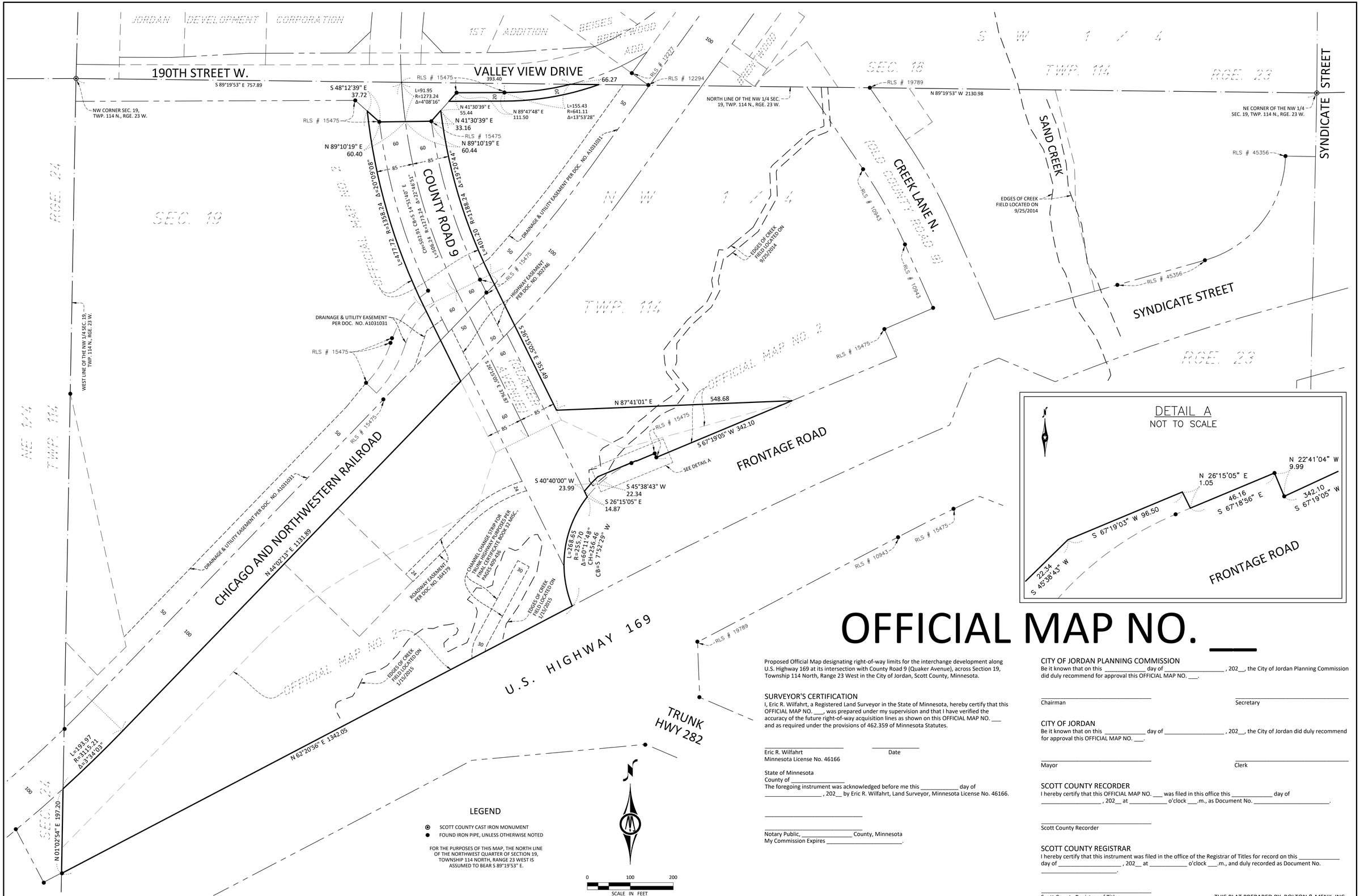
PLANNING COMMISSION ACTION:

Motion: _____ Second: _____

Approved: _____ Disapproved: _____ Tabled: _____

Other: _____

_____



DETAIL A
NOT TO SCALE

LEGEND

- SCOTT COUNTY CAST IRON MONUMENT
- FOUND IRON PIPE, UNLESS OTHERWISE NOTED

FOR THE PURPOSES OF THIS MAP, THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 114 NORTH, RANGE 23 WEST IS ASSUMED TO BEAR S 89°19'53" E.

0 100 200
SCALE IN FEET

OFFICIAL MAP NO. ___

Proposed Official Map designating right-of-way limits for the interchange development along U.S. Highway 169 at its intersection with County Road 9 (Quaker Avenue), across Section 19, Township 114 North, Range 23 West in the City of Jordan, Scott County, Minnesota.

SURVEYOR'S CERTIFICATION

I, Eric R. Wilfahrt, a Registered Land Surveyor in the State of Minnesota, hereby certify that this OFFICIAL MAP NO. ___, was prepared under my supervision and that I have verified the accuracy of the future right-of-way acquisition lines as shown on this OFFICIAL MAP NO. ___ and as required under the provisions of 462.359 of Minnesota Statutes.

_____ _____
Eric R. Wilfahrt Date
Minnesota License No. 46166

State of Minnesota
County of _____
The foregoing instrument was acknowledged before me this _____ day of _____, 202__ by Eric R. Wilfahrt, Land Surveyor, Minnesota License No. 46166.

_____
_____
Notary Public, _____ County, Minnesota
My Commission Expires _____.

CITY OF JORDAN PLANNING COMMISSION

Be it known that on this _____ day of _____, 202__, the City of Jordan Planning Commission did duly recommend for approval this OFFICIAL MAP NO. ___.

_____ _____
Chairman Secretary

CITY OF JORDAN

Be it known that on this _____ day of _____, 202__, the City of Jordan did duly recommend for approval this OFFICIAL MAP NO. ___.

_____ _____
Mayor Clerk

SCOTT COUNTY RECORDER

I hereby certify that this OFFICIAL MAP NO. ___ was filed in this office this _____ day of _____, 202__ at _____ o'clock ___.m., as Document No. _____.

_____
Scott County Recorder

SCOTT COUNTY REGISTRAR

I hereby certify that this instrument was filed in the office of the Registrar of Titles for record on this _____ day of _____, 202__ at _____ o'clock ___.m., and duly recorded as Document No. _____.

_____
Scott County Registrar of Titles

THIS PLAT PREPARED BY BOLTON & MENK, INC.

BOLTON & MENK

Real People. Real Solutions.

169 / 282 / 9 Interchange Official Mapping

Planning Commission Meeting

April 14, 2020

CITY OF JORDAN

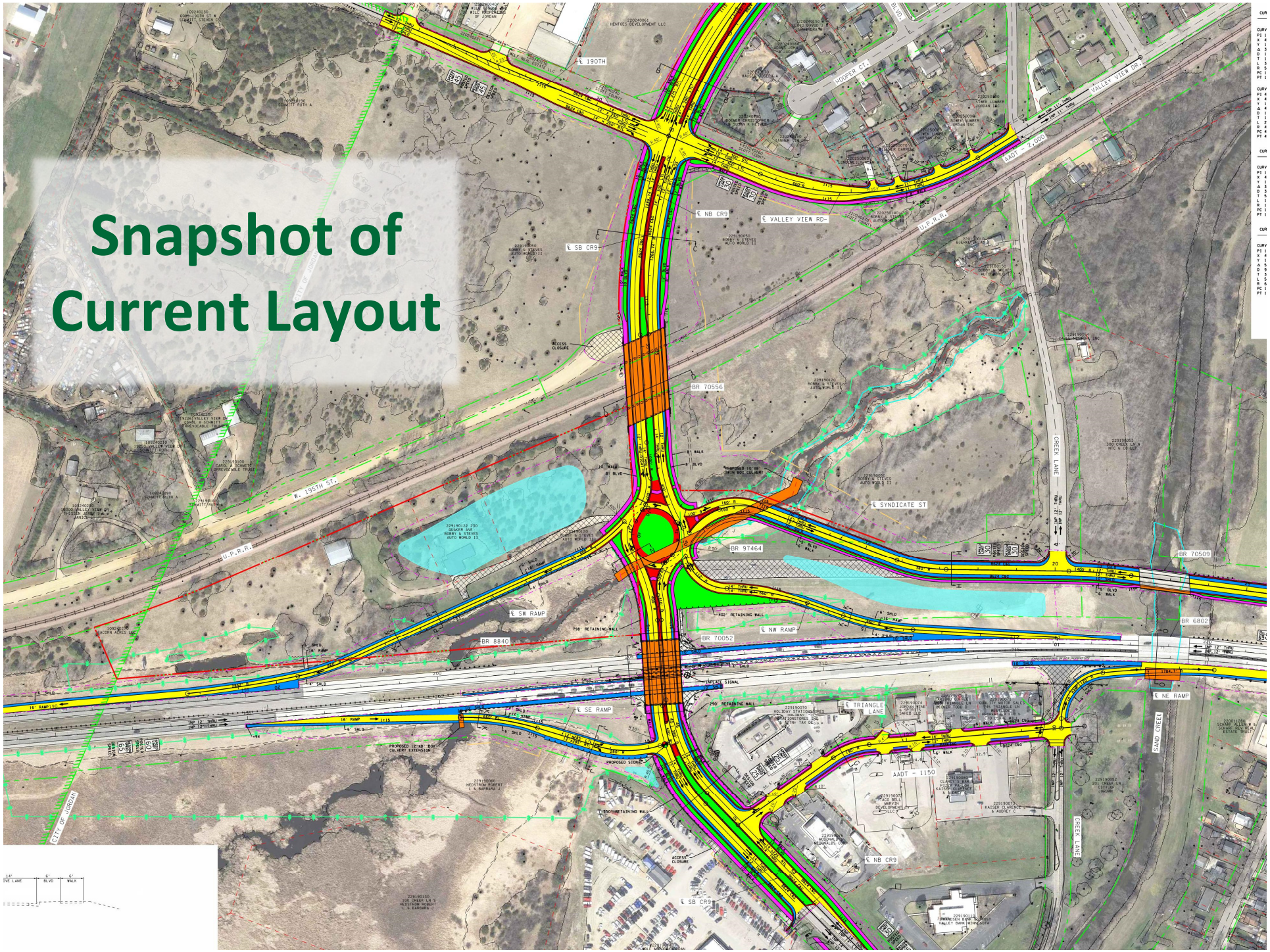
Official Mapping Process

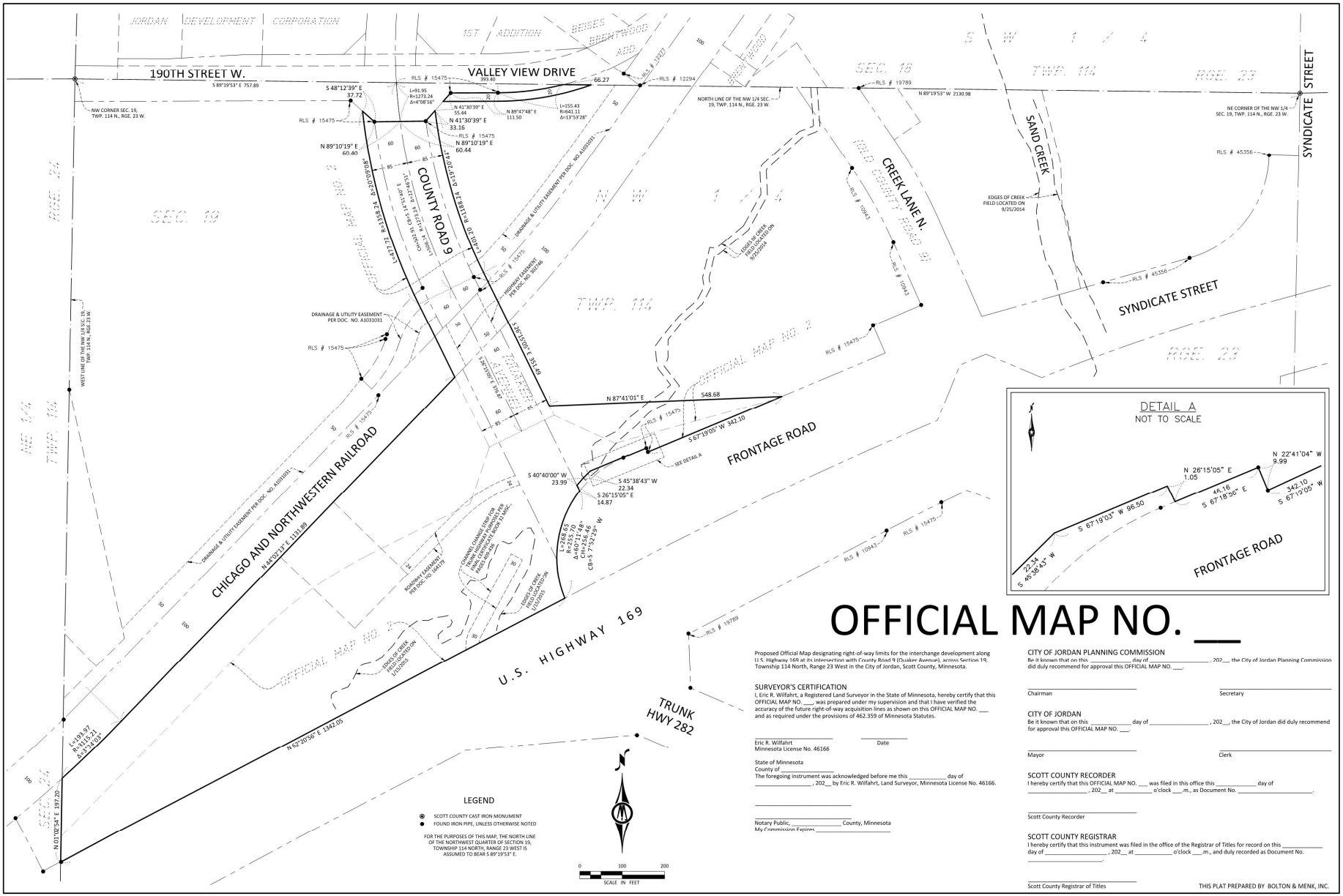
- ✓ Survey work to determine property boundaries
- ✓ Develop preliminary layout
- ✓ Planning Commission – Preparation at March meeting
- ✓ Confirm Proposed R/W Project Boundaries – to be confirmed at March meeting with County, MnDOT
- ✓ Develop Official Map
- ✓ Public Hearing Notices
- Public Hearing at Planning Commission Meeting, Recommendation to Council – Proposed April 14th
- City Council Adoption – Proposed April 20th
- File with Scott County

CITY OF JORDAN

Official Mapping Benefits

- Removal of uncertainty for property owners and potential developers
- Impact on building permits / development
- Positioning for funding, better facilitates public purchase of property if/when needed


Snapshot of
Current Layout
℄ 190TH
℄ NB CR9
℄ VALLEY VIEW RD-
℄ SB CR9
U.P.R.R.
BR 70556
W. 195TH ST.
℄ SYNDICATE ST
BR 97464
BR 70509
℄ SW RAMP
℄ NW RAMP
BR 8840
BR 70052
BR 6802
℄ SE RAMP
℄ NE RAMP
℄ TRIANGLE LANE
AADT - 2,200
AADT - 1150
CREEK LANE
SAND CREEK
HOOPER CT.
VALLEY VIEW DR.
CITY OF JORDAN



OFFICIAL MAP NO. ___

Proposed Official Map designating right-of-way limits for the interchange development along U.S. Highway 169 at its intersection with County Road 9 (Quaker Avenue), across Section 19, Township 114 North, Range 23 West in the City of Jordan, Scott County, Minnesota.

SURVEYOR'S CERTIFICATION

I, Eric R. Wilfahrt, a Registered Land Surveyor in the State of Minnesota, hereby certify that this OFFICIAL MAP NO. ___, was prepared under my supervision and that I have verified the accuracy of the future right-of-way acquisition lines as shown on this OFFICIAL MAP NO. ___ and as required under the provisions of 462.359 of Minnesota Statutes.

_____ _____
Eric R. Wilfahrt Date
Minnesota License No. 46166

State of Minnesota
County of _____
The foregoing instrument was acknowledged before me this _____ day of _____, 202__ by Eric R. Wilfahrt, Land Surveyor, Minnesota License No. 46166.

_____
_____
Notary Public, _____ County, Minnesota
My Commission Expires _____

CITY OF JORDAN PLANNING COMMISSION

Be it known that on this _____ day of _____, 202___, the City of Jordan Planning Commission did duly recommend for approval this OFFICIAL MAP NO. ___.

_____ _____
Chairman Secretary

CITY OF JORDAN

Be it known that on this _____ day of _____, 202__, the City of Jordan did duly recommend for approval this OFFICIAL MAP NO. ___.

_____ _____
Mayor Clerk

SCOTT COUNTY RECORDER

I hereby certify that this OFFICIAL MAP NO. ___ was filed in this office this _____ day of _____, 202___ at _____ o'clock ___m., as Document No. _____.

_____
Scott County Recorder

SCOTT COUNTY REGISTRAR

I hereby certify that this instrument was filed in the office of the Registrar of Titles for record on this _____ day of _____, 202___ at _____ o'clock ___m., and duly recorded as Document No. _____.

_____
Scott County Registrar of Titles

THIS PLAT PREPARED BY BOLTON & MENK, INC.

CITY OF JORDAN

Requested Action / Considerations Tonight

- Conduct the public hearing
- Recommend to the City Council adoption of the official map

DATE: April 14, 2020

TO: Chair Sand and Members of the Planning Commission

FROM: Lucinda Meyers, Senior Planner

AGENDA ITEM: 4 B. Request for Interim Use Permit to Allow Continued Use of the Gravel Parking Lot Located at the Southwest Corner of the Intersection of Broadway (TH 21) and 2nd Street (TH 282)

****

ACTION REQUESTED: The Planning Commission is asked to recommend City Council approve, approve with conditions or deny the request to allow a gravel parking lot to continue as a principal use on the Southwest Corner of the Intersection of Broadway and 2nd Street.

****

BACKGROUND:

The City has received an application for an Interim Use Permit (IUP) from James Terwedo, owner of the subject property located at 101 Broadway Street South, to allow for continued use of the property as a gravel parking lot. The property is located in the Central Business District (C-2), on southwest corner of the intersection of Broadway and 2nd Street (TH 21 and TH 282). Prior to late 2018 when the Zoning Code was amended to allow gravel parking lots as a principal use in the C-2 district temporarily, as an Interim Use, they were not permitted in the district.

The subject property has been used as a parking lot since sometime between September of 2003 and December of 2004. An IUP was granted February 19, 2019, allowing the use to continue through April 30, 2020. The property owner has indicated that he would like for the use to continue through April 30, 2025.

Per the City's Zoning Ordinance, the purpose and intent of interim uses is:

1. To allow **a use for a limited period of time** that reasonably utilizes the property in the manner not permitted in the applicable zoning district.
2. To allow **a use that is presently acceptable**, but not permitted within the zoning district, and with anticipated development, may not be acceptable in the future.

With its location at the corner of Broadway Street (Highway 21) and Second Street (Highway 282), the property represents a valuable redevelopment opportunity in the downtown. It is not ideal for this site to remain as a parking lot forever, which is why an interim use permit is the appropriate tool for allowing a parking lot on a temporary basis. The property owner also owns the adjacent property to the east at 308 Second Street E and eventually would like to combine the parcels as part of a future redevelopment when there is a market opportunity.

The Zoning Ordinance allows IUPs for gravel parking lots to be issued for up to two (2) years, at which point the property owner can reapply if the property is not yet ready for redevelopment. According to Code Section 154.144, C, gravel parking lots are allowed as a principal use subject to the issuance of an Interim Use Permit and compliance with the following conditions:

1. Expiration. The interim use permit shall be terminated following 2 years from the date of

issuance or upon issuance of a building permit for construction of a principal building on the site, whichever occurs first.
2. There shall be no storage, display, sales, rental, or repair of motor vehicles or any other goods, or the storage of inoperable vehicles on the property.
3. A grading and drainage plan shall be approved by the City Engineer.
4. A physical barrier shall be installed along the perimeter of the parking area to prevent vehicle encroachment into the public right-of-way.

On February 12, 2019, the Planning Commission made the following recommendation on the application:

1. The interim use permit shall be terminated following two (2) years from the date of issuance or upon issuance of a building permit for construction of a principal building on site, whichever occurs first.
2. There shall be no storage, display, sales, rental, or repair of motor vehicles or any other goods, or the storage of inoperable vehicles on the property.
3. A physical barrier consisting of limestone shall be installed along the perimeter of the parking area to prevent vehicle encroachment into the public right-of-way.
4. The barrier may be installed seasonally, subject to the attorney's review to ensure the city is not creating any liability.

On February 19, 2019, the City Council passed Resolution 2-11-2019, granting an Interim Use Permit (IUP) for the subject property. The resolution establishes the following conditions for the use:

1. The interim use permit shall be terminated April 30, 2020 or upon issuance of a building permit for construction of a principal building on the site, whichever occurs first.
2. There shall be no storage, display, sales, rental, or repair of motor vehicles or any other goods, or the storage of inoperable vehicles on the property.
3. A physical barrier consisting of limestone block shall be installed along the perimeter of the parking lot adjacent to the right-of-way for Broadway Street and Second Street to prevent vehicle encroachment into the public right-of-way.

****

FISCAL IMPACT: This item is being conducted as part of normal staff duties. The application fee has been paid in full.

****

STAFF RECOMMENDATION: The Planning Commission is asked to hold a public hearing on the application. Upon closing the hearing, the commission should discuss the request and make a recommendation to the City Council to approve, approve with conditions, or deny the request. The City Council will receive the commission's recommendation at their next regularly scheduled meeting April 20, 2020. The following conditions are provided for consideration should the commission find the use presently acceptable:

1. The permit shall be terminated following two (2) years from the date of issuance or upon issuance of a building permit for construction of a principal building on site, whichever occurs first.

2. There shall be no storage, display, sales, rental, or repair of motor vehicles or any other goods, or the storage of inoperable vehicles on the property.

3. The physical barrier consisting of limestone block shall remain along the perimeter of the parking lot adjacent to the right-of-way for Broadway Street and Second Street to prevent vehicle encroachment into the public right-of-way.

****

ATTACHMENTS:

1. Resolution 2-11-2019, approving IUP
2. IUP Application

****

COMMISSION ACTION:

Motion: _____ Second: _____

Approved: _____ Disapproved:

Tabled:

Other: _____

_____

CITY OF JORDAN
RESOLUTION 2-11-2019

A RESOLUTION APPROVING AN INTERIM USE PERMIT FOR A GRAVEL PARKING LOT AS A PRINCIPAL USE IN THE C-2 DISTRICT AT 101 BROADWAY ST S

WHEREAS, James Terwedo (the "Applicant") has applied for an interim use permit to allow for a gravel off-street parking lot as a principal use in the C-2 Central Business District at 101 Broadway St S (the "Property"), legally described as:

> Lot 1, Block 7, Jordan City; except that part of Lot 1, Block 7, Jordan City lying NW of the following: Beginning at a point on the westerly line of said Lot 1, a distance of 12 feet southerly from the NW corner of said Lot 1; thence NE to a point on the northerly line of said Lot 1, a distance of 12 feet easterly from said NW corner and then terminating.

; and

WHEREAS, the Property is zoned C-2 Central Business District, where gravel parking lots are allowed with the issuance of an interim use permit; and

WHEREAS, the City of Jordan Planning Commission held a public hearing to consider the Applicant's request at their regular meeting on February 12, 2019; and

WHEREAS, the City of Jordan Planning Commission, at their regular meeting on February 12, 2019 considered the testimony of the public hearing, the application materials on file with the City, and recommendations of staff and has recommended conditional approval to the City Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Jordan, Scott County, Minnesota, hereby approves an interim use permit for a gravel parking lot as a principal use at 101 Broadway Street South, subject to the following conditions:

1. The interim use permit shall be terminated April 30, 2020 or upon issuance of a building permit for construction of a principal building on the site, whichever occurs first.
2. There shall be no storage, display, sales, rental, or repair of motor vehicles or any other goods, or the storage of inoperable vehicles on the property.
3. A physical barrier consisting of limestone block shall be installed along the perimeter of the parking lot adjacent to the right-of-way for Broadway Street and Second Street to prevent vehicle encroachment into the public right-of-way.

Passed by the City Council of Jordan, Minnesota this 19th day of February, 2019

Tanya Velishek, Mayor

ATTEST:

Tom Nikunen, City Administrator

APPLICATION FOR INTERIM USE PERMIT

PAID
MAR 05 2020
CITY OF JORDAN
#300.00
CK#4231

CITY OF JORDAN
210 EAST FIRST STREET
JORDAN, MN 55352
952-492-2535

RECEIVED
MAR 05 2020
CITY OF JORDAN

APPLICANT NAME: James A. Terwedo **WORK PHONE:** 952-492-2800

HOME PHONE: 492-2200 **ADDRESS:** 3700 w 220th St.

CITY: Jordan **STATE:** Mn **ZIP:** 55352

OWNER NAME: James A. Terwedo **WORK PHONE:** _____

HOME PHONE: _____ **ADDRESS:** _____

CITY: _____ **STATE:** _____ **ZIP:** _____

I/We, the undersigned, hereby make the following application to the City Council and Planning Commission of the City of Jordan, Scott County, Minnesota. (Applicants have the responsibility of checking all applicable ordinances pertaining to their application and complying with all ordinance requirements):

1. Application is hereby made for an Interim Use Permit to conduct the following: Off street gravel parking lot as a present use.

6. Legal description of land to be affected by application, including acreage or square footage of land involved, and street address, if any (attach additional sheet if necessary): See Attached

3. Street Location of Property (address): 101 S. Broadway, Jordan, Mn.

4. Present zoning of the above described property is: commercial

5. Title Information: Abstract X Torrens _____

6. Present zoning of the above described property is: Commercial

6. Is the proposed use compatible with present and future land uses of the area? Please explain: For the past 20 years, it has been used as a parking lot especially for the Catholic Church. - Potential hosting site depending on the market

7. Will the proposed use depreciate the area in which it is proposed? Please explain: No

8. Can the proposed use be accommodated with existing City service without overburdening the system? Explain:
Yes - No city services needed

9. Are local streets capable of handling traffic which is generated by the proposed use? Please explain:
Yes - Parking lot for 20 yr.

10. I propose to have the interim use permit terminate upon the following date or action: 5 years or plans for a development.

Attached to this application and made a part thereof are other material submission data requirements, as indicated.

PROPOSED MEETING DATES:

Planning Commission_____
City Council_____

I certify that all information submitted is true and correct and I fully understand that all information and a complete application must be submitted at least 25 days prior to a planning commission meeting to ensure review by the Planning Commission on that date.

*Applications will not be accepted without a parcel identification number.

Applicant Signature: _____ **Date:** 3/4/20

Owner Signature: _____ **Date:** 3/4/20

FOR OFFICE USE ONLY

DATE SUBMITTED: _____ DATE COMPLETE: _____ IF INCOMPLETE, DATE LETTER SENT TO APPLICANT:_____

DATE OF PUBLIC HEARING _____ PUBLICATION DATE: _____

DATE LETTERS SENT TO ADJOINING PROPERTIES: _____

FEE PAID:_____ DATE FEE PAID:_____ FILE #_____

PLANNING COMMISSION ACTION: ____ RECOMMEND APPROVAL ____ RECOMMEND DENIAL _____
DATE OF ACTION: _____
DATE APPLICANT/PROPERTY OWNER NOTIFIED OF PLANNING COMMISSION ACTION: _____

CITY COUNCIL ACTION: ____ APPROVED ____ DENIED
DATE OF ACTION: _____
DATE APPLICANT/PROPERTY OWNER NOTIFIED OF CITY COUNCIL ACTION: _____

DATE FILED WITH SCOTT COUNTY RECORDER'S OFFICE: _____

101 Broadway St.

Legal:

Lot 1, Blk 7, Jordan City, except that part of Lot 1, Blk 7, Jordan City lying NW of the following: Beginning at a point on the westerly line of said Lot 1, a distance of 12 feet easterly from said NW corner and there remaining

James A. Terwedo

Attorney and Counselor at Law

115 South Broadway
Suite #100
Jordan, Minnesota 55352-1505

Ph: (952) 492-2800
Fax: (952) 492-2806
www.terwedolaw.com

April 10, 2020

Jordan Planning Commission

Re: IUP – Gravel Parking Lot

Dear Members of the Committee:

I am requesting that you support my permit request for a period of five (5) years.

The permit that you issued me was only for one (1) year. My research shows that others who requested a similar permit were given two (2) years. Thus, the minimum period that I should receive is three (3) years to be equal with other in a similar situation.

The reason I am requesting a five-year period is that the process to create a new building on such a unique parcel of land is taking longer than expected. The Jordan Center, that I built during good economic times, took five years to build. With the COVID-19 pandemic, my bank analysis/financing has been put on hold until further notice. Also, there are three possible architectural designs that I'm looking at to fit this unique parcel of land with each one having different zoning requirements and possible variances. With each possible structure, is a different cost and thus, separate analysis for financing such a project. It would be different if the parcel of land was a perfect lot with simple ingress and egress and no other hindrances surrounding it. The building itself must be maximized for best revenue production for specific financing along with fitting the zoning requirements.

The example of the Jordan Center shows that I can build a structure that is pleasing to the eye and a landmark for the City of Jordan. Please allow me the time of five (5) years to do the same for this structure.

Sincerely,

James A. Terwedo

JAT:avj