



**City of Jordan  
City Planning Commission  
Regular Meeting September 10, 2013  
Jordan Council Chambers**

**Members present:** Rolf Hafslund, Jeanne Marnoff, Lance Schmitt, Sally Schultz and Council Representative Jeff Will

**Not Present:** Chair Tom Sand, Vice Chair Gene Flynn

**Staff present:** Corrin Wendell, Senior Planner, Joanne Foust, Planning Consultant, and Laura Chamberlain, Planning Intern

**Others Present:** Thom Boncher

**1.0 Call to Order**

Rolf Hafslund called the meeting of the Planning Commission to order at: 6:40 p.m.

**2.0 Adopt Agenda**

*Motion by Schmitt, seconded by Will to adopt agenda as presented. With all in favor, the motion carried 5-0.*

**3.0 Approval of Minutes**

**A. August 13, 2013 Regular Meeting Minutes**

*Motion by Schultz seconded by Schmitt to approve the August 13, 2013 meeting minutes as presented, the motion passed 5-0.*

**4.0 Public Hearings**

**A. Text Amendment – Chapter 154, Section 154.140 R-5, Manufactured Home District**

Senior Planner, Corrin Wendell, introduced the text amendment to Chapter 154 Zoning Ordinance, Section 154.140 regarding R-5 Manufactured Home District, concerning setbacks and garage permission.

With the recent update and codification of the Zoning Ordinance a 1995 amendment to the R-5 setbacks was inadvertently missed, as it was not available in electronic form. Wendell noted that it was brought to her attention with a recent manufactured home permit, with the owner of the park noting most units would not be able to meet the newly adopted larger setback requirements. She requested the Planning Commission conduct a hearing to re-adopt the 1995 standards which were repealed as a part of the Zoning Ordinance update earlier this year.

Public Hearing was opened at 6:45 p.m.

After no public comment, the Public Hearing closed at 6:47 p.m.

Planning Consultant Foust added information about the Minnesota State Statute regarding manufactured home districts. State Statutes 462.357, Subd. 1 b requires that “A manufactured home park, as defined in section 327.14, subdivision 3, is a conditional use in a zoning district that allows the construction or placement of a building used or intended to be used by two or more families”. Foust noted new developments of manufactured homes could be requested in R-3 and R-4 Districts. New parks could be required to have larger setbacks and lot sizes than the existing manufactured home park in the Zoning Ordinance.

Schultz liked the idea of having separate requirements for manufactured homes in the zoning code, one for the current R-5 district with the current setbacks, and one for future manufactured home district with larger setbacks. Marnoff asked if other cities zone for garages and Hafslund asked if new manufactured home districts can have minimum number of units before approval. City Staff responded that the Zoning Ordinance currently has a minimum requirement of five acres for a manufactured home park development.

At Council Representative Will’s request, City Staff read aloud the Zoning Ordinance’s definitions of manufactured homes versus modular homes. Hafslund questioned having cemeteries as a conditional use for R-5 district, Wendell replied that cemeteries are required as a conditional use in all residential districts by Minnesota State Statute.

*Motion by Will seconded by Marnoff to recommend the City Council accept the changes to the Zoning Ordinance, as presented, the motion passed 5-0.*

## **5.0 New Business**

### **A. Proposed Brewery and Zoning Ordinance**

Planning Intern Laura Chamberlain introduced the proposed brewery to the Planning Commission to discuss the definitions of “brewer” set out in the Minnesota State Statute and the “manufacturer” definition in the Zoning Ordinance as an interim use in the C-2 Central Business District. Minnesota Statute defines (Minn. Stat. §340A.101, Subd. 4) “brewer” as “a person who manufactures malt liquor for sale.” The City Code, Chapter 111 adopted Minnesota Statute definitions concerning Alcoholic Beverages. City Staff asked the Planning Commission to discuss if this adopted language from the State Statute is considered the same type of “manufacturing” designated in the Chapter 154 Zoning Ordinance Section 154.140 C-2 Central Business District as interim uses. Additionally, City Staff conveyed their belief that with an acknowledgement of this distinction, the proposed brewery in Downtown Jordan would meet zoning requirements once new on-sale and off-sale liquor licensing language was approved by the City Council, first reading to be presented by City Attorney Annette Margarit, Monday, September 16<sup>th</sup>.

Senior Planner Wendell discussed the intent of the language in the Zoning Ordinance to not have to specify every use, but give general terminology. Foust mentioned other towns, such as Victoria and Excelsior, have added breweries as a conditional use in their zoning ordinances.

Hafslund expressed concern over wholesale and shipping of products. Chamberlain replied that the language of the licensing should limit the size of production as well as the wholesale and distribution of manufactured malt liquor. Council Representative Will asked about taxation of manufactured malt liquor. Chamberlain clarified that Minnesota State Statute determines the taxation levels based on barrels produced annually. In addition to Jordan liquor licenses, the also requires a brewers license, and a taproom license, given by the State of Minnesota and the Public Safety Commissioner.

Public attendee, Thom Boncher expressed concern over scale of production, as well as hours of production and hours of sales. Chamberlain replied that scale of production would be specified in licensing language, and hours of sale would be limited to City specified hours for other on-sale and off-sale liquor establishments.

Hafslund consented that the Planning Commission recognized the difference between Minnesota State Statute language of a brewer as a “manufacturer” and the type of manufacturing designated as an interim use in the Jordan Zoning Ordinance of the C-2 Central Business District, as long as the changes to the liquor licensing language cover issues of production size.

*Motion by Hafslund seconded by Schultz to relay to the City Council that the Planning Commission recognizes the distinction between MN Statute brewer as manufacturer, and Zoning Ordinance C-2 District interim use manufacturers, with the proper licensing language, the motion passed 5-0.*

**6.0 Old Business**

None

**7.0 Planners Report**

The next Planning Commission Meeting is Tuesday, October 8th, 2013.

**8.0 City Council Member Update**

Council Representative Will mentioned moving forward with Sign Ordinance enforcement and raised a question about placing business arrow signs along Highway 169 or city streets. Wendell said city staff will look into process for blue highway signs. Hafslund said he has seen previously non-conforming signs that have been replaced or moved in order to conform.

**9.0 Commissioner Report**

Marnoff asked about raised or damaged sidewalks and who holds responsibility for replacement. Wendell replied that City Staff will look into it and email a response to the Planning Commission before the next meeting.

**10.0 Adjournment**

*Member Schmitt made a Motion, Schultz seconded, to adjourn the meeting at 7:40 p.m. The Motion was approved unanimously.*

Respectfully Submitted,  
Laura Chamberlain, Planning Intern