

**MINUTES
CITY OF ELKO NEW MARKET
PLANNING COMMISSION MEETING
December 5, 2017
7:00 PM**

1. CALL TO ORDER

Chairman Thompson called the meeting of the Elko New Market Planning Commission to order at 7:05 p.m.

Commission members present: Thompson, Kruckman, Hartzler and Vetter

Note: Commissioner Hartzler arrived late to the meeting and was not present for agenda items 1 through 7

Members absent and excused: Smith and ex-officio member Anderson

Staff Present: Economic Development Specialist Christianson, City Planner Kirmis and City Engineer Revering

2. PLEDGE OF ALLEGIANCE

Chairman Thompson led the Planning Commission in the Pledge of Allegiance.

3. APPROVAL OF AGENDA

Chairman Thompson requested that Item 8.D be removed from the agenda at this time. A motion was made by Kruckman and seconded by Vetter to approve the agenda with the following changes:

- A. The day of the meeting (as referenced on the agenda) be changed from "Thursday" to "Tuesday."
- B. Item 8.D related to small cell towers be removed from the agenda.

Vote for: Thompson, Kruckman and Vetter. Against: None. Abstained: None. Motion carried: (3-0).

4. PUBLIC COMMENT

There were no public comments.

5. ANNOUNCEMENTS

There were no announcements.

6. APPROVAL OF MINUTES

A motion was made by Thompson and seconded by Vetter to approve the minutes of the November 2, 2017 Planning Commission meeting with the following change:

- A. Under the commercial vehicle discussion (Item 8.A), reference to comments made by “Gene Meyer, 71 West Louis Street” be changed to “Gene Meger, 41 West Louis Street.”

Vote for: Thompson, Kruckman and Vetter. Against: None. Abstained: None. Motion carried: (3-0).

7. PUBLIC HEARINGS

There were no public hearings.

8. GENERAL BUSINESS

A. Comprehensive Plan - Land Use Chapter

Chairman Thompson asked Community Development Specialist Christianson to present the draft Land Use Plan chapter of the 2040 Comprehensive Plan (dated December 5, 2017). Christianson, with assistance from Planner Kirmis, provided an overview of the Comprehensive Plan update process and described the following:

- The elements of the Comprehensive Plan, including the various plans which comprise the complete document.
- The elements (subsections) of the Land Use Plan chapter of the Comprehensive Plan document.
- The 2030 Land Use Plan map.
- The draft 2040 Land Use Plan map presented at the November 2, 2017 Planning Commission meeting.
- Feedback received from the Planning Commission at the November 2, 2017 Planning Commission meeting.
- Proposed land use categories (which relate to the graphic depictions on the Land Use Plan map).
- Planning Commission considerations.
- A revised draft 2040 Land Use Plan map (dated December 5, 2017)
- The proposed Adelman property conceptual land Use Plan
- Requested Planning Commission feedback
- Next steps

It was specifically explained that a revised draft Land Use Plan map and supportive text have been prepared as a follow-up to discussion which took place at the November 2, 2017 Planning Commission meeting and that map revisions take into account specific feedback recently received from Adelman property representatives. It was noted that the Adelman family owns property located in the northwest and southwest quadrants of the County Road 2/Interstate 35 interchange and therefore have an interest in the City’s land use planning efforts which will apply to their property.

Christianson specifically noted that the draft Land Use Plan attempts to balance private development interests conveyed by the Adelman's with long-term planning principles. Christianson also explained that the inclusion of the "Business / Limited Industrial Park" land use category is a direct result of Adelman development interests and their specific requests to consider allowance of specific uses.

Following the Staff presentation, Jim Connelly of Appro Development spoke of behalf of the Adelman family partnership. Mr. Connelly expressed general comfort with the revised Land Use Plan. He did however, suggest that some opportunities for light industrial uses with accessory outdoor storage be allowed in the northwest quadrant of the County Road 2/Interstate 35 interchange.

Following Mr. Connelly's comments, the following comments were offered by the City Staff and the Planning Commission:

- Community Development Specialist Christianson noted that it is important that a positive community image be provided to southbound travelers on Interstate 35. In this regard, concern was expressed to related to the allowance of outdoor storage in the northwest quadrant of the County Road 2/Interstate 35 interchange (and being visible from the Interstate and County Road).
- As a follow-up to Christianson's comment, Planner Kirmis suggested perhaps outdoor storage concerns in the northwest quadrant could be addressed through the allowed arrangement of uses and through subdivision design and implemented through the City's Zoning Ordinance. In this regard, it was suggested that "Business / Limited Industrial Park" lots which abut the interstate not be allowed to have accessory outdoor storage.
- The Planning Commission stressed the need to convey a quality community appearance to passersby on Interstate 35 and County Road 2 via directives provided in the Comprehensive Plan and/or the City's Zoning Ordinance.
- The Planning Commission supported flexibility for limited outdoor storage in both the northwest and southwest quadrants of the County Road 2/Interstate 35 interchange, with appropriate buffers from roadways and adjacent zoning districts.
- It was noted by the Planning Commission that applications for forthcoming development projects in the northwest quadrant will be subject to Planning Commission review and City Council approval (via the subdivision and site/building plan review process) and that site-specific issues can be addressed as part of such process.
- Planner Christianson noted that, if a particular use is listed as a permitted use within a specific zoning district, the Planning Commission will have limited input in the development design. It is therefore extremely important that design standards and desires of the Planning Commission be established in the City's Zoning Ordinance.

In response to received Planning Commission input (on the draft 2040 Land Use Plan), Community Development Specialist Christianson advised the Planning Commission that the Plan text will be refined and reviewed at the forthcoming January 5, 2018 Planning Commission meeting.

B. ATV and Golf Cart Discussion

At the November 2, 2017 Planning Commission meeting, Planning Commissioner Smith raised question regarding City regulations which pertain to the use of all-terrain vehicles (ATV's) and similar vehicles (i.e. golf carts) in the City. At the meeting, Smith indicated that he feels that the use of such vehicles in the City would be an economical means to run errands.

Community Development Specialist Christianson summarized the City's existing City Code regulations which pertain to the use of ATV's and similar vehicles. It was specifically noted that snowmobiles and ATV's are currently allowed on streets within the City only for the purpose of going to or returning from a non-highway are of permissible operation, and subject to other various conditions including, but not limited to, a licensing/registration requirement. It was also noted that golf carts are not currently regulated by the City Code.

Christianson also summarized her research of the adjacent communities regarding the allowance of ATV's and similar vehicles. Specifically, regulations applied in the Cities of Jordan, Lakeville, Lonsdale and New Prague were referenced. It was noted than none of the researched cities allow ATV's to be driven on city streets.

Christianson also noted that the regulation of ATV's and similar vehicles in the City is not considered a "zoning" issue which is regulated by the Zoning Ordinance, but is regulated by the City's Traffic Code. Further, Christianson expressed her opinion that City Code requirements related to ATV use have historically not been enforced to their full extent and that further investigation or attention into the issue may prompt increased enforcement of the City's existing requirements.

Following Community Development Specialist Christianson's presentation, the Planning Commission concluded that the regulation of ATV and similar vehicles in the City is not a "zoning" issue and is therefore outside of the purview of the planning Commission. In this regard, it was suggested that Planning Commissioner Smith raise the issue with the City Council if he chooses to pursue the matter further.

C. Food Truck Regulations and Discussion

Community Development Specialist Christianson informed the Planning Commission that the City has received an inquiry related to food trucks. Christianson noted that such uses are presently allowed in the City via a transient merchant license which is approved on an annual basis.

Recognizing that food trucks are growing in popularity, Christianson suggested that City Staff be directed to conduct research related the regulation of food trucks and identify possible City Code changes which may be in the best interest of the City.

Finally, Community Development Specialist Christianson noted that notification of the food truck inquiry and is only informational at this time and that she expects this item to be discussed further at the forthcoming January 2018 Planning Commission meeting.

Following Christianson's presentation, the Planning Commission suggested that the regulation of food trucks should be explored further by City Staff.

D. Small Cell Tower Discussion

Chairman Thompson noted that he is employed by a company which is directly related to the "small cell" industry. As a result, he advised the Planning Commission that the small cell tower discussion was removed from the agenda pending a determination by his employer whether his potential participation in related discussions would constitute a "conflict of interest."

9 MISCELLANEOUS

A. Grant Award - West Interchange Area AUAR

Community Development Specialist Christianson informed the Planning Commission that the City has been awarded \$77,500 for an AUAR to be completed for all property owned by the Adelman family near the County Road 2/Interstate 35 interchange. It was noted that such funds, along with a potential for \$38,750 in additional matching funds to be paid by the Adelman family, will fund an AUAR, a wetland delineation and a tree inventory (as steps toward the eventual development of the properties).

B. City Staff / Consultant Updates

Community Development Specialist Christianson provided updates on various City projects as provided in her memorandum dated December 5, 2017.

In response to Planning Commission inquiries, more detailed updates on the New Market Bank and Dakota Acres projects were provided.

C. Planning Commission Terms and Expectations

Community Development Specialist Christianson provided a summary of Planning Commissioner appointment terms and noted that the City imposes an educational requirement upon its Commissioners.

In regard to the educational requirement, Christianson encouraged the Commissioners to attend a Government Training Service (GTS) session which are conducted periodically.

Following Christianson's presentation, Chairman Thompson raised question whether the continuing education requirement applies to himself and other Commissioners whom have tenures of more than three years. It was concluded that issue will be investigated by Community Development Specialist Christianson.

D. Planning Commission Questions and Comments

The following comments/questions were discussed by the Planning Commission:

Dale DeGross Inquiry. Mr. DeGross, who has ownership interest in property located south of County Road 2 and east of France Avenue, asked the Planning Commission if the various uses depicted on the draft 2040 Land Use Plan map can be used as part of the marketing of his property.

Community Development Specialist Christianson advised Mr. DeGross that, while the draft Land Use Plan is generally supported by the Planning Commission at this time, it could change pending comments received from the City Council and the general public (as part of a community open house and public hearing).

Planning Commission Meeting Day. Chairman Thompson suggested that the day of Planning Commission meetings be changed. It was specifically noted meetings on Mondays, Tuesdays or Wednesday are preferred over the current Thursday meeting day. The Planning Commission specifically suggested that the second Tuesday of the month be investigated as an alternative meeting day.

Community Development Specialist Christianson indicated that she will follow-up on the Planning Commission's request to change the Planning Commission meeting day.

10. ADJOURNMENT

A motion was made by Hartzler and seconded by Vetter to adjourn the meeting at 8:27 p.m. Vote for: Thompson, Kruckman, Hartzler and Vetter. Against: None. Abstained: None. Motion carried: (4-0).

Submitted by:



Renee Christianson
Community Development Specialist