

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

1.0 CALL TO ORDER

**Present:** Tom Sand, Brenda Lieske, Jane Bohlman, Dr. Amanda Schuh, Bill Heimkes

**Absent:** Robert Whipps

**Also Present:** Nathan Fuerst, Planner/Economic Development Specialist; Ben Schneider, Planner; Revée Needham, Planning Intern; Jane Kansier, Bolton & Menk Planning Consultant; Stephanie Merdan, Bobby and Steve’s; Ryan Anderson, Bobby & Steve’s Civil Engineer; Melissa Williams, Bobby & Steve’s

Meeting called to order via Zoom at 6:30 pm.

2.0 ADOPT AGENDA

**Motion by Bohlman, second Heimkes to adopt the agenda as presented. Vote all ayes. Motion carried 5-0.**

3.0 APPROVAL OF MINUTES

A. Planning Commission Meeting Minutes, October 13, 2020

**Motion by Lieske, second Heimkes to approve the minutes as presented. Vote all ayes. Motion carried 5-0.**

4.0 NEW BUSINESS

A. PUBLIC HEARING- Bobby and Steve’s Text Amendment Request

Fuerst presents the Text Amendment request from Bobby and Steve’s Auto World which would add towing service with outdoor car storage as an accessory use to a gas station or service center in the C-3 district. There was a similar application last year which was approved by the Planning Commission 4-3 and then denied by City Council 3-4. The concerns last year were the construction of the tow yard with respect to the primary use and the visibility from public right-of-way. This application addresses the first concern by making the tow yard an accessory use to a primary use. There was a concept plan also submitted. This text amendment would impact all parcels in the C-3 district. The Planning Commission is asked to consider if this use is compatible with the goals of the C-3 district and if so what conditions should be placed on the use to mitigate concerns. Staff recommends Alternative A if the use is compatible, with conditions of accessory use, minimum lot area, and screening or Alternative B if the use is not compatible. The timeline would be a public hearing tonight, first reading at the 11/16 City Council and second reading at 12/7 City Council.

Lieske asked about the order of the public hearing. Fuerst replied the public hearing was tonight, that there was no one in the audience, and the public was given the opportunity to make comment.

**Chair Sand opened the public hearing at 6:43pm.**

Heimkes asked why this didn't pass before. Schuh looked at the minutes from the previous request and noted that one issue was addressed, the tow yard as an accessory use, and the next concern was if this use was better suited to the industrial districts than C-3. Fuerst clarifies that this request is for the tow yard to be an accessory use to a permitted use. Sand requests to hear from the Bobby and Steve's representatives. Ryan Anderson is a civil engineer and explains how a tow yard works well in the highway commercial district by catering to vehicles and the primary use of the gas station. Sand noted that the eyesore of the outdoor vehicle storage is a concern and asked when the gas station would be built. Anderson replied that it would be built concurrently with the tow yard. Heimkes asked about the concept plan and if the two parcels would be connected. Anderson replied that there are limitations with wetlands, so the two parcels would not be connected but there would be multiple access points. Melissa Williams replied that the tow yard will be built with the gas station. Fuerst clarified the City would not permit the tow yard to be built before the gas station, it would have to be either concurrent or after. Lieske liked the idea of a service center in Jordan but is concerned about the eyesore of the tow yard and the implications for other C-3 parcels. Fuerst explained this impacts all C-3 parcels but the City can assign conditions to limit where it would be allowed. Lieske asked if the City could dictate the size of the tow yard. Fuerst replied that there could be conditions on the number of stalls or the lot area. Williams explained that Bobby and Steve's have two other impound lots with 350 and 180 cars and the organization and screening limits how much is visible to the public. Bohlman asked how many cars will be stored. Anderson replied the concept shows approximately 80 cars. Schuh brings up the staff recommended conditions for Alternative A, which include a minimum lot area, which limits the number of tow yards allowed in the C-3 and asked what the proposed lot size is. Anderson replies that the two parcels are about 15 acres and the tow yard is about half that. Lieske asks where the tow yard will be in relation to the gas station. Anderson clarifies that different angles will have different views, the landscaping will help screen and that this concept plan is not maximizing the outdoor car storage. Schuh asks what the proposed timeline is for Bobby and Steve's to build this. Anderson said the team wants to make sure this passes before money is spent on the plans but ideally next year for the start of the application. Lieske asks what is to stop the applicant from increasing the size of the tow yard. Anderson points to the conditions for this use by the City and suggests a maximum lot coverage percentage to limit the overall size of the tow yard. Schuh asks about the ownership of this parcel and why Bobby and Steve's Auto World want to build in Jordan. Williams replies that they have owned the parcel for over 20 years with the intent to build in Jordan and their other two tow yards do not have gas stations attached.

**Chair Sand closed the public hearing at 7:10pm.**

**Heimkes motions to approve the Text Amendment Request with staff recommended Conditions 1-3 and to limit the accessory use to a maximum lot percentage. Second Bohlman.**

Lieske asked what the conditions were. Fuerst explained the staff recommended conditions 1-3 at a minimum and that the Planning Commission could add additional conditions. Sand asked if the conditions needed to be included with the motion and suggested limiting the number of cars in outdoor storage at 80. Fuerst recommended a maximum lot percentage for the accessory use as this impacts more than just this parcel. Schuh agrees with the maximum lot percentage for the

accessory use. Fuerst said the maximum lot percentage could be calculated by staff and then added in for the City Council meeting.

**Vote: all ayes. Motion carried 5-0.**

**B. Neighborhood Commercial (C-1) District Informational Item**

Schneider presents the proposed C-1 rezoning. The C-1 district is intended for local retail uses that do not generate a lot of traffic. Currently, residential use is classified as a conditional use. In the Comprehensive Plan passed in April, the C-1 district was created and now the City needs to rezone the identified parcels. There are only 6 C-1 parcels currently. The majority of the parcels are residential and zoned R-2, with some rental properties. Most of the parcels have fences, at least one accessory structure. The district is intended to serve as a buffer between C-2 and R-2, with 70% residential use and 30% commercial use with goals to screen commercial uses and locate along collector streets. The proposed timeline includes sending out a mailer to affected properties and surrounding properties in January, holding a town hall in February, then sending out a survey. The draft ordinance would then be presented in May or June and then sent to the Met. Council for final approval.

Sand asked why residents would want their properties rezoned. Schneider said the intent is to serve as a buffer between downtown and surrounding homes and the addition of allowed commercial uses could benefit property owners. Lieske asked if this would have a financial impact on their homes. Fuerst replied their taxes would change only if their use changes. Kansier said there wouldn't be a large financial impact, but the ability to add commercial use could lead to increased value from their homes. Bohlman asked if residents could still sell their homes. Schneider said the intent is not to make the homes nonconforming and would propose changing residential use to a permitted use in the rezone. Sand asked if a home was rezoned, then it could have a flower shop in the main level and make money out of their current home and what the next steps are. Schneider said the proposed timeline is how we intend to move forward. Bohlman suggests giving homeowners plenty of detail as people are afraid of change. Sand said it would be a good idea to sell the rezone to residents, explaining how it benefits them and to give them lots of information so they don't feel blind sighted.

**C. Floodplain Repeal/Replace Informational Item**

Schneider presents that in the next month the Planning Commission will hold a public hearing for the floodplain draft ordinance, which will be repealed and replaced. This is required to participate in the National Flood Insurance Program. Jordan has had a floodplain ordinance since 1997 and has been updated since. The DNR provided us with a Model Ordinance with some optional higher standards, largely the City will be doing the minimum standards. The ordinance was sent to the DNR for approval, Bolton and Menk and the City Engineer have reviewed it as well. The changes are mostly minor, with some updated permitted and conditional uses, minimum development standards, and updated certification requirements. The projected timeline will include a draft ordinance at next month's Planning Commission, then a first reading in December and second reading in January to ensure compliance by the February deadline.

5.0 OLD BUSINESS

6.0 PLANNERS REPORT

A. General Updates

Fuerst reports that the next meeting will require a quorum and will have a long agenda including the floodplain ordinance, park dedication and R-4 text amendments, PUD amendment, an IUP, and the Planning Commission Strategic Plan for 2021.

B. Next Meeting- December 8, 2020

The next meeting will likely be on Zoom, following the City Council lead and increasing COVID-19 infections.

7.0 CITY COUNCIL MEMBER UPDATE

Schuh: City Council passed the CUP, heard the Dakota development, Timberline Park upgrades were approved, will be reviewing election results, the Highway 21 bridge is now open, FEMA flood map information, and the yard waste site will be open soon.

8.0 COMMISSION MEMBER REPORT

9.0 ADJOURNMENT

**Motion by Schuh, second Lieske, to adjourn at 7:47pm. Vote all ayes. Motion carried 5-0.**