

**MINUTES OF THE PROCEEDINGS
OF THE PLANNING COMMISSION OF THE CITY OF JORDAN
IN THE COUNTY OF SCOTT
January 12, 2021**

1.0 CALL TO ORDER

Present: Tom Sand, Brenda Lieske, Robert Whipps, Bill Heimkes, Bob Bergquist, Jeff Will

Absent: Jane Bohlman

Also Present: Nathan Fuerst, Planner/Economic Development Specialist; Ben Schneider, Planner; Revée Needham, Planning Intern; Joe Radermacher; Tony Schmidt

Meeting called to order at 6:32 pm.

2.0 ADOPT AGENDA

Motion by Lieske, second Bergquist to adopt the agenda as presented. Vote all ayes. Motion carried 6-0.

3.0 ELECTION OF OFFICERS

Lieske nominates Sand for Chair. Second Heimkes. Vote: all ayes. Motion carried 5-0-1.

Bergquist indicates he no longer wishes to be Vice Chair.

Bergquist nominates Will for Vice Chair. Second Sand. Vote: all ayes. Motion carried 5-0-1.

4.0 APPROVAL OF MINUTES

A. Planning Commission Meeting Minutes, December 8, 2020

Motion by Whipps, second Heimkes to approve the minutes as presented. Vote all ayes. Motion carried 6-0.

5.0 NEW BUSINESS

A. PUBLIC HEARING- Variance Request- 500 2nd St W.

Fuerst presents the variance requests from Joe Radermacher. The applicant is requesting two variances: one for aggregate sign area and one for the height of a free-standing sign. This request comes as a result of the city's work on the Creek Lane-282 intersection project. The variance is for 15ft on the height and over 366ft on the total signage. Many other nearby businesses are currently over the maximum sign height and also have variances. The required findings for variance appear to be met and staff propose two conditions: obtaining all applicable permits before work begins and that no further signage be added after.

Sand opens the public hearing at 6:44pm.

Heimkes asks if the sign is being moved because of the City needs to do work. Radermacher explains the sign is being moved and the Ace Hardware sign is being combined with the current Radermacher's Fresh Market sign. Heimkes expresses approval and asks if it is the sign in front of the gas pumps. Radermacher says the application is to build a bigger sign where the current Radermacher's sign is and is necessary with the eventual work on the 169 overpass project.

Sand closes the public hearing at 6:45pm.

Will points out that if the average sign height is 54ft and the code is 25ft that the Code should be updated. Sand suggests re-looking at the sign ordinance. Fuerst points out that this is on the Planning Commission’s strategic plan for 2021.

Motion by Bergquist to recommend the applicant’s variance requests to City Council for conditional approval based on the conformity with the findings established by the City Code. Second Lieske. Vote: all ayes. Motion carried 6-0.

B. Design Review- 209 Broadway St S

Fuerst presents the design review request from Tony Schmidt, Applicant for the 209 Broadway St S. parcel located in the C-2. Design review is required for facades in the C-2 that face a public street. The design review process references the Central Business District Design Standards Manual and official Color Palette. The Applicant is proposing reuse of some of the entrances and adding a glass garage door. The design manual lists architectural metal as an approved material and formed metal panels are a prohibited material. There are no definitions for either term provided in the standards manual. The proposed material appears to be similar to Exterior Insulation and Finish System (EIFS) and appear to be more in line with an architectural metal. The proposed colors are within the downtown color palette and the overhang and lighting are consistent with the design standards. Staff propose two additional conditions: that all permits be obtained before work begins and that the improvements shall be consistent with the plans approved at the February 1st City Council meeting.

Motion by Heimkes to recommend approval of the design review request contingent upon the conditions outlined by staff. Second Whipps. Vote: all ayes. Motion carried 6-0.

C. Lot Combination Request- 415 Broadway St S.

Schneider presents that this request is for the old brewery complex site and it appears the request would make the site further in compliance with City Code as the south end of the brewery building crosses the property line. This lot combination would remove that concern for current and future property owners. In non-residential parcels, the lot combination is considered a minor subdivision and comes before the Planning Commission.

Lieske asked about the purpose of a lot combination. Schneider notes the south parcel is small and unbuildable, combining the two will result in one lot closer to conformance with City Code. Fuerst points out that for property owners this often simplifies taxes. Whipps asks if the south parcel has a separate utility connection and if so, who pays for the removal. Fuerst replies that there is only one utility connection for the brewery building. Will asks how the south parcel would have a connection. Whipps replies that before, that side of the building didn’t have anything in it.

Motion by Whipps to approve the request to combine the two lots with PID Numbers 220010291 and 229190620. Second Will. Vote: all ayes. Motion carried 6-0.

6.0 OLD BUSINESS

A. Parkland Dedication Text Amendment

Schneider presents that this was discussed at the December Planning Commission to either update the outdated numbers or to use a new formula. In some cases, Jordan’s parkland dedication formula is higher than surrounding communities and this concern was echoed by public comments. It was proposed to use 10% of buildable land for parkland dedication and this was tabled until staff could look more into the cash-in-lieu. Currently, Jordan uses the fair market value of the land dedicated. Staff as proposing using Belle Plaine’s method, which is 10% of the fair market value of the total un-platted residential land and 5% for Commercial/Industrial

developments. This appears reasonable enough to meet the “essential nexus” required by state statute to defend the fees for parkland dedication. While other communities use flat fees for cash-in-lieu, this would require a parks study to implement in Jordan and is unlikely to happen soon with the current pandemic.

Whipps likes how the current parkland dedication formula accounts for the density of a project, as more people creates a higher demand on the parks. Whipps points out that besides the CDA project, Jordan’s parkland dedication isn’t much higher than other communities and the cash-in-lieu is quite low. Whipps thinks we should consider what’s best long-term for Jordan and not just short-term for one potential development. Will says that from the public comments at the last meeting, it appears that developers want security so they can plan going forward. Whipps replies there’s no requirement for changing the parkland dedication now. Heimkes says that the Dakota development’s 200 total acres, 100 acres are unbuildable and thinks that is a great asset for kids and this is a different situation than other developments because the City gains more than just the parkland dedicated. Whipps understands why it makes sense to lower the acreage short-term, but we shouldn’t change parkland dedication for one development. Heimkes agrees that our cash-in-lieu is low compared to other cities. Whipps says that if we move to Belle Plaine’s method, then developers will pay cash-in-lieu instead of parks and then we won’t get the smaller neighborhood parks. Will clarifies that parkland dedication is based on buildable lots not on total land. Heimkes says with the Dakota, we would be getting open space which isn’t official parkland. Whipps proposes that fees could be negotiated if they seem unreasonable for a particular development instead of changing our methodology long-term, which still leaves discretion up to the Development Review Committee, PRAC and Planning Commission before the fees are approved by City Council. If we switch to the estimated market value, this is low compared what they are paying for the land and the Dakota’s open space isn’t walkable, it’s mainly wetlands. Lieske agrees that we shouldn’t change the formula for one situation and asks if a builder is aware they can negotiate with the City. Whipps says yes they know to negotiate. Fuerst concurs and brings up that at the last meeting, it was discussed updating the outdated numbers in our current formula. Bergquist asks if we’re changing the formula or leaving it as is. Whipps wants to see how this new methodology would impact commercial developments, like Pineview. Fuerst clarifies that Pineview was considered residential, but we could provide examples at City Council and says that staff received guidance to request a motion tonight.

Motion by Heimkes to recommend changes to parkland dedication as discussed in the staff report. Second Whipps.

Whipps says he supports moving this item to City Council for further discussion. Lieske clarifies that the proposed formula is 10% for residential and 5% for commercial/industrial of buildable land and that the Commission is in disagreement with the 10%. Will points out that commercial property is three times more expensive than residential. Lieske asks if we could do two separate motions. Schneider says the cash-in-lieu must be based on the un-platted land. Will says that the 5% for industrial/commercial developments is a lot higher given the higher value of the land. Lieske summarizes the Planning Commission is fine with the 5% for industrial/commercial but disagrees on the 10% for residential. Whipps says that a parks study is needed either way so why change it now when it would need to be changed again in the future. Bergquist agrees and thinks that recommending changes now isn’t the right path. Sand asks what the PRAC’s stance is on this. Schneider replies that the last PRAC meeting in November only discussed updating the current numbers and did not talk about the 10%. Sand notes that the PRAC hasn’t seen this yet.

Whipps withdraws his second.

Motion by Bergquist to stay with the current parkland formula. Second Lieske.

Vote: Heimkes nay. Motion carried 5-1.

Heimkes says he doesn't disagree with Bergquist but we need some guidance to go forward with the developer. Fuerst clarifies the motion. Lieske adds that the developer can negotiate. Sand says that is not an issue, and that City Council can decide and involve the PRAC. Whipps asks about the cost of the parks study or how to move forward with it. Fuerst replies it was explored last year and we received a quote from Bolton & Menk. Whipps asks about the current formula having some outdated numbers. Schneider replies that it assumes 2.6 people per household, and uses old statistics on Jordan's population, acres of parkland etc. Fuerst says staff had previously suggested updating the formula to reference annual Met Council statistics to stay current. Whipps points out this would increase the parkland dedicated and this was a concern for the developer.

B. 2021 Strategic Plan

Fuerst presents the updated strategic plan incorporating the comments from a survey sent out to the Planning Commission. This sets and reaffirms the goals of the Commission and guides staff on the prioritization of issues. There have been updates from the 2020 Strategic Plan, as many of items have been completed and subsequently removed. The comments received from the survey included focusing on affordable housing, the 169 interchange, the Bobby and Steve's Project as well as making it easier to develop in the City. Included on the 2021 plan are the sign ordinance, park dedication, updating the minor subdivision procedure, the C-1 rezone, researching the CRS program through FEMA to lower flood insurance rates as well as overall goals the same as last year.

Whipps liked how the Code was fine-tuned last year to make it more consistent and would like to see this continued. Will says that the joint meeting with other Commissions and City Council are valuable and would like them to occur more often. Sand agrees and thinks we should aim for at least twice a year, acknowledging that COVID has made this tough. Bergquist agrees the joint meetings would be helpful.

C. 2020- Year End Review

Needham presents the accomplishments of the Planning Commission and staff from 2020. In 2020, there were 4 CUPs, 2 IUPs, 2 Variances, 4 Text Amendments, and 1 Design Review that passed. There were 40 new homes added to the City including 28 single-family, 6 townhomes, and 5 manufactured homes. The total value of the homes was almost \$9.9million and the median single family home value was \$309,000. There has been an increase of single family home construction of 100% from 2015 numbers, however this number is expected to decline in 2021. There were 295 building permits issued at a value of over \$14.9 million.

D. IUP- CUP Yearly Review

Needham presents the active IUPs and CUPs. There are 31 total CUPS including the 4 that were passed this year and 2 IUPS that were renewed this year. There has been no code enforcement nor complaints for the properties regarding their CUP/IUP conditions.

Whipps asks staff to look into the CUP for the Pearson Greenhouse, as he is unsure if outdoor storage is allowed.

E. C-1 Rezone Update

Schneider presents that in the Comprehensive Plan there is a proposed new Neighborhood Commercial District of 44 parcels. In tandem with the rezone, the C-1 Ordinance will also be rewritten. Staff propose sending a mailing to affected and surrounding properties, a webpage with information, a Town Hall in February and follow-up surveys. Then the ordinance will be drafted in March-April and presented in May-June.

F. R-4 Text Amendment

Schneider presents this was tabled last Planning Commission with the Parkland Dedication. This first passed in February at the Planning Commission but required a public hearing. This was bundled with the Parkland Dedication for efficiency in publication.

Motion by Lieske to change the maximum building height in the R-4 District to 40 feet or four stories, whichever is less. Second Whipps. Vote: all ayes. Motion carried 6-0.

Will asks if there needs to be another motion for joint summary publication. Fuerst replies that will brought up at City Council.

7.0 PLANNERS REPORT

A. General Updates

B. Next Meeting- February 9, 2021

8.0 CITY COUNCIL MEMBER UPDATE

Whipps says there is a new mayor and new Council members as well as an opening on EDA.

Fuerst replies there has been an application for EDA.

Heimkes announces that it's his birthday.

9.0 COMMISSION MEMBER REPORT

Sand wishes good health to Bergquist.

Bergquist expresses his desire to continue on the Planning Commission.

Will thanks the commissioners for their support, noting that he started on the Planning Commission before he was on City Council and it's one of his favorite parts of the city government.

10.0 ADJOURNMENT

Motion by Whipps, second Bergquist, to adjourn at 7:53pm. Vote all ayes. Motion carried 6-0.