

EAST BETHEL PLANNING COMMISSION MEETING
January 23, 2024

MEMBERS PRESENT: Chair Tanner Balfany, Glenn Terry, Sharon Johnson, Gabriel Hanschen, and Joe Reiter

MEMBERS ABSENT: None

ALSO PRESENT: Aaron Berg, Community Development Director
Jim Smith, City Council Liaison

1.0 Call to Order

Chair Balfany called the Planning Commission regular meeting to order at 7:00 pm.

2.0 Adopt Agenda

Commissioner Johnson moved and Commissioner Terry seconded to adopt the agenda as presented. Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

3.0 Approve November 28, 2024 meeting minutes

Johnson referenced page 5, line 182, and noted that the word ‘complaint’ should be changed to ‘compliance’. Page 11, line 466, the word ‘every’ should be changed to ‘ever’.

Terry referenced page 4, line 148, and noted that the word ‘now’ should be changed to ‘not’.

Commissioner Hanschen moved and Commissioner Johnson seconded to adopt the November 28, 2024 regular meeting minutes as amended. Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

4.0 Public Hearing:

4.0A Septic Variance – 4310 Channel Lane NE – Sue Jensen

Berg reviewed staff’s report stating the Planning Commission is being asked to hold a public hearing to consider the variance request of Sue Jensen, 4310 Channel Lane NE, for reduction of the front yard setback for a septic system replacement. He explained that on November 16, 2023, the City received an application from the owner of 4310 Channel Lane NE, to allow the replacement of a non-compliant septic system at the address. The applicant had hired Lashinski Services, Inc. to repair the existing system servicing the property. Lashinski Services, Inc. discovered the location of the existing system is the only location on the .47 acre parcel for the system due to the lot shape, building placement, and shoreland setbacks. While creating the septic design to remove and replace the existing drain field Lashinski Services, Inc. discovered that it was placed in a City right-of-way (ROW).

Berg referenced Attachment 4 of the meeting packet, noting the subject site, 4310 Channel Lane NE, is located in the Oak Ridge Second Addition, which was originally approved and platted in July 1962 by the Village of East Bethel Council. Staff have researched the property records and discovered there was septic work completed in 1979, in which a drainfield was added to an existing system. City staff is unable to locate any license agreement or variances issued to permit the existing placement, nor any discussion in Council minutes from 1962 or 1979.

Berg stated the applicant has owned the property since September 1991, has no knowledge of any previous variance or license, and is looking to fix the system in order to put the house on the market for a future sale. If a variance is approved, a Licensing and Use Agreement will be required to permit the use of the ROW in order to reconstruct the drainfield in its current location as it is 30 feet into the

ROW and straddling the front property line. The applicant is requesting a variance to reduce the front yard setback standard from 10 feet to 0 feet for the replacement of the septic drainfield and tanks.

Berg noted the system current placement meets setback requirements of all wells in the area. He presented consideration of a variance that requires the following three-factor test for practical difficulties and staff findings related to this case as follows:

- The first factor, a test of reasonableness, means that the landowner would like to use the property in a practical way but cannot do so under the rules of the ordinance.

In this case:

Septic systems are required for a home to be considered habitable. The approval of the variance would allow this property to continue to be used as a residence.

- The second factor is, a test of uniqueness, the issue for the variance is due to circumstances unique to the property and not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular property.

In this case:

The property has limited space for a drain field due to the lot sizes created by this 1960's era plat. The primary structure (home) was placed approximately 36.5 feet from the Ordinary High Water Level OHWL, 31.1 feet from the front lot line, and 10.5 feet from the side yard lot line. The detached garage was placed 60 feet from the OHWL, 22.7 feet from the front property line and 18.4 feet from the side yard lot line.

Today's Shoreland setback for structures is 75 feet from the OHWL, 25 feet from the front lot line and 7 feet from the side yard lot lines. Additionally, there is 30 feet between the primary residence and the detached garage.

Current setback requirements for sewage treatment systems are 50 feet from the OHWL, 50 feet from any well, 20 foot from any structure and 10 foot setback from any property line. Tanks are required to be placed 10 feet from any structure and 10 feet from property lines. The well serving this residence is in the basement of the house.

- The third factor is, that a variance would not alter the essential character of the neighborhood. This factor is used to consider whether the resulting structure or improvement will be out of scale, out of place, or otherwise inconsistent with the surrounding area.

In this case:

The existing non-compliance sewage treatment system is already in this location and it is being proposed to be replaced. It has existed in this location since at least May 1979 when a permit was issued for installation.

Berg asked the Planning Commission to hold a public hearing regarding a variance for the reduction of front yard setback for the installation of a sewage treatment system at 4310 Channel Lane NE. Staff recommends the Planning Commission consider making a recommendation to the City Council to adopt a resolution granting a variance to a reduction of the standard allowing for the installation of a replacement septic system, at the front yard setback standard from 10 feet to 0 feet at 4310 Channel Lane NE, conditioned on obtaining a License and Use Agreement.

Balfany opened the public hearing at 7:09 p.m.

No comments received.

Balfany closed the public hearing at 7:10 p.m.

Commissioner Reiter moved and Commissioner Johnson seconded to recommend the City Council Adopt Resolution 2024-12, granting variance for the reduction in setback from the front property line from 10 feet to 0 feet for the installation of a septic system drainfield on property located at 4310 Channel Lane NE (PIN: 25-33-23-33-0035), with the following conditions:

- 1. A License and Use Agreement with the City of East Bethel must be obtained prior to the issuance of a septic replacement permit.**

Balfany asked any discussion? Terry noted that he was curious about the well location inside the home and did not remember seeing that come up before. Berg stated that he had asked the applicant to have a survey done so the City had exact locations for things on the property. Berg reviewed the survey and explained the location of the well and noted that, at that point in time, it was not uncommon for wells to be punched inside in order to prevent freezing issues.

Terry asked if the well location would be something that could prevent the sale of this property. Berg noted that Lashinski has indicated that the indoor well will need to be sealed and the well be moved, which could be a condition of sale and be taken care of after the fact. Berg noted that before it can be done they will need to know where the septic system will go.

Berg reminded the Commission that the City did not regulate wells because that was handled by the Department of Health.

Reiter stated that when he was looking at this and considering the impact on the neighbors he felt it was a creative way for them to get another home in the neighborhood, but that was not the fault of the current homeowner. Reiter stated that he feels this will be a really big improvement because it moves the septic farther away from the lake and gets a new septic system so there are a lot of positive aspects to this variance.

Balfany clarified that the existing drainfield was already in this spot and the contractor plans to replace it because this is the only spot it can go. Johnson noted that the consequence of not approving this request is that they would have to use a holding tank

Balfany stated to the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

This item goes before City Council on February 12, 2024.

4.0B Preliminary Plat – E. Bethel Boulevard & 198th Avenue NE – T.H. Construction of Anoka

Balfany noted that there had been an addendum to the information in the packet regarding bringing in covenants to the neighborhood.

Berg explained the Planning Commission is being asked to hold a public hearing on the request of T.H. Construction of Anoka for the Hidden Prairie Preliminary Plat. He explained that on July 25, 2023, the Planning Commission reviewed a Concept Plan for the revised development plan for a previously approved Preliminary Plat for the Hidden Pines Rural Residential Subdivision. The developer acquired additional adjacent land and incorporated the additional acreage into the revised plan. A public hearing was held and a recommendation of approval was forwarded to the City Council on August 14, 2023. The City Council approved the proposed Concept Plan.

Berg stated on January 5, 2024, a Preliminary Plat application and supporting materials were delivered to the City. This plat is consistent with the approved concept plan. It consists of 17 buildable single family rural residential lots. Within the RR- Rural Residential zoning district the minimum lot size required is 2 acres, with a density not to exceed 1 unit per 2.5 acres. All lots within the proposed Hidden Prairie Subdivision meet the 2 acre minimum lot size and the 17 units' fall below the density requirements. Additionally, each lot meets the required minimum 200 foot width at the right-of-way setback line.

Berg presented the following additional details:

Streets: The development will be accessed off East Bethel Blvd/County Road 15; therefore, the Anoka County Highway Department is required to review the plan. They submitted a comment letter on January 9th, 2024 with comments. The developer is required to satisfactorily address all comments prior to any grading of the site. The internal street will be constructed to city standards with no temporary cul-de-sacs permitted.

Public Works: East Bethel Public Works comments were addressed during the previously approved Preliminary Plat and they have provided no new comments.

Parks Commission: The new concept plan was placed on the August 8, 2023 Parks Commission meeting and they recommended Park Dedication Fees in lieu of park land. The Parks Plan does not support a park in this area of the City.

City Engineer: The City Engineer was sent the new Preliminary Plat for review on January 5, 2024. Although the review comments have not been received, the developer was required to satisfy any Preliminary Plat comments prior to filing a Final Plat application.

Berg stated staff requests the Commission hold a public hearing, discuss and consider recommending approval of the Preliminary Plat known as Hidden Prairie with the conditions set forth in the draft resolution to the City Council.

Balfany opened the public hearing at 7:20 p.m.

Barb Mace explained that this development will abut her land and asked if this had to be resurveyed once they purchased the additional land. She explained that when they had initially purchased the land, they had survey markers for the property lines which are gone and has not seen additional markers anywhere.

Jordan Carlin stated he owns 10 acres that abuts this development and it appears as though the planned road goes over his septic system. He noted that his septic design says it is 10 feet away but the drawings show it closer than that and asked if that was the case, who would be liable for moving the septic system. He stated the road also appears to run right down his property line and looks like it actually impedes his property. He asked if it would be: road-ditch-property line, or road-property line-ditch.

Balfany asked the developer to answer some of the questions that had been raised.

Tony Hennen, TH Construction, stated that they did do some surveying on the property already, but expects the surveyors to be out there about a dozen more times and noted that they will mark all the corners and the backs of each individual lot. Mr. Hennen stated that he had planned to get in touch with Mr. Carlin because he didn't want to go on his property without permission. He explained that he wanted to probe to see where the rock bed was located, but now the ground froze so they can't do it anyway. He noted that his understanding is that if the septic company put the system in the wrong spot, he would be the one obligated to move it. He stated that for the road, typically there is a 33 foot road easement to the road goes from the center of the road to the property line so it would be property line-ditch which means they may have to encroach a bit when they are cleaning up the sides. He explained that he was still intending to talk with Mr. Carlin about this, but noted that the first time they connected was just prior to the meeting.

Balfany confirmed that they had exchanged information and would be able to contact each other. Mr. Hennen stated that they would be talking to each other to get everything figured out.

Reiter clarified that the right-of-way is wider than the actual road so there would be about 15 feet between the road and property line. He asked if Mr. Hennen planned to dig a ditch within the right-of-way. Mr. Hennen explained that the road actually has ditches on both sides all the way back for drainage and noted that there will be ponding as well that will be calculated by the engineers.

Johnson asked Mr. Carlin if he felt comfortable about this with the information that has been shared by Mr. Hennen. She asked if he felt that this would be able to be worked out to his satisfaction.

Mr. Carlin answered that he felt it could be worked out but acknowledged that he does have concerns. He asked if the plans were for the drainage on the other side of the street to come to his property. Berg stated that the current design standards obligated the landowner to have all of the water remain or drain on their own site and not off-site unless there is some type of agreed upon joint collection pond that would have to be documented. He reiterated that all the current regulations say that all of that water needs to remain on their site.

Mr. Carlin explained that he was comfortable working with Mr. Hennen and just wanted to make sure that he would not be held liable for moving the septic system. He stated that the system was installed in 2019 and was approved by the City. Berg noted if the Planning Commission shares this concern, they could list it as a condition in the resolution that there be a satisfactory conclusion regarding the septic system.

Johnson confirmed that she would like to see some language in the resolution that addresses this issue.

Balfany closed the public hearing at 7:27 p.m.

Commissioner Hanschen moved and Commissioner Terry seconded to open discussion regarding Resolution 2024-09. Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

Hanschen noted that this was not something that he would like to see just kicked down the road with the mindset of 'we will get it figured out' and asked if there was something that they could recommend contractually. Balfany stated that if there is, he would recommend it be kept simple.

Berg noted that they had not received the City Engineer's comments yet and this may be included and those would be to be satisfied before moving forward.

Hanschen suggested that they include a recommendation that the City Engineer has to make comments prior to going before the City Council. Balfany suggested that could be part of the official motion.

Reiter noted that Community Development Director Berg appeared to be writing furiously and asked if he was working on the conditional statements for the Planning Commission to consider. Berg confirmed that he was attempting to draft conditions that have been discussed.

Hanschen asked about the location of the land that had been added. Berg stated that it was along the western side. He reminded the Planning Commission that there was an addendum put in front of them tonight that adds some covenants.

Reiter asked Mr. Hennen to give a brief summary about the addition of the covenants. Mr. Hennen explained that the covenants have things like size restrictions on houses, no junk cars sitting around, and restrictions for things like barking dogs. He stated that they are all designed to cover the homeowners in the neighborhood. He noted that on the septic situation with Mr. Carlin, if everybody did their job and the system is 10 feet off the property line there will not be any issues, however if somebody neglected to do their job and it was placed incorrectly, then it will be an issue.

Johnson asked what the general price range is for Mr. Hennen's homes. Mr. Hennen stated that the average is about \$600,000 with the lot, but there could be some that will end up being \$700,000 or over. He noted that their lowest priced homes would be in the \$500,000 to \$550,000 range. He explained that he custom designs the homes and tries to make them all look a bit different.

Commissioner Hanschen moved and Commissioner Balfany seconded to recommend the City Council adopt Resolution 2024-09, Approve the Preliminary Plat for Hidden Prairie with the conditions set forth in the provided Resolution and the addition of 'a satisfactory conclusion to the neighboring septic drainfield location must be established prior to the release of a Final Plat'.

Balfany asked any discussion?

Terry asked if the wording of the additional condition should be changed to include that it needed to be satisfactory to both parties. Berg clarified that the City would most likely not adjudicate that and would be a civil matter. Berg stated that he was comfortable with the current proposed wording and did not believe it needed to be changed.

Balfany stated to the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

This item goes before City Council on February 12, 2024.

5.0 Sale of City Owned Parcel – PID: 36-33-23-32-0002 - Review

Berg stated the Planning Commission is being asked to consider the sale of a City-owned parcel. He explained that Diana and Jim Saenger have requested the City Council consider the sale of a portion of City property, PIN 36-33-23-34-0002, which is a 50' wide strip that runs between Longfellow Drive and the East Bethel/Ham Lake corporate limits. This property borders the western acreage of the Carlos Avery Nursery (Houle Sod Farm) land in East Bethel and as exhibited as Attachment 1 of the staff report.

Berg stated this City-owned parcel, PID 36-33-23-31-0002, is 2.99 acres and has a current estimated tax market value of \$12,600. The purchasers are primarily interested in the north 50' X 740' portion (0.82 acres) that adjoins their parcel, as exhibited in Attachment 2. Both parcels are located in the Coon Lake Residential Zoning District. This property was a tax-forfeit acquisition by the City of East Bethel in 1974. It was acquired as non-conservation for an "authorized public use" to be used exclusively for parks (MS 282.01 Subd. 1a par. (e)). Property conveyed under a conditional use deed, regardless of when it was executed, is released from the use restriction and rule of reversion thirty years from the date the deed was acknowledged. As this property has exceeded the 30 year requirement for restrictions on the sale, it can be sold by the City with no encumbrance's relating to tax forfeit acquisition.

Berg explained the majority of the City property is either classified as wetlands or is located in the 100-year flood plain with poor soils throughout the entire parcel. The entire parcel is considered as unbuildable due to its dimensions (50' X 2,600') and soil, wetlands and flood plain conditions. Statutory cities have the power to sell land or buildings they no longer need to anyone, other than public officials and certain employees. Generally, a city does not need to permission from the public in order to sell land. In some instances, a city may need to notify people or get approval prior to the sale. Sales of land are usually not required to use the competitive bidding process.

Berg stated during a Closed Session meeting on November 27, 2023, the East Bethel City Council authorized the sale of this portion. However, the City Attorney has advised that under MN State Statute section 462.356, Subd. 2, City real estate should not be purchased or sold until the Planning Commission has reviewed the proposed purchase or sale and found that it complies with the City's Comprehensive Plan.

Berg explained that at the close of the sale, the purchasers would be required to immediately (as soon as possible/ practical) combine the 50' X 740' portion with their adjacent parcel since it is smaller than the minimum lot area identified in Section 51 of the Zoning Code.

Berg stated staff recommend the Planning Commission review the proposed sale, determine if its sale for a residential purpose is in alignment with the Comprehensive Plan and the Coon Lake Residential Zoning District, and make a recommendation to the City Council.

Terry asked if there was an expanded aerial photo of the area so he can get better context on where this parcel is located. Berg displayed an aerial photo and pointed out some area landmarks in comparison with this parcel.

Johnson stated that she did not think there was any practical use to the City of retaining this property. Berg agreed and reminded the Planning Commission that this parcel was not buildable because it is only 50 feet wide.

Commissioner Reiter moved and Commissioner Hanschen seconded to recommend the City Council approve the sale of a portion of a City-owned parcel, PIN 36-33-23-34-0002, which is a 50' wide strip that runs between Longfellow Drive and the East Bethel/Ham Lake corporate limits, to Diana and Jim Saenger with the condition that immediately (as soon as possible/ practical) Diana and Jim Saenger combine the 50' X 740' portion with their adjacent parcel since it is smaller than the minimum lot area identified in Section 51 of the Zoning Code. Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

Reiter asked if there was any buildable land in this area that was owned by the City. Berg stated that he would say there is potentially some buildable land in the area that the City owns and explained that it would require some soil work to determine if it would actually be buildable.

6.0 Candidate Interviews:

1. Steve Voss
2. Brian Downie
3. Kory Jorgensen

Berg explained the Planning Commission is asked interview Steve Voss, Brian Downie, and Kory Jorgensen and make a recommendation to City Council to fill the vacant seats in which the terms will expire on January 31, 2025 and January 31, 2027. He noted the resignations of Commissioners Sherry Allenspach and Randy Plaisance have created two openings on the Planning Commission. The term of Commissioner Allenspach was to expire on January 31, 2024 and the term for Commissioner Plaisance expires on January 31, 2025. City staff advertised the opening and have received three letters of interest and resumes. The resumes and interview questions were distributed to Planning Commissioners prior to the meeting.

Berg requested the Commission interview the applicants and make a recommendation to City Council to fill the two vacant seats. He noted that he had listed the candidates in the order that their applications were received.

Balfany requested the applicants who are not being interviewed to leave the Chamber until they are called. Balfany asked Steve Voss to approach the podium and asked why he was interested in become a member of the Planning Commission in the City.

Mr. Voss explained that his strongest reason is because of the 11 years he served on the Planning Commission in the past. He noted that even during the time he spent on the City Council, he paid

attention to what happened at the Planning Commission. He stated that the Planning Commission deals directly with the applicant and residents, so it is more a 'grass roots' type action. He stated that was part of the Planning Commission that he missed along with working to resolve issues with some base level discussions. He noted that he has been watching the City grow and change over the 30 years he has lived here and in the year he has been away from serving on the council, he still finds himself watching the meetings to try to keep up with what is going on.

Johnson asked about the strengths and abilities Mr. Voss felt he would bring to the Planning Commission.

Mr. Voss stated that the obvious answer would be his experience and noted that he has been in the City for 30 years and joined the Planning Commission about a year after they moved here. He reiterated that he served for 11 years in that position and even though it was about 20 years ago, he still has an understanding of how things move through the City, which he believes was essentially the same as when he served but noted that back then, sketch plans were really sketch plans and some were hand drawn on the backs of napkins. He stated that while some of those things have changed he believed the overall 'feel' of the community remains the same. He stated that he feels that his institutional knowledge will be an asset.

Terry asked what Mr. Voss felt his role, as a member of the Planning Commission, would be as a representative of the City.

Mr. Voss stated he feels the role would be to serve as part of the advisory commission. He noted that they should want the Commissioners have an independent voice and provide advice and when debate happens, many times they make a better decision because of the deeper discussion.

Hanschen asked about Mr. Voss' vision for the Highway 65 corridor.

Mr. Voss stated that the last round of the Comprehensive Plan was fairly consistent with the previous version in terms of development. He stated that he felt that the addition of sewer and water will drive everything in that area. He noted that when that was put forward about 20 years ago it was driven by the need and desire for retail services. He explained that he believes the Highway 65 corridor will end up being a mix of retail and service type commercial uses with higher density housing. He stated that he thinks the basis of the vision comes down to the cornerstone of what the Comprehensive Plan has been that any new development like that is restricted to the corridor and the rest of the community stays the same.

Reiter asked if Mr. Voss held any roles that could place him in a position of having a conflict of interest.

Mr. Voss stated that he did not have any conflicts of interest.

Balfany asked if Mr. Voss had any questions for the Commission or if he would like to make any additional comments.

Mr. Voss stated that he was excited that there were three applications for these openings because many times the City has struggled to get applicants for these positions. He explained that his overall desire is to continue to give to the community by serving on the Planning Commission.

Balfany invited Brian Downie to approach the podium. He asked why Mr. Downie was interested in serving on the Planning Commission.

Mr. Downie answered that he would like to serve the community and was interested in seeing what he may be able to offer to the City by serving on the Planning Commission. He stated that he moved to the City in 2017 and would like to try to offer something that would really help the City.

Johnson asked what strengths and abilities Mr. Downie would bring to the Planning Commission.

Mr. Downie stated that he enjoys working with teams and believes it is a good way to come to big decisions because everybody brings something to the table. He stated that being open minded and willing to try new things will help bring about satisfactory conclusions. He explained that there have been times that he has let emotions get to him, but he has learned some breathing techniques that help him.

Terry asked what Mr. Downie felt his role as a representative of the City would be as a Planning Commissioner.

Mr. Downie stated that he would plan to work with the rest of the Planning Commission to make decisions on recommendations that would benefit the City and help it move forward and grow.

Hanschen asked what Mr. Downie's vision was for the Highway 65 corridor.

Mr. Downie stated that his vision would be for zero accidents. He stated that he has been with the East Bethel Fire Department have gotten calls to the intersection. He noted that he wasn't sure that you could make that stretch of roadway an accident free zone, but to minimize it taking a look at precedent in other areas where they have similar roads with similar circumstances to see what actions they were able to take.

Hanschen stated that the Commission would like to know, in addition to the road itself, what Mr. Downie's vision would be for how the Highway 65 corridor develops in the City and what it would look like.

Mr. Downie stated that he would like to see the City bring in businesses that stick around and would really like to see a grocery store to help the area continue to develop. He stated that as far as multi-family dwellings, additional convenience stores, or restaurants, he did not feel he was educated in city planner, but in living here, having some businesses that will attract people from the outlying communities but also from East Bethel would be a wise way to approach development and see who can fill those spots.

Reiter asked if Mr. Downie held any roles that may cause a conflict of interest.

Mr. Downie stated that he did not believe he had any conflicts of interest unless people felt that serving on the Fire Department constituted one. He stated that he felt the Planning Commission was there to help in the development of the City and that is what he would like to assist with.

Balfany asked if Mr. Downie had any questions for the Planning Commission or wanted to make any additional statements.

Mr. Downie asked if the Commissioners found that they took what they did here outside of these walls into their everyday life or if it was something that they could leave at the City when they weren't here and go about their business without much mental anguish related to the City.

Balfany stated that he thinks it is something that stays with you and absolutely thinks about things that are happening or being discussed as he is driving around. He stated that he could not say that it sticks with him enough to make his day or ruin his day. He noted that he felt that having discussions and different points of view has helped him grow as an individual and be able to see things from different perspectives.

Johnson noted that she felt Mr. Downie asked a great question because when you are stepping into a new role it is important to know if it will be a burden or not. She stated that, for her, it is not a burden but it does sort of flow into her daily life. She explained that they have a farmstead on Highway 65 so many times people stop and talk to them about Planning Commission things.

Terry stated that he would answer that it depends on the issue in front of the Planning Commission because there are some issues that are more impactful than others. He noted that he did not think of it as

a burden, but sometimes does think about things before and after their meetings.

Hanschen stated that he thinks the answer to Mr. Downie's question will differ based on personalities as well as their reasons for being here. He stated that for him, he moved to the City in 2018 and decided that this was where he wanted to be and wanted to engage in the community and part of things. He explained that his time with his family is very valuable so he does not find himself attending a lot of City Council meetings or extra events, but gives everything he has when he is at the meetings and preparing for the meetings. He noted that he would suspect the impact of serving on the Fire Department would be more than it would be for serving on the Planning Commission because he didn't think Mr. Downie would go home and have dreams about the meetings.

Reiter stated that his answer would be similar to the other Commissioners. He stated that he is the newest member so he has had to spend some extra time reading over the Comprehensive Plan, trying to understand the City's ordinances and speaking with residents that contact him. He noted that he felt having diversity on the Commission is a good thing so the residents can find someone they are comfortable talking to. He explained that advocating for residents is a large part of what the Planning Commission does.

Balfany invited Kory Jorgensen to the podium. He asked him why he was interested in serving on the Planning Commission.

Mr. Jorgensen stated that he just really liked the City and had moved here and built their 'retirement home' in 2016 on a lot that his girlfriend had owned since 1998. He stated that he has been interested in this stuff due to his work history and feels that he could be a really good resource. He noted that if he doesn't try to do stuff like this, he almost feels like it would be a disservice.

Johnson asked what strengths and abilities Mr. Jorgensen would bring to the Planning Commission.

Mr. Jorgensen stated that he believes the knowledge of what the Planning Commission does, because of his career, would be an asset. He stated that the Commissioners' job can be difficult and they make a lot of hard decisions because there are a lot of opinions and choices that have to be blended. He noted that they also have to look at roads, parks and infrastructure, so there is a lot to take into consideration. He clarified that he felt his strengths were knowing his history in having 34 years in Public Works and 3 years with an engineering firm. He explained that in that time, he has seen a lot of good and a lot of bad when it comes to development. He noted that something that may be considered a weakness is being up in front of everyone and admitted that he was a bit nervous right now. He stated that it is new to him and is something he knows he can get better at.

Terry asked Mr. Jorgensen what he saw as his role would be on the Planning Commission, as a representative of the City.

Mr. Jorgensen stated that he thinks the biggest thing would be to make good, solid decisions that are good for the whole community. He stated that many of their recommendations just go right through the Council which means they have to look at a lot of information which is super important.

Hanschen asked what Mr. Jorgensen's vision was for the Highway 65 corridor.

Mr. Jorgensen that is a good question and noted that about 5 years ago he saw an add in the paper for a Highway 65 Traffic Committee which he applied for and was appointed. He explained that his thought was that you cannot really complain if you don't make an effort to participate. He stated that he really learned a lot by being part of this committee and understands that a lot of changes are hard, for example, the 'J' turns. He shared an example of one of his employees being very angry about the J turn, but because he was part of the Committee he learned that traffic used to wait up to 4.5 minutes in order to turn left and go south and with the J turn, it drops down to 1.5 minutes. He noted that after his employee had driven this section of highway for a few months he admitted that it actually did work. He stated that

Highway 65 is essentially a freeway and he believes the City was going to have to continue to address those kinds of things with things like service roads and entrances.

Balfany asked, beyond the road itself, what Mr. Jorgensen envisioned for the development along this corridor.

Mr. Jorgensen stated that they are progressive and would have more industry and businesses, but they will all have to have good access in and out. He clarified that he sees business along Highway 65 especially in the areas that have treated water. He noted that realistically having more commercial/industrial businesses will help the residents taxes so putting them in the proper places is important because you do not want them opening and then closing within a year because then the City will have a vacant box just sitting there.

Reiter asked if Mr. Jorgensen held any roles that may be a conflict of interest.

Mr. Jorgensen stated that it may be possible because he works for SEH Engineering and went to high school with Tony Hennen. But, hadn't seen him in about 15-20 years so if that kind of situation comes up it may be a situation where he has to say that he won't vote on Tony Hennen's project or something that may have a similar possible connection.

Berg noted that the City did not utilize the services of SEH Engineering, at this point. He agreed that if it is identified, Mr. Jorgensen could share the potential conflict and the Commission can decide whether he should recuse himself from voting on that item.

Balfany asked if Mr. Jorgensen had any questions for the Commission or wanted to make any additional comments.

Mr. Jorgensen stated that he believes he really understands the role of the Planning Commissioners and their jobs. He stated that he would like the Planning Commission to know that serving for 34 years in Public Works meant a lot to him and explained that he had done everything from snow plowing to duties as a Water and Sewer Superintendent in the City of Coon Rapids and also had water and sewer duties with the City of Fridley. He stated that this means he has seen a lot of things from tower rehabilitation, roads, parks and everything in between. He stated that he hit his pension and retired and made it 4 days before this firm called and invited him to come work with them mainly on the water side of things. He noted that he did construction, water treatment plant designing, and has helped with water towers, telecom and protective coatings. He explained that he feels all of his background experience would help him make good decisions as part of the Planning Commission.

Balfany explained that in the past they have made these choices via ballot and suggested that the Planning Commission each write down the names of their two preferences, if they have them. He explained that his preference would be that if any of the candidates has more votes than the others that they be placed in the vacancy with the longer term.

Johnson expressed her appreciation to all the candidates who applied and stated that she felt that they had a really great pool of candidates to choose from.

The Planning Commission submitted their choices to Community Development Director Berg to be tallied.

Balfany stated that the individual with the most votes was Steve Voss and next was Kory Jorgensen.

Commissioner Balfany moved and Commissioner Johnson seconded to recommend the City Council appoint Kory Jorgensen to the Planning Commission with a term to expire on January 31, 2025 and to appoint Steve Voss to the Planning Commission with a term to expire on January

31, 2027. Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

Balfany stated that this item would come before the City Council on February 12, 2024 for a final decision.

7.0 Updates

Council Liaison Smith updated the Commission on Council discussion actions taken at the January 22, 2024 meeting.

Balfany reminded the Commission that at the next meeting they will undertake the annual vote for the Commission Chair position.

The next Planning and Zoning Commission meeting is scheduled for February 27, 2024.

8.0 Adjournment

Commissioner Balfany moved and Commissioner Hanschen seconded to adjourn at 8:34 pm. Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

Submitted by:

Kayla Rokosz

TimeSaver Off Site Secretarial, Inc.