

FLYING CLOUD AIRPORT JOINT AIRPORT ZONING BOARD

Wednesday, April 10, 2019
Eden Prairie City Center – Heritage Rooms 3 & 4
8080 Mitchell Road, Eden Prairie, MN

MEETING MINUTES

Brad Aho, Chair, convened the Flying Cloud Airport Joint Airport Zoning Board meeting at 3:42 p.m. The following were in attendance:

Members: Brad Aho, Chair
Jerry McDonald, City of Chanhassen, Board Member
Julie Klima, City of Eden Prairie, Board Member
Keith Tschohl, City of Shakopee
Rick King, Metropolitan Airports Commission, Board Member
Katie Clark Sieben, Metropolitan Airports Commission, Board Member

Others: Bridget Rief, Neil Ralston, Evan Wilson, Kristin Berwald, Jenn Felger, Brad Juffer, Mike Wilson; MAC Staff

1. CHAIR OPENING REMARKS

Chair Aho opened the meeting, noting his appreciation of the JAZB's accomplishments.

2. APPROVAL OF JANUARY 7, 2019 FCM JAZB MEETING MINUTES

Chair Aho then requested a motion to approve the meeting minutes from the Flying Cloud Airport Joint Airport Zoning Board meeting held on January 7, 2019.

IT WAS MOVED BY JERRY MCDONALD, SECONDED BY RICK KING, TO APPROVE THE MINUTES OF THE JANUARY 7, 2019 FLYING CLOUD AIRPORT JOINT AIRPORT ZONING BOARD MEETING, AS PRESENTED. THE MOTION CARRIED BY UNANIMOUS VOTE.

3. REVIEW OF FEBRUARY 28, 2019 PUBLIC HEARING REPORT

Chair Aho turned the meeting over to Neil Ralston, MAC Staff, who provided a recap of MnDOT's Final Commissioner's Order that approved the Final FCM. Mr. Ralston then described the events of the public hearing on Thursday, February 28, 2019. The evening started with a public open house from 5-6pm, followed by a summary presentation about the proposed final ordinance at 6pm, and the formal hearing starting at 6:30pm. Five members of the public signed in, however there was no public testimony. The public comment period closed at 5pm, Wednesday, March 13, 2019. During the comment period, the JAZB received a total of four written comments from members of the public. Mr. Ralston provided an overview of the questions that were received and the answers

that were given. Mr. Ralston also described the contents of the public hearing report and asked for any questions regarding the public hearing. Chair Aho stated that he thinks it went very well, and that a few people received answers during the open house. Keith Tschohl, City of Shakopee, inquired as to the result if MnDOT had acted on its own, without the involvement of the JAZB. Chair Aho declined to speculate on the result. Rick King, Metropolitan Airports Commission, responded that it would likely be similar to MnDOT's model ordinance, and that there would likely be less developable land. Mr. Ralston commented that there would have likely been more administrative work for city zoning administrators to implement and enforce the MnDOT model ordinance. Chair Aho agreed that from a city perspective, that the involvement of the communities through the JAZB process created the best possible outcome. Evan Wilson, Metropolitan Airports Commission, added that the state law does allow MnDOT to zone an airport if the JAZB fails to come to a result.

4. MOTION TO ACCEPT THE SECOND PUBLIC HEARING REPORT

IT WAS MOVED BY RICK KING, SECONDED BY KEITH TSCHOHL, TO ACCEPT THE FEBRUARY 28, 2019 PUBLIC HEARING REPORT. THE MOTION CARRIED BY UNANIMOUS VOTE.

5. REVIEW OF FINAL FCM ZONING ORDINANCE MATERIALS

Chair Aho asked Mr. Ralston to provide the review of the Final FCM Zoning Ordinance materials. Mr. Ralston stated the first item is the Final Statement of Legal Authority, Findings of Fact, Conclusions of Law, and Order. Mr. Wilson stated that the JAZB members had seen a prior version of this document, which was complete up to the Second Submittal. Mr. Wilson provided an overview of the four sections of the document. Mr. Wilson stated that it is an executable document for the Chair to sign.

Mr. Ralston stated that there were no material changes to the Final Airport Zoning Ordinance from the Second Public Hearing version and indicated that it is ready to sign today upon favorable outcome. Mr. Ralston stood for questions regarding the Final Ordinance.

6. MOTION TO APPROVE THE FINAL STATEMENT OF LEGAL AUTHORITY, FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

IT WAS MOVED BY RICK KING, SECONDED BY JERRY MCDONALD, TO APPROVE THE FINAL STATEMENT OF LEGAL AUTHORITY, FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER. THE MOTION CARRIED BY UNANIMOUS VOTE.

7. MOTION TO ADOPT THE FINAL FCM ZONING ORDINANCE

IT WAS MOVED BY RICK KING, SECONDED BY KEITH TSCHOHL, TO ADOPT THE FINAL FCM ZONING ORDINANCE. THE MOTION CARRIED BY UNANIMOUS VOTE.

11. MOTION TO ADJORN

Chair Aho thanked everyone for their hard work. Mr. King also thanked everyone. Mr. Ralston recognized the staff of MnDOT, citing that it was a collaborative process. Mr. Ralston also stated that the JAZB has several hard copies of the Final FCM Zoning Ordinance for Chair Aho to sign.

WITH NO FURTHER BUSINESS TO DISCUSS, CHAIR AHO REQUESTED A MOTION TO ADJOURN THE MEETING. IT WAS MOVED BY JERRY MCDONALD, SECONDED BY KEITH TSCHOHL TO ADJOURN THE MEETING. THE MOTION CARRIED BY UNANIMOUS VOTE.

The meeting was adjourned at 4:04 p.m.