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## PLANNING COMMISSION AGENDA MEMO

**To:** Planning Commission  
**From:** Tony Wippler, Planning Manager  
**Department:** Planning Commission  
**Subject:** Approve Planning Commission Minutes  
**Meeting:** Planning Commission - Nov 12 2024

### INTRODUCTION:

Attached, are the minutes from the October 8, 2024 special work session and regular meeting.

### DISCUSSION:

Not applicable

### BUDGET IMPACT:

Not applicable

### ACTION REQUESTED:

Approve the minutes from the October 8, 2024 special work session and regular meeting.

### ATTACHMENTS:

[Work session October Minutes](#)  
[October Regular Minutes](#)

**CITY OF FARMINGTON**  
**SPECIAL PLANNING COMMISSION WORK SESSION**  
**October 8<sup>th</sup>, 2024**

**1. CALL TO ORDER**

The meeting was called to order by Chair Rotty at 7:00pm

Members Present: Rotty, Lehto, Tesky, Windschitl, Snobeck

Members Absent: Tesky

Staff Present: Tony Wippler, Planning Manager  
Jared Johnson, Planning Coordinator  
Leah Koch, City Attorney

Also Present: Rita Trapp, HKGi  
Beth Richmond, HKGi

**2. DISCUSSION**

**2.1 Discussion on Cannabis Legislation and Potential Regulations**

Planning Manager Wippler introduced Rita Trapp from HKGi to review zoning code for cannabis legislation. Rita presented requirements for locations, guidelines and various components of the 2023 legislation.

- Moratorium expires January 1<sup>st</sup>, 2025.
- License comes from the state, not the city. Anticipating starting 2025
- Cities cannot ban cannabis or hemp businesses.
  - May have restrictions for zoning districts, minimum spacing, hours of operation, signage, odor, and water usage.
- Must allow a minimum of one retail business per 12,500 residents

Beth Richmond, HKGi, went over specifics of license requirements. OCM has advised to implement guidelines on type of licenses. Discussed the specific uses being assigned to certain zoning districts. Example Manufacturing (cannabis and hemp) in B-3. Following our current business districts.

- Chair Rotty shared his thoughts to start as conservatively as they can to start and evolve as time goes on. Commissioner Windschitl agreed since OCM has made many changes already and will continue to evolve. Commissioner Snobeck asked if conditional use permit will be any different than it is now, as long as zoning is correct, conditional use runs with the land.
- City wanted to get license you could operate as municipal, can restrict other permits to liquor but not cannabis.
- Commissioner Lehto asked if there are any residents in B-3? Planning Manager Wippler stated he is not aware of many homeowners in that district.

Buffers:

- Schools
- Daycares
- Park Attractions

Commission and HKGi representatives presented multiple questions to be reviewed and discussed further at future meetings.

- Chair Rotty questioned the committee's thoughts on HWY 3 corridor and downtown areas being included.
- Commissioner Windschitl asked about just having the park buffer in the downtown no other parts of downtown buffer. Or should they just follow all the buffers.

- Windschitl asked if daycare includes in-home daycare or just daycare centers. Ms. Richmond informed it is just daycare centers.
- Lehto why larger buffer for schools vs. daycare centers. Ms. Richmond thought may be due to ages.
- Commissioner Lehto thought it would be best to build a baseline, and they can take case by case. Ms. Trapp did clarify that once the guidelines are in place you are not able to decline applications if they fall into what was established.
- Chari Rotty asked what City Staff's thoughts are for the buffers, Planning Manager Wippler responded they are in favor of buffers.
- Commissioner Windschitl asked why we have to have all maps with buffers-they clarified it is just a visual.
- Ms. Richmond let them know an option for establishing boundaries is that you can set minimum distance between shops.
- Chair Rotty asked thoughts on Hemp vs Cannabis and how could they limit the stores that can have retail.
- Ms. Richmond shared that currently being open for operation between 2:00am-8:00am is prohibited per the State of Minnesota guidelines.
- Commissioner Snobeck asked what hours are permitted in liquor operation hours, including retail stores and restaurants, and should they be mimicked for selling the different products?
- Commissioner Windschitl asked if other communities have certain restrictions on products for certain hours and how are they enforcing it?

Chair Rotty asked the timeline, Planning Manager Wippler said they would like to have a joint workshop with the City Council to work through together before setting date.

**MOTION** by Windschitl, second by Lehto to adjourn special planning commission work session.  
**APIF MOTION CARRIED**

Respectfully submitted,

*Tony Wippler*

Tony Wippler, Planning Manager

**CITY OF FARMINGTON**

**PLANNING COMMISSION MINUTES  
REGULAR MEETING  
October 8th, 2024**

**1. CALL TO ORDER**

The meeting was called to order by Chair Rotty at 7:00pm

Members Present: Rotty, Lehto, Windschitl, Snobeck

Members Absent: Tesky

Staff Present: Tony Wippler, Planning Manager  
Jared Johnson, Planning Coordinator  
Deanna Kuennen, Community & Economic Development  
Director  
Leah Koch, City Attorney

**2. APPROVAL OF MINUTES**

**MOTION** by Windschitl, second by Lehto to approve minutes of Planning Commission for September 10<sup>th</sup>, 2024, regular meeting. **APIF, MOTION CARRIED**

**3. PUBLIC HEARINGS**

Chair Rotty opened all public hearings.

**3.1 Variance from City Code Section 10-5-14(B) to construct a commercial daycare at 4640 Knutsen Drive.** Planning Coordinator Jared Johnson presented request from Insite Development Services (Applicant), Clough Properties Two (Property Owner), for a front yard setback variance from City Code Section 10-5-14(B) for construction of commercial daycare building. Currently zoned SSMU (Spruce Street Mixed Use), Spruce Street Overlay District.

- Property is 1.37 acres of vacant land, platted as Lot 2, Block 3 of Vermillion River Crossings development
- Applicant looking to develop the site with commercial daycare, which is permitted use in the SSMU district.
- Per City Code Section 10-5-14(B), front yard setback requirement in SSMU district is at least 50% of building front shall be within 20ft of public right of way (Knutsen Drive).
- Requesting variance to have 0% of the building front within 20ft of Knutsen Drive
- Request does not have approval of site plan. Applicant would like to ensure Commission accepts variance before pursuing final site plan approval.
  - Parcel only abuts one street and is moderately narrow. Placing 50% of building front within 20ft of Knutsen Dr. Limits amount of access drives needed to provide proper site circulation. Additional access drives will enhance public safety and emergency access.
  - Site layout on parcel lends itself to playground behind building, away from street and parking lot for child safety.

Mr. Graham from Insite emphasized having two access points to property and having playground back from street, will have 6ft fence surrounding playground. Discussion opened for public comments. Committee member Snobeck asked why the 20ft set-back was required, Planning Coordinator Jared explained it was originally put in place for a walkability for shops like a downtown. He then asked if this would be case for future businesses, Jared answered they would have to do a variance and the uniqueness of this property having the narrow street.

**MOTION** by Windschitl, second by Snobeck to close public hearing. **APIF, MOTION CARRIED**

**MOTION** by Lehto, second by Windshitl to approve requested variance for 4640 Knutsen Dr. upon meeting condition put forth by Planning Commission. **APIF, MOTION CARRIED**

**3.2 Amend 2040 Comprehensive Plan for the properties generally known as the Fountain Valley Golf Course and the Angus Property** - Planning Manager Tony Wippler presented request for the 3 parcels.

- PID# 14-00500-01-012(Fountain Valley Golf Course) Amending Land Use Plan from mixture of Commercial, Low Density Residential, Low Medium Density Residential, and Park/Open Space to Mixed-Use (Commercial/Industrial) and changing anticipating development staging from Post 2040 to 2020-2030.
- PIDS# 07-00500-76-012 and 07-00500-76-011 (Angus Property) Adding these parcels to 2020 MUSA (Metropolitan Urban Service Area) amending the 2040 Comprehensive Land Use Plan from Non-Designated to Mixed-Use (Commercial/Industrial) and including these parcels in the 2020-2030 development staging timeframe.

Chair Rotty opened discussion to the public.

**Cathy Johnson 22280 Berring Ave.-** made comment on behalf of resident Nate Ryan, he stated the concerns about the requested changes. Cathy shared concerns about noise, height of buildings and tax valuations.

**Eszter Varga 3094 225<sup>th</sup> St-** Said the sites visited by commission and council members are not comparable due to facility size and operation.

**Terry Pearson 2475 225<sup>th</sup> St.-** Read statement about future, what it holds and what will happen with data center with technology changes.

**Kathy Perrego 5081 13<sup>th</sup> St.-** Shared concerns with health impacts and water consumption.

**Nancy Aarestad 22165 Beaumont Ave -** Concerns with changing the comp plan to incompatible land use.

Chair Rotty thanked everyone for taking the time to share concerns, being knowledgeable and respectful. He explained that when you re-zone you change the comprehensive plan. Moving forward he requested it all be combined into one step.

**MOTION** by Snobeck, second by Lehto to close public hearing. **APIF, MOTION CARRIED**

**MOTION** by Windschitl, second by Lehto for favorable recommendation to the 2040 Comprehensive Plan amendment. **APIF, MOTION CARRIED.**

**5. ADJOURN**

**MOTION** by Lehto, second by Windschitl to adjourn at 7:46pm. **APIF, MOTION CARRIED**

Respectfully submitted,

**Tony Wippler**

Tony Wippler, Planning Manager