

EAST BETHEL PLANNING COMMISSION MEETING
February 26, 2020

MEMBERS PRESENT: Chair Wanda McLaurin, Sherry Allenspach, Tom Eich, Jim Smith, Daryl Lawrence

ABSENT: Glenn Terry, Sharon Johnson

ALSO PRESENT: Jack Davis, City Administrator
Erin McDermott, Zoning Administrator
Tim Harrington, City Council Liaison

1.0 Call to Order

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

2.0 Adopt Agenda

Mr. Davis request an additional item 6.0 be added to tonight's agenda: Joint meeting March 2, 2020 with City Council - Preliminary Plat Phase II project of the East Bethel Village Apartments. The special meeting with City Council is to discuss the possible approval of a preliminary plat for the Phase II project of the East Bethel Village Apartments. This is a time sensitive issue. There will be confirmation early next week if the meeting is necessary.

Commissioner Allenspach moved and Commissioner Eich seconded to amend the agenda to include item 6.0 Joint meeting March 2, 2020 with City Council - Preliminary Plat Phase II project of the East Bethel Village Apartments. Motion passed unanimously.

3.0 Approve January 28, 2020 meeting minutes

Commissioner Eich moved and Commissioner Allenspach seconded to adopt the January 28, 2020 regular meeting minutes. Motion passed unanimously.

4.0 Oath of Office

Background Information:

At the City Council regular meeting on February 10, 2020, the Council appointed Jim Smith to the Planning Commission for a term of three (3) years expiring January 31, 2024. With the resignation of Commissioner Cornicelli, the Council appointed Daryl Lawrence to fulfill the remainder of the term expiring on January 31, 2021.

Both Jim Smith and Daryl Lawrence took the Oath of Office.

5.0 Public Hearing: Interim Use Permit – Keeping of Chickens at 20350 Jewell St. NE, Connie and Trung Ha

Background Information:

Location: 20350 Jewell St NE
East Bethel, MN 55092

Fee Owner/ Applicant:
Trung and Connie Ha

PIN#: 24-33-23-21-0014

Legal: LUNDE ADDITION LOT 3 BLK 1 LUNDE
ADDITION (SUBJ TO EASEMENT AS SHOWN ON
PLAT)

Zoning: RR- Rural Residential

Trung and Connie Ha are requesting an IUP for the keeping of chickens on their property. There is a coop on the property for shelter. This property meets the acreage requirements established by City Ordinance. This was previously a code enforcement case, which resulted in the IUP application being submitted to the City and the rooster that had previously been on the property being removed.

Under Chapter 10 – Animals, Section 10-151(j) Exceptions, subp. (2) it notes that a maximum of 10 animals may be kept on a parcel with a minimum of one acre of pasture land without an IUP as long as the other conditions of the code are met for animals requiring 0.01 acres per animal unit, and then states that the keeping of 20 or more animals requires an IUP. Elsewhere in the code it is stated that all properties under three acres need an IUP for the keeping of chickens. The property owners would like to keep no more than 20 chickens and meet the acreage requirements by ordinance. The code enforcement complaint was not in regard to the number of chickens, solely on the rooster that is no longer present on the property.

Chair McLaurin opened the public hearing at 7:06 pm.

Marlyn Duerkop, 20310 Jewell St. NE, Wyoming - Mr. Duerkop lives two houses away from the applicants. The previous owner had free-range chickens running around. Mr. Duerkop considered those chickens open game to dogs or being hit by a vehicle in the street. His opposition is having chickens running loose and a rooster on the property. Mr. Duerkop asked for clarification of the number of chickens that can be kept on the property. Ms. McDermott reiterated that 20 chickens can be kept on the property. She also verified there is fencing on the property for the chickens. Commissioner Lawrence asked for clarification on the permit stating no roosters on the property. Ms. McDermott said that will be part of the conditions if approved, also that is stated in the chicken ordinance.

Gail Moe, 20459 Jewell St. NE, Wyoming – Mr. Moe has no problem with chickens being on the property whether in cages or loose.

Chair McLaurin closed the public hearing at 7:11 pm.

Commissioner Allenspach moved and Commissioner Eich seconded to recommend approval to the City Council of an IUP for keeping up to 20 chickens for Trung and Connie Ha at 20350 Jewell St NE, 2.46 acres, 24-33-23-21-0014, Zoning: Rural Residential with the following conditions:

- 1. There shall be no roosters on the property.**
 - 2. Permit shall expire when:**
 - a. The property is sold,**
 - b. The IUP expires, or**
 - c. Non-compliance of IUP conditions**
 - 3. Property owner shall have thirty (30) days to remove the approved chickens upon expiration of the IUP.**
 - 4. Conditions of the IUP must be met no later than April 1, 2020. Failure to meet conditions will result in the null and void of the IUP.**
 - 5. Property may be inspected and evaluated annually by city staff.**
 - 6. There will be no other farm animals that are governed by the City Ordinance kept on this property without the approval of an IUP amendment by City Council.**
 - 7. Applicants must comply with City Code Section 10, Article V – Farm Animals**
- Motion passed unanimously.**

Chair McLaurin said she drove by the property and did not see the chicken coop nor fencing. She asked Ms. McDermott where these are located on the property. Someone pointed out on the map where they are located. Commissioner Eich asked if these are new owners of the property? Ms. McDermott said the Has have owned the property for eight years.

This item goes before City Council on March 9, 2020.

6.0 Joint meeting March 2, 2020 with City Council - Preliminary Plat Phase II project of the East Bethel Village Apartments

Commissioner Lawrence moved and Commissioner Smith seconded to call a special meeting with the City Council on March 2, 2020 at 7:00 pm for the consideration of a Preliminary Plat Phase II project of the East Bethel Village Apartments. Motion passed unanimously.

Mr. Davis will notify this commission as soon as a meeting is confirmed with the developer or if the meeting is to be cancelled.

7.0 Updates

Council Liaison Tim Harrington congratulated Jim Smith and Daryl Lawrence on their appointments to the Planning Commission.

Council Liaison Tim Harrington reported the following City Council actions:

- Council approved a preliminary plat for Prairie Pines
- Council approved two variances for 3742 Edmar Lane
- Council approved an IUP renewal for Black Beard Construction at 2859 200th Avenue NE
- Council tabled two of four text amendments to City Parking and Fencing; word revisions are needed
- March 19th is the Empty Bowl fund raiser at St. Patrick's Church from 5-7:30 pm
- Cambia Hills is going to have its open house on March 25th
11:00 am to 4:30 pm is for city officials and commissioners with a ribbon cutting at noon
4:30 to 6:30 is for local community members and neighbors
- April 18th is the pet clinic at the Ice Arena
- April 23rd is the Townhall meeting
- April 25th is the spring recycling day and Arbor Day
- April 27th is the Board of Equalization and Taxation at City Hall

Commissioner Eich asked for an update on the Elevage project. Liaison Harrington said the project is moving forward. The City is going to start with utilities and installation of the road in mid-summer. Building is expected late this year at the earliest. Commissioner Eich asked what is going into that development? Ms. McDermott said the developer is finalizing some of the Phase I plans. It's estimated those plans may be presented at the March (April at the latest) Planning Commission meeting. This project is still in the preliminary stage and will come before the Planning Commission again.

8.0 Adjournment

Commissioner Lawrence moved and Commissioner Smith seconded to adjourn at 7:19 pm. Motion passed unanimously.

Submitted by:

Gail Gessner

Recording Secretary