

Empire Planning Commission Meeting Minutes

April 6, 2021

The Empire Township Planning Commission was called to order by Tom Kaldunski at 8:00 PM.

Present were: Tom Kaldunski, Trent Larson, Jared Sachs, Bob Bjerke, Doug Clark, Jane Kansier, Brad Fisher, Charles Seipel-Teng, and liaison Jamie Elvestad.

Public Hearing- A hearing to consider a request to rezone the property located south of Brandel Drive and west of Clayton Avenue (CR 81) from AG (Agricultural Preservation) to LI (Light Industrial).

Charles Seipel-Teng read the public hearing notices for the scheduled public hearing. No comments regarding the hearing were submitted to the Clerk's Office prior to the meeting.

Jane Kansier reported that Robert Nitti of Nitti Sanitation has filed for an amendment to the Zoning Map for the rezoning of approximately 47.5 acres from Agricultural (AG) to Light Industrial (LI). The rezoning request is for the portion of the parcel that is located west of Clayton Ave. The purpose of the request is to develop the parcel into an industrial park. The property is located in the northeast corner of the township, just south of 160th Street and west of Clayton Ave. The property is designated as industrial in the Future Land Use Plan.

Pang Thao Yang and Tou Yang, owners of the property directly to the south of the proposed rezoned parcel, had questions about the future operations of Nitti Sanitation on the site and had concerns about the potential for garbage and odors coming from the site. Dave Domack with Nitti Sanitation reported that their proposed operations must follow strict MPCA guidelines. Garbage transfer will take place inside of the facility. The facility will have large hanger doors inside of a building with negative pressure in the building to help prevent garbage from escaping. All garbage is moved from the site before the end of the day. The facility will look like a regular business operation from the outside.

Mr. Domack reported that Nitti Sanitation proposes to use a portion of the parcel for their business and future plans are to subdivide the remaining property for other industrial businesses. Nitti Sanitation would need a Conditional Use Permit for outdoor storage before they begin the process of applying for a building permit and applications to subdivide and plat the property would need to be submitted before they get to that point.

It was noted that property taxes will continue to be assessed for an agricultural use as long as the land is used for agriculture.

Jared Sachs made a motion to close the public hearing. Trent Larson seconded. Motion carried 5-0.

Tom Kaldunski made a motion to recommend approval of the requested zoning amendment for the property owned by Frandrup Farm Corporation, west of Clayton Ave., from AG to LI. Jared Sachs seconded. Motion carried 5-0.

The Planning Commission reviewed a proposal by Jennifer Braun to enroll six parcels of AG land into the Metropolitan Agricultural Preserve Program. The Township has received an application to enroll the parcels. To be eligible for enrollment, the parcels must be zoned for long-term agricultural use and be over 40 acres in size. Jane Kansier reported that these parcels are zoned AG and are identified to remain AG in the comprehensive plan. The parcels are not in an area that would see the extension MUSA services, so it is anticipated that they will remain in agricultural use for the long term.

Jared Sachs made a motion to recommend enrollment of the Braun parcels into the Metropolitan Agricultural Preserve Program. Trent Larson seconded. Motion carried 5-0.

It was reported that Brad Fisher has put together a rough estimate on a possible sanitary sewer extension to the Siewert parcel, at Highway 66 and Biscayne Ave. Brad Fisher reported that his estimate for an 8" sanitary sewer extension would be approximately \$600,000. The estimates do not include the potential extra costs for crossing the Vermillion River or the costs for connecting into a Met Council interceptor. After talking with the Met Council, future plans call for the potential of a larger interceptor line being installed south of the wastewater plant, along Biscayne Ave. There may be potential costs sharing involved with this interceptor. There may also be potential cost sharing involved if the Township were to partner with the City of Farmington to serve potential development further south.

It was noted that the existing water line that extends south across the Vermillion River should be sufficient to serve potential development of this parcel.

For additional research and planning for this parcel to take place, the property owner will need to submit applications for platting the property.

It was reported that there was some confusion on regulations for overnight street parking between Ordinances 240-B and 250-A. 240-B is seasonal and prohibits overnight street parking from 2AM to 6AM. 250-A is year-round and prohibits overnight street parking from 3AM to 6AM. It was the consensus of the Planning Commission that Empire Ordinances should prohibit overnight street parking year-round from 2AM to 6AM. One ordinance should be developed stating the 2AM to 6AM restrictions, to prevent any confusion.

The Planning Commission reviewed draft Ordinance 275; An Ordinance Defining Mobile Food Units (Food Trucks) and Establishing Regulations Thereof. Jane Kansier noted that the draft ordinance incorporates guidance from past discussions from the Planning Commission as well as State regulations for these types of units. Units are defined in the ordinance to include ice

cream trucks. Tom Kaldunski recommended that language requiring a permit from the Township to be displayed in the food truck, be added to the draft ordinance.

Tom Kaldunski made a motion to recommend that the Town Board consider adopting draft Ordinance 275; An Ordinance Defining Mobile Food Units (Food Trucks) and Establishing Regulations Thereof, with the addition of language requiring the display of the permit, to be included in the ordinance. Doug Clark seconded. Motion passed 5-0.

The Planning Commission reviewed a proposed Comprehensive Plan Amendment from the City of Farmington for the development of property south of the Church of St. Michael and rezoning the property from R-3 (Medium Density Residential) to R-2 (Low/Medium Density Residential). Jared Sachs made a motion to reply with “no comment” on the proposed Comprehensive Plan Amendment from the City of Farmington. Bob Bjerke seconded. Motion passed 5-0.

The Planning Commission reviewed a proposed Comprehensive Plan Amendment from the City of Apple Valley for the rezoning of the former Menards property on 150th Street from Commercial to Institutional. Trent Larson made a motion to reply with “no comment” on the proposed Comprehensive Plan Amendment from the City of Apple Valley. Jared Sachs seconded. Motion passed 5-0.

Meeting adjourned at 9:20 PM.