

**MINUTES  
CITY OF ELKO NEW MARKET  
PLANNING COMMISSION MEETING  
JANUARY 30, 2024  
7:00 PM**

**1. CALL TO ORDER**

Chair Weber called the meeting of the Elko New Market Planning Commission to order at 7:04 p.m.

Commission members present: Weber, Hanson, Smith, Pipo, Heimerl, and Ex-Officio Member Anderson

Members absent and excused: None

Staff Present: City Administrator Thomas Terry, Senior Planner Renee Christianson, and Planner Jake Skluzacek

**2. PLEDGE OF ALLEGIANCE**

Chair Weber led the Planning Commission in the Pledge of Allegiance.

**3. APPROVAL OF AGENDA**

Chair Weber asked if there were any changes to the agenda. Senior Planner Christianson informed her that there were no changes.

A motion was made by Hanson and seconded by Weber to approve the agenda as presented. Motion carried: (5-0).

**4. PUBLIC COMMENT**

None.

**5. ANNOUNCEMENTS**

None.

**6. APPROVAL OF MINUTES**

A. Commissioner Smith noticed a grammatical error on page 5 of the minutes and instructed Staff. Planner, Jake Skluzacek, noted he will correct the error.

A motion was made by Smith and seconded by Weber to approve the minutes of the December 19<sup>th</sup>, 2023, meeting with the change on page 5. Motion carried: (5-0).

## 7. PUBLIC HEARINGS

### A. Consider Amendment to Title 11 of the Zoning Ordinance to Address Portable Storage and Shipping Containers

Planner, Jake Skluzacek, presented background information related to the draft Ordinance Amendment. Initially, a resident inquiry to utilize shipping containers to construct an accessory structure led Staff to gain feedback from the Planning Commission during the April 25<sup>th</sup>, 2023, Planning Commission meeting. Following the meeting, Staff was directed to research other City ordinances to draft an Ordinance Amendment that would allow the use of the structures temporarily for storage but not for dwellings or permanent detached accessory structures.

Skluzacek explained that at the June 27<sup>th</sup>, 2023, Planning Commission meeting, further feedback received from the Planning Commission indicated a willingness to allow shipping containers for permanent storage in industrial districts. Staff were directed to prepare a final draft Ordinance Amendment for public hearing. Staff were forced to delay the public hearing due to a meeting cancellation and no action has been taken on the topic since.

The draft Ordinance Amendment creates two new definitions to the City Code under Section 11-2-2 to read as follows:

- ***Portable Storage Container*** – *A large, secure, and weather-resistant box that can be conveniently moved from place to place and used for temporary storage purposes.*
- ***Shipping Container*** – *A large, steel box designed and built to transport goods by sea or land. In the container industry, they are referred to as ISO or Intermodel Containers.*

The draft Ordinance Amendment creates Section 11-6-13 to read as follows:

- A. In all zoning districts, the use of portable storage containers or shipping containers, and other similar structures or containers for temporary storage on a driveway or parking lot is allowed, but in no event shall such containers be present for more than 60 days in any one-year period.***
- B. In all industrial zoned districts, the use of permanent portable storage containers, shipping containers, and other similar structures or containers for storage on a lot is allowed, but such containers shall be located on a surface of concrete, bitumen, or pavers.***
- C. Portable storage containers and shipping containers shall comply with the standard setback requirements for accessory structures. Portable storage containers, shipping containers, and other similar structures or containers for storage shall not be used as a dwelling or an accessory use structure.***

Skluzacek stated that the Planning Commission is being asked to hold a public hearing regarding the proposed amendments to the Zoning Ordinance. Following the public hearing, the Planning Commission will be asked to provide a recommendation to the City Council regarding Ordinance #285 Amending Title 11 of City Code Concerning Revisions to the Zoning Ordinance. The City Council will then act on the Planning Commission's recommendation at the February 8<sup>th</sup> City Council meeting.

Chair Weber opened the hearing to public comment at 7:09 PM.

Hearing no public comment, Chair Weber closed the public hearing at 7:10 PM.

A motion was made by Smith and seconded Hanson to recommend that the City Council approve Ordinance #285 Considering Amendment to Title 11 of the Zoning Ordinance to Address Portable Storage and Shipping Containers. Motion carried: (5-0).

## **8. GENERAL BUSINESS**

A. None.

## **9. MISCELLANEOUS**

### **A. Request for Comprehensive Plan Amendment, R & F Properties**

Senior Planner, Renee Christianson, displayed a preliminary concept redevelopment plan for property owned by R & F Properties and advised the Commission that the City has received an application for Comprehensive Plan amendment, to re-guide land uses on the property. Christianson reminded the Commission of concept plans for Elko Market Place portion of the property which had been presented to the Planning Commission for comment in 2023. Those previously presented plans included a single multi-family building, and a mixed use building that would contain commercial on the main floor and multi-family above in Elko Market Place, and the Commission had expressed preliminary support for the concept at that time.

Christianson further delved into the submitted concept redevelopment plan to see if the Planning Commission had any initial input on the plan. The southern portion of the property, Area 4 as designated on the concept, is currently guided for medium-density residential. The applicant is unlikely to meet the density requirements for that land use designation so a Comprehensive Plan amendment to re-guide this area from medium-density residential (5 to 10 units per net acre) to low-density residential (2.5-5 units per net acre) has been submitted. The overall property's zoning could remain as PUD which would allow the Elko Speedway, movie theater, and construction company's activities to continue until such time as the owner chooses to rezone the property for residential development.

Area 3 displays more single-family homes in the location of the current Elko Speedway. The area is currently guided for commercial land use and a Comprehensive Plan amendment to re-guide this area to Low-Density Residential has been submitted. The zoning of this area

would remain as PUD as well for the reasons stated above, until the property owner chooses to redevelop for residential purposes.

Area 2 displays townhomes in a location of the property south of Elko Market Place and adjacent to France Avenue. A Comprehensive Plan amendment to re-guide this area from Commercial to Medium-Density Residential has been submitted. The zoning of this area would remain as PUD like the others for the reasons stated above.

Area 1 includes Elko Market Place. A Comprehensive Plan amendment has been submitted to add a new mixed-use land use designation to the City's Comprehensive Plan, and to re-guide this area to the new mixed-use land use designation. An amendment to the City's Zoning Ordinance to create a new zoning district that allows mixed-use (commercial, high-density residential, and/or mixed-use buildings) would also be needed. Area 1 is currently zoned PUD with underlying commercial zoning; the area would need to be rezoned to allow for high density residential or mixed-use development.

Commissioner Pipo expressed concern with the lack of commercial buildings in the City and believed more commercial would lead to more local employment for residents. Smith suggested that the area proposed for townhomes along France Avenue be relocated to the area adjacent to Market Place Boulevard. Commissioner Smith and Chair Weber agreed that they would recommend a buffer between the two varying land use designations based on the submitted concept.

## **B. Your Role as a Planning Commissioner**

City Administrator, Thomas Terry, provided a presentation to the Commission on their roles as a Planning Commissioner. The presentation contained information on Commissions, the Planning Commission's bylaws, duties/responsibilities, roles in the process, and challenges they face.

## **C. 2024 Building Permit Summary**

Senior Planner, Renee Christianson, provided the 2024 Building Permit Summary to the Commission. Total permits were down in 2023 compared to 2022. 2023 saw 36 apartment units and 1 commercial development compared to 0 for both in 2022. Discussion took place by the Commission on reasons why permits are down. Higher rates and inflation are suspected to be the main contributors.

Christianson displayed a comparison of housing unit permits of other cities and the trend was the same for many other cities including Belle Plaine, Dundas, Prior Lake, and Lakeville. There were still several cities that have not shared their information with Staff prior to the meeting.

## **D. Vacant Lot Inventory**

Senior Planner, Renee Christianson, provided an updated vacant lot inventory for 2024. This inventory contains residential, commercial, and industrially zoned lots broken down by

location in the City. This tool is helpful for Staff to show developers and buyers what property in the City is available and has contact information with the associated owners or agents. Christianson quickly described the residential, commercial, and industrial properties contained on the vacant lot inventory for 2024.

Currently, there are 136 (40 townhome) lots available for single-family construction in the City which corresponds to a two-year inventory of single-family residential lots. A two-three year inventory for single-family residential lots is considered a healthy inventory for a City of our size.

## **E. Comprehensive Plan Overview**

- **Chapter 4 – Natural Environment**

Planner, Jake Skluzacek, provided a presentation to the Commission regarding Chapter 4 of the City's Comprehensive Plan, Natural Environment. There was no discussion.

## **F. 2023 Planning Commission Accomplishments**

Senior Planner, Renee Christianson, recapped the 2023 Planning Commission accomplishments with the Commission. They included 4 adopted Ordinance amendments, 4 active Ordinance amendment discussions and various land use applications that were submitted and acted on in 2023.

## **G. Community Development Updates**

Senior Planner, Renee Christianson, informed the Commission that there were no additional updates.

## **H. Planning Commission Questions & Comments**

City Administrator, Thomas Terry, asked the Commission if they had any questions for him while he was attending the meeting. Commissioner Pipo asked for an update on the Niagara project. Terry informed the Commission that the aquifer pump testing that was required by the Department of Natural Resources, DNR, has been completed. A permit decision from the DNR on the City's water appropriations permit is expected by late June or early July.

Senior Planner, Renee Christianson, updated the Commission on the grading permit for Ryan Companies. They are allowed to grade the property but no utilities can be installed nor building permits issued. City Engineer, Rich Revering, mentioned that the grading permit is almost expired, and it is likely that they will be requesting an extension shortly.

## **10. ADJOURNMENT**

It was moved by Hanson and seconded by Weber to adjourn the meeting at 8:15 p.m.  
Motion carried: (5-0).

Respectively submitted by:

A handwritten signature in black ink, appearing to read "Jake Skluzacek". The signature is written in a cursive, flowing style.

Jake Skluzacek  
Planner 1