MINUTES
CITY OF ELKO NEW MARKET
PLANNING COMMISSION MEETING
March 8, 2016
7:00 PM

1. CALL TO ORDER

Vice Commission Chairman Smith called the meeting of the Elko New Market Planning Commission to order at 7:01 pm.

Commission members present:	Smith, Kruckman and Vetter
Members absent and excused:	Hartzler and Thompson
Staff Present:	City Planner Kirmis, City Engineer Revering and City Administrator Terry

2. PLEDGE OF ALLEGIANCE

Vice Chairman Smith led the Planning Commission in the Pledge of Allegiance.

3. APPROVAL OF AGENDA

A motion was made by Kruckman and seconded by Smith to approve the agenda as presented. Vote for: Smith, Kruckman and Vetter. Against: None. Abstained: None. Vote 3-0. Motion carried.

4. PUBLIC COMMENT

There were no public comments.

5. ANNOUNCEMENTS

There were no announcements.

6. APPROVAL OF MINUTES

A motion was made by Vetter and seconded by Kruckman to approve the minutes of the December 1, 2015 Planning Commission meeting as written. Vote for: Smith, Kruckman and Vetter. Against: None. Abstained: None. Vote 3-0. Motion carried.

7. PUBLIC HEARINGS

A. Accessory Structure Amendment

Vice Chairman Smith asked Planner Kirmis to present his memorandum dated January 25, 2016 regarding a proposed zoning ordinance amendment addressing detached

accessory buildings located in the City's "Original Townsite" areas (Elko and New Market).

Planner Kirmis indicated that, as a follow-up to the Planning Commission's recent consideration of a conditional use permit application for a detached accessory building (garage) in the New Market "Original Townsite" area, the Commission suggested that an ordinance amendment be considered which would simplify the processing of future, similar applications. More specifically, it was suggested that similar applications in the City's "Original Townsite" areas be subject to administrative approval rather than formal conditional use permit processing.

Kirmis noted that a draft version of the amendment was presented to the Planning Commission at the December 1, 2015 meeting for informal review and feedback. At the December meeting, the Planning Commission found the draft amendment conditions to be acceptable. The Commission did however, suggest that the amendment language be expanded to reference the handling of replacement garages. With this change, the Planning Commission directed Planner Kirmis to initiate a public hearing for the formal consideration of the amendment.

Vice Chairman Smith opened the public hearing at 7:07 p.m.

There were no comments provided during the public hearing.

Vice Chairman Smith closed the public hearing at 7:08 p.m.

A motion was made by Kruckman, seconded by Vetter to recommend approval of the amendment as written. Vote for: Smith, Kruckman and Vetter. Against: None. Abstained: None. Vote 3-0. Motion carried.

B. PUD Processing Amendment

Vice Chairman Smith asked Planner Kirmis to present the City Attorney's memorandum dated February 9, 2016 regarding the PUD processing amendment.

Planner Kirmis indicated that the draft amendment was previously introduced informally to the Planning Commission (in November of 2015). Kirmis indicated that the City Attorney's office has suggested that a change be made to the means by which PUD's are processed in the City. Kirmis explained that such change is intended to better reflect the legal authority given to cities regarding the use of planned unit development as a planning tool.

Kirmis noted that the City of Elko New Market currently approves PUD's through the rezoning of property to a freestanding PUD zoning district. It was explained that, as part of such rezonings, development agreements are executed which set forth the terms of the PUD and that this has been a common practice of cities for many years.

Kirmis further noted that, because PUD agreements are not specifically identified by statutory authority, many cities are moving away from the PUD Agreement concept in favor of specifying the specific standards (or deviations from an underlying zone) within the actual ordinance that rezones property to PUD. Kirmis indicated that such method provides greater legal standing and has therefore been recommended by Staff.

Vice Chairman Smith opened the public hearing at 7:14 p.m.

There were no comments provided during the public hearing.

Vice Chairman Smith closed the public hearing at 7:15 p.m.

A motion was made by Kruckman, seconded by Smith to recommend approval of the amendment as written. Vote for: Smith, Kruckman and Vetter. Against: None. Abstained: None. Vote 3-0. Motion carried.

8. PETITIONS, REQUESTS AND INQUIRIES

There were no petitions, requests or inquiries.

9. GENERAL BUSINESS

A. Backyard Chicken Amendment

Vice Chairman Smith asked Planner Kirmis to present his memorandum related to the backyard chicken amendment dated February 9, 2016.

Planner Kirmis stated that at the Planning Commission's December 1, 2015 meeting, the Commission directed the forwarding of their recommended conditions of use approval to the City Council. Kirmis noted that at the subsequent January 14, 2016 City Council meeting, the Council considered the recommendation of the Planning Commission and specifically directed the Commission to prepare and process a City Code amendment which would make an allowance for backyard chickens in the City subject to conditions.

As a follow-up to this City Council directive, Planner Kirmis noted that Staff has prepared a draft City Code amendment for the Planning Commission's informal consideration. Kirmis specifically noted that the amendment basically is a reiteration of the Planning Commission's previously formulated conditions into an amendment format.

Planner Kirmis further noted that the Planning Commission is being asked to review a draft version of the amendment (related to the keeping of backyard chickens) and make any desired changes prior to conducting a public hearing.

Kirmis requested specific feedback in regard to the educational requirement imposed in the draft amendment and as well as the potential allowance of backyard chickens in R-2, Urban (Small Lot) Residential zoning districts.

The Commission found the educational requirement included in the draft amendment to be satisfactory but suggested that feedback regarding the potential allowance of backyard chickens in R-2 Districts be postponed until the April Commission meeting when full Commission attendance is expected.

Planner Kirmis noted that the City Council has directed the preparation and publication of a newsletter article (related to the proposed amendment) occur prior to the formal public hearing.

In consideration of the draft Ordinance amendment, the Planning Commission unanimously recommended that a public hearing be scheduled. Planner Kirmis advised the Planning Commission that such hearing will be scheduled for the forthcoming April 5, 2016 Commission meeting.

B. Micro-Breweries

Vice Chairman Smith asked Planner Kirmis to present his memorandum dated January 25, 2016 regarding micro-breweries.

Planner Kirmis noted that a current and popular business trend is that of craft beer breweries with accessory taprooms and that many Minnesota communities have considered ordinance updates to allow such businesses in commercial and industrial, zoning districts.

Kirmis indicated that Planning Staff has been asked to research micro-breweries and micro-distillery ordinances with the idea that the City may wish to adopt related standards prior to receiving a formal application to accommodate such use.

In this regard, Staff provided a variety of background information related to such uses and requested Planning Commission feedback regarding the desirability of such activity.

Kirmis specifically noted that, from a planning standpoint, the biggest challenge for taproom uses is the introduction a manufacturing activity in a commercial zoning district and for cocktail room uses, the introduction of a commercial activity in a industrial district. Kirmis noted that most cities have addressed the issue by limiting the scale of manufacturing activities in commercial districts and commercial activities in industrial districts. Planner Kirmis noted that is common for cities to allow taprooms and cocktail rooms by conditional use permit.

In consideration of the potential allowance of taprooms and cocktail rooms in the City, the Planning Commission directed Planner Kirmis to prepare a draft ordinance amendment for informal consideration.

10. MISCELLANEOUS

Staff Updates. City Administrator Terry provided updates regarding the following

- Planning Commission Meeting Schedule
- Sign Ordinance Task Force
- The following development projects:
    - Senior Housing Project
    - Boulder Heights
    - Barsness Project
    - Wagner Property
    - Fairway Ridge
    - Pheasant Hills
    - Park I-35
- Community Development Specialist Position
- Comprehensive Plan Update
- Scott County Collaborative Transportation Planning
- City Branding Study

11. ADJOURNMENT

A motion was made by Kruckman and seconded by Vetter to adjourn the meeting. Vote for: Smith, Kruckman and Vetter. Against: None. Abstained: None. Vote 3-0. Motion carried.

The meeting ended at 8:06 pm.

Submitted by:
Bob Kirmis, City Planner