

Minutes of the Meeting of the Joint Planning Board of Avon Township & the City of Avon July 22, 2024

Call to Order: Acting-Chair Chad Klocker called to order the meeting of the Joint Planning Board of Avon Township and the City of Avon at 7:00 PM in the Main Chamber of the Town Hall. The meeting was also available via Zoom at the following URL: <https://us02web.zoom.us/j/8325486945> (PIN: AvonTown).

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – Mark Schulzetenberge (*City Council*), Jim Read (*City Planning Commission*), Lori Yurczyk (*Township Planning Commission*), Chad Klocker (*Township Supervisor*). All present. There was a quorum.

Other Town and City staff present include: Jodi Austing-Traut (*City Administrator*), LeRoy Gondringer (*Township Supervisor*), Jeff Manthe (*City Mayor*), Kelly Martini (*Township Treasurer*), & Stephen Saupe (*Township Clerk*).

Approval of Agenda: Schulzetenberge moved to approve the agenda as presented. Read second. All in favor. Motion carried.

Minutes: Read moved to approve the minutes from the May 20, 2024 meeting as presented. Schulzetenberge second. All in favor. Motion carried.

Business:

1. Joint Powers Agreement Renewal in 2025 – both the City and Town have appointed representatives to serve on an *ad hoc* committee to review the Orderly Annexation Agreement due to expire in December 2025. The City members are Mark Schuzetenberge and Jim Read. The township representatives are LeRoy Gondringer, Craig Blonigen and Rich Sanoski. It was suggested that the group meet before the end of 2024. The meeting was set for September 23, 2024 at Avon City Hall.
2. Spanier Preliminary Plat – The Joint Planning Board was alerted that Scott Spanier, Poverty Point, is considering requesting approval of a preliminary plat. However, no application has been submitted to date. No action was taken.
3. Public Hearing – Kanati Land Management Rezoning Request. Klocker opened a public hearing at 7:10 PM to consider a request by Nate Hylla, Kanati Land Management, to rezone PID 03.01009.0010 on Norway Road from A40 to Commercial. The hearing was published and posted and more than 60 announcements of the hearing were sent to property owners within 0.5 miles of the property.

Mr. Hylla provided an overview of his business, which he said is conservation-oriented. They are currently renting space in Avon and interested in purchasing the Norway Road property to build a warehouse for the business and store equipment (*i.e.*, skid loaders, tractors). He said it would not be a retail outlet and there would be limited traffic to it. The property is currently owned by Paul and

Mary Fischer. Mr. Hylla wants to ensure that he can establish his business on the site before finalizing the purchase agreement. Mr. Hylla said it was an ideal site because of the exposure from I-94. He said that the buildings would meet all set-backs and that a driveway access is already present. Mr. Hylla said he would store in the building seed for food plots, pelletized manure, and agro-chemicals since they are certified applicators for weeds. The other areas of the property would be used for parking, an additional building if there is more growth of the business, and for trials. He has tried to meet the potential neighbors to explain his plans.

Read indicated that the City future land use plan for the area is low density residential. Schulzetenberge inquired if the operation would also maintain a presence at Lange's. Mr. Hylla said the entire business would move to the proposed site. Yurczyk clarified that the problem is that the parcel was too small for a commercial building.

Input from the public was requested. Jeff Meyer appeared to speak against the rezoning proposal. He said the property couldn't be annexed because it was not contiguous with the City. Austing-Traut suggested that the state trail might potentially serve as a connection. Mr. Meyer is concerned that the proposal doesn't conform with the City comprehensive plan and is worried about the lake considering potential damage from the pesticides on site, etc. Further, he was less concerned about the current proposed use, but with what might happen to the property in the future.

Mr. Meyer inquired who would bear the cost of sewer. Austing-Traut assumed the City would extend sewer and would jointly bear costs with the property owner. Read said it was not a good idea from an environmental perspective to maintain the business on private septic. Read also said that he very much supports the concept of this business.

Klocker said that the Township does not support spot zoning, as this would be, and the Supervisors recently denied a request for spot-zoning. Read said this proposal would be leapfrogging a commercial development quite a way from where it exists now. He thought it would be ideal if a place in the City could be located for the commercial development to avoid leapfrogging.

LeRoy Gondringer said the Town Board thought it was a great project until they learned the property needed to be rezoned. He, like Mr. Meyer, was not as concerned by this specific project as what might happen on the property in the future, and questioned whether the trail would meet the definition of "contiguous" for annexation. Avon Township resident Shirly Opatz said she opposed the rezoning. No other public comments were received.

Yurczyk moved to close the public comments. Read second. All in favor. Motion carried.

Schuzetenberge said he thinks it is a great idea and good business model but is not convinced that it's the right location. Klocker suggested the Dollar General area, which is zoned commercial. All JPB members agreed that they would like to keep the business in Avon but the location is a work-in-progress.

Yurczyk moved to not permit rezoning of the Paul and Mary Fischer property, PID 03.01009.0010, from A40 to Commercial for the reasons cited above. Read second. All in favor (unanimous). Motion carried.

4. JPB Committee Chair – Klocker moved to approve Jim Read as chair of the Joint Planning Board. Yurczyk second. All in favor. Motion carried.

Announcement of Next Scheduled Meeting: tba (*2nd Monday in April, 2025; per Orderly Annexation Agreement*). The *ad hoc* committee to review the Orderly Annexation Agreement will meet September 23, 2024 in Avon City Hall.

Adjournment: Read moved to adjourn the meeting at 7:51 PM. Second by Schulzetenberge. All in favor. Motion carried.

Respectfully submitted,

Stephen G. Saupe, Clerk
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