

**BELLE PLAINE PLANNING & ZONING COMMISSION
REGULAR MEETING
FEBRUARY 10, 2020**

PLEDGE OF ALLEGIANCE

Chair Cauley led those present in the Pledge of Allegiance.

1. CALL TO ORDER. 1.1. Roll Call.

The Planning and Zoning Commission met in Regular Session on Monday, February 10, 2020 at City Hall 218 North Meridian Street, Belle Plaine, MN. Chair Cauley called the meeting to order at 6:31 PM with Commissioners Ryan Herrmann, Omni Kiecker, Ashton Pankonin and Lee Petersen present.

Also present were Community Development Director Smith Strack, City Administrator Meyer and Council Liaison LeMieux.

2. APPROVAL OF AGENDA.

MOTION by Commissioner Pankonin, second by Commissioner Kiecker, to approve the agenda as presented. ALL VOTED AYE. MOTION CARRIED.

3. ELECTION OF OFFICERS.

Vice-Chair Pankonin called for nominations for Chair.

MOTION by Commissioner Pankonin, second by Commissioner Kiecker, to nominate Commissioner Cauley as Chair. No more nominations were made. ALL VOTED AYE. MOTION CARRIED.

Chair Cauley called for nominations of Vice-Chair.

MOTION by Commissioner Kiecker, second by Commissioner Herrmann, to nominate Commissioner Pankonin as Vice-Chair. No more nominations were made. ALL VOTED AYE. MOTION CARRIED.

Chair Cauley called for nominations of Secretary.

MOTION by Commissioner Pankonin, second by Commissioner Petersen, to nominate Commissioner Kiecker as Secretary. No more nominations were made. ALL VOTED AYE. MOTION CARRIED.

4. APPROVAL OF MINUTES. 4.1. Regular Session Minutes of January 13, 2020.

MOTION by Commissioner Pankonin, second by Commissioner Herrmann, to approve the Regular Session Minutes of January 13, 2020. ALL VOTED AYE. MOTION CARRIED.

5. RECOGNITION OF INVOLVED CITIZENS.

*Persons may make statements to the Planning Commission pertaining to items **not** on the agenda. Maximum of three (3) minutes per speaker. No official action will be taken.*

No one stepped forward.

6. PUBLIC HEARINGS.

6.1. Ordinance 20-04 The Planning Commission will hear public comment on proposed Ordinance 20-04 which, if approved, will allow event centers as conditional uses in the B-3 Central Business District.

Community Development Director Smith Strack explained Jon Lonneman, owner of a property at 139 Main Street East proposes a code amendment to allow event centers as a conditional use in the B-3 Central Business District. Smith Strack explained at this time event centers are not specifically provided for within the B-3 district, however other types of assembly are allowed both as permitted use and under conditional use. Smith Strack noted a companion CUP request will follow in the agenda. Smith Strack explained the proposed conditions of: access from public street; activities are limited to indoor spaces, unless other permits issued; event center CUP may include limits on the number of patrons or attendees and other appropriate limitations based on the size of the site, structures, parking availability, and other relevant factors and compliance with all other City, State and Federal codes.

Commissioner Herrmann inquired if the Ordinance would affect any existing businesses. Smith Strack explained anything current will be grandfathered in and going forward it would be allowed. Commission Cauley inquired about parking standards. Smith Strack explained parking standards are not required in the downtown noting if the City Council requests a review it could be changed but it is not a default. Commissioners Cauley and Herrmann shared their concerns on parking issues and potentially tying parking to a rental of the property. Commissioner Pankonin suggested parking would be self-regulating and no parking would be a good problem to have. Councilmember LeMieux agreed with Pankonin and noted the possibility of promoting other business by foot traffic.

Commissioner Cauley opened the public hearing at 6:55 PM and asked for public comment.

Attorney for the applicant Jim Terwedo spoke on behalf of the applicant.

Jon Lonneman spoke stating the applicant has an existing parking lot and agrees parking would be self-regulating.

MOTION by Commissioner Kiecker, second by Commissioner Pankonin to close the public hearing at 6:59 PM. ALL VOTED AYE. MOTION CARRIED.

6.1.1 Resolution PZ 20-002, A Resolution recommending approval of Ordinance 20-04, an Ordinance amending Section 1101.00 (Definitions), Section 1103.08, Subd. 5(C) (Specific Conditional Use Standards), and Section 1105.11, Subd. 4 (Conditional Uses in the B-3 District) to provide for event centers as conditional uses in the B-3 Central Business District.

Community Development Director Smith Strack explained the parking code requirements for the previous event center in town and noted off-street parking in the downtown area is not reviewed at this time with requirements. Smith Strack explained CUP review criteria for specific uses is just part of all language and general conditions pertaining to conditional uses. She opined code language allows for flexibility to add additional conditions to individual use permit applications.

MOTION by Commissioner Kiecker, second by Commissioner Pankonin, to recommend Resolution PZ 20-002, A Resolution recommending approval of Ordinance 20-04, an Ordinance amending Section 1101.00 (Definitions), Section 1103.08, Subd. 5(C) (Specific Conditional Use Standards), and Section 1105.11, Subd. 4 (Conditional Uses in the B-3 District) to provide for event centers as conditional uses in the B-3 Central Business District. ALL VOTED AYE. MOTION CARRIED.

6.2. Conditional Use Permit – 139 Main Street East. The Planning Commission will receive and consider public comment on a request by Jon Lonneman for a conditional use permit under Section 1105.11, Subd. 4 of the City Code to operate an event center in an existing structure at 139 Main Street East in the B-3 Central Business District.

Community Development Director Smith Strack explained a Conditional Use Permit for Jon Lonneman and Andrew Dick at 139 Main Street East for Velvet Touch Catering and Event Center was received for a portion of the building. Smith Strack explained the applicant represents: proposed use of the building is presented in the attached sketch dated February 4, 2020, the use consists of 5,440 sq ft of event center space, permitted

accessory uses include a commercial kitchen and lease office space, no expansion of the building footprint is proposed, the second story above the event center is owner-occupied residential dwelling, the applicant is a party to a contract to purchase the existing parking lot south of the subject parcel and the applicant's current catering operation consists of three employees. Smith Strack explained commercial uses in the Central Business District are exempt from off-street parking requirements and noted a change in occupancy and certificate of occupancy issuance is required before events can be held. Smith Strack explained no architectural plans have been submitted yet and if approved several conditions will be reviewed and added once submitted. Smith Strack explained notices were mailed, posted and published and no comments for or against were received. Smith Strack also noted staff and the City Attorney reviewed and sample conditions are included in the staff report.

Commissioner Cauley opened the public hearing at 7:10 PM and asked for public comment.

Attorney for the applicant Jim Terwedo explained he spoke with the Building Official and Community Development Director Smith Strack in regards to their concerns. Terwedo cited concerns with conditions numbers 9, 11, 12 and 13 and explained after speaking with the Community Development Director he and the applicant have a better understanding of the conditions.

Jon Lonneman stepped forward and noted Mr. Terwedo covered his concerns.

Commissioner Kiecker inquired on the reference to purchasing the property. Jon Lonneman explained he has the property under contract for deed. Commissioner Herrmann inquired if the space would be used as events only or if the space would eventually be used as a restaurant in the future. Lonneman explained approximately 10% of his business will be from Weddings of about 150 to 400 guests. Lonneman expects the event center will house about 250 people and will be available for small and large events daily. Lonneman also note others can cater in their event or he could do the catering. Commissioner Cauley inquired if the catering vehicles are kept onsite. Lonneman confirmed a red trailer and three additional vehicles are kept onsite. Cauley inquired if the kitchen will be open as a commissary kitchen in the future. Lonneman said that could be a possibility.

MOTION by Commissioner Pankonin, second by Commissioner Kiecker, to close the public hearing at 7:27 PM. ALL VOTED AYE. MOTION CARRIED.

6.2.1 Resolution PZ 20-003, A Resolution recommending approval of a conditional use permit for an event center at 139 Main Street East in the B-3 Central Business District.

Commissioners discussed parking and the effects of limited parking.

Community Development Director Smith Strack explained the City Attorney added detail language in condition four concerning storage. Smith Strack also noted the items of concern brought up by the applicants Attorney and noted rational behind the conditions.

MOTION by Commissioner Kiecker, second by Commissioner Pankonin to approve Resolution PZ 20-003, A Resolution recommending approval of a conditional use permit for an event center at 139 Main Street East in the B-3 Central Business District with the outlined conditions contained in the memo. ROLL CALL VOTE was taken with Commissioners Kiecker, Pankonin and Petersen voting AYE and Commissioners Herrmann and Cauley voting NAY. MOTION CARRIED.

Commissioner Cauley clarified after the vote she is not opposed to the event center however us uncomfortable approving without parking being tied to the CUP.

7. ADMINISTRATIVE REPORTS.

7.1. Commissioner Comments.

No comments were made.

7.2. Director's Report.

Community Development Director Smith Strack explained the directors report is in the packed and requested any questions.

7.3. Upcoming Meetings.

1. Next Regular Meeting, 6:30 p.m., Monday March 9, 2020.

The Commissioners were reminded of the upcoming meetings as listed.

8. ADJOURNMENT.

MOTION by Commissioner Kiecker, second by Commissioner Herrmann, to adjourn the meeting at 7:44 PM.
ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary