

City of Empire Planning Commission Meeting Minutes

June 6, 2023

The City of Empire Planning Commission meeting was called to order by Jared Sachs at 8:00 PM.

Present were: Jared Sachs, Doug Clark, Gina Maunu, Julie Stulz, Elizabeth Haas, Jenni Faulkner, Brad Fisher, Charles Seipel-Teng, and City Councilmember Tom Kaldunski.

Dean George with Kwik Trip provided an update on the proposed plans for the property that they own at Highway 3 and 190th Street. The parcel is located on an Outlot of Providence 3rd Addition. The plans include a carwash. The proposed store will be 10,000 sq. ft. and will not have a diesel island. There will be a sidewalk connection to Stelzel Field Park. The plan is to break ground in June of 2024.

Planning Commission recommended berms on the east side of the property to limit light from parking lot lights. Pumps would face east as having the pumps face another direction will result in traffic flow behind the store. The store is located as far west on the property as permitted. Driveway spacing will need to be reviewed to ensure proper spacing requirements.

Kwik Trip is working on submitting applications for site plan review, CUP for the carwash, and preliminary and final plat applications for the platting of the Outlot property. Plans should be ready for review in four to six weeks.

Tom Schmit with Holcim Inc. inquired about the requirement to have a berm and setback on the north side of the Brand Mine on Biscayne Ave. The property directly to the north will be mined by McNamara at approximately the same time. The existing IUP and mineral extraction ordinance require a 50' setback. The Planning Commission was open to amending the mineral extraction ordinance. Holcim Inc. would need to apply for an ordinance amendment and possibly an amendment to their IUP.

The property owner at 19995 Chippendale Ave. W requested information on the possible leasing of an accessory structure on her property to an electrician. The building would be used for storage and the contractor only accessing the site periodically. This would fall under the classification of home occupation and Section 4.11, F states that the occupation shall not involve the rental of space. Therefore, the rental of the accessory structure to a business would not be permitted.

Jenni Faulkner indicated that Nitti Sanitation is seeking permits from the MPCA for the future transfer station at the Nitti site. In the Light Industrial District, there is an exception for processing facilities that handle solid waste as a conditional use. Therefore, it is the opinion of staff and the Planning Commission that to permit a transfer facility for solid waste, the zoning

ordinance would need to be amended. If the ordinance is amended, the Commission should be careful to determine where these types of facilities should be located. The facility would need to have proper screening. Staff should check into the ability to collect tipping or host fees for the site.

The Planning Commission reviewed a proposed comprehensive plan amendment from the City of Lakeville for the Tradition Development Corp. parcel. Jared Sachs made a motion to recommend no comment on the proposed amendment. Elizabeth Haas seconded. Motion passed 5-0.

It was reported that the administrative penalty Ordinance, No. 525, has been adopted by the City Council. A public hearing on the amendment to the Zoning Ordinance penalty section has been set for June 20th.

The Planning Commission reviewed more information on area franchise fees. Information from the cities of Otsego, Wyoming and North Branch was reviewed. Most cities classify farming operations as commercial accounts. North Branch calculated average usage for farming activities and franchise fees are based on average use, not peak use. Information on the franchise fee discussion will be presented to the City Council. The next step will be to draft a franchise ordinance for electric and gas utilities and work with the utility companies on franchise classifications.

Jerod Sachs made a motion to adjourn. Gina Maunu seconded.

Meeting adjourned at 9:05 PM.