

City of Empire Planning Commission Meeting Minutes

August 1, 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, Elizabeth Haas, Gina Maunu, Julie Stulz, Jenni Faulkner, Brad Fisher, Charles Seipel-Teng, and Councilmember Tom Kaldunski.

Public Hearing #1- The Planning Commission Meeting was opened to a public hearing to consider an amendment to the Pine Bend/Dahn Construction CUP to modify screening requirements. Charles Seipel-Teng read the notice and noted that the city had not received comment prior to the hearing.

Jenni Faulkner reported that that applicant has applied for an amendment to the CUP to modify the screening plan to replace the trees in the original plan with a chain link fence with slats. Given that there is a minimum number of trees required on the site, the applicant has modified the request to keep one row of pine trees and to remove the proposed slats, except along the front facing fence line, with a total of 146 trees. The proposed fence will be 8' tall with barbed wire encompassing the area behind the building. The revised landscape and screening plan calls for a single row of evergreen trees around the east, west, and south lot lines and spaced 15' apart.

Julie Stulz made a motion to close public hearing #1. Elizabeth Haas seconded. Motion carried 5-0.

The Planning Commission discussed the proposal to place the fence on the outside of the screening area. The screening trees will need to be replaced if they die as a condition of the CUP. Andy Biggs noted that the trees have a two-year warranty. The Planning Commission would like to see a privacy fence instead of a chain link fence, if the fence is to be placed on the outside of the tree line.

Elizabeth Haas made a motion to recommend an amendment to the CUP to modify the screening plan with the option to include a fence that meets the definition of a privacy fence along with the required 146 trees and the fence placed outside the tree line, or the option to keep the existing plan with the double row of trees and the option to place a security fence inside the tree line. Gina Maunu seconded. Motion carried 5-0.

Julie Stulz made a motion to recommend approval of the proposed amendment to Ordinance No. 450. Doug Clark seconded. Motion carried 5-0.

Public Hearing #2- The Planning Commission Meeting was opened to a public hearing to consider an amendment to the 2040 Comprehensive Plan to reflect the change from Empire Township to the City of Empire.

Jenni Faulkner presented a memo with comments on the change. Comments were received from The City of Farmington regarding annexed areas, Dakota County Transportation regarding references to their updated transportation plan, Dakota County Parks, and Water Resources. The employment data has also been updated. There were no public comments at the meeting.

Julie Stulz made a motion to close the public hearing. Gina Maunu seconded. Motion carried 5-0.

Doug Clark made a motion to recommend approval of the amendments to the 2040 Comprehensive Plan. Julie Stulz seconded. Motion carried 5-0.

Charles Seipel-Teng reported on proposed amendments to the City's nuisance ordinances. Ordinance 281 is proposed to be amended to reflect the change from Empire Township to the City of Empire, as well as an amendment to Section 10., Abatement, to simplify the public notice requirements and include language regarding the court process as an alternative. Ordinance 281-A is proposed to be amended to only reflect the change from Empire Township to the City of Empire.

Elizabeth Haas made a motion to recommend the proposed amendments to Ordinances 281 and 281-A. Gina Maunu seconded. Motion carried 5-0.

It was reported that a tour of the waste transfer facility in the City of Blaine has been scheduled for Monday, August 7th.

Jenni Faulkner reported on updates regarding the State of Minnesota's cannabis laws. Cannabis can now be smoked on private and public property and grown in limited quantities inside of a private residence. Retail dispensaries will not be permitted until 2025 and will be licensed by the State. There may be more changes to State law regarding cannabis in the next legislative session. The Planning Commission recommended receiving an update on cannabis laws after the next legislative session to prior to considering ordinances regarding cannabis.

The Planning Commission reviewed an update from Dakota County Physical Development on updates. It was noted that the County, in conjunction with the Soil and Water Conservation District has developed a model Mining Ordinance that the city can review and compare with it's existing ordinance.

Julie Stulz made a motion to adjourn. Elizabeth Haas seconded.

Meeting adjourned at 9:10 PM.