

**MINUTES  
CITY OF ELKO NEW MARKET  
PLANNING COMMISSION MEETING  
May 26, 2020  
7:00 PM**

At the start of the meeting, Community Development Specialist Christianson read the following statement into the record: The City has determined it is not practical or prudent to conduct an in-person Planning Commission meeting due to the local state of emergency and social distancing guidelines implemented by Governor Walz. Accordingly, this meeting will be an electronic meeting and conducted under Minnesota Statutes section 13D.021. To the extent practical, members of the public may attend the meeting by utilizing the published link and call in information.

Christianson also stated that due to the electronic meeting format, the meeting would be largely led by City staff, as opposed to being led by the Chair, which is typical. She read allowed the meeting protocol as follows:

- The host will keep all participants muted until the public hearings are opened.
- The Planning Commission will not be muted.
- Staff will specifically solicit question or comments from the Commission and public at various points during each item. Please hold questions and comments until requested.
- If you wish to speak, please “Raise Your Hand” virtually.
- Staff will individually recognize those wishing to speak, and will invite you to speak and unmute your microphone. If you are not being recognized, provide an obvious visual indicator such as raising your hand or waving at the camera. Or, send an email to the Community Development Specialist at rchristianson@ci.enm.mn.us
- Your microphone will be re-muted after you have spoken.
- All votes will be by roll, called by Staff.

She explained for audience members how to “raise their hand” to participate in the meeting on a PC, on a phone or tablet, or if one dialed in by phone. Introductions of the City’s Planning Commission, and City staff were made.

**1. CALL TO ORDER**

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

Commission members present: Smith, Humphrey, Kruckman, Hanson, Schuenke, and Ex-officio member Anderson

Members absent and excused: None

Staff Present: Community Development Specialist Renee Christianson, Planner Haley Sevensing, City Engineer Rich Revering

**2. PLEDGE OF ALLEGIANCE**

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

**3. APPROVAL OF AGENDA**

A motion was made by Hanson and seconded by Smith to approve the agenda as submitted.

By Roll Call Vote:

Commissioner Hanson - Aye  
Commissioner Humphrey – Aye  
Commissioner Kruckman – Aye  
Commissioner Schuenke – Aye  
Commissioner Smith - Aye

Motion carried: (5-0)

**4. PUBLIC COMMENT**

There was no public comment.

**5. ANNOUNCEMENTS**

A. None.

**6. APPROVAL OF MINUTES**

A. Chairman Kruckman noted a spelling correction on Page 6 of the draft meeting minutes. It was then moved by Smith and seconded by Schuenke to approve the minutes of the April 28, 2020 meeting with one correction.

By Roll Call Vote:

Commissioner Hanson - Aye  
Commissioner Humphrey – Aye  
Commissioner Kruckman – Aye  
Commissioner Schuenke – Aye  
Commissioner Smith - Aye

Motion carried: (5-0)

**7. PUBLIC HEARINGS**

A. None

**8. GENERAL BUSINESS**

**A. Consider Request for Vacation of Right-of-Way – Mark & Lori Rogers**

Christianson presented the agenda item, which is a request by Mark and Lori Rogers to purchase a portion of City street right-of-way adjacent to their property located at 9711 265<sup>th</sup> Street East. A written request was received by the City which states the purpose of the

request is so the Rogers can build a detached garage on land that is currently platted as City street right-of-way. The Rogers would like to acquire 4,270 square feet adjacent to their property. Christianson explained to the Commission that the City can vacate right-of-way pursuant to Minnesota Statute 412.851, if the City determines that there is no public purpose for the underlying land. Upon vacation of right-of-way, the land automatically reverts to the adjacent property owners.

Christianson explained that staff was seeking preliminary feedback from the Planning Commission which will be forwarded to the City Council for consideration. She displayed a survey of the applicant's property showing the location of the home and property boundaries, noting that there is approximately 28' between the home and west property line.

Christianson explained that there are no existing utilities (sewer/water/stormsewer) within the subject right-of-way. She then explained that staff reviewed the City's Comprehensive Plan to determine if any of the City's adopted plans affect the property being requested for vacation. Both the adopted 2030 Transportation Plan and the Draft 2040 Transportation Plan do depict a future road corridor running north/south in proximity of the right-of-way being requested for vacation. A map showing the overall area was displayed and it was noted that there is a large amount of undeveloped property to the north and east of the subject property. For this reason, staff felt the request to vacate the right-of-way was premature and should not be approved at this time. The Commission provided comment as follows:

- Commissioner Humphrey stated that he was not supportive of approving the request at this time.
- Chairman Kruckman stated that because there is a lot of undeveloped land in the area and there is a potential for development, the right-of-way might be needed in the future.
- Commissioner Smith stated that he is not supportive of vacating the right-of-way at this time.
- Commissioner Hanson stated that she is not supportive of vacating the right-of-way at this time and noted that the property owner seems to be utilizing a portion of the City right-of-way and there needs to be some clean-up at the property.
- Chairman Kruckman stated that she believes it is best to wait, and not vacate the right-of-way.
- Scheunke stated that he is not supportive of vacating the right-of-way because the property owners have ability to construct a garage on their existing property while meeting setback requirements.

The consensus of the Commission was that the City not vacate the requested road right-of-way for the purposes of conveying property to the Rogers for construction of a detached accessory structure for the following reasons:

1. The City's adopted Transportation Plan shows a future road corridor within the Railway Street right-of-way, and therefore the area should be preserved for possible future roadway extensions.

2. There is a significant amount of undeveloped land located to the north and east of the subject property. Until the surrounding property develops into its highest and best use, the City should not consider vacating the right-of-way which may be determined necessary during development of the surrounding property.
3. The property owners have more than 25' located along the westerly side of their existing attached garage to create additional attached garage space.
4. The Rogers have sufficient room on the southerly side of their property to construct a detached accessory structure within setback requirements.

## **B. Housing Presentation**

Sevening presented to the Commission information regarding housing. The presentation covered many key terms and definitions in the affordable housing industry, data regarding the current housing market in the Minneapolis-St. Paul metropolitan area, data regarding income, and an affordable housing “toolbox” with programs and/or policies that the City has implemented, or could be implemented to foster affordable housing. Reviewed in detail was the definition of Area Median Income, and how that definition applies to housing affordability. Sevening reviewed with the Commission the following tools that could be further explored by the City of Elko New Market, as follows:

- Filtering
- Deferment/Assessment of Fees
- Conduit Financing
- Tax Abatement/TIF
- Removal of Regulatory Barriers
- 4D Tax Program
- Water and Sewer Truck Fee Waiver Program
- Accessory Dwelling Units
- Inclusionary Housing
- Funding/Grants

Sevening noted that the City does already have some policies in place regarding deferment of city fees, conduit financing, tax abatement and TIF.

The Commission specifically asked about development and building fees, and how Elko New Market compared with other communities. Christianson reviewed the most recent development fee comparison from 2018 which showed that Elko New Market’s fees are somewhat higher than other communities. Revering cautioned the Commission about comparing the City’s fees with other communities because every community situation is different.

Smith commented that he is interested in further researching Accessory Dwelling Units and reviewing the Zoning Ordinance to see where changes could be made, and he noted that anything to do with city fees is under the purview of the City Council and not the Planning Commission.

Following significant discussion by the Planning Commission, the Commission recommended that City staff continue to further research all of the tools identified by staff for further review by the Planning Commission.

## **9. MISCELLANEOUS**

### **A. Temporary Outdoor Customer Service Areas**

Christianson advised the Commission that a resolution is being drafted for consideration by the City Council which will allow businesses to establish outdoor customer seating areas, areas for display of products for sale, or other flexibilities to City regulations as determined by the City Administrator, to maximize business operations while complying with the Governor's emergency orders regarding COVID-19. The resolution would temporarily waive most typical City Code requirements for outdoor areas.

### **B. Roundabout Cost Update**

Christianson provided a detailed cost estimate for the CSAH 2 & 91 roundabout, including the City costs, which are estimated at \$1.048 million. She mentioned that the City Council elected to add trails to the project which added approximately \$300,000 to the project, and also decorative lighting which added approximately \$320,000. Both the trail and decorative lighting costs are included in the \$1.048 million City cost.

Kruckman asked what the plan is for the current police station facility. Christianson stated that there are no current plans for re-use of the building. There are minor improvements that will be made to the building as part of the contract to construct the new police station, but a re-use of the building has not been determined.

### **C. Community Development Updates & Reports**

A memorandum containing community development updates was included in the Planning Commission packet. There were no further questions from the Commission about the report.

### **D. Planning Commission Questions and Comments**

There were no further questions or comments from the Commission.

## **10. ADJOURNMENT**

It was moved by Smith and seconded by Humphrey to adjourn the meeting at 8:50 p.m.

By Roll Call Vote:

Commissioner Hanson - Aye  
Commissioner Humphrey – Aye  
Commissioner Kruckman – Aye  
Commissioner Schuenke – Aye

Commissioner Smith – Aye  
Motion carried: (5-0)

Submitted by:



Renee Christianson  
Community Development Specialist