

Planning Commission

May 24, 2021 – 7 pm

REGULAR MEETING MINUTES

This meeting was held via Webex in accordance with the local emergency declaration made by the City under Minn. Stat. § 12.37. In accordance with that declaration, beginning on March 16, 2020, all Planning Commission meetings held during the emergency were conducted electronically. The City used Webex to conduct this meeting and members of the public were able to monitor the meetings by watching it on Comcast cable channel 16, by streaming it on CCXmedia.org, or by dialing in to the public call-in line.

1. Call to Order

The meeting was called to order at 7:00 by **Chair Pockl**.

Roll Call

Commissioners present: Ron Blum, Adam Brookins, Noah Orloff, Lauren Pockl, Ryan Sadeghi, Chuck Segelbaum

Commissioners absent: Rich Baker, Andy Johnson

Staff present: Jason Zimmerman – Planning Manager, Myles Campbell – Planner

Council Liaison present: Gillian Rosenquist

2. Approval of Agenda

Chair Pockl asked for a motion to approve the agenda.

MOTION made by **Commissioner Sadeghi**, seconded by **Commissioner Blum**, to approve the agenda of May 24, 2021. Staff called a roll call vote and the motion carried unanimously.

3. Approval of Minutes

Chair Pockl asked for a motion to approve the minutes from May 10, 2021.

MOTION made by **Commissioner Segelbaum**, seconded by **Commissioner Brookins**, to approve minutes. Staff called a roll call vote and the motion carried unanimously.

4. Discussion – Temporary Outdoor Service Uses

Jason Zimmerman, Planning Manager, started the presentation by reminding the Commission when this initial discussion began on March 8th. At that time commissioners agreed an interim use could possibly become a solution to the issues facing Schuller's around an outdoor patio. Staff has conceived of a possible zoning text amendment to create a Temporary Outdoor Service use that could be applied throughout the city under specific circumstances. Interim uses are covered in the state statute, there are definitions but conditions of use may be attached, and they must conform to the zoning regulations.



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Golden Valley currently has three types of Temporary Uses allowed:

- Mobile food vending
- Season farm produce sales
- Temporary retail sales

In order to address interest in outdoor dining or outdoor sales, a Temporary Outdoor Service use could be established as a fourth category. This addition would grant businesses flexibility to hold outdoor events. **Zimmerman** discussed the review and approval process, along with approval authority and public input opportunities. All Temporary Uses currently involve numerous conditions of approval that must be followed to mitigate potential impacts. Similar steps should be taken for a Temporary Outdoor Service use – especially one that is located in or adjacent to a residential area. **Zimmerman** discussed the length of time for permits and how they can vary.

Staff Conclusion

This could be a solution to requests for more flexible tools to handle non-fixed operations; a process developed during COVID-19 that could be adapted for a more codified tool.

Commissioner Segelbaum asked about details on small scale versus large scale uses and how other cities handled it. **Zimmerman** responded that staff hasn't reached out to other cities but rather researched their code and ordinances. **Chair Pockl** asked about fees and renewal process, staff reviewed each fee and surmised a potential future range. The discussion continued on the process for administering fees.

Staff and commissioners discussed the temporary use process that was developed during COVID-19. The discussion moved on to how the uses will be permitted and how to address the different zoning districts. Concerns around uses conflicting with zoning districts, specifically R-1 came up and **Commissioner Blum** mentioned adding a police presence to temporary uses that run late in the evening.

The conversation continued on to how to alert other agencies that may have interest in restaurants utilizing an outdoor use, the Minnesota Department of Health or the Metropolitan Council for example, and keeping in mind the proper notifications for the applicant so the burden doesn't fall on City staff.

Relating to conditional uses, **Segelbaum** mentioned it made sense to articulate parameters that would define temporary uses as conditional uses instead of by right. **Zimmerman** responded that this process may be routine but a few specific situations may garner a lot of public input. They discussed the idea of levels that would then trigger a potential public input session or leads into Planning Commission or City Council as arbiters.

The discussion continued around uses and certain restaurants looking into outdoor seating but wanting something more permanent than this allows. **Commissioner Sadeghi** added that he's in support of this process as it has the potential to further support local businesses. He sees value in following this process for a few years and re-evaluating later. Commissioner Orloff added his support and sees the benefit to owners having a temporary use during the nicer Minnesota weather.

A sunset period was mentioned by **Blum** and **Chair Pockl** and **Sadeghi** supported that.

Televised portion of the meeting concluded at 8:06 pm

5. Council Liaison Report

Council Member Rosenquist provided updates on alley easement vacations, she reported that Meadowbrook's proposal was being sent back to the Planning Commission, discussed that Rising TIDES and the Human Rights Commission are combining. With restrictions lifting, the Historical Society will be reopening and there will be a revamped Pride Festival this year.

6. Other Business

- a. **Reports on Board of Zoning Appeals and other meetings**
- b. **Annual commissioner orientation**
- c. **Exclusionary zoning brief and reading recommendations**

7. Adjournment

MOTION by **Commissioner Blum** to adjourn, seconded by **Commissioner Segelbaum**, and approved unanimously. Meeting adjourned at 8:45 pm.



Amie Kolesar, Planning Assistant



Andy Johnson, Secretary