

Empire Planning Commission Meeting Minutes

January 5, 2021

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

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

Lisa and Kim La Rosa at 19752 Butternut Trail presented a business plan to make and sell take and bake pies from their home at that address. The business will be called Mimsical Pies and would operate on a part time basis to serve residents as pies are ordered. The La Rosas do not anticipate the business to expand to more than a handful of pies per day but may see more during holiday seasons. It is not the goal of the business to become a full-time operation or to take business away from other local bakeries. In the warmer months, they plan to deliver the pies to their customers. The proposed operation will follow Department of Ag and MDH guidelines.

The Planning Commission held discussion to see if it would follow the definition of Home Occupation as defined by section 4.11 of the Zoning Ordinance. It was noted that staff would not be coming to the site as the residents of the home would be the only staff. There was concern about additional traffic that would be generated by the business and a precedence that it may set for other home occupations. After further discussion, it was determined that the Planning Commission would recommend approval of this proposal to the Town Board if it was determined that the pies would be distributed by delivery only. The La Rosas confirmed that having delivery only added to their business plan is workable. This recommendation will be brought to the Town Board for consideration at their next meeting.

Diane Caldwell, a realtor working on behalf of a client seeking to purchase property in Empire Township, presented plans that her clients have; to start a Halal and Kosher farming operation at a site on Chippendale Ave or Biscayne Ave. Livestock, primarily chickens, will be raised on the site. The operation will involve the humane slaughter of the animals and may include the operation of a storefront type business. If a residence is available on the property, it is anticipated that a worker will reside on the property. After discussion, it was determined that the Chippendale Avenue property would not permit this type of operation as it is zoned MXR in the Comprehensive Plan. The Biscayne Avenue property may be a possibility. The Planning Commission would like to see more information on the number of livestock proposed to be raised on the property, how the livestock will be housed, how corpses will be disposed, and how many customers are anticipated to be at the site day to day. The operation would need to comply with the number of animal units as defined in the Zoning Ordinance. If the proposed activity falls outside of general permitted uses in the AG District, a CUP and public hearing may

be required. Diane Caldwell indicated that she will gather that information and come back to the Planning Commission at a later date.

It was reported that staff are working on an update of the Fee Schedule Ordinance. Items from fees associated with new ordinances and rental facilities have been incorporated into the proposed ordinance. If the fee for a peddler's licenses is to change, this should also be updated in the ordinance. The Planning Commission indicated that if a fee is to be set in a new ordinance relating to food trucks, this will also need to be incorporated. Jared Sachs made and rescinded a motion to adopt an update fee schedule. A public hearing may be required before an updated fee schedule is adopted.

Discussion on food trucks took place. It was the consensus of the Planning Commission that food trucks should be limited to public park parking lots only as to not cause traffic safety concerns during operation. Jane Kaniser stated that she will have an outline for a proposed food truck ordinance prepared for the next meeting.

The Planning Commission reviewed a proposed Zoning Permit Application form. Jane Kansier stated that the form would be completed in instances that are required to follow the Zoning Ordinance, but man not necessarily need a building permit. Some instances that may require a Zoning Permit Application include home businesses, storage sheds, Ag structures. Several Townships in Dakota County require these permits and typically have a \$75.00 fee. It was noted that the application should require that the applicant to identify what zoning classification the property is, if the property is part of a homeowner's association, and include a property survey if necessary. The Zoning Permit process would allow staff to review and approve these items based on the information provided in the application. The applications would be brought to the Planning Commission for consideration if staff is not able to determine if the permit should receive approval. The permit would provide a way for the Township to document zoning activities and make sure they are in compliance. It was the consensus of the Planning Commission that such an application would be helpful and is needed. Staff will work on updating the draft application.

The Planning Commission reviewed a Petition for Annexation from the City of Farmington for annexation of the property at 21020 Chippendale Ct. by the City of Farmington. The Planning Commission has no objections to the annexation and recommended that it be accepted. Jared Sachs made a motion to accept the Petition for Annexation from the City of Farmington for annexation of the property at 21020 Chippendale Ct. by the City of Farmington. Trent Larson seconded. Motion carried 4-0.

It was reported that the IUP for Aggregate Industries for the Brandtjen Farms property has expired, but staff at Aggregate Industries is working on submitting an application for renewal. The SET site has also submitted an application for the renewal of their IUP that will expire in April.

It was reported that filing for Town Board is open until 5:00 PM on January 12th.

Meeting adjourned at 9:30 PM.