



**CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, JANUARY 21, 2020  
Immediately following the 7:00 p.m. City Council Meeting  
CITY HALL**

- 1. Meeting Opening**
  - A. Call to Order
  - B. Pledge of Allegiance
  - C. Roll Call
  - D. Agenda Modifications
  
- 2. Organization of Advisory Bodies as per the City Code of Ordinances Chapter 8**
  - A. Election of 2020 Chair
  - B. Election of 2020 Vice-Chair
  - C. Election of 2020 Secretary
  
- 3. Meeting Minutes**
  - A. Approval of Minutes from December 17, 2019 Planning Commission Meeting
  
- 4. Other Business**
  - A. Review Conflict of Interest Policy
  
- 5. Discussion Item**
  - A. Comprehensive Plan Update – Open House
  
- 6. Adjournment**

**MEMORANDUM**

TO: Planning Commission  
FROM: Sheila Sellman, Community Development Director  
DATE: January 21, 2020  
SUBJECT: Organization of Planning Commission

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Each January, it's appropriate to organize our Planning Commission. As such, we will be having elections of the following positions for Planning Commission:

- 1) Chair (currently Mayor Johnson)
- 2) Vice-Chair (currently vacant was Lorinser)
- 3) Secretary (currently Community Development Director Sellman) this position is usually held by staff and I suggest appointing Planner Matt Lindholm.

City of Isanti  
Planning Commission Meeting Minutes  
December 17, 2019

**Call to Order:** Chair Johnson called the meeting to order at 7:33pm.

**Roll Call:** Commissioners present: Mayor Jeff Johnson, Paul Bergley, Jimmy Gordon, Steve Lundeen, Dan Collison, Aryssa Simon. Absent: Alexander Collins. Staff Present: Community Development Director Sheila Sellman

**Meeting Minutes:** Motion by Bergley 2<sup>nd</sup> by Collison to approve minutes from the November 19, 2019 Planning Commission Meeting. Motion passed 6-0

### **Public Hearings**

- A. A request for a Conditional Use Permit for the operation of a Microbrewery at 2 Enterprise Ave Suite D4, PID 161320040: Sellman explained this CUP was issued in February 2018 and has expired. The public hearing was open and no one was present for this item. The hearing was closed and Lundeen motioned to approve, second by Bergley, motion passed 6-0.

### **Other Business**

- A. Adoption of 2020 Planning Commission Calendar: Motion by Lundeen to approve, second by Bergley, motion passed 6-0.

### **Discussion Items**

- A. Comprehensive Plan Update Open House Discussion: The Commission agreed to holding an open house and want to break into groups. Sellman suggested holding the open house on the regular meeting date of January 21, 2020 if no application are submitted for that date. Sellman will alert the Commission after the December 20<sup>th</sup> deadline on the open house date.

**Adjournment:** Motion by Bergley, 2<sup>nd</sup> by Simon to adjourn, motion passed 6-0.

Respectfully Submitted  
Sheila Sellman, Secretary/ Community Development Director



**CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, FEBRUARY 18, 2020  
Immediately following the 7:00 p.m. City Council Meeting  
CITY HALL**

- 1. Meeting Opening**
  - A. Call to Order
  - B. Pledge of Allegiance
  - C. Roll Call
  - D. Agenda Modifications
  
- 2. Meeting Minutes**
  - A. Approval of Minutes from January 21, 2020 Planning Commission Meeting
  
- 3. Public Hearing**
  - A. Request from the City of Isanti to Amend Ordinance No. 445 Zoning; Section 7, Article Two, Subdivision 6: Permitted Accessory Uses. Section 8, Article One, Subdivision 2: Permitted Uses. Section 8, Article One, Subdivision 2 adding Subdivision 16: Location of Adult Establishment. Section 8, Article One, Subdivision 4: Interim Uses. Section 8, Article One, Subdivision 6: Permitted Accessory Uses. Section 12, Article three, Subdivision 6: Permitted Accessory Uses. Section 13, Article Two, Subdivision 2 (Use Regulations for Adult Uses) is repealed.
  
- 4. Other Business**
  
- 5. Discussion Item**
  - A. Comprehensive Plan Update – Chapter 8, Transportation
  
- 6. Adjournment**

Isanti Planning Commission  
Meeting Minutes January 21, 2020

1. **Meeting Opening:** Chair Johnson called the meeting to order at 7:20pm.  
**Roll Call:** Members Present: Mayor Jeff Johnson, Paul Bergley, Dan Collison, Steve Lundeen, Alexander Collins, Arysa Simon  
Absent: Gordon  
Staff Present: Community Development Director Sheila Sellman, City Administrator Josi Wood, Assistant City Administrator/Special Projects Don Lorsung, City Engineer Jason Cook, Planner Matt Lindholm.
2. **Organization of Advisory Bodies**
  - A. Election of 2020 Chair. Motion by Lundeen to elect Johnson as Chair, second by Bergley. Motion passed 6-0.
  - B. Election of 2020 Vice-Chair. Motion by Collison to elect Lundeen 2<sup>nd</sup> by Collins. Motion passed 6-0.
  - C. Election of 2020 Secretary. Motion by Johnson to elect Matt Lindholm, second by Lundeen. Motion passed 6-0.
3. **Meeting Minutes:** Motion by Bergley, second by Lundeen to approve December 17, 2019 Planning Commission minutes. Motion passed 6-0.
4. **Other Business**
  - A. Review conflict of interest policy- Commissioner Collins turned in his form.
5. **Discussion Item**
  - A. Comprehensive Plan Update – open house. Lorsung gave an overview of the update and broke out into tables. Each table had its own topic which included: Land Use, Transportation, Economic Development and housing, and Parks and trail/ open space. There were about 5 people in attendance.
6. **Adjournment:** Motion by Lundeen second by Simon to adjourn. Motion passed 6-0 meeting adjourned at 8:20pm.



## MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: February 18, 2020

SUBJECT: Ordinance Amendment – adult use

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**Request:**

Per the City Attorney, it has been determined that the current regulations regarding adult uses need to be updated. The attached ordinances were drafted by the League of Minnesota Cities appointed attorney.

**Overview/Background:**

The City Council recently repealed and adopted a new Chapter 68 which regulates adult use. As part of that update some zoning items need to be changed. The proposed amendment removes adult uses as a permitted use from the business districts and only permits the use in Industrial zones. The Amendment also removed performance standards and accessory use.

Accessory use is removed as by definition the sales of some adult material can be incidental to retail sales.

**Staff Recommendation:**

Staff recommends approval of the proposed ordinance

**Attachments:**

- Proposed Ordinance Amendment

**ORDINANCE NO. \_\_\_\_\_**  
**AN ORDINANCE AMENDING SECTIONS OF THE**  
**ISANTI ZONING ORDINANCE RELATED TO ADULT USES**

**The City Council of the City of Isanti hereby ordains:**

**Section 1. Section 7, Article Two, Subdivision 6 of the Isanti Zoning Ordinance is amended as follows:**

**Subdivision 6: Permitted Accessory Uses**

- A. Accessory buildings and uses customarily incidental to any of the permitted uses. Accessory buildings are subject to the regulations as provided within Section 13 of this Ordinance.
- ~~B. Adult uses (accessory) may be permitted by an interim use permit, providing such use meets the requirements of an Adult Use (accessory) as regulated within Section 13 of this Ordinance and the Isanti Code of Ordinances.~~
- € B. Off-street parking and loading, in accordance with Section 17 of this Ordinance.
- Đ C. Outdoor patios and decks, as an accessory use to a bar, restaurant, club, or other assembly use with liquor or food sales, providing the requirements as listed in Section 13 are met.
- £ D. Outdoor smoking shelters, as an accessory use to a bar, restaurant, club, or other assembly use with liquor or food sales, providing the requirements as listed in Section 13 are met.
- ƒ E. Recreation support facilities may be permitted only as an accessory use to commercial recreation facilities.
- Ɠ F. Signs, in accordance with Section 16 of this Ordinance
- ℌ G. Supporting retail and service uses associated and located within a hospital or health care clinic, to include: cafeteria, employee exercise facilities, shops for medical equipment, pharmaceutical supplies, gift shops, bookstores, florists, banking facilities, laundry/dry cleaning, community rooms, and chapels.
- ℐ H. Trash receptacle enclosures, in accordance with the provisions within Section 14, Subdivision 3 of this Ordinance.

**Section 2. Section 8, Article One, Subdivision 2 of the Isanti Zoning Ordinance is amended as follows:**

**Subdivision 2: Permitted Uses**

The following are permitted uses:

- A. Building maintenance service.
- B. Essential services.
- C. Contractor's services.
- D. Light manufacturing.

- E. Motor vehicle repair facility, subject to those standards as provided within Section 13 of this Ordinance.
- F. Office – showroom.
- G. Office – warehouse.
- H. Research and development facilities.
- I. Warehouse.
- J. Water treatment plant.
- K. Wholesale establishment, indoor.
- L. Adult establishments, subject to the requirements of Chapter 68 of the Isanti City Code of Ordinances.

**Section 3. Section 8, Article One, Subdivision 2 of the Isanti Zoning Ordinance is amended by adding the following new Subdivision 16:**

**Subdivision 16: Location of Adult Establishment**

Adult establishments as defined by Chapter 68 of the Isanti City Code of Ordinances shall be located only in the I-1 Industrial Park District.

**Section 4. Section 8, Article One, Subdivision 4 of the Isanti Zoning Ordinance is amended as follows.**

**Subdivision 4: Interim Uses**

~~A. Adult uses (principal), subject to the standards and licensing provisions provided within Section 13 of this Ordinance and the Isanti City Code of Ordinances.~~

~~B A.~~ Farming.

€ B. Residential living quarters for security purposes only, provided the unit is in the same building as the industrial use, the off-street parking requirements are met, and there is full compliance with all of the applicable building and fire code requirements. Interim use permits issued for this purpose shall require that the resident own or be a paid employee of the business, are limited to the property owner and specific use for which it was issued, and are subject to annual review by the Planning commission.

~~D C.~~ Wildlife rehabilitators licensed by the State that temporarily keeps exotic animals within the City of Isanti when the purpose is to return the animals to the wild.

**Section 5. Section 8, Article One, Subdivision 6 of the Isanti Zoning Ordinance is amended as follows:**

**Subdivision 6: Permitted Accessory Uses**

- A. Accessory buildings and uses customarily incidental to any of the permitted uses. Accessory buildings are subject to the regulations as provided within Section 13 of this Ordinance.
- ~~B. Adult uses (accessory) may be permitted by an interim use permit, providing such use meets the requirements for an Adult Use (accessory) as by Section 13 of this Ordinance and the Isanti City Code of Ordinances.~~
- ~~C B.~~ Off-street parking and loading, in accordance with Section 17 of this Ordinance.
- ~~D C.~~ Outdoor smoking shelters, subject to the standards as provided within Section 13 of this Ordinance.
- ~~E D.~~ General Retail, provided that:
  - 1. The retail sales area is accessory to the principal use.
  - 2. The retail sales area is indoors.
  - 3. The retail sales area does not exceed ten (10%) of the gross floor area of the building in which the sales area is situated.
  - 4. No additional signage has been provided identifying the retail sales activity.
- ~~F E.~~ Signs, in accordance with Section 16 of this Ordinance.
- ~~G F.~~ Trash receptacle enclosures, subject to the regulations as provided within Section 14 of this Ordinance.

**Section 6. Section 12, Article Three, Subdivision 6 of the Isanti Zoning Ordinance is amended as follows:**

**Subdivision 6: Permitted Accessory Uses**

- A. Accessory buildings and uses customarily incidental to any of the permitted uses. Accessory buildings are subject to the regulations as provided within Section 13 of this Ordinance.
- ~~B. Adult uses (accessory), as regulated by Section 14, Article 2 of this Ordinance~~
- ~~C B.~~ Off-street parking and loading, in accordance with Section 17 of this Ordinance.
- ~~D C.~~ Outdoor smoking shelters, in accordance with Section 13 of this Ordinance.
- ~~E D.~~ General Retail, provided that:
  - 1. The retail sales area is accessory to the principal use.
  - 2. The retail sales area is indoors.
  - 3. The retail sales area does not exceed ten (10%) of the gross floor area of the building in which the sales area is situated.
  - 4. No additional signage has been provided identifying the retail sales activity.
- ~~F E.~~ Signs, in accordance with Section 16 of this Ordinance.

Ⓔ F. Trash receptacle enclosures, in accordance with the regulations as provided within Section 14, Subdivision 3 of this Ordinance.

**Section 7. Section 13, Article Two, Subdivision 2 (Use Regulations for Adult Uses) of the Isanti Zoning Ordinance is repealed.**

**Section 8.** This ordinance shall take effect and be in force from and after its publication in the official newspaper of the City of Isanti.

\_\_\_\_\_  
Jeff Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Katie Brooks, City Clerk



TO: Chairman Johnson & Planning Commission

FROM: Don Lorsung, Assistant City Administrator/Special Projects

DATE: January 23, 2020

RE: Chapter 8 – Transportation – Comprehensive Plan Update

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## **Introduction**

As recognized in the 2008 Comprehensive Plan, adequate transportation systems in the City are critical to the vitality and growth of the City. Isanti has two major road corridors that go through it, US Highway 65, which bisects the City with a north/south four lane corridor that provides access to the metropolitan area, and County Highway 5 / Heritage Boulevard, which provides an east/west connection through Isanti County. Isanti County Highway 5, through connecting inter-county roads, has access to US Interstate 35 to the east and US Highway 169 to the west. How City and County arterial road systems interrelate to the major roads will promote or hinder commercial, industrial and residential development and growth. Listed below are key transportation goals that are incorporated into this update.

## **Transportation Goals and Objectives**

- Provide a safe, efficient and adequate transportation system that services and balances both access and mobility needs.
- Create and provide excellent north-south and east-west connections and movements throughout Isanti.
- Maintain a transportation system that is coordinated and cost effective.
- Coordinate transportation with land use planning and environmental protection.
- Establish a strong multi-modal transportation plan to meet the community's current and future needs.

## Transportation Elements

Transportation elements are placed in several categories, each of which is an important part of the transportation system. These categories are expanded on as follows.

### Roadway Jurisdiction

Transportation right-of-ways and their roadways, non-motorized and pedestrian facilities have different governing jurisdictions, ranging from the State Department of Transportation, Isanti County, Townships and the City. The City has both a municipal road system and a municipal state aid road system. With state aid system routes, the City receives both money for improvement and on-going maintenance. As the City's population increases, the City will be able to designate more road miles to the state aid system. Figure 8-1 shows the State Aid Routes and Jurisdiction of County and State road systems at the time of this update.

### Roadway Classification

Roadways are classified based on access, capacity and function. Local road classifications range from a Major Arterial (US Highway 65) to minor collector roads (South Passage SE). The higher the classification, the greater the vehicle capacity of the road. Access points are more limited and road speeds are higher. Classifications can change over time due to increased usage of the roads, changes in road design and access. MSA routes in the City are primarily minor collector routes. At this time the following local roads are classified as follows:

<u>Road</u>	<u>Classification</u>
• US Highway 65	Major Arterial
• Heritage Boulevard/CSAH 5	Major Collector
• CSAH 23/Whiskey Road SW	Minor Collector
• CSAH 55	Minor Collector

#### Local MSA Routes

- South Passage SE/SW
- 6<sup>th</sup> Avenue SW
- Railroad Avenue SE
- Palomino Road SE (Railroad Avenue SE to US Highway 65)
- Towns Edge Rd SE (Railroad Avenue SE to US Highway 65)
- S. Brookview Lane SW (CSAH 23 to 5<sup>th</sup> Avenue SW)
- Fifth Avenue SW (S. Brookview Lane SW to N. Brookview Lane SW)
- N. Brookview Lane SW (5<sup>th</sup> Avenue SW to 2<sup>nd</sup> Avenue SW)
- 4<sup>th</sup> Avenue SW/NW (N. Brookview Lane SW to Heritage Boulevard NW)
- 2<sup>nd</sup> Avenue SW (N. Brookview Lane SW to Main Street W)
- Main Street W/E (4<sup>th</sup> Avenue SW to US Highway 65)

- Credit Union Drive NE (Main Street E to Heritage Boulevard NE)
- 3<sup>rd</sup> Avenue NW (Heritage Boulevard NE to Isanti Parkway NW)
- Isanti Parkway NE ( 3<sup>rd</sup> Avenue NW to East Dual Boulevard NE)
- East Dual Boulevard
- Cajima Street NE (East Dual Boulevard to US Highway 65)

## Local Road Systems

Beyond the original townsite plan, with its surveyed grid iron blocks with street and alley systems, development of streets has taken place as part of the planning and subdivision process, with many of the roads part of developer installed public improvements in a specific subdivision. The City has worked diligently to maintain all local roads in its jurisdiction, including drainage and hard surfacing to improve existing neighborhoods as needed. The City implemented a long range plan to address current and future improvements and maintenance. The City will need to monitor legislative changes that may either enhance or limit the ability of the City to finance these programs.

## Road Use and Access

The City, in conjunction with Isanti County and the Minnesota Department of Transportation, periodically monitors vehicle traffic usage of collector, arterial and local streets. This is reflected in the mapping of Average Daily Trips (ADTs). This is reflected in Figure 8-2, Current Traffic Volumes. This data is collected over time and is used in planning improvements in road systems. As an example, certain traffic thresholds may cause implementation of traffic signals or re-configuration of traffic lanes to flow more volume in a specific right of way. Access to those roads also becomes part of the equation, as more access points on a specific road may lower speeds and the ability of the roadway to carry increasing traffic loads. With both collector and arterial road systems, direct access from an adjacent property is discouraged or limited, with local roads taking on the function of gathering destination specific traffic and bringing that traffic to specific intersections, some of which may be signalized. This concept works in residential and commercial areas as well. Often frontage or backage roads are constructed in general commercial areas to serve this purpose. Roadway design for both current and future traffic use, is important as transportation systems evolve over time. As a matter of policy for future road systems, the City may want to consider development of a Roadway Design and Access Policy.

## **Functional Transportation Plan**

The City has developed a long range functional transportation plan for vehicular traffic that has been reviewed as a part of this comprehensive plan update. This is reflected in Figure 8-3 Multi-Modal & Transportation Corridor Enhancements. These improvements include roadways and collectors that may be developed beyond the scope of this planning effort (post 2030). The Plan incorporates the following elements:

- Realignment of CR 45 - straightening of segments to create a smoother corridor. North-south route between 277<sup>th</sup> Avenue NE and CSAH 5 – this corridor would extend north to an east-west route and ultimately connect with the extension of 8<sup>th</sup> Avenue NE.
- E Dual Boulevard Extension – this corridor would connect to the railroad crossing at 299<sup>th</sup> Avenue NE.
- East-west connection between north-south corridor, east of golf course and extending to CR 45.
- East-west connection between CR 23 and Polk Street.
- 6<sup>th</sup> Avenue NE & Wendover NE Extensions – East Commercial corridor connection.
- West Frontage Road Improvements – From Heritage Boulevard north to Golden Way and Enterprise Avenue NE.
- Intersection Improvements at: Heritage Boulevard NE and East Dual Boulevard NE, Cajima Street NE and US Highway 65, Eighth Avenue NE and Heritage Boulevard NE, and Palomino Rd SE and US Highway 65

## **Multi Modal Transportation Systems**

### Local Sidewalk and Trail Systems

The Parks, Open Space, Trails and Natural Areas Plan contains the location of existing trails and sidewalks in the City. The City has had sidewalks and trail extensions installed as commercial and residential development occurred in the City. The City has also had some sidewalk systems installed as MSA, local and neighborhood roads have been reconstructed. Typically, sidewalks in the City are on the north and west sides of roadways. As we move to the future, the City should have sidewalk or trail systems installed along all MSA, current and future roads that will be classified as minor collectors. In cases where sufficient right of way does not exist for a separated trail, shoulder trails, possibly separated by curbing or part of a “complete street” concept could be implemented. Access improvements across major roadways should also be considered in the future.

The major goal is to have a contiguous system of sidewalks and trails that connect commercial and residential areas, educational facilities and parks/natural areas. Off road trails could be used to connect natural areas (river, brooks, wetland/woods) and passive parks. In some cases these will be unpaved trails with seasonal access and use.

### Regional Trail Systems

Connections should also be made and enhanced to County, regional and state trail systems. This includes future extension of the Cambridge Isanti Bike/Walk Trail north to Braham. The City also has access to the state Sunrise Trail in the City of North Branch, using CSAH 5. This access needs some improvements that hopefully will be made in the future. An alternate trailway along CSAH 9 could also provide access to the Sunrise

Trail. The County has completed a future trail plan with connections in and through Isanti. It is recommended that the City coordinate its trail efforts with the County and surrounding communities.

#### Highway 65 Crossing

State Highway 65 bisects the City, creating limited crossing opportunities for pedestrians and bicyclists. A signalized controlled access is available at the Heritage Avenue intersection. That was constructed to provide a safe route across this roadway. Additionally, bicycle access improvements across the Cajima Street intersection with Highway 65 are incorporated in a current intersection improvement project. In the past the City had pursued a separated walkway over the highway near the Main Street access, but funding constraints and cost of construction for connecting trails on the east side of the highway ended consideration of that project. It is not anticipated that a separated crossing is in the timeframe of this comprehensive plan update. However, it should be noted that the need for such a crossing will increase with future residential development on the east side of the City.

#### Other Multi-Modal Systems

The City has a local bus company, Heartland Express, that provides destination specific bus transportation for local residents. At the writing of this update, metro bus transportation is provided up to the City of Blaine, with a park and ride location. At this time, there is not a designation public park and ride lot in Isanti for those desiring to share rides to metro destinations. It has been discussed that such a lot could be developed in downtown Isanti. Placement of such a lot could coincide with future planning for a commuter rail stop in the City. Planning for the commuter rail in the timeframe of this comprehensive plan update has the rail stop in the City of Cambridge.

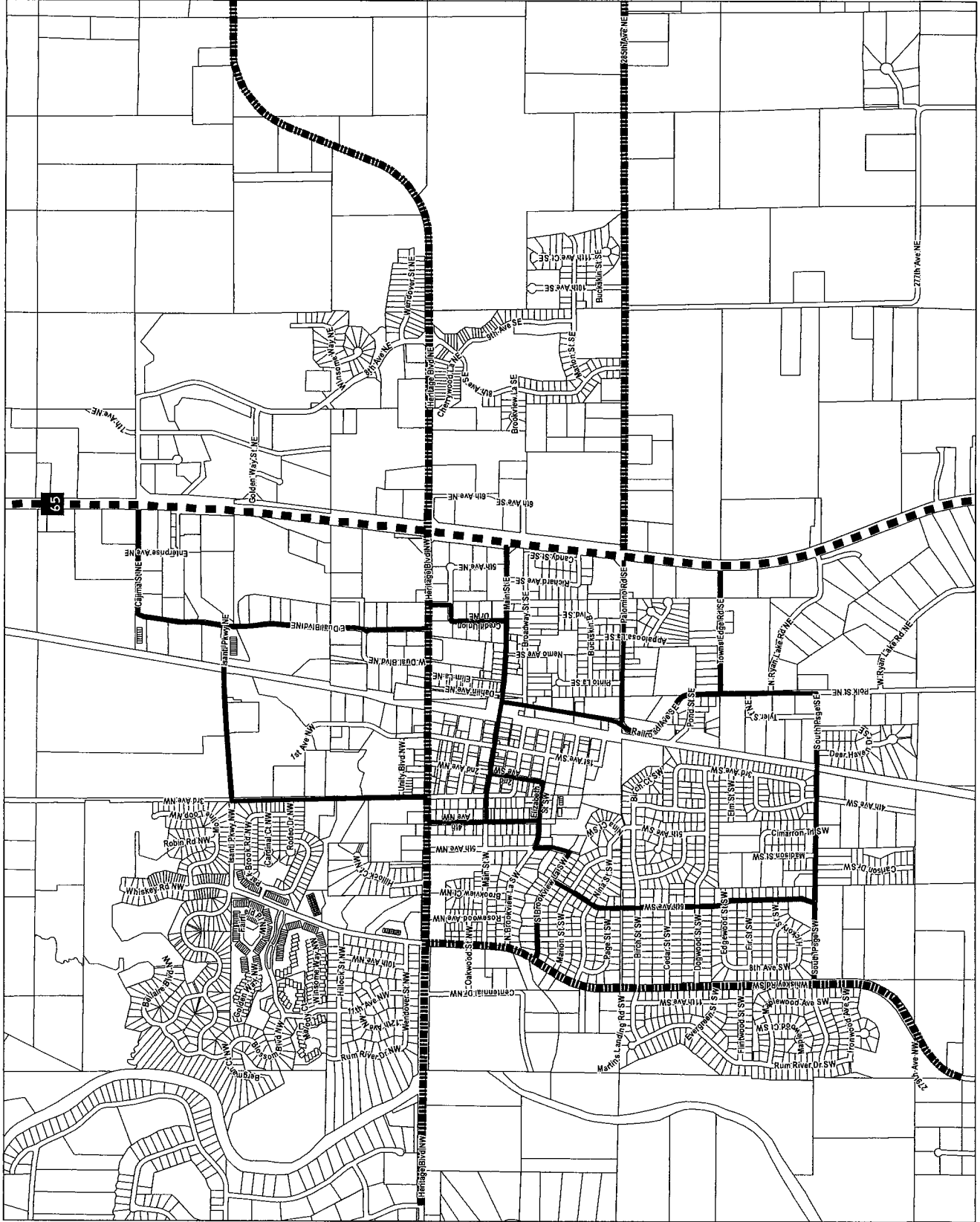
#### **Cross Jurisdictional Transportation Planning**

The 2008 City Comprehensive Plan took into account transportation plans prepared by the Isanti County Highway Department, as well as consultation with MnDOT. The City was actively involved in County planning efforts, as well as other multi-modal planning transportation efforts. It is recommended that those collaborative efforts be continued. It is recommended that the City consider membership in the Highway 65 Corridor Coalition. This group advocates for highway improvements from Anoka to Kanabec County.

# Figure 8-1 CITY OF ISANTI STATE AID ROUTE MAP

ISANTI COUNTY, MINNESOTA  
FEBRUARY 2020







- State Highways
- County Roads
- State Aid Routes



Prepared By:  
City of Isanti, Minnesota  
Department of Community Development  
110 1st Ave NW  
PO Box 428  
Isanti, Minnesota 55040  
763-444-5512

Questions regarding this map should be directed to the  
Community Development Director at 763-444-5512.

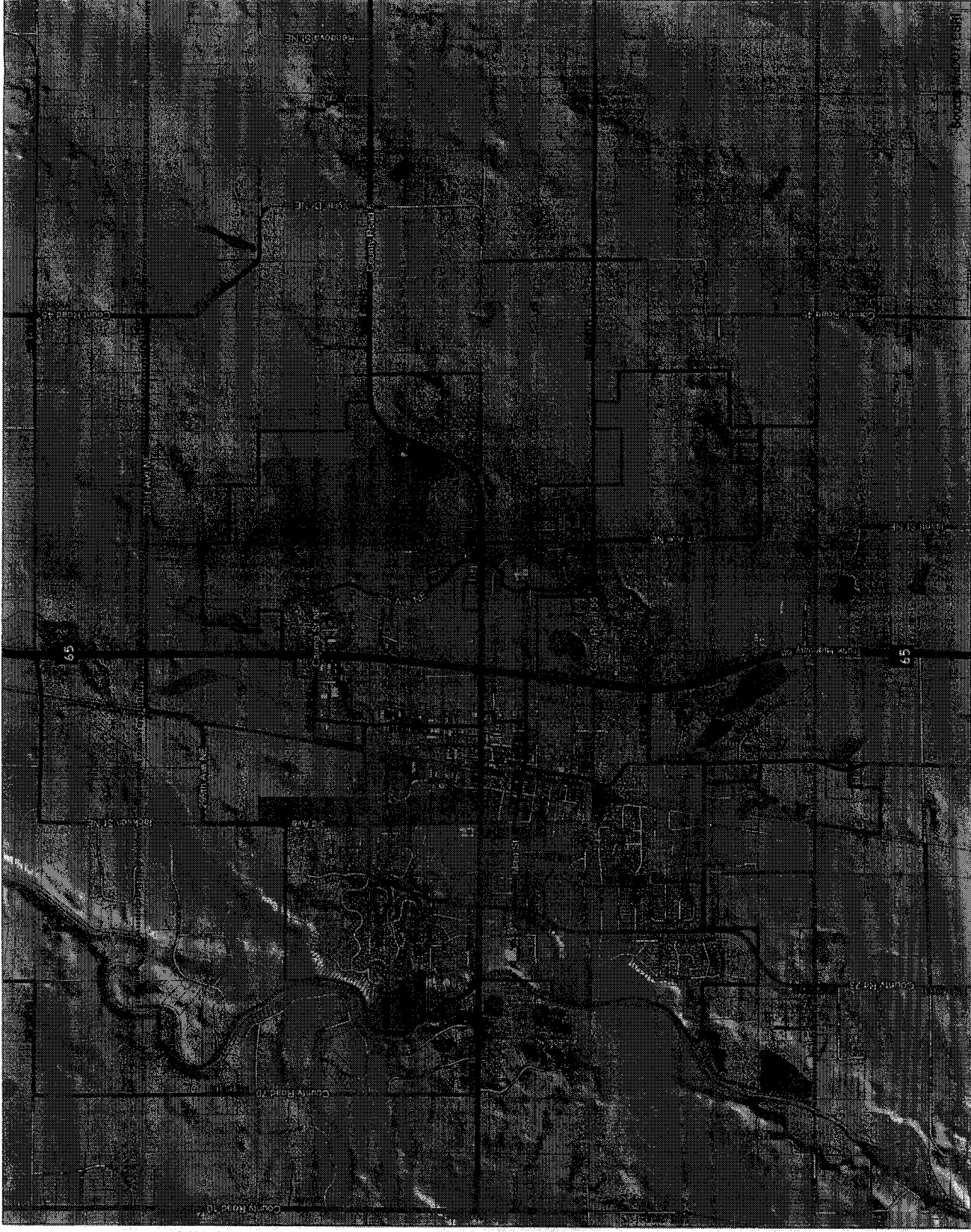
# Figure 8-2 CITY OF ISANTI EXISTING TRAFFIC VOLUMES ISANTI COUNTY, MINNESOTA FEBRUARY 2020

-  Planning Boundary
-  Corporate Boundary
-  Official AADT
-  Trunk Highway
-  Major Collector
-  Minor Collector



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












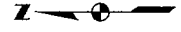
# Figure 8-3

## CITY OF ISANTI

### MULTI-MODAL & TRANSPORTATION CORRIDOR ENHANCEMENTS

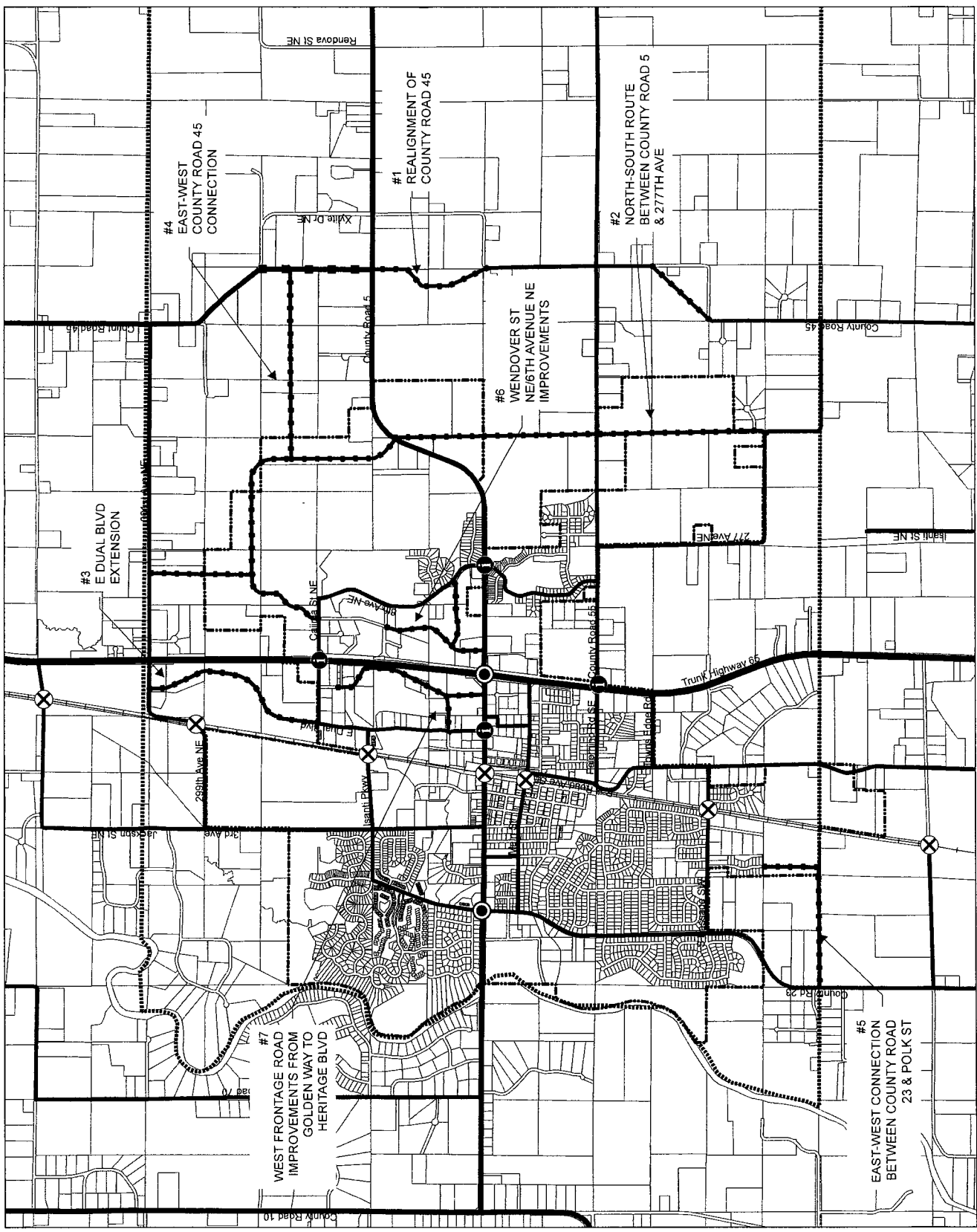
ISANTI COUNTY, MINNESOTA  
FEBRUARY 2020

-  Planning Boundary
-  Corporate Boundary
-  Major Collector
-  Minor Collector
-  Principal Arterial
-  Proposed Major Collector
-  Proposed Minor Collector
-  Existing Traffic Signal
-  Existing Railroad Crossing
-  Proposed Intersection Improvements
-  BNSF Railroad



Prepared By:  
City of Isanti, Minnesota  
Department of Community Development  
110 1st Ave NW  
PO Box 428  
Isanti, Minnesota 55040  
763-444-5512

Questions regarding this map should be directed to the  
Community Development Director at 763-444-5512.





**CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, MARCH 17, 2020  
Immediately following the 7:00 p.m. City Council Meeting  
CITY HALL**

- 1. Meeting Opening**
  - A. Call to Order
  - B. Pledge of Allegiance
  - C. Roll Call
  - D. Agenda Modifications
  
- 2. Meeting Minutes**
  - A. Approval of Minutes from February 18, 2020 Planning Commission Meeting
  
- 3. Public Hearing**
  - A. Consider adoption of the Comprehensive Land Use Plan Update
  
- 4. Other Business**
  - A. Appointing Secretary due to resignation
  
- 5. Discussion Item**
  
- 6. Adjournment**

City of Isanti  
Planning Commission Meeting Minutes  
February 18, 2020

**Call to Order:** Chair Johnson called the meeting to order at 7:42pm.

**Roll Call:** Commissioners present: Mayor Jeff Johnson, Paul Bergley, Jimmy Gordon, Steve Lundeen, Dan Collison, Aryssa Simon, and Alexander Collins.

Staff Present: Community Development Director Sheila Sellman, Assistant City Administrator/Special Projects Don Lorsung, and Planner Matt Lindholm

**Meeting Minutes:** Motion by Bergley, 2<sup>nd</sup> by Collison to approve minutes from the January 21, 2020 Planning Commission Meeting. Motion passed 7-0.

### **Public Hearing**

A. A request from the City of Isanti to Amend Ordinance No. 445 Zoning; Section 7, Article Two, Subdivision 6: Permitted Accessory Uses. Section 8, Article One, Subdivision 2: Permitted Uses. Section 8, Article One, Subdivision 2 adding Subdivision 16: Location of Adult Establishment. Section 8, Article One, Subdivision 4: Interim Uses. Section 8, Article One, Subdivision 6: Permitted Accessory Uses. Section 12, Article three, Subdivision 6: Permitted Accessory Uses. Section 13, Article Two, Subdivision 2 (Use Regulations for Adult Uses) is repealed; Sellman explained this removes Adult Use from the B-2 General Business District as a permitted use and accessory use while allowing Adult Use in the I-1 Industrial Park District as a permitted use. The Amendment also removes performance standards (per recent repeal/adoption in Chapter 68) and accessory use. Accessory use is removed as by definition the sales of some adult material can be incidental to retail sales, as protected under the US Constitution's 1<sup>st</sup> Amendment. The public hearing was open, and no one was present for this item. Johnson closed the public hearing.

Motion by Lundeen, 2<sup>nd</sup> by Gordon to approve the ordinance amendment. Motion passed 7-0. Bergley asked the reason of this request. Sellman said it was a result of updating Chapter 68 in City Code.

**Other Business:** None.

### **Discussion Item**

A. Comprehensive Plan Update – Chapter 8, Transportation: Lorsung reviewed current/future goals and the importance of long-term planning of transportation corridors and roadways. Bergley asked when County Road 9 (CR-9) might be considered a major roadway. Lorsung stated that he didn't have traffic counts on hand but estimated an increase in traffic. Bergley presumed CR-9 was already considered a major roadway and was curious as to how close it was to status change. Lorsung said that it would be beyond 2030 that CR-9 may be tied in.

**Adjournment:** Motion by Bergley, 2<sup>nd</sup> by Collison to adjourn. Motion passed 7-0. Meeting adjourned at 7:56pm.

Respectfully Submitted  
Matt Lindholm, Planner/Secretary



**To:** Chairman Johnson and Planning Commission

**From:** Don Lorsung, Asst. City Administrator / Special Projects

**Date:** March 17, 2020

**Subject:** Comprehensive Plan Update – Public Hearing / Executive Summary

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**Public Hearing -2020 Comprehensive Plan Update:**

The next step in the 2020 Comprehensive Plan Update Process is for the Planning Commission to hold a Public Hearing. Public input was gathered at the beginning of this process in 2019 and an Open House was held in January, 2020 on the draft plan. At this hearing a presentation will be given by City staff and any concerns or questions by the public on the plan update will be addressed.

**Executive Summary:**

Attached is an Executive Summary of the 2020 Comprehensive Plan Update. The summary contains information on major events since the 2007 Comprehensive Plan that have affected the City. It also contains summary information from each Chapter of the updated plan, as well as any additional planning objectives that were identified in the planning process. The Executive Summary will be incorporated in the final 2020 Comprehensive Plan Document.

**Staff Recommendation:**

Staff recommends that the Planning Commission approve adoption of the 2020 Comprehensive Plan Update.

**Attachments:**

- Executive Summary – 2020 Comprehensive Plan Update

## EXECUTIVE SUMMARY

This summary provides information on the 2020 Comprehensive Plan Update. This Plan updates the 2007 Comprehensive Plan to this current time. Base information, goals and objectives have been reviewed and if relevant, incorporated in this update. This update is ordered similarly to the 2007 plan for ease of review and comparison to see the changes that have taken place in the City of Isanti over a time span of 13 years. Each section of the update contains recent and relevant information in a concise manner, with additional goals providing recommendations for current times and looking forward 10 years to 2030.

### Past Economic Conditions Affect Comprehensive Plan Projections

As a review of the document is made, it must be stated that there were two major economic events that affected development within the City of Isanti. These events were the Great Recession and the Housing Foreclosure Crisis. The recession greatly slowed new development and stalled significant job growth for a number of years in the City of Isanti. Coupled with the financial recession was the foreclosure crisis which caused significant abandonment of single family homes in the City of Isanti. Isanti County itself had one of the highest rates of housing foreclosures in Minnesota. At the height of the crisis, 12% of the owner occupied housing stock in the City was affected. The City worked tirelessly with property managers and lending institutions to maintain vacant housing and homes during the crisis. Proactively, the City implemented a federally funded grant program to assist qualifying new owners with financing and repair of foreclosed homes. Over time both the financial and foreclosure crisis eased and with the improving economy, new commercial and housing construction began again. However, with such tumultuous times, the development and growth projections for the City of Isanti in the 2007 plan were not realized. This update takes this into account and provides a new path towards the future.

### Planning Boundary / Joint Planning

This update follows the “planning boundary” as described in the 2007 Comprehensive Plan. Overall, planning within this area is sufficient for the time period of this update. It is recommended in development of a new Comprehensive Plan in 2030, that progression of development into the planning area be evaluated and any change in adjacent governmental jurisdictions be taken into account. It is further recommended that joint planning with adjacent Townships, the City of Cambridge, Isanti County and natural resource organizations would assist the City of Isanti to achieve its development goals; with protection of the City’s unique natural environment that extends beyond present and future city boundaries.

## Project Process

City staff have worked with the Planning Commission on the 2020 Comprehensive Plan Update. Public input has also been gathered as a part of this update. At the beginning of the process in May, 2019, updated plan Community Vision, Goals and Strategies were prepared and placed on the City Website for public comment. A Facebook poll was also taken at that time to identify community wants and desires. In January, 2020, an Open House was held as part of the regular monthly Planning Commission Meeting to overview the Comprehensive Plan Update and gather public input. Public comment from all these outreach efforts has been included in the Comprehensive Plan Update.

## Chapter Highlights

Below are chapter highlights from the 2020 Comprehensive Plan Update. Applicable additional goals are also listed.

### Chapter 1: Community Vision, Goals and Strategies

The Chapter contains the City Mission Statement, Community Vision Objectives and overall Goals. Sections with specific goals include: General Community, Intergovernmental Coordination, Community Appearance and Livability, Natural Resources, Growth Management, Land Use, Community Facilities, Parks and Open Space and Transportation. These sections and plan goals should be reviewed periodically. They should also be considered with any Amendments to the Comprehensive Plan, Zoning Ordinance and Community and Economic Development planning and projects.

### Chapter 2: The Community

Chapter 2 discusses past and current community conditions and demographics. Demographics regarding population and household trends are reviewed and projections are given through the planning period. Based on analysis of the demographic data the City will continue to grow more diverse in population and the following goals/strategies are as follows:

- Recognize the assets of citizens of all ages, incomes, faiths and cultural heritages.
- Continue to find ways to educate the public on cultural, economic, faith, age-based and other diversity issues.
- Encourage increased interaction and communication between citizens of all ages, faiths, cultural heritages and incomes.

The next section overviews City facilities that include: City Hall, Isanti Community Center, Isanti Indoor Arena, Public Safety Building, Public Works Maintenance Facility and Utility Treatment Plants. There is also information on Schools in Isanti and Churches to recognize them as community social institutions. Goals/strategies for this section are as follows:

- Consider facility planning for future City needs. Identify sites for future public facility locations.
- Create conceptual future master plans for planned growth areas that will identify, map and preserve future utility corridors.

The final section of Chapter 2 is a brief discussion of Intergovernmental Organizations and relationships regarding city growth. Optimal for the City is use of orderly annexation agreements and extra-territorial planning through Tiers. These both allow proper staged planning for future urban development. To gain acceptance and implementation, there will need to be an open dialogue between Isanti Township, Isanti County and the City, with follow through regarding policies as urban development proceeds. Goals/strategies are as follows:

- Work with adjacent Townships, Municipalities and the County to ensure that planning goals, objectives and policies are understood and accepted.
- Communicate and educate local officials regarding City development projects that affect adjacent Townships, Municipalities and the County.
- Work with adjacent local governments to identify areas where collaboration and consolidation could reduce overall cost and increase the effectiveness of local government.

### Chapter 3: Housing and Neighborhoods

This Chapter focused on housing development in the City. Housing is the single greatest land use in the City of Isanti. Of that, the largest housing classification in the City is single-family owner occupied housing. People are drawn to Isanti due to its small town feel, semi-rural environment and ability to get single family housing at a lower price point than urban housing markets closer to the twin cities metropolitan area. Regarding the age of housing in the City, the largest amount of housing was built in the time span from 2000 to 2018. There was also a significant amount of housing built in the 1990s. Major housing development in those time periods occurred in the south, western and northwest areas of the City. Also, with the extension of utility and street infrastructure, housing development began on the east side of Highway 65. As residential housing areas are now nearing completion on the west of Highway 65, major housing development will shift to the east side. This is anticipated to happen in the term of this comprehensive plan

update. The land use plan recognizes that and land use is guided for housing development in those areas.

Regarding housing type, the demand for single-family housing in Isanti will continue within the timeframe of this update. Market rate starter, transitional, and “move up” single-family housing is being constructed. Recent starter housing is a mix of split level and one level patio homes. The split level homes often have an unfinished lower level, allowing the purchaser to expand the home’s square footage to meet owner housing needs. The single level patio homes appeal to both first time home buyers and senior citizens who need transitional housing. Larger “move-up” single-family homes are being constructed to meet the needs of growing and relocating families.

There is also a need for multi-family housing in the City. The last market rate apartment complex was built in 2008. The most recent housing study, performed in 2015, determined that more housing was needed in the area, as multi-family housing vacancy rates were very low. Since that study more multi-family housing has been built in the area, but not in the City of Isanti. There has been much discussion regarding the need for “life-cycle housing” in the City and multi-family housing fills gaps by providing first housing for younger households and transitional housing for seniors. Part of the issue in Isanti is the amount of land available for multi-family housing. Ideally, these developments are near commercial corridors. Potential sites for mixed use of commercial and multi-family residential have been identified in the updated land use map. It is further recommended that the housing study be updated to assist in defining and verifying current housing needs.

Development of housing subdivisions with natural areas and amenities is important to creating a unique and desirable community. Existing woodland areas, wetlands and wildlife corridors should be retained as a part of development. Public open space to preserve natural amenities, through land donations, easements or partnerships with associations, should be part of the planning process for residential development.

Additional goals/strategies from this Chapter are as follows:

- Continue to study housing goals, needs and resources. Watch for changing housing market conditions and opportunities/projects to meet City housing needs and create life cycle housing choices for residents.
- Create desirable neighborhoods through inclusion of natural amenities, parks, sidewalk and trail systems. Include natural systems in planning so that these amenities and wildlife corridors are maintained.
- Encourage a diversity of housing units through architectural design styles, building placement, density and lot size to create unique neighborhoods in the City.

## Chapter 4: The Economy

The City has achieved major economic goals, with location of a Medical Clinic, Pharmacy, and Hotel in the City. There has also been substantial industrial growth, with location of the Ever Cat Biodiesel Facility and SnoBear USA in the Industrial Park. The location of the growing City on a major highway corridor; combined with proactive economic development efforts have assisted in achieving these goals. Commercial development has advanced in business districts on the southeast and southwest sides of the US Highway 65 and Heritage Boulevard (CSAH 5) Intersection.

Employment opportunities have increased in the City since the Great Recession. Overall though, 59% of Isantians in the workforce still commute to jobs outside of the City. Surveys have shown that if local jobs are available at competitive wage rates (factoring in commuting costs), citizens would rather work here. Most workers travel by car to work, with some using carpools. While it is not anticipated that there will be new public transit options by bus or rail in the time period of this update; the City should stay informed of such efforts.

The City needs to continue to be involved and deliberate in economic development to maximize opportunities to gain new industrial and commercial development. In our region there is substantial competition for projects. Commercial and industrial development should be planned to complement existing land uses, natural amenities and growth patterns of the City. Planning efforts to date have placed the City in a good position for near term commercial and industrial growth. The Industrial Park has lots ready for development. Commercial corridors have been developed next to US Highway 65. Commercial lots are available in that corridor that have full access with utilities. More detailed planning for both industrial and commercial areas will need to take place as available lots are developed. The Industrial Park could be expanded to the north and northwest, with a potential for a rail served industrial park. In the next 10 years, there will need to be planned efforts and targeted investment by the City to make development happen.

The City's downtown area serves as the historical center of commercial development. With the synergy of the historic downtown and adjacent mixed residential and commercial uses that extend between Heritage Boulevard and Main Street, from 1<sup>st</sup> Avenue NW to Highway 65; consideration should be given to expansion of Isanti's definition of "downtown". Street lighting and signage could be installed to further define and identify the expanded downtown district. Development/redevelopment sites could be promoted for mixed use in the redefined district. From a marketing perspective, the area could be marketed together with events and promotions.

Additional goals/strategies from this Chapter are as follows:

- Prepare a new Downtown Plan to incorporate the historic downtown area and adjacent commercial area west of Highway 65 to tie these commercial areas together with specific lighting, signage and transportation improvements for both vehicle, non-motorized and pedestrian usage. Recognize the impact that housing and mixed use in and adjacent to this district has on sustaining the commercial viability of this new “downtown” area.
- Review commercial development needs regarding road and utility systems in the East Highway 65 commercial corridor. Consider if partnerships are necessary for development of this important commercial area. Consider mixed use with possible multi-family developments on parcels located on the east side of the commercial area.
- Look to partnerships with local and regional public entities and private firms to begin steps to develop a rail industrial park.

#### Chapter 5: Natural Resources

The 2007 Comprehensive Plan recognized the need to preserve and protect the natural resources of the area, including watercourses, wetlands, woodlands and sensitive environmental assets that either are or will be in the future, part of the City.

The City will continue to grow out into these areas over the next 10 years. Depending on land use planning, and how development proceeds, natural areas will be further altered, maintained or possibly enhanced.

Continued sustainability of natural resources remains the key for those systems remaining productive and relevant over time. An example of this would be integration of storm water systems that are designed to absorb, hold and release water, phosphorus and other chemicals in a way not to tax the capacity of receiving waters, which could include brooks, ponds, wetlands, and the Rum River.

The Chapter discusses Conservation Planning as the way to move forward with development in the City with ecological factors as a priority. Zoning tools and development codes can be designed to allow flexibility in development to retain valued natural systems. Conservation planning goals are reviewed which include: enhancement of existing parks and recreation lands, protection of public interest lands, a parks system that incorporates Isanti Brook, Spirit Book, and the Rum River, and Stormwater Management Lands.

Also addressed in the Chapter are areas integral to preservation and improvement of natural systems in the City of Isanti. These are public education, wildlife corridors, City tree/canopy programs, natural planting and stormwater gardens.

Additional goals/strategies from this Chapter are as follows:

- After adoption of the Comprehensive Plan Update, review and update existing land use regulations, storm water regulations and development incentives to guide and support Conservation Planning Goals in land development activities.
- Develop partnerships and work with the Minnesota Department of Natural Resources, Cedar Creek Nature Reserve, Isanti Soil and Water Conservation District, local governments, and volunteer groups to achieve Conservation Planning Goals.
- Educate the public on the importance of Conservation Planning. Work on Outreach Programs with the C-I School District and other groups to get information out to the public.

#### Chapter 6: Parks, Trails & Open Space

The City has been very proactive in the development of parks and trails. With increasing growth, the City has been involved with development of recreation facilities, active and passive parks, with a variety of amenities and access to natural areas. The parks and recreational facilities operate at neighborhood, city and regional levels. The City has partnered to provide recreational amenities. The Isanti Indoor Arena (BMX) and Academy Park (Arts & Science Charter School) are examples of such partnerships. Future parks will provide additional facilities for residents, as well as continued ties to natural areas and systems. The City has developed trail systems in residential areas of the City, with connection to parks and recreational facilities. Future planning will work to continue incorporating trail corridors with natural areas. The City, Isanti County, Isanti Township and City of Cambridge partnered in development of a joint trail between the two cities. The City is committed to connecting future park facilities and to regional trail systems as opportunities present themselves.

Other recreational facilities that are available in the City include: Sanbrook Golf Course, David C. Johnson Indoor Civic Arena (hockey, civic events), Isanti Firefighters Association Rodeo Grounds (annual rodeo, civic/community events) and Martin's Landing (DNR Rum River access).

Additional goals/strategies from this Chapter are as follows:

- Use the Comprehensive Parks, Trails and Open Space Plan prepared and updated by the Park, Recreation and Culture Board and Comprehensive Plan Chapter 6, Parks, Trails and Open Space when determining the location of future parkland and open space as required by the Park Dedication Ordinance.

- Create an incentive-based program to encourage developers and landowners to complete the network of trails and open space. Look at investments by the City to complete trail segments and connections.
- Provide passive parkland and open space areas to enhance the quality of life in existing and future neighborhoods.
- Plan green space and trails/park areas accordingly so they may become a part of the a larger multi-purpose greenway system in accordance with the Comprehensive Plan, Chapter 5, Natural areas.

### Chapter 7: Land Use

The land use chapter is referred to as “the heart of the Comprehensive Plan”. It provides the basis for the Official Zoning Map and is referred to when making findings for approvals to changes in the zoning, subdivision or development codes. It is also used for review of development proposals. In order for the City of Isanti to have guided deliberate development, with proper placement of transportation and utility systems, evaluation and planning for land use is necessary for the future community.

The section overviewed an updated land use inventory and evaluated the “intrinsic suitability” of land uses keeping in mind natural systems and existing land use in the planning boundaries of the City. Many of these areas had already been altered for agricultural, rural residential, recreational or rural commercial uses. These areas and natural systems (as reviewed in Chapter 5, Natural Resources) are included in the future land use plan. Land use designations that define existing and future use of land within the planning area are identified and defined.

Existing growth patterns are also reviewed in this Chapter. At the time of this update, the City is in a growth mode with significant new commercial and residential development. Much of the existing land use planning remains relevant and will continue to be so through the time period of this update. Guidelines for basic planning provisions and physical character of the City are included in this section. City utility system capacities were also reviewed and should also be sufficient for planned growth/service areas in this time period. It is recommended that utility capacities be evaluated again in the next 5 years as growth patterns during this comprehensive plan update’s time period become clear. Utility plant or system updates should include increased capacities if warranted. Utility planning information is included in the Appendix of this comprehensive plan update.

The Future Land Use Map has been reviewed and updated. Future land use designations are also in the plan document.

Additional goals/strategies from this Chapter are as follows;

- Consider goals listed in the Basic Planning Provisions section in reviewing development and redevelopment projects.
- Look for mixed use opportunities for land adjacent to major general commercial corridors and expanded central business district that could include high density multi-family residential.

### Chapter 8: Transportation

As recognized in the 2007 Comprehensive Plan, adequate transportation systems in the City are critical to the vitality and growth of the City. The City has two major road corridors that go through it. US Highway 65, is a north/south four lane highway that provides access to the Twin Cities metropolitan area to the south and Heritage Boulevard (Isanti County Highway 5), which provides an east/west highway connection through the County. This Chapter reviewed these major corridor road systems and the interrelation of the City road systems. Roadway jurisdictions and classifications are also reviewed. Besides the major roads, most City streets function either as local streets serving adjacent businesses and residences, or minor collectors which serve to route local traffic to major road systems. The City of Isanti receives assistance for its minor collector road maintenance and rehabilitation costs through MnDOT's municipal state aid road system. Local road systems and their access and use are also reviewed. The existing functional transportation plan was also reviewed. This planning includes roadways and collector street improvements that most likely will be developed beyond the scope of this planning update.

The Chapter also reviewed multi-modal transportation systems that include; the local sidewalk and trail system, regional trail systems, comments on non-motorized traffic crossing of US Highway 65. The section discusses other multi-modal systems that include local bus service, metro bus connection, park and ride facilities and sharing. Included is future potential for commuter rail.

As a final note in this section, it is recommended that collaborative efforts by the City, local and state jurisdictions are continued. This includes multi-modal transportation planning as well.



MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: March 17, 2020

SUBJECT: Appointing Secretary

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**Request:**

With the resignation of the Planner, who was recently appointed as the Planning Commission Secretary, a new secretary needs to be appointed. Staff suggests appointing the Community Development Director or Designee as the Secretary from here forward, so that the position is always filled.

**Staff Recommendation:** Staff recommends the following motion: move to appoint the Community Development Director or Designee as the Planning Commission Secretary.

**Attachments:** None



**CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, APRIL 21, 2020**

**at 7:30 P.M. virtually\* through [gotomeeting.com](https://gotomeeting.com);**

**\*Please join my meeting from your computer, tablet or smartphone.**

**<https://global.gotomeeting.com/join/903292717>**

**You can also dial in using your phone.**

**United States: +1 (646) 749-3122**

**Access Code: 903-292-717**

- 1. Meeting Opening**
  - A. Call to Order
  - B. Pledge of Allegiance
  - C. Roll Call
  - D. Agenda Modifications
  
- 2. Meeting Minutes**
  - A. Approval of Minutes from March 17, 2020 Planning Commission Meeting
  
- 3. Public Hearing**
  - A. Request Tibetan American Foundation of Minnesota for a Conditional Use Permit under City Ordinance 445, Section 7, Article 2, Subd.3 said request is for a Religious Institution at 1321 Heritage Blvd. NE. PID 16.028.0200
  
  - B. Request from Deanna Bunes for Rezoning property located at 201 Main Street from R3-A low density multiple family residential to B-1, Central Business District with D-1 Downtown overlay for an office use under City Ordinance 445, Section 23., Article 1, PID 16.050.0770
  
  - C. Request from Scott Boecker to amend the City Zoning Code, Ordinance 445, Section 7, Article 1 to include commercial recreation as a permitted use, under City Ordinance 445, Section 23., Article 1.
  
- 4. Other Business**
  
- 5. Discussion Item**
  - A. Impervious Surface Maximum
  
- 6. Adjournment**

**CITY OF ISANTI  
PLANNING COMMISSION  
MEETING MINUTES  
MARCH 17, 2020**

**1. Meeting Opening.**

**A. Call to Order.**

Chairman Johnson called the meeting to order at 7:39 p.m.

**B. Pledge of Allegiance.**

The Pledge of Allegiance was recited.

**C. Roll Call.**

**Members Present:** Jeff Johnson, Paul Bergley, Jimmy Gordon, Alexander Collins, Steve Lundeen and Aryssa Simon.

**Members Absent:** Dan Collison

**Staff Present:** City Clerk/Human Resources Katie Brooks, Assistant City Administrator / Special Projects Don Lorsung

**Others Present:** None.

**D. Agenda Modifications.**

Lorsung stated there were none. Motion by Lundeen, seconded by Bergley to adopt the agenda. Motion passed 6-0.

**2. Approval of Minutes.**

Motion by Simon, second by Bergley to approve the February 18, 2020 Planning Commission Meeting Minutes. Motion passed 6-0.

**3. Public Hearings**

**A. Consider Adoption of the 2020 Comprehensive Plan Update**

Lorsung presented draft copies of the plan to the Commission to review. He then presented a PowerPoint on the 2020 Comprehensive Plan Update that summarized the plan and also presented the draft 2020 Future Land Use Map. Bergley asked for clarification on location of new areas guided for industrial development. Chairman Johnson opened the Public Hearing at 7:48 p.m. There were no comments presented at the Public Hearing. Chairman Johnson closed the Public Hearing at 7:49 p.m. Bergley and Johnson expressed gratitude for staff work on the comprehensive plan update.

Motion by Lundeen, seconded by Bergley to approve adoption of the 2020 Comprehensive Plan Update. Motion passed 6-0.

**4. Other Business.**

**A. Appointing Secretary due to resignation**

Lorsung overviewed a memo prepared by Community Development Director Sheila Sellman and clarified her recommendation that the Community Development Director or their designee shall be officially appointed Secretary to the Planning Commission. That way the Community Development Director would have the flexibility to serve or have their designee perform the functions of Secretary.

After further discussion a motion was made Lundeen, seconded by Gordon to appoint the Community Development Director or their Designee as Secretary of the Planning Commission. Motion carried 6-0.

**5. Discussion Items**

**A. Development of land**

Chairmain Johnson asked which board should discuss development of a parcel of land on the east side of Highway 65. After discussion, staff recommended that conversation regarding that parcel should start with the Economic Development Authority.

**6. Other Communications.**

**A. None.**

**7. Adjournment**

Motion by Bergley second by Lundeen to adjourn the March 17, 2020 meeting of the Planning Commission. Motion was unanimously approved.

The meeting adjourned at 7:52 p.m.

Respectfully submitted,

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Don Lorsung  
Assistant City Administrator/Special Projects



## MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: April 21, 2020

SUBJECT: Conditional Use Permit – Tibetan American Foundation of Minnesota

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### Request:

The applicant, Tibetan American Foundation of Minnesota (TAFM), is requesting a Conditional Use Permit (CUP) for a Religious Institution at 1321 Heritage Blvd.

### Overview/Background:

In the B-2, General Business District zoning district Religious Institution requires a Conditional Use Permit (CUP). Spirit River Church previously occupied the space and did not have a CUP, therefore TAFM needs one. If Spirit River had one it would just transfer, since CUP's run with the land, but for whatever reason there isn't one recorded for this property.

### Analysis of Application:

The Planning Commission shall hold a public hearing and consider possible adverse effects of the proposed Conditional Use. The judgment of the Planning Commission shall be based upon, but is not limited to the following factors:

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the goals and objectives of the Comprehensive Plan, including public facilities and capital improvement plans.  
*The subject property is not serviced by city sewer and water.*
2. The proposed action meets the purpose and intent of this Ordinance and the underlying zoning district. *Religious Institutions are a Conditional Use in the B-2 zoning district, applying for the CUP meets the purpose and intent.*
3. The establishment, maintenance or operation of the conditional use will promote and enhance the general public welfare and will not be detrimental or endanger the public health, safety, morals, or comfort. *The establishment will not be detrimental or endanger the public. The site has historically been used as a religious institution or gathering place.*

4. The conditional use will not be injurious to the use and enjoyment of other property within the immediate vicinity for the purposes already permitted; nor substantially diminish or impair property values within the neighborhood. *The use is a continuation of what has been there and will not diminish or impair property values.*
5. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. *The conditional use will not impede on the normal and orderly development and improvement of surrounding property.*
6. Adequate public facilities and services are available or can be reasonably provided to accommodate the use which is proposed. *The site is not served by City sewer and water and is not planned to be in the near future.*
7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located. *The use meets this requirement.*
8. The conditional use complies with the general and specific performance standards as specified by within this Article. *The use meets this requirement.*

**Staff Recommendation:**

Staff recommends approval of the Conditional Use Permit. The site has historically been used as a religious institution/gathering space. At this time staff does not have recommendations for conditions, if the Planning Commission would like to add conditions to this CUP it should be discussed at the public hearing.

**Attachments:**

- Letter from the applicant.

March 6, 2020

To:

Sheila Sellman, Director of Economic Development  
City of Isanti, MN

**Subject: Purchase of Spirit River Community Church**

PID# 160280200 Address: 1321 HERITAGE BLVD NE, ISANTI, MN 55040

Dear Council Members,

We are very pleased to have found a suitable property for the Tibetan American Foundation of Minnesota (TAFM) in the beautiful City of Isanti. TAFM is a registered non-profit organization which was founded in 1992 under the guidance of His Holiness the Dalai Lama, Nobel Peace Prize Laureate and our spiritual leader. His Holiness the Dalai Lama teaches us to be kind, compassionate, and a loving human being. Minnesota Tibetans started settling in the Twin Cities around 1990s. Over the years, our community has grown bigger and has now out-grown the current center located at 1096 Raymond Ave. St Paul, MN. We have been in search for a new larger center for a while and amongst many properties we have seen so far, we found the property at 1321 HERITAGE BLVD NE, ISANTI, MN 55040 the most suitable for our community. The goal of TAFM is to follow the path of His Holiness the Dalai Lama's teachings, preservation and promotion of our culture and tradition. In this era of rapid extinction of many old unique traditions, cultures and languages, we believe that it is very important to protect and preserve these unique characters for the future generations. We also believe that assimilation is as important as preserving one's own faith, culture and tradition.

Tibetan Americans are widely known for simplicity, hardworking, honest and peace-loving people. In our community, homeownership and college graduation rates are significant which proves our drive to succeed in America and live the American Dream. Many Tibetan parents are uneducated but they work very hard so our younger generation can receive proper education. We make good, friendly neighbors wherever we settle and we are very proud to say that we are self-reliant and resourceful members of the society. Our self-sustenance is well reflected by the least number of government welfare recipients.

The current property is used for the following events and programs, which will also be similar at the new property and would comply with city codes.

1. Language and spiritual classes on Saturdays for four hours for approximately 151 students.
2. Academic mentoring and tutoring program on Friday evenings for 2 hours attended by about 20 students. This program is unique and considered an exemplary program for other communities as well.

3. Monthly board meeting on weekends - 12 board members.
4. Office hours - Three days a week- Monday, Wednesday and Saturday - two employees.
5. Performing Arts & Dance classes on Sundays for 6 hours, about 95 students.
6. Occasional meeting venue for local NGOs such as Regional Tibetan Women Association, Regional Tibetan Youth group and MN Tibetan Nurses Association which would be attended by about 20 to 30 community members.
7. Yearly High School Graduation ceremony - about 40-50 attendees.
8. Annual Free Flu Shot service provided for anyone in the community - 200+ attendees.
9. Free ACT and SAT preparation for college entrance exams - 20-30 attendees.
10. Community gathering of approximately 400 people to celebrate various Tibetan and American holidays/events such as Tibetan New Year–Lunar Calendar. His Holiness the Dalai Lama’s birthday (July) etc.
11. Hall rental to only TAFM members for graduation, birthday and wedding parties with approximately 300 people.
12. Spiritual teachings and practices for approximately 150 to 250 attendees on a monthly basis.

There is a significant number of Tibetan American population in the NE region and the neighboring cities. We are very hopeful that in the future many of our community members would likely move closer to the property which will surely have a positive communal and economic impact to the city.

We have a very good standing record with our current city and we plan to carry on and continue the good rapport with our new city and its law makers. We have never had any major issues with the police or fire department at our current location ever since we moved in 2002. We do not foresee having any problems in Isanti with the Police or the Fire Department.

Thank you for your consideration in this matter and we look forward to calling Isanti our new home.

Sincerely,

Name: Wang Pintsok

Title: President of Tibetan American Foundation of Minnesota

**MEMORANDUM**

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: April 21, 2020

SUBJECT: Rezoning of 201 Main Street from R3-A Low Density Residential to B-1 Central Business District with D-1 Downtown Overlay

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**Request**

The applicant Deann Bunes of Serenity Circle Counseling is requesting to rezone property located at 201 Main Street from R3-A Low Density Residential to B-1 Central Business District with D-1 Downtown Overlay to build a new office building. The R3-A district does not allow office buildings.

**Overview/Background**

The purpose of the Comprehensive Land Use Plan is to ensure the orderly growth and development of the city while maintaining a sound infrastructure and economy. The subject site has a Comprehensive Land Use designation of CBD, Central Business District. This land use designation identifies with commercial and retail uses in historic downtown. Development is regulated by the Comprehensive Land Use Plan (Comp Plan) and the Zoning Code. The Comp Plan pertains to the long-range plan for the site and the zoning code provides use and development requirements. Typically, the comp plan and zoning district should be the same or compatible. Rezoning the subject site would make achieve this. The site is suitable for an office building and is an extension of downtown.

**Review of Amendment**

When reviewing any zoning ordinance text amendment or zoning map change, the Planning Commission must consider and make findings based on the following factors, as provided within the Zoning Ordinance:

Section 21 Administration and Enforcement, Article 1: Text and Map states:

“D. The Planning Commission shall conduct a public hearing and report its findings and make recommendations to the City Council. The Planning Commission shall consider possible adverse effects of the proposed amendment. The judgement of the Planning Commission

with regard to the application shall be based upon, but is not limited to, the following factors:

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the City Comprehensive Plan, including public facilities and capital improvement plans.
2. The proposed action meets the purpose and intent of this Ordinance or in the case of a map amendment; it meets the purpose and intent of the individual district.
3. There is adequate infrastructure available to service the proposed action.
4. There is adequate buffer or transition provided between potentially incompatible districts.”

**Staff Recommendation**

Staff recommends approval of the rezoning request.

**Attachments**

- Letter of request




*Serenity Circle*  
COUNSELING

3/16/2020

Property Address: 201 Main Street W, Isanti, MN 55040

The address will be used for a new therapy office. The office is currently located at 401 E. Dual Blvd, Ste 120, Isanti, MN 55040 and will be transferring to the new office location to allow for additional therapy room.

Respectfully,

  
Deanna Austin Bunes



## MEMO

**To:** Planning Commission

**From:** Sheila Sellman, Community Development Director

**Date:** May 28, 2019

**Subject:** Public Hearing - Amendment to Zoning Ordinance No. 445, Section 7 Business Districts, Article One "CBD" Central Business District, to add Commercial Recreation as a Conditional Use

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### **Background**

Scott Boecker has requested an ordinance amendment to allow for Commercial Recreation in the Central Business District. He is specifically looking at a space downtown. The current ordinance does not allow commercial recreation in the B-1, Central Business District. The purpose of the "B-1" Central Business District (CBD) is to "promote mutually compatible business activities in downtown Isanti. What makes the Central Business District unique from the General Business District is that it is a commercial area that serves as a focal point both culturally and historically for the City of Isanti. Commercial uses, to include but are not limited to retail, office, and service uses; encourage and support pedestrian movement and activity within the Central Business District."

The applicant is requesting to add this use as a permitted use in the B-1 district, however the other business districts in town allow commercial recreation as a conditional use, therefore staff recommends if added, it should be a conditional use and because this amendment is not site specific it would apply to all of the B-1 district.

Specifically, the applicant is looking to open an indoor playground and fitness center for children. His indoor facility will offer playground structure, inflatables, climbing wall, obstacle course, toddler area and much more. The facility will have open play, birthday parties and fitness kid's classes.

### **Public Comment:**

No public comment had been received regarding the proposed text amendment prior to the release of the staff memo.

### **Proposed Zoning Ordinance Amendment**

Attached for Planning Commission review and recommendation is a draft ordinance amending Zoning Ordinance No. 445, Section 7, Article One, Subdivision 3; Conditional Uses; adding Commercial Recreation as a Conditional Use. The Planning Commission should discuss if added, whether or not this should be permitted or a CUP.

**Review of Amendments**

When reviewing any zoning ordinance text amendment or zoning map change, the Planning Commission must consider and make findings based on the following factors, as provided within the Zoning Ordinance:

Section 21 Administration and Enforcement, Article 1: Text and Map states:

- “D. The Planning Commission shall conduct a public hearing and report its findings and make recommendations to the City Council. The Planning Commission shall consider possible adverse effects of the proposed amendment. The judgement of the Planning Commission with regard to the application shall be based upon, but is not limited to, the following factors:
1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the City Comprehensive Plan, including public facilities and capital improvement plans.
  2. The proposed action meets the purpose and intent of this Ordinance or in the case of a map amendment; it meets the purpose and intent of the individual district.
  3. There is adequate infrastructure available to service the proposed action.
  4. There is adequate buffer or transition provided between potentially incompatible districts.”

**Staff Recommendation**

Staff Recommends approval of the proposed text amendment as a Conditional Use.

**Attachments**

- Proposed draft Ordinance
- Written request

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO 445 ZONING;  
SECTION 7 BUSINESS DISTRICTS, ARTICLE ONE "CBD" CENTRAL BUSINESS DISTRICT,  
SUBDIVISION 3: CONDITIONAL USES, TO ADD COMMERCIAL RECREATION AS A  
CONDITIONAL USE**

**THE CITY OF ISANTI DOES ORDAIN:**

**I. AMENDMENTS**

**Ordinance No. 445, Zoning, Section 7: Business Districts, Article One "CBD" Central Business District, Subdivision 3 Conditional Uses shall be hereby amended to add the following:**

S. Commercial Recreation

**II. AMENDMENTS**

**Ordinance No. 445, Zoning, Section 7: Business Districts, Article 2 "B-2" Central Business District, Subdivision 3 Conditional Uses shall be hereby amended and subsequently re-numbered with the previous amendment of this Section of the Ordinance.**

**III. EFFECTIVE DATE**

This ordinance shall take effect upon its adoption and publication in the City's Official Newspaper.

Adopted by the City Council this \_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Mayor Jeff Johnson

ATTEST:

\_\_\_\_\_  
Katie Brooks, Human Resources/City Clerk

Welcome to My Jungle Gym  
Indoor Playground & Fitness for kids

Our indoor playground facility offers a safe, clean, jungle of fun space to celebrate your child's birthday or achieve their fitness goals. Play area will offer playground structure, inflatables, climbing wall, obstacle course, toddler area and much more. I believe that adults play a critical role in a child's life and with that understanding I believe our indoor playground will create an environment that invites both child & parent to spend "Quality" time together. Our playground will have open play, birthday party's and fitness kid's classes. Birthday party's and fitness classes will be limited to 10 to 15 kids. Families will park in city lot across the street from business and on Main St. Parents and guardians must always supervise their children to ensure their safety at My Jungle Gym. Open play will be Tuesday-Friday 10am-2pm and Saturday 9am-12noon. Fitness classes will be Tuesday-Friday 4pm to 9pm and Saturday at 8am. Birthday parties will be Friday, Saturday and Sunday.

I chose the City of Isanti because there is not a lot of places for kids to go play indoors or celebrate their birthday. The building would be a great fit because of the high ceilings and open area. I've been looking in this area for a building for over a year and no other buildings have 12ft ceilings and 6,000 sq ft of open area for kids to play like this building. Also having a business like this in Isanti would bring in families from other surrounding communities to see what Isanti has to offer.

Thank You for your Time

Scott Boecker



**CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, MAY 19, 2020  
at 7:45 P.M. virtually\* through [gotomeeting.com](https://gotomeeting.com);**

**Please join my meeting from your computer, tablet or smartphone.  
<https://global.gotomeeting.com/join/184640013>**

**You can also dial in using your phone.  
United States: [+1 \(872\) 240-3212](tel:+18722403212)**

**Access Code: 184-640-013**

- 1. Meeting Opening**
  - A. Call to Order
  - B. Pledge of Allegiance
  - C. Roll Call
  - D. Agenda Modifications
  
- 2. Meeting Minutes**
  - A. Approval of Minutes from April 21, 2020 Planning Commission Meeting
  
- 3. Public Hearing**
  - A. Ordinance Amending the City Zoning Code, Ordinance 445, Section 2 Definitions: Section 7 Business Districts, Article one, "B-1" Central Business District and Article two "B-2" General Business District, Subd. 2: Permitted Uses, to add mobile food units as a permitted use.
  
  - B. Ordinance Amending the City Zoning Code, Ordinance 445, Section 2 Definitions: Section 7 Business District and Article two, "B-2" General Business District, Subd 3: Conditional uses, to add micro distillery cocktail room as a conditional use.
  
  - C. Ordinance Amending the City Zoning Code, Ordinance 445, Section 6, Articles 1, 2, Subd. 6.B. Maximum Impervious Surface Coverage.
  
- 4. Other Business**
  
- 5. Discussion Item**
  
- 6. Adjournment**

**CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, APRIL 21, 2020**

**1. Meeting Opening**

- A. Call to Order: Chair Johnson called the meeting to order at 7:42
- B. Pledge of Allegiance
- C. Roll Call: Members present: Jeff Johnson, Paul Bergley, Jimmy Gordan, Steve Lundeen, Aryssa Simon via telephone.  
Members Absent Alexander Collins.  
Staff present: Community Development Director Sheila Sellman, City Administrator Josi Wood.
- D. Agenda Modifications: None

**2. Meeting Minutes**

- A. Approval of Minutes from March 17, 2020 Planning Commission Meeting : Motion by Lundeen, second by Bergley to approve, motion passed 6-0.

**3. Public Hearing**

- A. Request Tibetan American Foundation of Minnesota for a Conditional Use Permit under City Ordinance 445, Section 7, Article 2, Subd.3 said request is for a Religious Institution at 1321 spoke on this item. Lundeen asked about updating the parking lot, the commission agreed and made it a condition. Motion by Bergley to approve the CUP with the condition that the parking lot be improved within one year. Second by Lundeen, motion passed 6-0.
- B. Request from Deanna Bunes for Rezoning property located at 201 Main Street from R3-A low density multiple family residential to B-1, Central Business District with D-1 Downtown overlay for an office use under City Ordinance 445, Section 23., Article 1, PID 16.050.0770: Sellman gave the staff report. One member of the public spoke during the public hearing and asked if all the properties were being rezoned. Staff clarified the rezoning was only for the property at 201 Main Street. Motion by Lundeen to approve, second by Collison, motion passed 6-0.
- C. Request from Scott Boecker to amend the City Zoning Code, Ordinance 445, Section 7, Article 1 to include commercial recreation as a permitted use, under City Ordinance 445, Section 23., Article 1. Sellman gave the staff report and explained that this amendment is only for the CBD district and not site specific. No one from the public spoke on this item. Motion by Lundeen to approve, second by Collison, motion passed 6-0.

**4. Other Business: None**

**5. Discussion Item**

- A. Impervious Surface Maximum: Sellman explained that complaints have been coming in about impervious surface maximums. This is an item that will be brought to the next Planning Commission meeting for consideration.

**6. Adjournment:** Motion by Lundeen, second by Bergley to adjourn at 8:19pm. Motion passed 6-0.



## MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: May 19, 2020

SUBJECT: Ordinance Amending the City Zoning Code, Ordinance 445, Section 2 Definitions: Section 7 Business Districts, Article one, "B-1" Central Business District and Article two "B-2" General Business District, Subd. 2: Permitted Uses, to add mobile food units as a permitted use.

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### **Overview/Background**

In February of this year the Council approved an ordinance amendment to Chapter 245 Peddlers Solicitors and Transient Merchants to include food trucks. The zoning code now needs to be updated to include food trucks as a permitted use within the B-1 and B-2 district as well as added definition.

The proposed amendment adds a definition of Mobile Food Unit to the zoning code definitions – "Mobile Food Unit - A food and beverage service establishment that is a vehicle mounted unit or free-standing food stand." This proposed definition aligns with City Code.

In addition, this amendment adds Mobile Food Units as a permitted use in the B-1 and B-2 zoning district which aligns with City Code.

### **Staff Recommendation**

Staff recommends approval of the ordinance amendment.

### **Attachments**

Ordinance Amendment

**ORDINANCE NO. XXX**

**AN ORDINANCE AMENDING ORDINANCE NO 445 ZONING; SECTION 2 DEFINITIONS; SECTION 7 BUSINESS DISTRICTS, ARTICLE ONE, "B-1" CENTRAL BUSINESS DISTRICT AND ARTICLE TWO, "B-2" GENERAL BUSINESS DISTRICT, SUBDIVISION 2: PERMITTED USES, TO ADD MOBILE FOOD UNIT AS A PERMITTED USE**

**THE CITY OF ISANTI DOES ORDAIN:**

**I. AMENDMENTS**

**Ordinance No. 445 Zoning, Section 2. Definitions** are hereby amended to include the following:

Mobile Food Unit – A food and beverage service establishment that is a vehicle mounted unit or free-standing food stand.

**II. AMENDMENTS**

**Ordinance No. 445, Zoning, Section 7: Business Districts, Article One, "B-1" Central Business District, Subdivision 2 Permitted Uses** shall be hereby amended to add/delete the following:

P. Mobile Food Unit, providing that such use meets the requirements as provided within Chapter 245 of the Isanti Code of Ordinances.

~~P. Q.~~ Museums.

~~Q. R.~~ Personal service establishments.

~~R. S.~~ Print shops.

~~S. T.~~ Theater, indoor (not adult-use).

~~T. U.~~ Thrift store.

**III. AMENDMENTS**

**Ordinance No. 445, Zoning, Section 7: Business Districts, Article Two, "B-2" General Business District, Subdivision 2 Permitted Uses** shall be hereby amended to add/delete the following:

Y. Mobile Food Unit, providing that such use meets the requirements as provided within Chapter 245 of the Isanti Code of Ordinances.

~~Y. Z.~~ Personal service establishments.

~~Z. AA.~~ Print shop.

~~AA. BB.~~ Showroom.

~~BB. CC.~~ Theaters, indoor (not adult use).

~~CC. DD.~~ Thrift store.

~~DD. EE.~~ Tool / equipment rental facility (indoor only).

**IV. EFFECTIVE DATE**

This ordinance shall take effect upon its adoption and publication in the City's Official Newspaper.

Adopted by the City Council this \_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor Jeff Johnson

Attest:

\_\_\_\_\_  
Katie Brooks, Human Resources/City Clerk



## MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: May 19, 2020

SUBJECT: Ordinance Amending the City Zoning Code, Ordinance 445, Section 2 Definitions: Section 7 Business District and Article two, "B-2" General Business District, Subd 3: Conditional uses, to add micro distillery cocktail room as a conditional use.

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### **Overview/Background**

In February the City Council adopted an ordinance amending Chapter 76 Regulating the Possession, Sale and Consumption of Alcoholic Beverages. Included in that amendment was the addition of Micro Distillery Cocktail Room. The zoning code now needs to be updated to include the definition and use.

This Ordinance will add the definition of Micro Distillery Cocktail Room to the definitions section "Facility for on-sale of distilled liquor produced by the distiller for consumption on the premises of or adjacent to the location of owner's distillery pursuant to Minnesota Statute section 340A.22, as amended from time to time." This is in line with city code.

In addition to the definition the zoning code needs to add Micro Distillery Cocktail as a conditional use within the B-1 and B-2 district. This is in line with city code.

### **Staff Recommendation:**

Staff recommends approval

### **Attachments**

Ordinance

**ORDINANCE NO. XXX**

**AN ORDINANCE AMENDING ORDINANCE NO 445 ZONING; SECTION 2  
DEFINITIONS; SECTION 7 BUSINESS DISTRICTS, ARTICLE ~~ONE,TWO~~ "B-1"  
CENTRAL BUSINESS DISTRICT AND ARTICLE TWO, "B-2" GENERAL BUSINESS  
DISTRICT,  
SUBDIVISION 3: CONDITIONAL USES, TO ADD MICRO DISTILLERY COCKTAIL  
ROOM AS A CONDITIONAL USE**

**THE CITY OF ISANTI DOES ORDAIN:**

**I. AMENDMENTS**

**Ordinance No. 445 Zoning, Section 2. Definitions** are hereby amended to include the following:

Micro Distillery Cocktail Room – Facility for on-sale of distilled liquor produced by the distiller for consumption on the premises of or adjacent to the location of owner’s distillery pursuant to Minnesota Statute section 340A.22, as amended from time to time.

**II. AMENDMENTS**

**Ordinance No. 445, Zoning, Section 7: Business Districts, Article ~~One,Two~~ "B-1" Central Business District, Subdivision 3 Conditional Uses** shall be hereby amended to add/delete the following:

- R. Micro distillery Cocktail Room
- ~~R. S. Adult Day Center~~

**III. AMENDMENTS**

**Ordinance No. 445, Zoning, Section 7: Business Districts, Article ~~Two,2~~ "B-2" General Business District, Subdivision 3 Conditional Uses** shall be hereby amended to add/delete the following:

- Y. Micro distillery Cocktail Room
- ~~Y. Z. Personal service establishments.~~
- ~~Z. AA. Print shop.~~
- ~~AA. BB. Showroom.~~
- ~~BB. CC. Theaters, indoor (not adult use).~~
- ~~CC. DD. Thrift store.~~
- ~~DD. EE. Tool / equipment rental facility (indoor only)~~

**IV. EFFECTIVE DATE**

This ordinance shall take effect upon its adoption and publication in the City's Official Newspaper.

Adopted by the City Council this \_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor Jeff Johnson

Attest:

\_\_\_\_\_  
Katie Brooks, Human Resources/City Clerk

**MEMORANDUM**

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: May 19, 2020

SUBJECT: Ordinance Amending the City Zoning Code, Ordinance 445, Section 6, Articles 1, 2, Subd. 6.B. Maximum Impervious Surface Coverage.

**Request**

Staff is requesting an ordinance amendment to increase the maximum impervious surface in the two Single Family Residential Districts.

**Overview/Background**

Over the last few months staff has taken complaints from builders and developers about the maximum impervious surface of 25% in single family residential zones. The last couple of subdivisions have been approved with smaller lots yet the impervious surface maximum has remained at 25%. This is not a realistic percentage for the lots that have been approved. For example, in Legacy Pines there are lots as small as 7,814 square feet, with an average house of 1,514 square feet (foundation and garage are used to calculate impervious surface) the impervious surface has come in at 30% (this includes driveways) not only does this limit the size of the house, it also limits any sheds or patios for the lot. If they are limited to 25% the maximum house/garage and driveway would be 1,953.5 square feet.

The R-1 district has a minimum lot size requirement of 11,000 square feet (unless part of a PUD) 25% of that allows for 2,750 square feet of impervious surface. The R-2 district minimum lot size is 9,000 square feet 25% of that is 2,250 square feet of impervious surface.

The table below represents what surrounding cities requirements are.

City	Single Family Lot Size	Impervious
<i>Isanti</i>	9,000 Sq ft – 11,000 sq.ft	25%
Cambridge	9,400 sq ft – 11,000 sq ft	30%
Princeton	12,500 sq ft	30%
North Branch	10,800 sq ft – 15,000 sq feet	50%
St. Francis	10,800 sq ft – 14,000 sq ft	35%
Elk River	11,000 sq ft – 14,000 sq ft	25%
Milaca	10,000 sq ft	25%

**Staff Recommendation**

Staff recommends increasing the impervious surface maximum to 35% based on approved lot sizes, increase in house and garage sizes as well as an increase in accessory structures and patios.

**Attachments**

Ordinance

Impervious Surface exhibit

**ORDINANCE XXX**

**ORDINANCE AMENDING THE CITY ZONING CODE, ORDINANCE 445, SECTION 6 RESIDENTIAL DISTRICTS, ARTICLE ONE "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT AND ARTICLE TWO "R-2" SINGLE FAMILY RESIDENTIAL DISTRICT, SUBDIVISION 6B MAXIMUM IMPERVIOUS SURFACE COVERAGE**

**THE CITY OF ISANTI DOES ORDAIN:**

**I. AMENDMENTS**

**Ordinance No. 445 Zoning, Article One "R-1" Single Family Residential District Subdivision 6B** shall be hereby amended as follows:

B. Maximum Impervious Surface Coverage ~~25%~~ 35%

**II. AMENDMENTS**

**Ordinance No. 445, Zoning, Article Two "R-2" Single Family Residential District Subdivision 6B** shall be hereby amended as follows:

B. Maximum Impervious Surface Coverage ~~25%~~ 35%

**III. EFFECTIVE DATE**

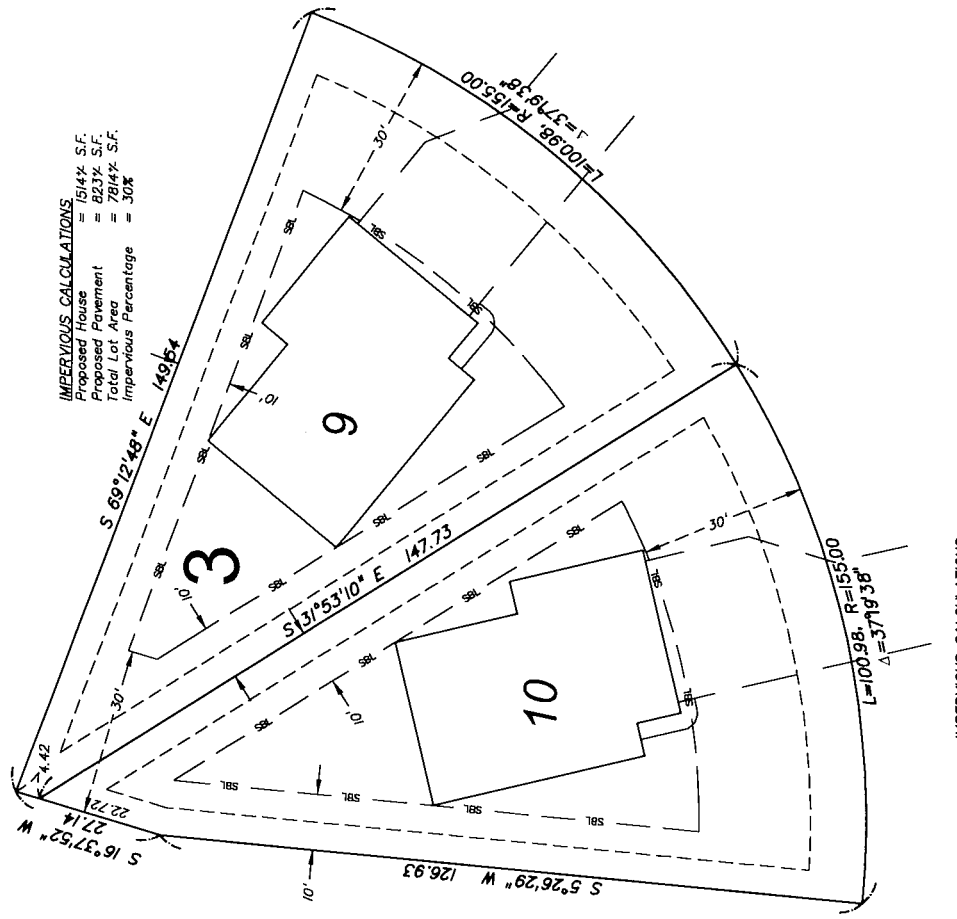
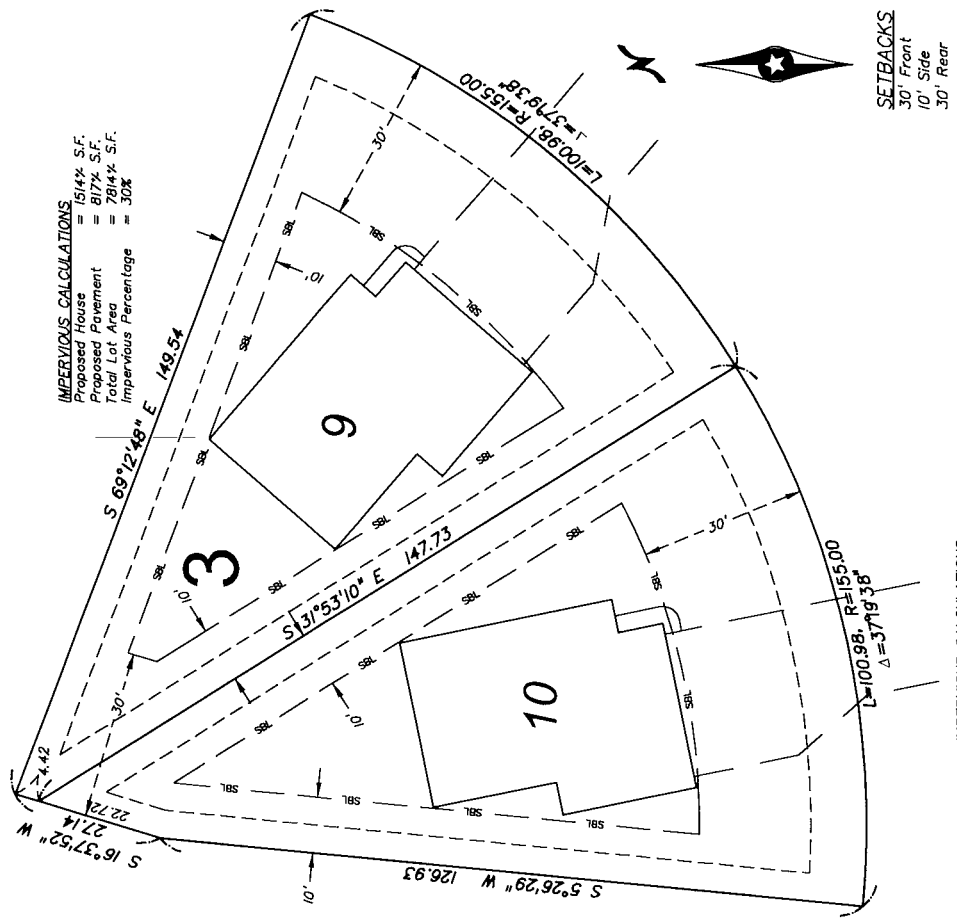
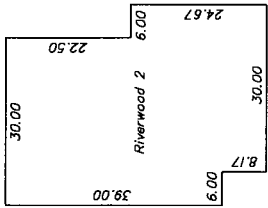
This ordinance shall take effect upon its adoption and publication in the City's Official Newspaper.

Adopted by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor Jeff Johnson

Attest:

\_\_\_\_\_  
Katie Brooks, Human Resources/City Clerk





**CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, JUNE 16, 2020  
Immediately Following the 7:00pm City Council Meeting  
CITY HALL**

- 1. Meeting Opening**
  - A. Call to Order
  - B. Pledge of Allegiance
  - C. Roll Call
  - D. Agenda Modifications
  
- 2. Meeting Minutes**
  - A. Approval of Minutes from May 19, 2020 Planning Commission Meeting
  
- 3. Public Hearing**
  - A. Request by Dylan Investments LLC for a Conditional Use Permit under City Ordinance 445, Section 11, Article 5, Subd 4. said request is for a Drive-thru at 801 Highway 65 PID 16.020.1100
  - B. Request from Scott Boecker for a Conditional Use Permit under City Ordinance 445, Section 7, Article 1, Subd 3. Said request is for commercial recreation at 16 Main Street W PID 16.050.0490
  - C. Request from Falcon National Bank for a variance to the sign standards section 16 subd 5 c for an additional freestanding sign at 905 6<sup>th</sup> Ave Ct NE PID 16.113.0010
  - D. Request by Everpine Landholding LLC for a Preliminary Plat, Final Plat and PUD Amendment for property legally described as outlot A Legacy Pines 2<sup>nd</sup> Addition, Isanti County, Isanti Minnesota.
  - E. Ordinance Amending the City Zoning Code, Ordinance 445, Section 13, Article 4, Subd 1(d) accessory structure location.
  - F. Ordinance Amending the City Zoning Code, Ordinance 445, Section 3, Subd 1 zoning districts and Section 6 adding R-1A Rural Residential zoning district.
  - G. Ordinance Amending the City Zoning Code, Ordinance 446, Section 15 Subd E fence setbacks.
  
- 4. Other Business**
  
- 5. Discussion Item**
  
- 6. Adjournment**

**CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, MAY 19, 2020  
at 7:45 P.M. virtually\* through gotomeeting.com;**

**1. Meeting Opening**

- A. Call to Order: Chair Johnson called the meeting to order at 7:45pm
- B. Pledge of Allegiance
- C. Roll Call: Members present: Jeff Johnson, Dan Collison, Steve Lundeen, Jimmy Gordan, Paul Bergley, Arysa Simon (phone).  
Members Absent: Alexander Collins  
Staff present: Community Development Director Sheila Sellman, City Administrator Josi Wood.
- D. Agenda Modifications: None

**2. Meeting Minutes**

- A. Approval of Minutes from April 21, 2020 Planning Commission Meeting motion by Bergley, second by Lundeen motion passes 6-0.

**3. Public Hearing**

- A. Ordinance Amending the City Zoning Code, Ordinance 445, Section 2 Definitions: Section 7 Business Districts, Article one, "B-1" Central Business District and Article two "B-2" General Business District, Subd. 2: Permitted Uses, to add mobile food units as a permitted use. Sellman explained that the city recently updated the city code to include mobile food units therefore the zoning code had to be updated to determine zoning districts for this use. No one from the public spoke at the public hearing. Motion by Lundeen, second by Collison to approve the amendment, motion passed 6-0.
- B. Ordinance Amending the City Zoning Code, Ordinance 445, Section 2 Definitions: Section 7 Business District and Article two, "B-2" General Business District, Subd 3: Conditional uses, to add micro distillery cocktail room as a conditional use. Sellman explained that the city recently updated city code to include micro distillery cocktail room and therefore the zoning code had to be updated to determine the zoning district for this use as well as the definition. No one from the public spoke on this item at the public hearing. Motion by Lundeen, second by Collison to approve, motion passed 6-0.
- C. Ordinance Amending the City Zoning Code, Ordinance 445, Section 6, Articles 1, 2, Subd. 6.B. Maximum Impervious Surface Coverage. Sellman explained that there have been complaints/concerns expressed from the development community on impervious surface. With the smaller lots being accepted for development, 25% impervious is just not enough. No one from the public spoke on this item at the public hearing. Staff recommended increasing the impervious to 35%, The Commission recommended increasing to 40%. Motion by Lundeen to increase the impervious surface to 40% and amend the ordinance accordingly, second by Bergley, motion passed 6-0.

**4. Other Business: None**

**5. Discussion Item: None**

6. **Adjournment:** Motion by Bergley, 2<sup>nd</sup> by Collision to adjourn, motion passed 6-0 meeting adjourned at 8:02pm.

Respectfully submitted Sheila Sellman Community Development Director

DRAFT



## MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: June 16, 2020

SUBJECT: Request by Dylan Investments LLC for a Conditional Use Permit under City Ordinance 445, Section 11, Article 5, Subd 4. said request is for a Drive-thru at 801 Highway 65 PID 16.020.1100

**Request**

Request by Dylan Investments LLC for a Conditional Use Permit for two Drive-thru windows at 801 Highway 65.

**Overview/Background**

The subject site is zoned B-2 General Business with the Highway 65 Overlay. In the Highway 65 Overlay district a drive-thru requires a Conditional Use Permit (CUP). As proposed, there will be two drive thru windows one on the east side of the building and one on the northwest corner of the building. The one on the northwest corner of the building will serve the existing CBD Joint retail space and the one on the east side is for a future tenant.

**Section 13 Article two, subdivision 4 Subdivision 4: Drive-Thru Facilities**

Are permitted by a Conditional Use Permit only as an accessory use to a business or restaurant, as identified within this Ordinance, providing the following requirements are met:

- A. No drive-thru window shall be adjacent to a public street. *The drive-thru facilities are within the parking lot of the subject site.*
- B. Drive-thru facilities shall be limited to one (1) service window which is part of the principal structure and not more than two queuing lanes, unless approved along with additional landscaping, screening, or other pedestrian amenities such as fencing, seating, raised pedestrian crossings, etc. *Each location has one service window.*
- C. There shall not be any additional curb cuts on a public right-of-way exclusively for the use of drive-thru queuing or exit lanes. Drive-thru traffic shall enter and exit from internal circulation drives. *There are no additional curb cuts proposed.*
- D. Queuing space for at least four (4) cars or seventy (70) feet shall be provided per drive-thru service land as measured from but, not including the first drive-thru window or teller station. *This requirement is met.*

- E. Queuing space shall not interfere with parking spaces or traffic circulation with the parking lot or upon the public right-of-way. *This requirement is met.*
- F. Alcoholic beverages shall not be served.
- G. Exterior loud speakers shall be located a minimum of one hundred fifty (150) feet from any parcel containing a residential use and such speakers shall comply with the noise regulations as provided within Isanti City Code of Ordinances.
- H. A by-pass lane shall be provided, allowing autos to exit the drive-thru lane from the stacking lane. *This requirement is met.*
- I. Screening of automobile headlights must be provided. Screening shall be at least three (3) feet in height and fully opaque. Screening shall consist of a wall, fence, dense vegetation, berm or grade change or similar screening as determined to be acceptable by the City Council.

The Planning Commission shall hold a public hearing and consider possible adverse effects of the proposed Conditional Use. The judgment of the Planning Commission shall be based upon, but is not limited to the following factors:

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the goals and objectives of the Comprehensive Plan, including public facilities and capital improvement plans.  
*The property is guided commercial and is in line with the Comp Plan.*
2. The proposed action meets the purpose and intent of this Ordinance and the underlying zoning district. *The overlay district allows for drive thru facilities and the requirements are met as proposed.*
3. The establishment, maintenance or operation of the conditional use will promote and enhance the general public welfare and will not be detrimental or endanger the public health, safety, morals, or comfort. *The drive-thru will not be detrimental or endanger the public.*
4. The conditional use will not be injurious to the use and enjoyment of other property within the immediate vicinity for the purposes already permitted; nor substantially diminish or impair property values within the neighborhood. *The use is a continuation of what has been there and will not diminish or impair property values.*
5. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. *The conditional use will not impede on the normal and orderly development and improvement of surrounding property.*
6. Adequate public facilities and services are available or can be reasonably provided to accommodate the use which is proposed. *A drive-thru does not require additional public facilities.*

7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located. *The use meets this requirement.*
8. The conditional use complies with the general and specific performance standards as specified by within this Article. *The use meets this requirement.*

**Staff Recommendation:**

Staff recommends approval with the following conditions:

1. Before the drive-thru is implemented a pavement typical section and proposed curb type plan shall be submitted and approved by the City Engineer.
2. Before the drive-thru is implemented a plan with proposed grades on the pavement surface and curb lines, depicting percent grade and flow arrows for drainage through the proposed improvement area shall be submitted and approved by the City Engineer.
3. The Conditional Use Permit shall be recorded by the applicant and proof of recording submitted to the City.
4. The CUP is limited to the two drive thru windows as shown on the site plan.
5. Requirements of Section 13 Article 2 Subdivision 4: Drive-Thru Facilities shall be met.

**Attachments**

- Site plan
- City Engineer Memo
- Findings of Fact





Real People. Real Solutions.

7533 Sunwood Drive NW  
Suite 206  
Ramsey, MN 55303-5119

Ph: (763) 433-2851  
Fax: (763) 427-0833  
Bolton-Menk.com

## MEMORANDUM

**Date:** June 11, 2020  
**To:** Sheila Sellman, Community Development Director  
**From:** Jason W. Cook, P.E.  
City Engineer  
**Subject:** Highlands Shopping Mall – Drive Through - Submittal Review  
City of Isanti, MN  
Project No.: R13.120117

We have reviewed the plan entitled “Highlands Shopping Mall” with a signature date of 5/7/2020.

The plan includes the addition of a drive through lane on the east side of the existing building as well as a striped drive through on the north side of the building.

We have reviewed the submitted documents and require the following additional information:

1. Provide a pavement typical section and proposed curb type.
2. Provide proposed grades on the pavement surface and curb lines, depicting percent grade and flow arrows for drainage through the proposed improvement area.

We recommend approval of the project once the above items are submitted and approved.

Please contact me if you have any questions.

## FINDINGS OF FACT AND CONCLUSION

### **Request**

Request by Dylan Investments LLC for a Conditional Use Permit Two Drive-thru windows at 801 Highway 65 PID 16.020.1100

### **Findings of Fact**

1. The applicant is requesting approval of a Conditional Use Permit for the property located at 801 Highway 65.
2. The property is zoned "B-2" General Business District with Highway 65 Overlay.
3. A public hearing on the matter was scheduled before the City of Isanti Planning Commission on June 16, 2020 at 7:00 p.m. at City Hall within the City Council Chambers.
4. Notice of the Conditional Use Permit application was published with the *County Star* on May 28, 2020. Notices were sent to all property owners located within 350 feet of the aforementioned address.
5. Section 21, Article 2: Conditional Use Permits, Subdivision 3(D) of the Zoning Ordinance establishes factors that the judgement of the Planning Commission shall be based upon when reviewing a Conditional Use Permit request as well as Section 21, Article 2: Conditional Use Permits, Subdivision 4 General Performance Standards of the Zoning Ordinance establishes additional general standards that shall be used to evaluate any proposed Conditional Use Permit request.

### **Conclusions**

1. In review of the standards established in Section 21, Article 2, Conditional Use (D); the following conclusions have been made (*conclusions to each requirement are shown in italics*):
  - A. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the goals and objectives of the Comprehensive Plan, including public facilities and capital improvement plans.  
*The property is guided commercial and is in line with the Comp Plan.*
  - B. The proposed action meets the purpose and intent of this Ordinance and the underlying zoning district.  
*The overlay district allows for drive thru facilities and the requirements are met as proposed.*
  - C. The establishment, maintenance or operation of the conditional use will promote and enhance the general public welfare and will not be detrimental or endanger the public health, safety, morals, or comfort. *The drive-thru will not be detrimental or endanger the public.*
  - D. The conditional use will not be injurious to the use and enjoyment of other property within the immediate vicinity for the purposes already permitted; nor substantially diminish or

impair property values within the neighborhood. *The use is a continuation of what has been there and will not diminish or impair property values.*

- E. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. *The conditional use will not impede on the normal and orderly development and improvement of surrounding property*
  - 1. Adequate public facilities and services are available or can be reasonably provided to accommodate the use which is proposed. *A drive-thru does not require additional public facilities.*
  - F. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located. *The use meets this requirement.*
  - G. The conditional use complies with the general and specific performance standards as specified by within this Article. *The use meets this requirement.*
2. Section 21, Article 2, Subd. 4 addresses performance standards for Conditional Use Permit. The standards and staff responses (*italicized*) are below:
- A. The use and the site in question shall be served by a street of sufficient capacity to accommodate the type and volume of traffic which would be generated an adequate public right-of-way shall be provided.  
*The site is served by Highway 65 which is of sufficient capacity to accommodate the type and volume of traffic as a result of this development.*
  - B. The site design for access and parking shall minimize internal as well as external traffic conflicts and shall be in compliance with Section 17 of this Ordinance.  
*All parking is met under Section 17 of this Ordinance. The City Engineer has approved the circulation.*
  - C. If applicable, a pedestrian circulation system shall be clearly defined and appropriate provisions made to protect such areas from encroachment by parked or moving vehicles. *NA*
  - D. Adequate off-street parking and off-street loading shall be provided in compliance with Section 17 of this Ordinance.  
*Adequate off-street parking and off-street loading is provided in accordance with section 17 of this ordinance.*
  - E. Loading areas and drive-thru facilities shall be positioned so as to minimize internal site access problems and maneuvering conflicts, to avoid visual or noise impacts on any adjacent residential use or district, and provided in compliance with Section 17 of this Ordinance.  
*This section is met.*

- F. Whenever a non-residential use is adjacent to a residential use or district, a buffer area with screening and landscaping shall be provided in accordance with the provisions of Section 15 of this Ordinance.  
*This area is surrounded by commercial and not residential uses.*
- G. General site screening and landscaping shall be provided in compliance with Section 15 of this Ordinance.  
*The site is already developed. This section is met.*
- H. All exterior lighting shall be directed so as not to cast glare toward or onto the public right-of-way or neighboring residential uses or districts, and shall be in compliance with Section 14 of this Ordinance.  
*The site is already developed, no additional lighting is proposed.*
- I. The site drainage system shall be subject to the review and approval of the City Engineer.  
*This is an already developed site, existing stormwater management has been reviewed and approved.*
- J. The architectural appearance and functional design of the building and site shall not be so dissimilar to the existing and potential buildings and area so as to cause a blighting influence. All sides of the principal and accessory structures are to have essentially the same or coordinated, harmonious exterior finish materials and treatment.  
*The building already exists, and as such, is compliant with our zoning code.*
- K. Provisions shall be made for daily litter control, an interior location for recycling and trash handling and storage or an outdoor, enclosed receptacle area shall be provided in compliance with Section 14 of this Ordinance.  
*Existing garbage facilities will be used for trash and recycling purposes.*
- L. All signs and informational or visual communication devices shall be in compliance with Section 16 of this Ordinance.  
*The applicant will need to submit a sign permit for review and approval prior to any signage associated with this development being installed.*
- M. The use and site shall be in compliance with any federal, state, or county laws or regulations that are applicable and any related permits shall be obtained and documented to the City.
- N. Any applicable business licenses mandated by City Code are approved and obtained.  
*The applicant may be required to obtain proper licensing from the City, State, County, and Federal Government as deemed necessary.*
- O. The hours of operation may be restricted when there is judged to be an incompatibility with a residential use or district. *This requirement is met as proposed.*

- P. The use complies with the applicable performance standards of the zoning district in which it is located and where applicable, any non-conformities shall be eliminated.

*This use complies with the performance standards of the zoning district.*

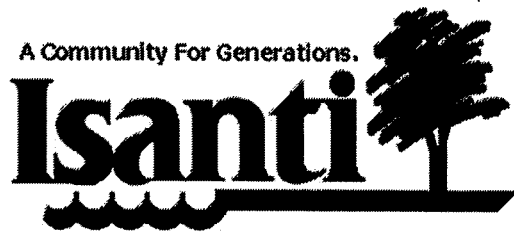
- Q. Additional Stipulations. All conditions pertaining to a specific site are subject to change when the City Council, upon investigation in relation to a formal request, finds that the general public health, safety, and welfare, can be served as well or better by modifying or expanding the conditions set forth herein.

*Any additional stipulations will be included in the Conditional Use Permit approved by the City Council.*

### **Decision**

The City of Isanti Planning Commission reviewed the request after a public hearing was held on June 16, 2020. The staff memo, and attachments shall be made part of the Findings of Fact and Conclusion.

Planning Commission Recommendation: Motion by, \_\_\_\_\_ seconded by \_\_\_\_\_ to recommend



## MEMORANDUM

TO: Planning Commission

FROM: Ryan Saltis, Community Development Specialist

DATE: June 16, 2020

SUBJECT: Conditional Use Permit for Commercial Recreation at 16 Main St W

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**Request:**

Request from Scott Boecker for a Conditional Use Permit for Commercial Recreation at 16 Main ST W.

**Overview/Background:**

The applicant, is proposing to use the former Family Pathways building located at 16 Main St W for an indoor playground and fitness center for kids. In order to be compliant with B-1 Central Business District standards, a Conditional Use Permit is needed for commercial recreation. The indoor playground, named "My Jungle Gym" is proposed to include playground structures, inflatables, climbing wall, obstacle course, and a toddler area. My Jungle Gym will host birthday parties and fitness classes, up to 15 kids in the building at one time. Business hours will vary by day and activity but will not open earlier than 8 A.M or close later than 9 P.M. Vehicle access for the building will use the existing city lot and Main St. The applicant believes that this would be an appropriate use of the building, given its 12 ft ceilings and 6,000 square foot open space, and would provide a unique opportunity for a business to draw families to the community.

**Analysis of Application**

The applicant has submitted a Conditional Use Permit Application for Commercial Recreation in the B-1, Central Business District.

Commercial Recreation is defined in Section 2 of City Code as follows:

"Any establishment whose main purpose is to provide the general public with an amusing or entertaining activity and where tickets are sold or fees are collected for the activity; which includes, but is not limited to, bowling alley, pool hall, dance hall, skating rinks, trampoline, firearms range (indoor only), boat rental, amusement rides, indoor playgrounds, trampolines, swimming pools and water slides, miniature golf, arcades, auditoriums, performance centers, arenas, art gallery, driving ranges, and other similar uses."

My Jungle Gym fits the definition for Commercial Recreation in that it is proposed to provide entertainment in exchange for payment.

Parking will be accommodated by off-street parking on Main Street and the City's public lot, this is typical of downtown uses.

Any additions or alterations to the exterior of the building will need to be supplemented with site plans which will follow standards set in Section 11, Article 1: "D-1" Downtown Overlay District.

The Planning Commission shall hold a public hearing and consider possible adverse effects of the proposed Conditional Use. The judgment of the Planning Commission shall be based upon, but is not limited to the following factors:

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the goals and objectives of the Comprehensive Plan, including public facilities and capital improvement plans.  
*The nature of the business is consistent with the goals and objectives of Isanti's Comprehensive Plan to redevelop the City's downtown commercial core. The subject property is serviced by city sewer and water.*
2. The proposed action meets the purpose and intent of this Ordinance and the underlying zoning district. *Commercial Recreation is a Conditional Use in the B-1 zoning district, applying for the CUP meets the purpose and intent.*
3. The establishment, maintenance or operation of the conditional use will promote and enhance the general public welfare and will not be detrimental or endanger the public health, safety, morals, or comfort. *The establishment will not be detrimental or endanger the public.*
4. The conditional use will not be injurious to the use and enjoyment of other property within the immediate vicinity for the purposes already permitted; nor substantially diminish or impair property values within the neighborhood. *The conditional use will not diminish or impair surrounding property values.*
5. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. *The conditional use will not impede on the normal and orderly development and improvement of surrounding property.*
6. Adequate public facilities and services are available or can be reasonably provided to accommodate the use which is proposed. *The site is served by City sewer and water, and will be able to reasonably accommodate the conditional use for commercial recreation.*
7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located. *The conditional use meets this requirement.*
8. The conditional use complies with the general and specific performance standards as specified by within this Article. *The use meets this requirement.*

**Staff Recommendation:**

Staff recommends approval of the Conditional Use Permit for commercial recreation at 16 Main Street West as this is a reasonable use for the building and provides a great opportunity for community recreation to the downtown business district

Staff recommends the following conditions:

1. Hours of operation are 8am – 9pm.
2. The Conditional Use Permit shall be recorded by the applicant.

**Attachments:**

- Applicant Letter
- Findings of Fact

Welcome to My Jungle Gym  
Indoor Playground & Fitness for kids

Our indoor playground facility offers a safe, clean, jungle of fun space to celebrate your child's birthday or achieve their fitness goals. Play area will offer playground structure, inflatables, climbing wall, obstacle course, toddler area and much more. I believe that adults play a critical role in a child's life and with that understanding I believe our indoor playground will create an environment that invites both child & parent to spend "Quality" time together. Our playground will have open play, birthday party's and fitness kid's classes. Birthday party's and fitness classes will be limited to 10 to 15 kids. Families will park in city lot across the street from business and on Main St. Parents and guardians must always supervise their children to ensure their safety at My Jungle Gym. Open play will be Tuesday-Friday 10am-2pm and Saturday 9am-12noon. Fitness classes will be Tuesday-Friday 4pm to 9pm and Saturday at 8am. Birthday parties will be Friday, Saturday and Sunday.

I chose the City of Isanti because there is not a lot of places for kids to go play indoors or celebrate their birthday. The building would be a great fit because of the high ceilings and open area. I've been looking in this area for a building for over a year and no other buildings have 12ft ceilings and 6,000 sq ft of open area for kids to play like this building. Also having a business like this in Isanti would bring in families from other surrounding communities to see what Isanti has to offer.

Thank You for your Time

Scott Boecker

## **FINDINGS OF FACT AND CONCLUSION**

Conditional Use Permit for Commercial Recreation – 16 Main St W

Prepared by Community Development Specialist Ryan Saltis

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### **Request**

Request by Scott Boecker for a Conditional Use Permit for Commercial Recreation located at 16 Main St W.

### **Findings of Fact**

1. The applicant is requesting approval of a Conditional Use Permit for Commercial Recreation for the property located at 16 Main St W.
2. The Property is zoned B-1, Central Business District within the Downtown Overlay.
3. A public hearing on the matter was scheduled before the City of Isanti Planning Commission on June 16, 2020 at 7:00 p.m. at City Hall within the City Council Chambers.
4. Notice of the Conditional Use Permit application was published with the *County Star* on May 28, 2020. Notices were sent to all property owners located within 350 feet of the aforementioned address.
5. Section 21, Article 2: Conditional Use Permits, Subdivision 3(D) of the Zoning Ordinance establishes factors that the judgement of the Planning Commission shall be based upon when reviewing a Conditional Use Permit request as well as Section 21, Article 2: Conditional Use Permits, Subdivision 4 General Performance Standards of the Zoning Ordinance establishes additional general standards that shall be used to evaluate any proposed Conditional Use Permit request.

### **Conclusions**

1. In review of the standards established in Section 21, Article 2, Conditional Use (D); the following conclusions have been made (*conclusions to each requirement are shown in italics*):
  - A. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the goals and objectives of the Comprehensive Plan, including public facilities and capital improvement plans. *The nature of the business is consistent with the goals and objectives of Isanti's Comprehensive Plan to redevelop the City's downtown commercial core. The subject property is serviced by city sewer and water.*
  - B. The proposed action meets the purpose and intent of this Ordinance and the underlying zoning district. *Commercial Recreation is a Conditional Use in the B-1 zoning district, applying for the CUP meets the purpose and intent.*

- C. The establishment, maintenance or operation of the conditional use will promote and enhance the general public welfare and will not be detrimental or endanger the public health, safety, morals, or comfort. *The establishment will not be detrimental or endanger the public.*
  - D.
  - E. The conditional use will not be injurious to the use and enjoyment of other property within the immediate vicinity for the purposes already permitted; nor substantially diminish or impair property values within the neighborhood. *The conditional use will not diminish or impair surrounding property values.*
  - F. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. *The conditional use will not impede on the normal and orderly development and improvement of surrounding property.*
  - G. Adequate public facilities and services are available or can be reasonably provided to accommodate the use which is proposed. *The site is served by City sewer and water, and will be able to reasonably accommodate the conditional use for commercial recreation.*
  - H. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located. *The conditional use meets this requirement.*
  - I. The conditional use complies with the general and specific performance standards as specified by within this Article. *The conditional use meets this requirement.*
2. Section 21, Article 2, Subd. 4 addresses performance standards for Conditional Use Permit. The standards and staff responses (*italicized*) are below:
- A. The use and the site in question shall be served by a street of sufficient capacity to accommodate the type and volume of traffic which would be generated an adequate public right-of-way shall be provided. *Staff believes that the existing street is of sufficient capacity to accommodate the type and volume of traffic as a result of this development.*
  - B. The site design for access and parking shall minimize internal as well as external traffic conflicts and shall be in compliance with Section 17 of this Ordinance. *The proposed CUP will be in an existing building that already is designed for access and parking in downtown overlay district. All parking is met under Section 17 of this Ordinance.*
  - C. If applicable, a pedestrian circulation system shall be clearly defined and appropriate provisions made to protect such areas from encroachment by parked or moving vehicles. *Parking for this development does not impact pedestrian circulation.*

- D. Adequate off-street parking and off-street loading shall be provided in compliance with Section 17 of this Ordinance. *Adequate off-street parking and off-street loading is provided in accordance with section 17 of this ordinance.*
- E. Loading areas and drive-thru facilities shall be positioned so as to minimize internal site access problems and maneuvering conflicts, to avoid visual or noise impacts on any adjacent residential use or district, and provided in compliance with Section 17 of this Ordinance. *This section is met.*
- F. Whenever a non-residential use is adjacent to a residential use or district, a buffer area with screening and landscaping shall be provided in accordance with the provisions of Section 15 of this Ordinance. *The site is surrounded by other B-1 properties and is not adjacent to a residential district.*
- G. General site screening and landscaping shall be provided in compliance with Section 15 of this Ordinance. *The site is already developed. This section is met.*
- H. All exterior lighting shall be directed so as not to cast glare toward or onto the public right-of-way or neighboring residential uses or districts, and shall be in compliance with Section 14 of this Ordinance. *Existing lighting complies with our zoning code. This section is met.*
- I. The site drainage system shall be subject to the review and approval of the City Engineer. *This is an already developed site, existing stormwater management has been reviewed and approved.*
- J. The architectural appearance and functional design of the building and site shall not be so dissimilar to the existing and potential buildings and area so as to cause a blighting influence. All sides of the principal and accessory structures are to have essentially the same or coordinated, harmonious exterior finish materials and treatment. *The building already exists, and as such, is compliant with our zoning code.*
- K. Provisions shall be made for daily litter control, an interior location for recycling and trash handling and storage or an outdoor, enclosed receptacle area shall be provided in compliance with Section 14 of this Ordinance. *Existing garbage facilities will be used for trash and recycling purposes.*
- L. All signs and informational or visual communication devices shall be in compliance with Section 16 of this Ordinance. *The applicant will need to submit a sign permit for review and approval prior to any signage associated with this development being installed.*
- M. The use and site shall be in compliance with any federal, state, or county laws or regulations that are applicable and any related permits shall be obtained and documented to the City.

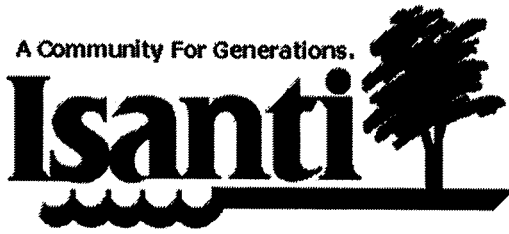
*The applicant will be required to obtain all proper licensing from the City, State, County, and Federal Governments as deemed necessary.*

- N. Any applicable business licenses mandated by City Code are approved and obtained. *The applicant may be required to obtain proper licensing from the City, State, County, and Federal Government as deemed necessary.*
- O. The hours of operation may be restricted when there is judged to be an incompatibility with a residential use or district. *This requirement is met as proposed.*
- P. The use complies with the applicable performance standards of the zoning district in which it is located and where applicable, any non-conformities shall be eliminated. *This use complies with the performance standards of the zoning district.*
- Q. Additional Stipulations. All conditions pertaining to a specific site are subject to change when the City Council, upon investigation in relation to a formal request, finds that the general public health, safety, and welfare, can be served as well or better by modifying or expanding the conditions set forth herein. *Any additional stipulations will be included in the Conditional Use Permit approved by the City Council.*

### **Decision**

The City of Isanti Planning Commission reviewed the request after a public hearing was held on June 16, 2020. The staff memo, and attachments shall be made part of the Findings of Fact and Conclusion.

Planning Commission Recommendation: Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ to recommend approval of the Conditional Use Permit .



## MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: June 16, 2020

SUBJECT: Request from Falcon National Bank for a variance to the sign standards section 16 subd 5 c for an additional freestanding sign at 905 6<sup>th</sup> Ave Ct NE PID 16.113.0010

**Request:**

Falcon National Bank is requesting a variance to allow an additional freestanding sign at 905 6<sup>th</sup> Ave Ct.

**Overview/Background:**

The bank is located in the B-2 General Business District with the Highway 65 Overlay. The Highway 65 Overlay district has its own overlay in the sign code. They Highway 65 sign overlay allows one freestanding sign of 200 square feet. The bank has been previously approved for the freestanding sign along highway 65 which is 90.5 square feet.

The bank is requesting an additional sign at the corner of Cajima and 6<sup>th</sup> Ave Ct NE. The proposed sign is for name and address purposes and is 12 square feet. The bank is requesting the additional sign because the current sign along highway 65 is not visible on the entrance side of the property and it is confusing to users as to where the bank actually is. The proposed sign would serve as an identifier for the entrance.

In review of the standards established within Section 21 Administration and Enforcement, Article 5 Variances, Subdivision 4 Procedures (D), the following conclusions have been made (*conclusions to each requirement are shown in italics*):

An application for a variance shall not be approved unless the variance, if permitted, is in harmony with the general purposes and intent of the ordinance and is consistent with the Comprehensive Plan and findings are made that failure to grant the variance would result in practical difficulties on the applicant. Practical difficulties used in connection with the granting of a variance, means that the property owner meets all of the following criteria:

- A. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.  
*The property owner will continue to use the property as a bank and the additional sign is reasonable due to the location.*
- B. The plight of the landowner is due to circumstances unique to the property and has not been caused by the landowner.

*The subject lot essentially has three frontages, Highway 65, Cajima, and 6<sup>th</sup> Ave Ct NE this is unique for signage requirements as signage is not per frontage resulting in one sign for the site and that sign can't be seen from the entrance making it difficult for patrons to find the bank.*

- C. A variance, if granted, will not alter the essential character of the locality.  
*Granting a variance for an additional sign that is only 12 square feet will not alter the essential character of the locality.*
- D. Practical difficulties include but are not limited to, inadequate access to direct sunlight for solar energy systems.  
*Not applicable.*
- 5. Economic considerations alone do not constitute practical difficulties.  
*Economic considerations do not play a role in this situation*

**Staff Recommendation:**

Staff recommends approval with the following conditions:

1. The sign is limited to 12 square feet as shown on the attached sign plan.
2. The sign shall be set back 10 feet from the property line.
3. A sign permit is required before sign installation.

**Attachments**

- Letter from applicant
- Sign graphic
- Sign location depiction

Item # 6

Falcon National Bank is requesting a variance to install an additional sign on the corner of 6<sup>th</sup> Avenue Ct NE and Cajima. The current sign that Falcon National Bank on Highway 65 is not visible from the East side of the bank. If you are driving West on Cajima Street there is nothing indicating the bank's name or address on that side of the property, which is a hardship for the bank. We are requesting a variance to allow us to have a sign installed that notes the bank's name and address and is visible from both 6<sup>th</sup> Avenue Ct NE and Cajima on the NE corner of the lot. The sign would be a PVC corner frame with a 4 foot by 3 foot sign on each side noting both the bank name and address.

905 6th Ave Court NE



**Falcon**  
NATIONAL BANK

Member FDIC

[www.FalconNational.com](http://www.FalconNational.com)

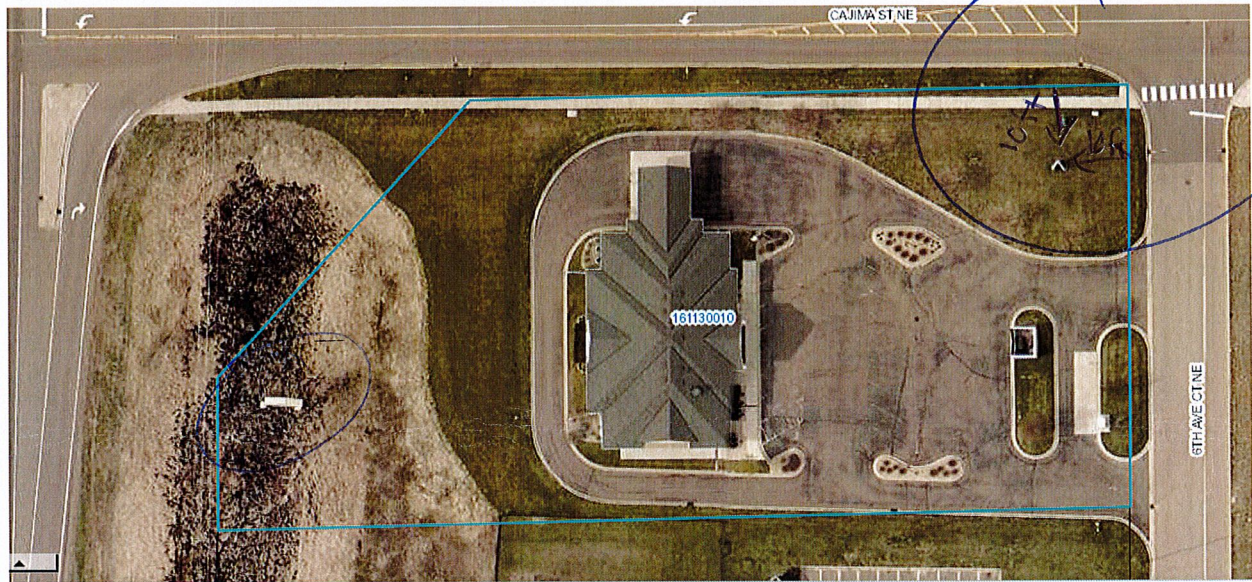
905 6th Ave Court NE



**Falcon**  
NATIONAL BANK

Member FDIC

[www.FalconNational.com](http://www.FalconNational.com)



The sign will be set back 10 feet from the property lines & sidewalk.

905 6th Ave Court NE



**Falcon**

**NATIONAL BANK**

Member FDIC

**[www.FalconNational.com](http://www.FalconNational.com)**

**3'**

**4'**



## MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: June 16, 2020

SUBJECT: Request by Everpine Landholding LLC for a Preliminary Plat, Final Plat and PUD Amendment for property legally described as outlot A Legacy Pines 2<sup>nd</sup> Addition, Isanti County, Isanti Minnesota.

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### Request

The Applicant, Everpine Land Holdings is requesting a Preliminary Plat, Final Plat and PUD Amendment for Legacy Pines 3rd Addition, Phases 1-3. The proposed final addition contains 96 single family lots.

### Overview/Background

In 2018 Odyssey Homes Inc received approval of a Preliminary Plat for Legacy Pines Addition. The Preliminary plat showed the entire site developed in phases to include 178 lots. The first addition is platted with 49 lots. The second addition is platted with 33 lots. The final addition is comprised of 94 lots broken into three development phases. As proposed the lots would be developed in phases and the breakdown is as follows: Phase one 28 lots, Phase two 32 lots and Phase three 34

Typically, a development plats the phases when they are ready to be developed, however the applicant is requesting preliminary and final plat approval for the remainder of the lots in this development, but not to develop them at the same time. This saves time for when they are ready to develop. This can be done through a development agreement. Staff suggests one master agreement for the 3<sup>rd</sup> addition and then each phase have their own development agreement. In addition to the platting the applicant is requesting a PUD amendment to allow for different setbacks and an increase in impervious surface coverage. The Council recently passed an ordinance amendment that allows the maximum impervious surface of 40%. At the time of application this ordinance was under consideration and the maximum was 25%, the applicant has requested an increase to 30%. Staff suggests the increase be to 40% to be in line with the recently passed ordinance. The setbacks that are requested in the amendment to change the house setback from 10 feet to 7.5 feet on both sides. According to the applicant this will allow for a 55-foot-wide home and provide proper front elevation of the home and a 3-car garage to be situated appropriately on the lot.

### Analysis of Application

The subject site was originally part of the Villages on the Rum Planned Unit Development. Legacy Pines development is a "re-plat" of this development. Lot sizes, setbacks and other development parameters were established with the replat. The PUD allows for varying lot sizes and setbacks.

*Zoning*-The subject site is zoned R-1/PUD, R-2/PUD and R-3APUD. The PUD Master Plan sets the parameters for lot size, setbacks, house size etc. Minimum requirements not spelled out in the PUD Master

Plan will divert back to the Zoning Code for R-1. As proposed Phase 3 is generally consistent with the PUD, however the setbacks are proposed to be 7.5 feet instead of 10. The lot sizes range from 8,158 square feet to 23,676 square feet, these sizes are consistent with the PUD. Section 15 of the zoning code requires all residential lots to have two (2) trees per lot. lots that are 8,000 square feet or larger must provide three (3) trees and corner lots 12,000 square feet or larger require four (4) trees.

*Legacy Park*-the park is in its final stages of “development” the parking lot has been established and is being prepared for paving at the time of this staff report. Temporary pedestrian access should be installed until sidewalks are installed and accepted.

*Comprehensive Plan* – This proposal is consistent with the City’s 2020 Comprehensive Plan Future Land-Use Map, which identifies this parcel as low and medium density residential for future development.

*City Engineer Comments* – The City Engineer’s memo is attached. With minor revisions laid out in the report Engineering is recommending approval.

**Staff Recommendation**

Staff recommends approval of the Preliminary Plat, Final Plat and PUD Amendment for Legacy Pines 3<sup>rd</sup> Addition with the following conditions:

1. The developer must enter into a Development Agreement with the City of Isanti, which will outline the general terms for the 3<sup>rd</sup> addition. Each phase of the 3<sup>rd</sup> additional will require their own Development Agreements. Development fees will be charged to the developer at the time of each development agreement and based upon the City Fee Schedule.
2. The developer shall be responsible for any and all permits and approvals that may be necessary from other applicable governmental agencies. These permits and approvals shall be submitted to the City of Isanti and/or other governmental jurisdictions that may require said permits prior to development.
3. Any and all costs associated with the recording and processing of each agreement and Plat shall be assumed by the developer.
4. The home sizes shall be a mixture with a minimum of 1,000 square feet above grade with an attached garage with a minimum of 400 square feet.
5. The setback requirements are as follows:

Front yard setback:	Thirty (30) feet; however, when adjoining principal buildings existing at the time of construction on a vacant lot, the required front yard setback for the new structure shall not be greater than the average front yard setbacks of the building on either side of the vacant lot.
Side yard setback:	7.5 feet
Street side yard setback:	Twenty (20) feet
Rear yard setback:	Thirty (30) feet
Accessory Structure:	Five (5) feet
6. A tree preservation plan shall be prepared by the developer and submitted to the City of Isanti for those portions of the development site that have significant tree stands. Such plans shall show the

locations of homes and grading for these lots, so as to protect as many of these trees as possible. Trees shall be planted on each lot according to Section 15 of the City Zoning Ordinance.

7. Dedication, if required, of utility and access easements are granted to the City of Isanti.
8. The developer, at their cost must install sidewalks consistent with City Codes and Ordinances.
9. Access to Legacy Park shall be maintained during construction including temporary pedestrian access shall be provided in a form acceptable to the City Engineer.
10. Address items/conditions identified in the Memorandum from City Engineer Jason Cook dated June 10, 2020 to Community Development Director Sheila Sellman.

**Attachments**

- Proposed Plat
- Applicant's letter
- Lot tabulation
- City Engineer Memo
- Findings of Fact



## **Comments Regarding a PUD Amendment for the Setbacks and Impervious Surface coverage:**

- 1. Setbacks: We are requesting a change for setbacks – both sides – from 10 feet to 7.5 feet. Most home sales today are such that they require 3-car garages. With this requested change, this will allow for 55 ft. wide homes and provide the proper front elevation of the home and a 3-car garage situated appropriately on the lot.**
- 2. Impervious Surface Coverage: With the minimum square footage of the home requirements that the City has, it is hard to achieve those requirements at the 25% impervious surface coverage. Therefore, we are requesting a change to allow for 30% in order to better achieve those minimum requirements on the lots.**

Legacy Pines Phase 1				Legacy Pines Phase 2				Legacy Pines Phase 3						
Lot	Block	House Type	Area (sqft)	Area (acre)	Lot	Block	House Type	Area (sqft)	Area (acre)	Lot	Block	House Type	Area (sqft)	Area (acre)
1	4	FBLO	12,832.00	0.29	1	6	SOG	12,397	0.28	1	5	SE	10,753	0.25
2	4	FB	12,661.00	0.29	2	6	SOG	10,877	0.25	2	5	SE	9,741	0.22
3	4	FB	13,482.00	0.31	3	6	SOG	12,378	0.28	3	5	SEWO	9,741	0.22
4	4	FB	19,219.00	0.44	4	6	SOG	14,740	0.34	4	5	SEWO	9,741	0.22
5	4	FB	21,023.00	0.48	5	6	SE	19,570	0.45	5	5	SEWO	9,741	0.22
6	4	FB	17,226.00	0.4	6	6	SE	23,676	0.54	6	5	SE	9,741	0.22
7	4	FB	12,727.00	0.29	7	6	SE	18,156	0.42	7	5	SE	9,741	0.22
8	4	FB	10,589.00	0.24	8	6	SE	11,739	0.27	8	5	SE	9,741	0.22
9	4	FB	9,571.00	0.22	9	6	SE	9,745	0.22	9	5	SE	9,741	0.22
10	4	FB	9,867.00	0.23	10	6	SE	9,024	0.21	10	5	SE	9,741	0.22
11	4	FB	10,105.00	0.23	11	6	SE	9,519	0.22	11	5	SE	9,741	0.22
12	4	FB	10,053.00	0.23	12	6	SE	9,562	0.22	12	5	SE	9,741	0.22
13	4	FB	10,051.00	0.23	13	6	SE	9,140	0.21	13	5	SE	9,741	0.22
14	4	FB	11,317.00	0.28	14	6	SE	8,461	0.19	14	5	SE	9,741	0.22
3	9	FBWO	13,488.00	0.31	15	6	SE	8,158	0.19	15	5	SE	9,741	0.22
4	9	FBWO	14,089.00	0.32	16	6	SE	8,334	0.19	16	5	SE	9,741	0.22
5	9	FBWO	14,291.00	0.33	17	6	SE	17,333	0.4	17	5	SE	12,075	0.28
6	9	FBWO	14,313.00	0.33	18	6	SE	10,127	0.23	21	6	SE	12,689	0.29
7	9	FBWO	14,175.00	0.33	19	6	SE	10,896	0.25	22	6	SE	9,346	0.21
8	9	FBWO	14,582.00	0.33	20	6	SE	14,653	0.34	23	6	SEWO	9,346	0.21
9	9	FBWO	13,573.00	0.31	1	8	FBWO	9,485	0.22	24	6	SEWO	9,346	0.21
10	9	FBWO	13,445.00	0.31	2	8	FBWO	10,308	0.24	25	6	SEWO	9,346	0.21
11	9	FBWO	13,431.00	0.31	3	8	FBWO	11,159	0.26	26	6	SEWO	9,346	0.21
12	9	FBLO	13,418.00	0.31	4	8	FBWO	11,453	0.26	27	6	SEWO	9,346	0.21
13	9	FBLO	12,400.00	0.28	5	8	FBWO	11,205	0.26	28	6	SEWO	9,346	0.21
14	9	FBLO	10,704.00	0.25	6	8	FBWO	10,512	0.24	29	6	SEWO	9,346	0.21
15	9	FBWO	10,960.00	0.25	7	8	FBWO	10,012	0.23	30	6	SEWO	9,346	0.21
16	9	FBWO	10,847.00	0.25	8	8	FBWO	9,938	0.23	31	6	SEWO	9,346	0.21
					9	8	FBWO	10,407	0.24	32	6	SEWO	9,346	0.21
					10	8	FBLO	12,410	0.28	33	6	SEWO	9,346	0.21
					11	8	FBLO	9,912	0.23	34	6	SEWO	9,346	0.21
					12	8	FBLO	13,000	0.3	35	6	SEWO	9,346	0.21
										36	6	SEWO	9,346	0.21
										37	6	SEWO	11,963	0.27



**BOLTON  
& MENK**

Real People. Real Solutions.

7533 Sunwood Drive NW  
Suite 206  
Ramsey, MN 55303-5119

Ph: (763) 433-2851  
Fax: (763) 427-0833  
Bolton-Menk.com

## MEMORANDUM

**Date:** June 10, 2020  
**To:** Sheila Sellman, Community Development Director  
**From:** Jason W. Cook, P.E.  
City Engineer  
**Subject:** Legacy Pines 3<sup>rd</sup> Addition – Phases 1, 2 & 3 - Submittal Review  
City of Isanti, MN  
Project No.: R13.120117

We have reviewed the Preliminary Plat, Final Plat, storm water report, and site plan entitled “Legacy Pines Third Addition” with a signature date of 5/8/2020.

The plat includes 96 parcels with construction plans proposed to break the improvements into 3 phases.

- Phase 1 would extend Bellaire Boulevard to Whiskey Road to complete this street connection.
- Phase 2 would extend Moline Loop to Whiskey Road.
- Phase 3 would extend Bellaire Boulevard from Whiskey Road to 3<sup>rd</sup> Avenue.

We have reviewed the newly submitted documents and have the following comments:

### Preliminary & Final Plat:

1. No Comment

### Phase 1 Construction Plans:

1. Sheet 11 & 14:
  - a. Verify CBs will not be in driveways. (CB 135 & CB 104) If they may be in future driveways, change casting to surmountable R-3501-TR, R-3501-TL, or R-3501-TB as needed.
    - i. If casting is changed, verify spread calcs still meet requirements.
2. Sheet 13:
  - a. Add a ped ramp in the SE quadrant of Whiskey Road & Bellaire Boulevard, heading west.
3. Street lighting will be required.

### Phase 2 Construction Plans:

1. Sheet 9:
  - a. A pipe conflict appears to occur at approx. STA 12+50 where the sanitary sewer crosses the storm sewer pipe.
  - b. Move hydrant at approx. STA 13+35 to approx. STA 13+75 to line up with the property line.



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2. Sheet 10:
  - a. Move hydrant at approx. STA 16+00 to approx. STA 16+50 to line up with the property line.
  - b. Move hydrant at approx. STA 19+80 to approx. STA 19+70 to line up with the property line.
3. Sheet 12 & 15:
  - a. Verify all CBs will not be in driveways including the existing structure at STA 12+50. If they may be in future driveways, change casting to surmountable R-3501-TR, R-3501-TL, or R-3501-TB as needed.
    - i. If casting is changed, verify spread calcs still meet requirements.
4. Sheet 14:
  - b. Replace both existing castings with new R-3501-TR & R-3501-TL castings.
5. Street lighting will be required.

Phase 3 Construction Plans:

1. Sheet 10:
  - a. Shift the hydrants to property lines.
    - i. Move hydrant at approx. STA 31+60 to approx. STA 32+10. Also create a highpoint in the watermain line at the hydrant location.
    - ii. Move hydrant at approx. STA 35+50 to approx. STA 35+70.
2. Sheet 11:
  - a. Extend a watermain stub east from the end hydrant 10' east of the hydrant.
3. Street lighting will be required.

We recommend approval of the submitted documents once the above items are addressed.

Please contact me if you have any questions.

## FINDINGS OF FACT AND CONCLUSION

### **Request**

Request from Everpine Land Holdings, for Preliminary Plat, Final Plat, PUD Amendment Approval of Legacy Pines 3<sup>rd</sup> Addition, legally described as Outlot A of Legacy Pines 2<sup>nd</sup> Addition, Isanti County, Isanti, Minnesota.

### **Findings of Fact**

1. The property is legally described as Outlot A of Legacy Pines 2<sup>nd</sup> Addition, Isanti County, Isanti, Minnesota.
2. The Applicant is requesting Preliminary Plat, Final Plat and PUD Amendment Approval in an effort to create 94 lots in the 3<sup>rd</sup> Addition of the development and to develop in phases.
3. The property is zoned "R-1" and "R-2" Single-Family Residential/Planned Unit Development, and "R-3A" Low Density Multiple Family District/Planned Unit Development.
4. A public hearing of the proposal took place before the Planning Commission on Tuesday, June 16, 2020 at 7:00 p.m. at City Hall within the Council Chambers.
5. The applicant has addressed or is in the process of addressing the conditions imposed by the City during the Plat review.

### **Conclusions**

1. The platting is consistent with the 2003 Development Agreement and Planned Unit Development (PUD) for this property, and is consistent with the 2010 PUD Amendment
2. The platting of the property would appear to meet the Design Standards as required by Ordinance No. 536.

### **Decision**

*Planning Commission Recommendation:*

The Planning Commission held a public hearing on June 16, 2020 and Recommends \_\_\_\_\_

*City Council:*



**MEMORANDUM**

TO: Planning Commission

FROM: Ryan Saltis, Community Development Specialist

DATE: June 16, 2020

SUBJECT: Ordinance Amending the City Zoning Code, Ordinance 445, Section 13, Article 4, Subd. 1(d) Accessory Structure Location

**Request**

Amending City Zoning Code, Ordinance 445, Section 13, Article 4, Subd. 1(d) Accessory Structure Location.

**Overview/Background:**

The City of Isanti has seen an increasing demand for accessory structures on properties for additional storage space. With new developments providing small lot sizes and unique lot configurations, many residents are finding it hard to meet requirements for setbacks of accessory structures. Currently the Zoning Code for Accessory Structure Location states that accessory structures must be located at least 10 feet from the principal structure on the property. This requirement, along with the requirement for 5-foot side and rear setbacks for accessory structures make it difficult to construct even a basic size storage shed, or it limits the area in which it can be placed. Corner lots are losing precious yard space, as they are in limited locations that meet all setback requirements. The inability to follow these setback requirements also limits the size of accessory structures that can be built on lots in new developments.

City Staff has conducted research of surrounding communities regarding accessory structure setbacks from the principal building. The table below represents what these surrounding cities requirements are.

<b>City</b>	<b>Setbacks</b>
<i>Isanti</i>	<i>10 ft.</i>
<b>Cambridge</b>	<i>Per Building Code</i>
<b>Princeton</b>	<i>Per Building Code</i>
<b>North Branch</b>	<i>10 ft.</i>
<b>St. Francis</b>	<i>Per Building Code</i>
<b>Elk River</b>	<i>Per Building Code</i>
<b>Milaca</b>	<i>Per Building Code</i>

Staff suggests removing the 10 ft requirement and replacing it with the setback location per the State Building Code, which is currently three feet. This will reduce the need for future amendments from the city, and ease the restrictions for where an accessory structure can be located on a property.

**Staff Recommendation:**

Staff Recommends approval of amending the Isanti Zoning Code, Ordinance 445, Section 13, Article 4, Subd. 1(d) Accessory Structure Location.

**Attachments:**

- Ordinance Amendment

**ORDINANCE XXX**

**ORDINANCE AMENDING THE CITY ZONING CODE, ORDINANCE 445, SECTION 13 USE REGULATIONS, ARTICLE 4 ACCESSORY BUILDINGS, STRUCTURES AND USES, SUBDIVISION 1A ACCESSORY BUILDINGS, 2(d) LOCATION**

**THE CITY OF ISANTI DOES ORDAIN:**

**I. AMENDMENTS**

**Ordinance No. 445 Zoning, Section 13: Use Regulations, Article Four Accessory Buildings, Subdivision 2(d) Location** shall be hereby amended to add/delete the following:

2. Location.

~~(d) No accessory building shall be located closer than ten (10) feet to the principal structure.~~

(d) Separation between the accessory structure and the principal building (if detached) shall meet building code requirements.

**II. EFFECTIVE DATE**

This ordinance shall take effect upon its adoption and publication in the City's Official Newspaper.

Adopted by the City Council this \_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor Jeff Johnson

Attest:

\_\_\_\_\_  
Katie Brooks, Human Resources/City Clerk



## MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: June 16, 2020

SUBJECT: Ordinance Amending the City Zoning Code, Ordinance 445, Section 3, Subd 1 zoning districts and Section 6 adding R-1A Rural Residential zoning district.

---

### **Request**

As directed by the City Council staff has prepared a zoning district "R-1A Rural Residential" for annexed properties and properties in town south of Palomino that are over 1-acre.

### **Overview/Background**

At the December 2019 COW meeting the Council discussed general code enforcement on parcels recently annexed into the City. The focus was mostly on parking and vehicles. It was agreed that any outside storage of rubbish, junk, inoperable vehicles, miscellaneous refuse or garbage will be enforced immediately.

At the February COW meeting a rough draft of an ordinance amendment was presented. The draft included limits on size of vehicles and number of vehicles for parcels over 1-acre. The COW openly discussed these items. One member of the public that spoke at the meeting suggested that the current code be enforced when property ownership changed and until the people that live there are allowed to have what they currently have for vehicles, trailers etc. Council directed staff to look at the logistics on this idea. At the March COW meeting the council discussed this item and requested staff to draft an ordinance for review.

Staff discussed the ownership idea with the City Attorney and he explained that will be quite difficult to enforce. Staff suggested creating a specific zoning district for the annexed parcels that will allow for some of the concessions that council would like including driveways and number of vehicles/trailers. When discussing this zoning district, the City Attorney suggested we include all residential parcels over one acre south of Palomino. Attached is a map that shows the annexed parcels in dark gray, and the parcels that would be rezoned to this new residential district have an X on them. If this new zoning district is created the process would be to adopt the ordinance and then rezone said parcels. The proposed district maintains the same uses and general requirements of the R-1 zone (what the properties are currently zoned) but has different allowances for

driveways and number of vehicles. This proposed ordinance would allow existing driveways to remain unpaved and allow 7 vehicles/trailers/recreational vehicles to be parked outside.

**Staff Recommendation:**

Staff recommends approval

**Attachments**

- Draft Ordinance
- Map

**Subdivision 1: Purpose**

The "R-1A" Single-Family Residential Rural District is established for the purpose of providing residential development while affording the enjoyment of a rural lifestyle.

**Subdivision 2: Permitted Uses**

The following are permitted uses:

- A. Dwellings, Single-family detached.
- B. Essential services.
- C. Farming.
- D. Group family daycare facility licensed under Minnesota Rules 9502.0315 to 9502.0445, to serve fourteen (14) or fewer children as allowed under Minnesota Statutes 462.357, Subdivision 7, as amended.
- E. Public open space.
- F. State licensed daycare facility serving twelve (12) or fewer persons as allowed under Minnesota Statutes 462.357, Subdivision 7, as amended.
- G. State licensed residential facility (group home) or a housing with services establishment registered under Minnesota Statutes Chapter 144D, serving six (6) or fewer persons as allowed under Minnesota Statutes 462.357, Subdivision 7, as amended. Residential facilities whose primary purpose is to treat juveniles who have violated criminal statutes related to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses shall be considered prohibited.

**Subdivision 3: Permitted Accessory Uses**

The following are permitted accessory uses:

- A. Accessory buildings in accordance with the provisions as provided within this Article and within Section 13 of this Ordinance.
- B. Decorative landscaping features, fencing, and screening as permitted and regulated in Section 15.
- C. Decks and patios.
- D. Non-commercial gardening.
- E. Permitted home occupations, as regulated by Section 13 of this Ordinance.
- F. Private swimming pools with a depth exceeding twenty-four (24) inches and 5,000 gallons shall be located in the rear yard only and shall require fencing in accordance with building code requirements and Section 15 of this Ordinance. Additional standards as provided in Section 14 of this Ordinance shall be met. (*Ord. No. 644*)

- G. Residential kennel, as defined in Section 2 of this Ordinance, which meets the registration and licensing requirements as provided within Chapter 87, Article II Dogs of the Isanti City Code.
- H. Rummage, Garage, Craft and Boutique sales. The infrequent temporary display and sale, by and occupant on his/her premises, of personal property, including general household rummage, used clothing and appliances, provided the exchange or sale of merchandise is conducted within the residence or accessory structure.
  - 1. The number of sales shall not exceed four (4) per year.
  - 2. The duration of sales does not exceed three (3) consecutive days.
  - 3. Any related signage shall be limited to the premises and to other residential property provided that the property owner's permission has been obtained to display such signage, and signage shall conform to the sign ordinance and shall be removed at the termination of the sale.

**Subdivision 4: Conditional Uses**

The following are conditional uses allowed in the "R-1A" Single-Family Residential Rural District and shall require a Conditional Use Permit based upon the procedures set forth and regulated by Section 21 of this Ordinance. Additional specific standards and criteria may be cited for respective conditional uses and a request shall be evaluated based upon those additional standards and criteria.

- A. Bed and Breakfast establishments subject to those standards as provided within Section 13 of this Ordinance.
- B. Cemetery.
- C. Community recreation.
- D. Educational institutions.
- E. Public buildings.
- F. Religious institutions.
- G. Telecommunication towers and antennas. Standards as provided in Section 13 shall be met; in addition to the following stipulation.
  - 1. Towers and antennas located within the "R-1A" Single-Family Rural District are limited to municipal functions and applications only.
- H. Adult Day Center serving twelve (12) or fewer persons. (*Ord. No. 594*)

**Subdivision 5: Interim Uses**

The following are interim uses allowed in the "R-1A" Single-Family Residential Rural District and require an Interim Use Permit based upon the procedures set forth and regulated by Section 21 of this Ordinance.

- A. Special home occupations, which is accessory to a residential dwelling; subject to the requirements provided in Section 13 of this Ordinance.
- B. Temporary Real Estate Offices, subject to the performance standards as provided within Section 13 of this Ordinance.

**Subdivision 6: Lot Requirements and Setbacks**

A. Lot Requirements.

Lot Size	<u>1 acre</u>
Lot Width	
Corner	<u>100 feet</u>
Other	<u>90 feet</u>

B. Setbacks and Height Restrictions – Principal Building.

Minimum Front Yard Setback	<u>50 feet</u>
Minimum Rear Yard Setback	30 feet
Minimum Side Yard Setback	10 feet, each side
Minimum Street Side Yard Setback	20 feet
Maximum Height	2 ½ stories or 35 feet
Maximum Impervious Surface Coverage	<u>40%</u>

C. Setbacks – Accessory Buildings.

Regulations for Accessory structures are provided in Section 13 of this Ordinance.

Rear Yard Setback	5 feet
Side Yard Setback	5 feet
Street Side Yard Setback	20 feet

D. Garage Requirements.

With the exception of dwelling units constructed prior to the effective date of this Ordinance, all dwelling units shall include an enclosed attached garage. All such garages shall be attached and constructed to accommodate two (2) vehicles parked side-by-side. Tandem garage spaces are permitted providing the required number of side-by-side parking spaces are met.

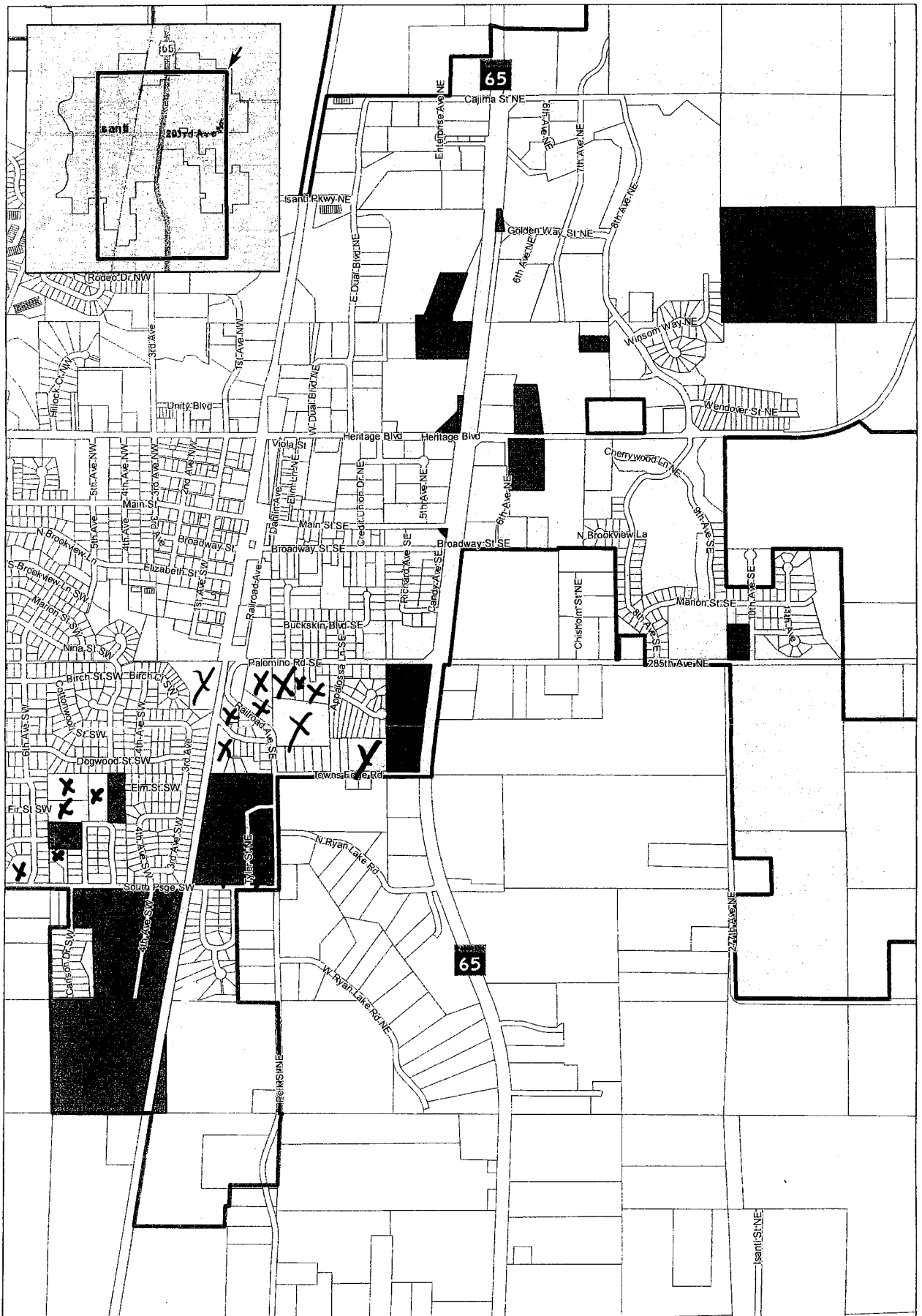
Minimum Floor Area	720 square feet
Minimum Width	24 feet
Minimum Depth	20 feet

E. Usable Lot Requirements.

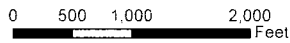
All portions of the required minimum lot size for the district, not located within the standard five (5) foot drainage and utility easements must be 100% usable, as defined in Section 2 of this Ordinance.

### Subdivision 7: Special Regulations

- A. All dwellings must have a minimum of twelve hundred (1200) square feet of livable floor space above grade. All dwellings must have a permanent, full-perimeter foundation and frost footings, which shall meet building code requirements.
- B. No residence shall be less than twenty-four (24) feet in width, as measured across the narrowest portion of the dwelling.
- C. Building elevations shall provide for diversity in terms of, to include but is not limited to, the type of materials, building orientation, window location, and roof pitch. The exterior design, proportions, and materials shall be selected to achieve a quality design and a sense of individuality.
- D. The design of the structure shall be similar in character and appearance to other dwellings in the area with regard to unit size, roof overhangs, roof materials, roof pitch, and exterior materials.
  - 1. A roof constructed of asphalt composition, shingle, tile, crushed rock, or similar roofing material, which is compatible with surrounding development shall be used.
  - 2. Exterior siding of brick, wood, stucco, plaster, concrete, or other similar materials, which is finished and non-glossy and non-reflective; and which is compatible with the surrounding development shall be used.
  - 3. A predominant shape and form that is compatible with the surrounding neighborhood shall be used.
  - 4. With the exception of driveways in existence at the time of prior to the effective date of this ordinance, all driveways shall be paved with concrete, bituminous or asphalt pavers in accordance with Section 17 Subdivision 15.
  - 5. The number of motor vehicles and trailers, recreational vehicles parked outside are limited to 7 units (any combination for a total of 7). As defined in Section 227 of the City Code.



**Recently Annexed Properties  
City of Isanti**



- Annexed Properties
- City Limits
- Parcels



## MEMORANDUM

TO: Planning Commission

FROM: Ryan Saltis, Community Development Specialist

DATE: June 16, 2020

SUBJECT: Ordinance Amending the City Zoning Code, Ordinance 445, Section 15 Fencing, Screening and Landscaping, Subd. 1(e) Setbacks, to remove the requirement for privacy fences to be located a minimum of 15 feet from any street right-of-way.

**Overview/Background:**

City staff has received multiple complaints regarding fencing requirements for properties abutting a street right of way. The current Zoning Code requires the location for privacy fences be setback a minimum of fifteen feet from any street right of way. This eliminates yard space for homeowners, especially if the property is located on a corner lot. Many homeowners are facing a choice of losing yard space and constructing a privacy fence, or having to put up a chain link fence. Several new lots in the city are small and have unique configurations, and would be unable to utilize a majority of their yard.

Lots in developed neighborhoods are often abutting a right of way on the side and rear property lines, which is the only location where a fence can be placed in a homeowner's yard.

A rightof- way is defined in the City Zoning Code Section 2 as: "A strip of public land occupied or intended to be occupied by a road, crosswalk, utility line, railroad, electric transmission line or other similar use."

Sidewalks would be considered part of a right of way, meaning that according to the City Code, privacy fences must be placed at least 15 feet from the sidewalk. Staff would like to eliminate this requirement to allow fences to be closer to a right of way and for homeowners to gain more usable yard space.

- ~~2. Privacy fences shall be setback a minimum of fifteen (15) feet from any street right-of-way~~

The location of fences to remain out of a right of way is already protected by Subdivision 1(e) that states a fence must be located on the property of the homeowner:

3. Fences shall be located on the property of the owner. All posts and framework shall be placed within the property lines of the fence owner.

With this ordinance amendment, homeowners would be able to place their fence whether privacy or chain-link, directly on their property lines abutting a right of way.

**Staff Recommendation:**

Staff recommends approval of amending the Isanti Zoning Code, Ordinance 445, Section 15 Fencing, Screening and Landscaping, Subd. 1(e) Setbacks, to remove the requirement for privacy fences to be located a minimum of 15 feet from any street right-of-way.

**Attachments:**

- Ordinance Amendment

**ORDINANCE XXX**

**ORDINANCE AMENDING THE CITY ZONING CODE, ORDINANCE 445, SECTION 15  
FENCING, SCREENING, AND LANDSCAPING, SUBDIVISION 1.E (2) SETBACKS**

**THE CITY OF ISANTI DOES ORDAIN:**

**I. AMENDMENTS**

**Ordinance No. 445 Zoning, Section 15: Fencing, Screening, and landscaping, Subdivision 1.E (2) Setbacks** shall be hereby amended to add/delete the following:

- ~~2.~~ ~~Privacy fences shall be setback a minimum of fifteen (15) feet from any street right of way~~
- ~~3.~~ 2. Fences shall be located on the property of the owner. All posts and framework shall be placed within the property lines of the fence owner.
- ~~4.~~ 3. No fence shall enclose a water shutoff valve to the interior. A 12-inch minimum separation between the fence and the water shutoff valve must be maintained.
- ~~5.~~ 4. No fences shall be permitted within a stormwater flow path.
- ~~6.~~ 5. Fences within a storm pond drainage easement must provide for the free flow of water by using a material such as chain-link or by providing a minimum ground clearance of four (4) inches.
- ~~7.~~ 6. Fences located within storm pond drainage easements shall be reviewed by Public Works and/or The City Engineer. (Ord. No. 647)

**II. EFFECTIVE DATE**

This ordinance shall take effect upon its adoption and publication in the City's Official Newspaper.

Adopted by the City Council this \_\_\_ day of \_\_\_\_\_, 2020.

---

Mayor Jeff Johnson

Attest:

---

Katie Brooks, Human Resources/City Clerk



**CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, July 21, 2020  
Immediately Following the 7:00pm City Council Meeting  
CITY HALL**

- 1. Meeting Opening**
  - A. Call to Order
  - B. Pledge of Allegiance
  - C. Roll Call
  - D. Agenda Modifications
  
- 2. Meeting Minutes**
  - A. Approval of Minutes from June 16, 2020 Planning Commission Meeting
  
- 3. Public Hearing**
  - A. Request from Serenity Circle for approval of a Site Plan required under City Ordinance 44, Section 18, Subd. 6 (D). Said request is for an office building at 201 Main Street 16.050.0770.
  
  - B. Ordinance Amending the City Zoning Code, Ordinance 445, Section 3, Subd 2 Zoning Map.
  
- 4. Other Business**
  
- 5. Discussion Item**
  
- 6. Adjournment**

**CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, JUNE 16, 2020**

**1. Meeting Opening**

- A. Call to Order: Chair Johnson called the meeting to order at 7:45pm
- B. Pledge of Allegiance
- C. Roll Call: Members present: Jeff Johnson, Dan Collison, Steve Lundeen, Jimmy Gordan, Paul Bergley, Arissya Simon, Alexander Collins.  
Members Absent: None  
Staff present: Community Development Director Sheila Sellman, Community Development Specialist Ryan Saltis
- D. Agenda Modifications: None

**2. Meeting Minutes**

- A. Approval of Minutes from May 19, 2020 Planning Commission Meeting motion by Collison, second by Bergley motion passes 7-0.

**3. Public Hearing**

- A. Request by Dylan Investments LLC for a Conditional Use Permit under City Ordinance 445, Section 11, Article 5, Subd 4. said request is for a Drive-thru at 801 Highway 65 PID 16.020.1100. Sellman explained that the current owners of the building located at 801 Highway 65 have applied for a conditional use permit to install two drive-thru windows, one on the north side of the building and one on the southeast side. One of these windows will be for future tenants of the building. The request meets all of the CUP requirements, and the requirements set by the B-2 Zoning District. Dennis Buchanan, the owner of the business was present at the meeting, and spoke to the Planning Commission, answering questions regarding accessibility to the store and the opportunities this would give to his customers and future tenants to the building. No one from the public spoke on this item at the public hearing. Motion by Gordon, second by Lundeen to approve the CUP, motion passed 7-0.
- B. Request from Scott Boecker for a Conditional Use Permit under City Ordinance 445, Section 7, Article 1, Subd 3. Said request is for commercial recreation at 16 Main St W PID 16.050.0490. Commercial Recreation is permitted in the B-1 Central Business District as a Conditional Use. For the intended use of an indoor playground for kids, the proposed business would need a Conditional Use Permit to operate in the city. Scott Boecker, the new owner of the former Family Pathways building located at 16 Main St W was present at the meeting to answer questions from the Planning Commission and to describe his plans for the business. No one from the public spoke at the public hearing. Motion by Collison, second by Collins to approve the CUP for Commercial Recreation, motion passed 7-0.

- C. Request from Falcon National Bank for a variance to the sign standards section 16 subd 5 c for an additional freestanding sign at 905 6<sup>th</sup> Ave Ct NE PID 16.113.0010. Sellman explained that Falcon National Bank is in the B-2 Highway 65 Zoning Overlay District, which has their own sign code requirements that businesses must follow. Falcon Bank has proposed an additional freestanding sign of 12 square feet to direct traffic to the business coming off of Highway 65. No one from the public spoke on this item at the public hearing. Motion by Lundeen, second by Bergley to approve the variance, motion passed 7-0.
- D. Request by Everpine Landholding LLC for a Preliminary Plat, Final Plat and PUD Amendment for property legally described as outlot A Legacy Pines 2<sup>nd</sup> Addition, Isanti County, Isanti Minnesota. Sellman explained that this Addition to Legacy Pines will include 96 single-family lots which will complete the development as a whole. There will be three phases for the project, with Phase 1 including 28 lots, Phase 2 with 32 lots and Phase 3 with 34 lots. The request for a PUD amendment is for side setbacks of 7.5 feet instead of the required 10-foot setbacks per the Planned Unit Development standards. No one from the public spoke on this item at the public hearing. Motion by Collison, second by Lundeen to approve the Preliminary Plat, Final Plat and PUD Amendment, motion passed 7-0.
- E. Ordinance Amending the City Zoning Code, Ordinance 445, Section 13, Article 4, Subd 1(d) accessory structure location. Saltis explained that the current requirements for the location of accessory structures in relation to the principal structure on a property is 10 ft. Staff suggested removing this requirement and replacing it with the proposed language "Separation between the accessory structure and the principal building (if detached) shall meet building code requirements." The current building code states that accessory structures shall be setback from principal structures 3 ft. No one from the public spoke on the item at the public hearing. Motion by Lundeen, second by Simon to approve the ordinance amendment, motion passed 7-0.
- F. Ordinance Amending the City Zoning Code, Ordinance 445, Section 3, Subd 1 zoning districts and Section 6 adding R-1A Rural Residential zoning district. Sellman described the proposed R-1A Rural Residential zoning district to include properties annexed by the city and properties in town south of Palomino Rd that are over 1 acre in size. By creating a new zoning district, this would enable these properties to have flexibility for driveways and vehicle/trailer parking requirements. The proposed ordinance would allow existing driveways to remain unpaved and allow 7 vehicles/trailers/recreational vehicles to be parked outside. No one from the public spoke on the item at the public hearing. Motion by Lundeen, second by Bergley to approve the ordinance amendment, motion passed 7-0.

G. Ordinance Amending the City Zoning Code, Ordinance 446, Section 15 Subd E fence setbacks. Saltis described the proposed ordinance amendment to remove the requirement for privacy fences to be located a minimum of 15 feet from any street right-of-way. The City Code states that a right-of-way includes sidewalks, meaning that privacy fences must be placed 15 feet from a sidewalk. The proposed ordinance would allow homeowners to place a privacy fence up to a right-of-way in order to gain more usable yard space. The commission recommended that privacy fences shall be located at a minimum of two feet from a sidewalk to prevent snow build up in the winter caused by the fences along city streets and sidewalks. Motion by Lundeen to allow privacy fences to be placed a minimum of 2 ft from a sidewalk and amend the ordinance accordingly, second by Collison, motion passed 7-0.

- 4. **Other Business:** None
- 5. **Discussion Item:** None
- 6. **Adjournment:** Motion by Collison, 2<sup>nd</sup> by Lundeen to adjourn, motion passed 7-0 meeting adjourned at 8:41 pm.

Respectfully submitted by Ryan Saltis, Community Development Specialist



## MEMORANDUM

TO: Planning Commission

FROM: Ryan Saltis, Community Development Specialist

DATE: 7/21/2020

SUBJECT: Site Plan Review for Serenity Circle Counseling office building located at 201 Main St W

---

### **Request:**

The applicant, Deanna Bunes is requesting site plan approval for a proposed office building located at 201 Main St W for Serenity Circle Counseling.

### **Overview/Background:**

The applicant would like to construct an office building for her therapy business on a vacant lot located at 201 Main St W. The building will contain five office spaces, two bathrooms, waiting room, and utility room. The lot was previously zoned R-3A, Low Density Multiple-Family Residential and was approved for a rezoning of the parcel to the B-1, Central Business District within the downtown overlay. The rezoning to the B-1 zoning district allows for the "General – Office" type of use for the building to be permitted on the lot. The site plans include the building, four parking stalls and surrounding landscaping. The standards for the B-1 Zoning District as well as the standards set by the Downtown Overlay District shall be followed for approval.

### **Analysis of Application**

The site plan for the office building shall comply with the following requirements for both the B-1 District and the D-1 Downtown Overlay District:

#### Streets and Sidewalk Network

- A. Developments that include public or private streets shall connect with and provide for the future extension of the community's existing street network.  
*The development will utilize the existing streets of Main Street W and 2<sup>nd</sup> Ave NW.*
- B. Sidewalks are required along all public and private streets within the Downtown Overlay District. The location and alignment of new sidewalks shall connect

directly with the existing sidewalk network. The width of the sidewalk shall be consistent with City policy.

*Sidewalks are proposed along the front and the east sides of the building, which will run parallel to the existing streets, extending the existing sidewalk network in the downtown district. The proposed sidewalks are intended to be 5 feet in width. The City Engineer's Memo explains that the sidewalk should be 6 feet wide when against the back of a curb, which would apply along Main St, 2<sup>nd</sup> Ave NW and the parking lot.*

- C. On-street parking shall be incorporated with the street design within the Downtown Overlay District. Parking areas shall be defined by curbing.  
*The site plans include 4 off-street parking stalls accessed from 2<sup>nd</sup> Ave NW as well as an on-street handicapped parking stall directly in front of the proposed building.*
- D. The number and width of curb cuts shall be in conformance with City policy. Sites within the Downtown Overlay District that have multiple buildings shall have unified / joint access.  
*There is one curb cut proposed for entering or exiting the parking area on the site. The width of the curb cut is 26 feet which is consistent with city policy.*
- E. Street trees shall be placed, no less than one (1) tree per fifty (50) lineal feet of frontage on any street within the Downtown Overlay District. Where street trees cannot be planted, sidewalk planters are encouraged in these areas. Such trees or planters shall be coordinated as part of the streetscape design.  
*A landscaping plan shall be provided for review of plant locations and species types. Landscaping plans shall follow requirements set forth in Section 15 subd. 5 of Isanti Zoning Ordinance 445.*
- F. All new utilities shall be encouraged to be placed underground. Compatible lines (e.g. electric, phone, cable) shall be placed in a common trench.  
*A utilities plan shall be provided to determine the locations for lines placed underground.*

#### Site Plan Parking Area Design Criteria

Upon review by the Planning Commission and approval by the City Council, the plan for off-street parking shall meet the following site design standards:

- A. Surfacing. All areas devoted for parking space and driveways shall be surfaced with asphalt, concrete, or other surface materials, as approved by the City Engineer, suitable to control dust and drainage. All parking areas shall be designed to control surface runoff to adjacent properties either with curbing or grading techniques.

*The parking lot will consist of bituminous surface. The City Engineer's memo explains requirements and conditions for approval of surfacing.*

B. Lighting. Any lighting used to illuminate off-street parking areas shall be directed away from abutting property and public right-of-way. *Lighting shall be provided in accordance with the regulations as provided in Section 14 of this Ordinance. Lighting standards are provided in Section 14, subd. 5 of Isanti Zoning Ordinance 445. A photometrics plan was provided by the applicant that displays two different types of lighting sources around the building, including wall sconces and a freestanding LED pole to illuminate the parking area on the site. The Outdoor Lighting standards in Section 14 of the Zoning Ordinance limit the lighting sources to foot candle readings that shall not exceed one-half foot candle measured at the closest residential property and five-foot candles measured at the street curb line. The placement of the wall sconces and freestanding LED pole will not exceed these foot candle requirements and are in compliance with the lighting standards. Installation of the downtown decorative light is required in front of the building. The applicant should work with Public Works to determine the location and to order the light.*

C. Visibility. No sign shall be so located as to restrict the sight, orderly operation, and traffic movement within any parking area. *The City Engineer listed as a condition for approval that signs shall be located to green space in between the sidewalk and building. Signs for handicapped parking in front of the building and reserved parking in the lot are also proposed. All signs shall follow Section 16 of Isanti's Zoning Ordinance and shall apply for a sign permit for review by City Staff.*

D. Curbing. Except for single-family dwellings, two-family dwellings, and townhouses, all parking areas located in the R-1, R-2, R-3, and R-4 as well as B-1, B-2, B-3, CBT, RC, I-1, or S-1 zoning districts must have curb and gutter around the perimeter of the parking lot. *Concrete curbs and gutters are proposed around the perimeter of the parking lot.*

E. Striping. All parking stalls shall be marked with either yellow or white painted lines not less than four (4) inches wide. *The striping of the four-stall parking area will be solid white and 4 inches wide, and will comply with this requirement.*

### Setbacks

The following minimum requirements shall be observed in the Central Business District; subject to additional requirements, exceptions, and modifications as set forth within this Ordinance:

- A. Setbacks and Height Restrictions – Principal Building.
- |  |                       |
|--|-----------------------|
| Minimum Setback from a Railroad Right-of-Way | 10 feet               |
| Front, Side, and Rear Yards                  | Zero Lot Line Maximum |
| Building Height                              | Three (3) stories or  |

forty-five (45) feet,  
whichever is less

*The proposed office building will be located on the north and east corner of the lot and have zero setbacks from the street. The building will be single story and not exceed the forty-five foot building height requirement.*

#### Exterior Building Materials

Architectural Style of the building shall be similar to other existing downtown buildings. The evaluation of a project shall be based upon the quality of the design and on its relationship to the surrounding structures and uses. Extremes of style or attempts to recreate a style indigenous to the downtown area are discouraged.

Acceptable Materials. Exterior building materials shall not be dissimilar to existing structures within the immediate area or the downtown area as a whole. Exterior building finishes shall consist of material comparable in grade and quality to the following:

1. Brick
2. Natural stone
3. Wood provided the surfaces are finished for exterior use and only woods of proven durability shall be used.
4. Glass, to include glass curtain wall panels.
5. Tilt up concrete panels that have a grid or block like appearance.
6. EIFS (Exterior Insulating and Finishing System) may be used but not as a primary material.
7. Metal may be used as an accent but not as a primary material.

*The proposed office building features mainly vinyl siding with stone along the base of only the front of the building facing Main St W. The architectural style of the building, along with the materials used is consistent with other existing downtown buildings.*

#### Mechanical Equipment

Mechanical equipment shall be screened from the public right-of-way and from adjacent residential properties. Screening shall be compatible with the principal building and shall be provided in accordance with the regulations as provided within Section 15, Subdivision 3 of this Ordinance.

*Mechanical equipment is intended to be inside of the proposed building in a utility room. If there is any proposed mechanical equipment on the outside of the building, the equipment must be screened and site plans must be altered to display the location.*

#### Trash/Recycling areas

Subdivision 3: Refuse and Trash Receptacle Enclosures

- A. Refuse. All lots within all zoning districts shall be maintained in a neat and orderly manner. No rubbish, salvage materials, junk, or miscellaneous refuse shall be

openly stored or kept in the open when the same is construed by the City Council to be a menace or nuisance to the public health, safety, or general welfare of the City, or to have a depressing influence upon property in the area.

- B. Trash Dumpsters and Garbage Receptacles Required: All new uses and buildings in all zoning districts, with the exception of the “R-1”, “R-2”, and “R-3A” Districts; shall have trash dumpsters or garbage receptacles provided on the parcel or lot and be adequately screened and enclosed. The location of trash dumpsters and garage receptacles shall be approved during the site plan approval process.
- C. Standards for Trash Enclosures: Trash dumpsters and garbage receptacles shall be screened from all lot lines and public roadways, in accordance with the following provisions:
1. The screening devices shall be designed so that they are architecturally harmonious with the principal structures on the site and shall meet the requirements as specified in Section 15 of this Ordinance.
  2. Trash enclosures shall be lit.
  3. Trash enclosures shall be of an adequate size to accommodate all refuse and recyclables.
- D. Enclosure and Receptacle Maintenance Required: Fencing and landscaping for trash dumpsters and garbage receptacles shall be maintained in good condition and shall be kept litter-free at all times.

*The location for trash receptacles is not identified on site plans. The site plans display a chain link fence with a gate along the south side of the proposed building, which could enclose the trash receptacles, but must be identified on the site plans. Lighting for the trash enclosure area is provided by the wall sconces on the exterior of the building.*

**Staff Recommendation:**

Staff recommends approval of the proposed office building located at 201 Main St W with the following conditions:

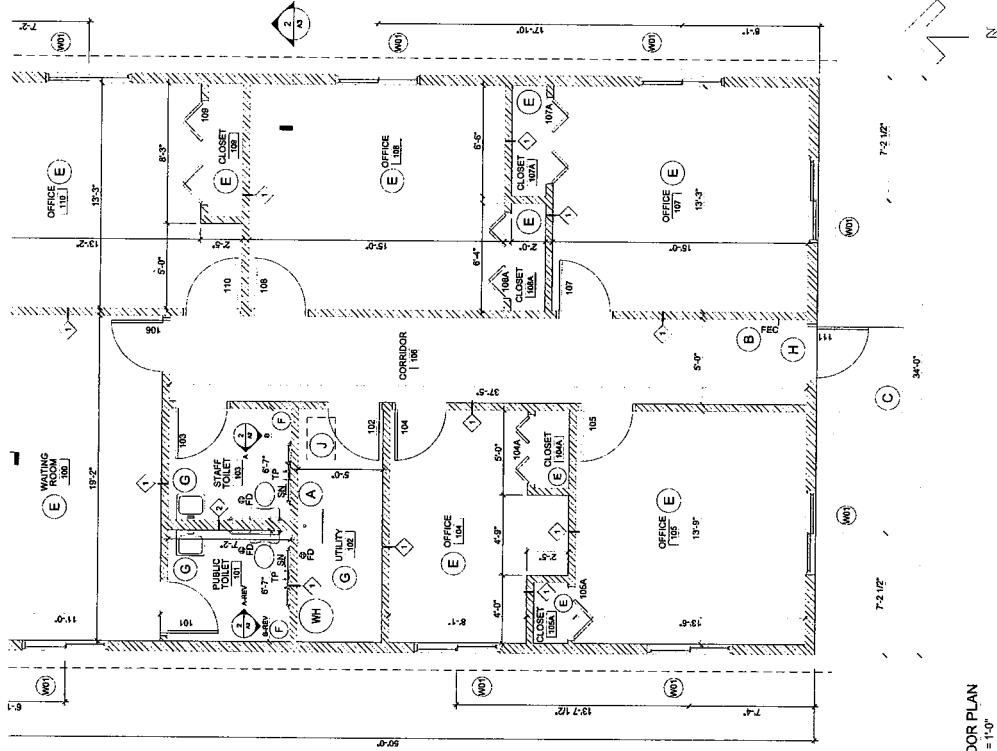
- The applicant shall enter into a minor development agreement.
- Signs require a sign permit before installation.
- A landscaping plan shall be provided for review of planting locations and species as part of the development agreement.
- The location of trash receptacles must be identified on site plans as part of the development agreement (if stored outside).
- Applicant shall apply for all permits associated with the building including a building permit, mechanical permit, plumbing permit, electrical permit, and sewer and water hookup.

- A Utilities Plan shall be provided to determine the locations for lines placed underground as part of the development agreement.
- All other conditions listed in the City Engineer's memo, dated 7/1/2020

**Attachments:**

- Site Plan
- Floor Plan and Exterior Elevations
- Lighting and Photometrics Plan
- Engineer's Memo Dated 7/1/2020

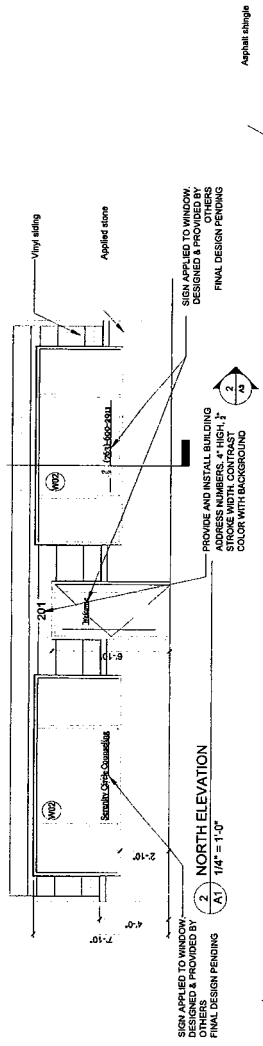




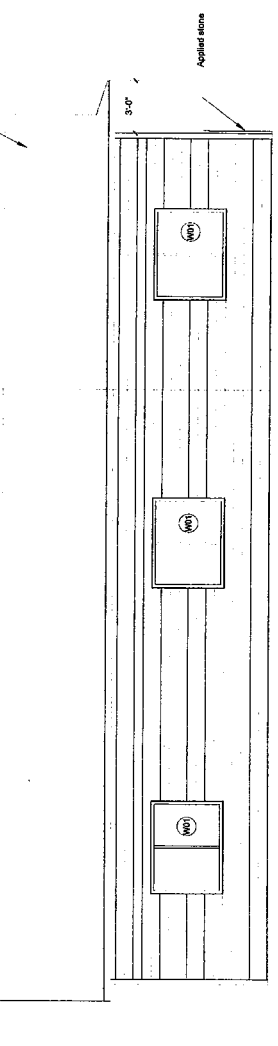
1 FLOOR PLAN  
1/4" = 1'-0"

- CONSTRUCTION KEYNOTES
- A. PROVIDE AND INSTALL NEW WOP SINK. PROVIDE AND INSTALL NEW WOP SINK BOARD ON WALLS TO 4' HIGH WITHIN 2' OF SINK.
  - B. PROVIDE AND INSTALL NEW WOP SINK BOARD. PROVIDE AND INSTALL NEW WOP SINK BOARD ON WALLS FOR WOP SINK CABINET AND EXTINGUISHER. FIRE EXTINGUISHER(S) SHALL BE OF AT LEAST A 2A/BBC RATING. MAINTAIN CORRIDOR RATING AS REQUIRED.
  - C. CONSTRUCT NEW 6"X8" CONCRETE ROSTING. COORDINATE WITH SITE PLAN. MAX SLOPE 1:48.
  - D. PROVIDE AND INSTALL NEW WOP SINK. PROVIDE AND INSTALL NEW WOP SINK BOARD ON WALLS TO 4' HIGH WITHIN 2' OF SINK.
  - E. PROVIDE AND INSTALL NEW WOP SINK. PROVIDE AND INSTALL NEW WOP SINK BOARD ON WALLS TO 4' HIGH WITHIN 2' OF SINK.

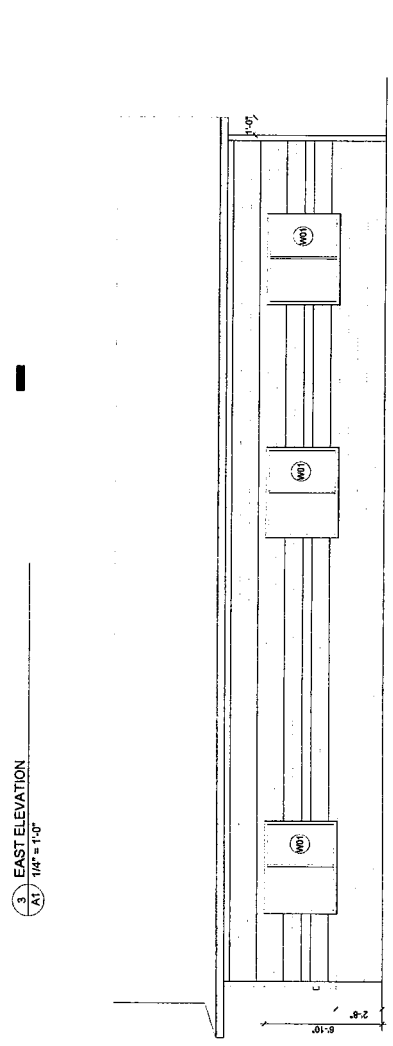
- GENERAL CONSTRUCTION NOTES
1. PROVIDE AND INSTALL NEW WOP SINKS PER OWNER.
  2. PROVIDE BLOCKING IN WALLS FOR WOP SINK CABINET ACCESSORIES, CABINETS, FIXTURES, AND ALL OTHER ITEMS INCLUDING SUPPORT PRIOR TO COVERING FRAMING. COORDINATE WITH SITE PLAN.
  3. PROVIDE CEMENT BACKER BOARD AT TILE WITH PLUMBING FIXTURES.
  4. MEFP TO BE DESIGN/BUILD.



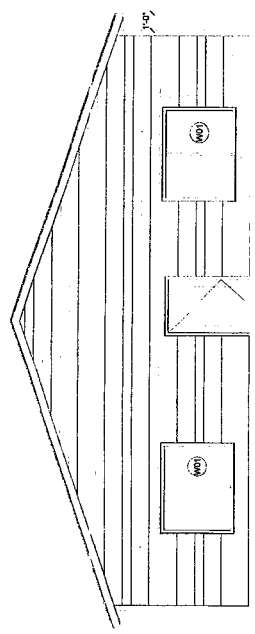
2 NORTH ELEVATION  
1/4" = 1'-0"



3 EAST ELEVATION  
1/4" = 1'-0"



4 WEST ELEVATION  
1/4" = 1'-0"

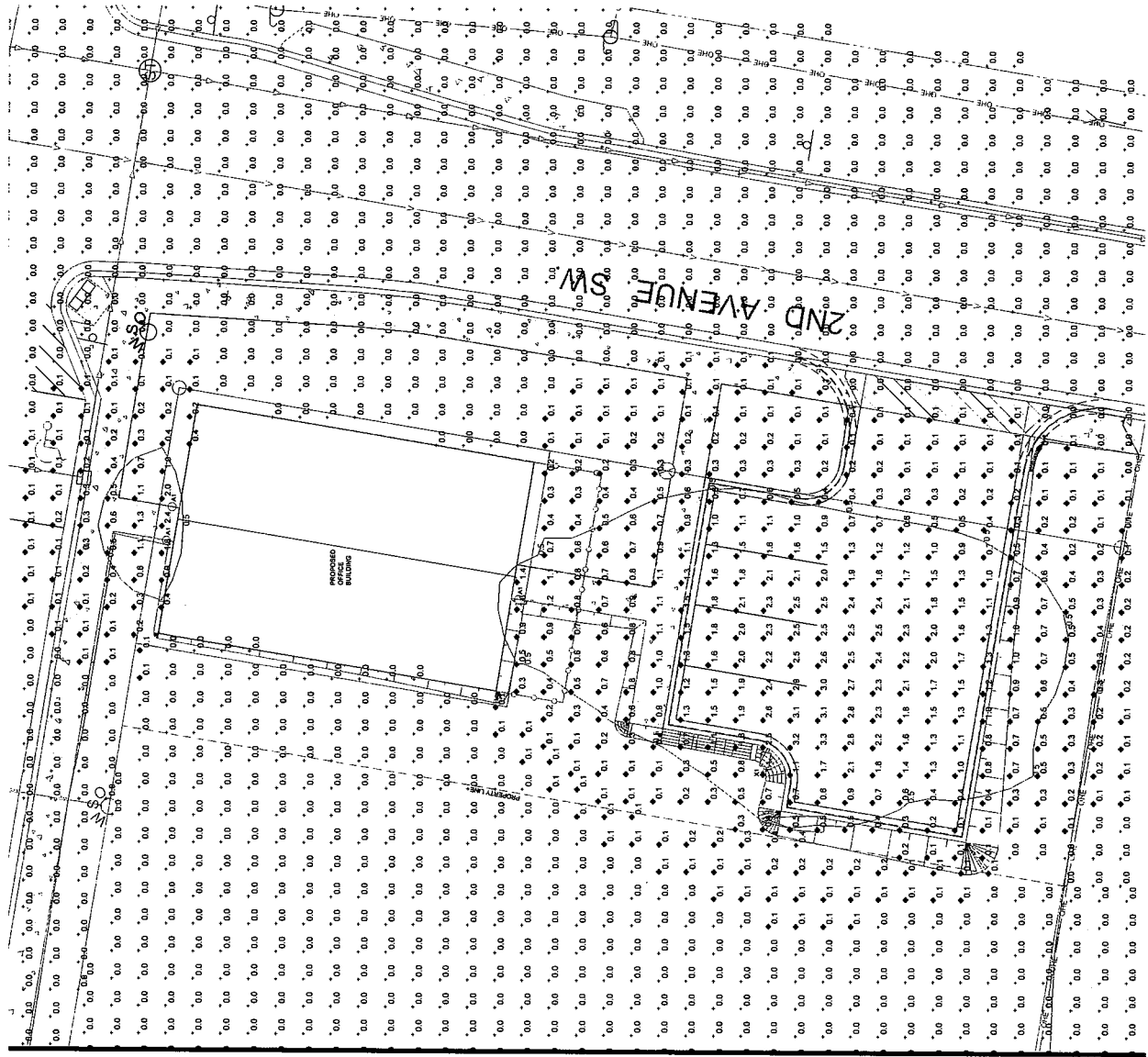


XI	LED AREA LUMINAIRE	49	6.007	LED 400K	POLE @ 15'0"	11KVOLT	LITHONIA #SS5032, #SS50
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NOTES:  
 1. LIGHT OUTPUT MAY VARY DEPENDING ON THE TYPE OF BULB INSTALLED INTO THE FIXTURE  
 2. ORDER SEPARATE NEMA TWIST-LOCK PHOTOCELL FOR FIXTURE CONTROL, MODEL #LL127F 1.5 J.J.  
 3. ORDER SEPARATE POLE, LITHONIA #SS503:15-4C-DM19AS-VD008

**LEGEND**

- LED AREA LUMINAIRE
- WALL LANTERN
- X.X FOOT-CANDLE (FC) MEASUREMENT AT GROUND LEVEL
- 66 FOOT-CANDLE (FC) BOUNDARY



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## MEMORANDUM

**Date:** July 1, 2020  
**To:** Sheila Sellman, Community Development Director  
**From:** Jason W. Cook, P.E.  
City Engineer  
**Subject:** Serenity Circle Counseling - 201 Main Street - Plan Review  
City of Isanti, MN  
Project No.: R13.120117

We have reviewed the plan entitled "Serenity Circle Counseling" with a signature date of 6/19/2020.

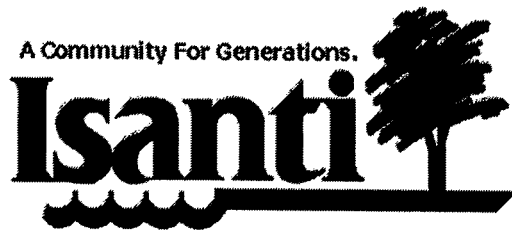
The plan includes the addition of a building and parking lot at 201 Main Street with access off 2<sup>nd</sup> Avenue NW.

We have reviewed the submitted documents and have the following comments:

1. Add crosswalk blocks across Main Street to the north and blocks across 2<sup>nd</sup> Avenue to the East.
2. The sidewalk should be 6 feet wide when against the back of curb, this applies along Main Street, 2<sup>nd</sup> Avenue, and the parking lot.
3. Relocate all signs into the green space behind the sidewalk.
4. Move the handicap stall into the parking lot.
5. At west end of sidewalk along Main Street, flair walk out to match into the flat portion of the existing driveway apron.

We recommend approval of the project once the above items are submitted and approved.

Please contact me if you have any questions.



## MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: July 21, 2020

SUBJECT: Ordinance Amending the City Zoning Code, Ordinance 445, Section 3, Subd 2 Zoning Map.

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### **Request**

As directed by the City Council staff has prepared a zoning district "R-1A Rural Residential" The ordinance was adopted at the June 16, 2020 City Council meeting, next step is to rezone the properties.

### **Overview/Background**

A new R1a zoning district was created for properties south of Dogwood Street, west of the railroad, south of Palomino Drive and east of the railroad (map attached). Now that the district is created the next step is to rezone the parcels. Community Development staff held a neighborhood meeting on July 14<sup>th</sup> to discuss the rezoning, 6 people attended. Staff has received 2 e-mails and 2 calls about the rezoning, all just asking questions and no one objecting.

### **Staff Recommendation:**

Staff recommends approval

### **Attachments**

- Map
- Draft Ordinance -to be handed out at the meeting

# R-1A REZONE PARCELS

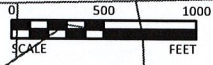
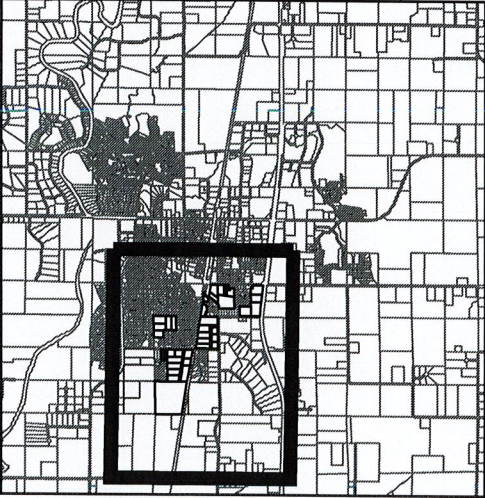
City of Isanti

Location Map

June 2020



LOCATION MAP



H:\ISANI\13120117\CAD\R-1A ZONING LOCATION MAP.dwg 6/25/2020 4:15:37 PM



**CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, August 18, 2020  
Immediately Following the 7:00pm City Council Meeting  
CITY HALL**

- 1. Meeting Opening**
  - A. Call to Order
  - B. Pledge of Allegiance
  - C. Roll Call
  - D. Agenda Modifications
  
- 2. Meeting Minutes**
  - A. Approval of Minutes from July 21, 2020 Planning Commission Meeting
  
- 3. Public Hearing**
  - A. Request from Scott Zimprich for a for a garage to exceed 580 square feet and to be larger than the house at 201 Broadway
  
- 4. Other Business**
  
- 5. Discussion Item**
  
- 6. Adjournment**

## CITY OF ISANTI

### PLANNING COMMISSION MEETING

TUESDAY, July 21, 2020

Immediately following the 7:00 P.M City Council Meeting;

#### 1. Meeting Opening

- A. Call to Order: Chair Johnson called the meeting to order at 8 p.m.
- B. Pledge of Allegiance
- C. Roll Call: Members present: Jeff Johnson, Dan Collison, Steve Lundeen, Jimmy Gordan, Paul Bergley, Arissya Simon, Alexander Collins.  
Members Absent: None  
Staff present: Community Development Director Sheila Sellman, Community Development Specialist Ryan Saltis
- D. Agenda Modifications: None

#### 2. Meeting Minutes

- A. Approval of Minutes from June 16, 2020 Planning Commission Meeting motion by Collison, second by Bergley motion passes 7-0.

#### 3. Public Hearing

- A. Request by Serenity Circle for approval of a Site Plan required under City Ordinance 44, Section 18, Subd. 6 (D). Said request is for an office building at 201 Main Street 16.050.0770. Saltis explained that a new office building is proposed at the vacant lot located at the corner of Main St and 2<sup>nd</sup> Ave SW. The lot was previously rezoned from R-3A, Low Density Multiple-Family Residential to the B-1, Central Business District to allow for office uses on the parcel. Saltis explained the proposed site plan configuration consisting of the building, a four-stall parking lot, utilities, the extended sidewalks and street network and surrounding landscaping. The site plans for the office building were to comply with the standards set for the B-1 Zoning District as well as the standards set by the Downtown Overlay District for approval. The Planning Commission questioned whether the four off-street parking stalls were sufficient for the business. City staff explained that the four off-street parking stalls were the minimum number of stalls the business would be allowed while following city code for the downtown overlay district. The applicant, Deanna Bunes was present at the meeting and available for questions. No one from the public was present to speak at the public hearing. The Planning Commission recommended approval of the site plans for the office building at 201 Main St W with conditions listed in the City Engineer's memo, dated 7/1/2020 and the City Staff memo, dated 7/21/2020. Motion for approval of site plans by Lundeen, 2<sup>nd</sup> by Gordon, motion passed 7-0.

B. Ordinance Amending the City Zoning Code, Ordinance 445, Section 3, Subd 2 Zoning Map. Sellman explained that the R-1, Rural Residential Zoning District was adopted at the June 16<sup>th</sup> City Council meeting, and now those properties shall be rezoned on the Zoning Map. City Staff held a neighborhood meeting on July 14<sup>th</sup> to discuss the rezoning of the properties to the R-1 Zoning District. No one from the public was present to speak at the public hearing. Motion for approval to amend the Zoning Map by Lundeen, 2<sup>nd</sup> by Simon, motion passed 7-0.

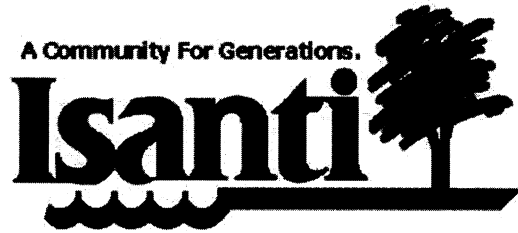
4. **Other Business:** None

5. **Discussion Item:** None

6. **Adjournment:** Motion by Bergley, 2<sup>nd</sup> by Collins to adjourn, motion passed 7-0 meeting adjourned at 8:25 p.m.

Respectfully submitted by Ryan Saltis, Community Development Specialist

DRAFT



## MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: August 18, 2020

SUBJECT: Variance request for a garage to exceed 580 square feet and to be larger than the house at 201 Broadway

---

**Request:** The applicant Scott Zimprch is requesting a variance to build a 580 square foot detached garage in the R-2 zoning district, which exceeds the size of the primary structure.

### **Overview/Background**

On May 12, 2020 the applicant applied for a building permit to construct a detached garage at 720 square feet. On May 14, 2020 the Community Development Director (CDD) e-mailed him and explained that the proposed garage exceeds the size limit according to city code. He e-mailed back with some questions and the last correspondence was an e-mail sent by the CDD on May 25<sup>th</sup> outlining his options which included the following:

- 1) Build the detached garage at 580 square feet and there are no other steps
- 2) Build the garage attached to the house and it can possibly be bigger but can't exceed the size of the house
- 3) Apply for a variance - I have attached the application and calendar. This will take a public hearing at the Planning Commission and properties within 350' of your property will be noticed as well as a notice in the paper. The Planning Commission makes a recommendation to the City Council. Please call me if you would like to discuss.

On July 13, 2020 a stop work order was issued for this property because a building permit was never issued. The garage foundation has already been poured. This was never approved.

City Code defines Accessory Structure as A subordinate attached or detached building located on the same lot as the principal building, of which the use is incidental and accessory to the use of the principal building. Therefore, in addition to the variance for the size limit of 580 square feet, the garage can not exceed the size of the house, the applicants house is 624 square feet. Section 13 Article four has a maximum detached accessory structure limit of 580 square feet for parcels that are less than one acre.

In review of the standards established within Section 21 Administration and Enforcement, Article 5 Variances, Subdivision 4 Procedures (D), the following conclusions have been made (*conclusions to each requirement are shown in italics*):

An application for a variance shall not be approved unless the variance, if permitted, is in harmony with the general purposes and intent of the ordinance and is consistent with the Comprehensive Plan and findings are made that failure to grant the variance would result in practical difficulties on the applicant. Practical difficulties used in connection with the granting of a variance, means that the property owner meets all of the following criteria:

- A. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance. *An accessory structure larger than the primary structure and larger than what is permitted by code in not a reasonable use of the land.*
- B. The plight of the landowner is due to circumstances unique to the property and has not been caused by the landowner. *This property is not unique and the circumstances are directly caused by the owner by starting the work without a permit and not meeting size requirements.*
- C. A variance, if granted, will not alter the essential character of the locality. *Granting a variance for an accessory structure to exceed the size of the primary structure does alter the essential character.*
- D. Practical difficulties include but are not limited to, inadequate access to direct sunlight for solar energy systems. *Not applicable.*
- E. Economic considerations alone do not constitute practical difficulties. *Economic considerations do not play a role in this situation*

**Staff Recommendation:**

Staff recommends denial of the variance because the proposed garage is not in harmony with the general intent of the ordinance and does not meet the practical difficulties. In addition, the applicant started the work without a permit when he was specifically told the proposed garage is too big.

**Attachments**

- Memo from League of MN Cities
- Applicant's memo
- Site plan

## Land Use Variances

*Learn about variances as a way cities may allow an exception to part of their zoning ordinance. Review who may grant a variance and how to follow and document the required legal standard of “practical difficulties” (before 2011 called “undue hardship”). Links to a model ordinance and forms for use with this law.*

### RELEVANT LINKS:

Minn. Stat. § 462.357, subd. 6.

Minn. Stat. § 462.357, subd. 6.

Minn. Stat. § 462.357, subd. 6.

### I. What is a variance

A variance is a way that a city may allow an exception to part of a zoning ordinance. It is a permitted departure from strict enforcement of the ordinance as applied to a particular piece of property. A variance is generally for a dimensional standard (such as setbacks or height limits). A variance allows the landowner to break a dimensional zoning rule that would otherwise apply.

Sometimes a landowner will seek a variance to allow a particular use of their property that would otherwise not be permissible under the zoning ordinance. Such variances are often termed “use variances” as opposed to “area variances” from dimensional standards. Use variances are not generally allowed in Minnesota—state law prohibits a city from permitting by variance any use that is not permitted under the ordinance for the zoning district where the property is located.

### II. Granting a variance

Minnesota law provides that requests for variances are heard by a body called the board of adjustment and appeals; in many smaller communities, the planning commission or even the city council may serve that function. A variance decision is generally appealable to the city council.

A variance may be granted if enforcement of a zoning ordinance provision as applied to a particular piece of property would cause the landowner “practical difficulties.” For the variance to be granted, the applicant must satisfy the statutory three-factor test for practical difficulties. If the applicant does not meet all three factors of the statutory test, then a variance should not be granted. Also, variances are only permitted when they are in harmony with the general purposes and intent of the ordinance, and when the terms of the variance are consistent with the comprehensive plan.

This material is provided as general information and is not a substitute for legal advice. Consult your attorney for advice concerning specific situations.

### **III. Legal standards**

When considering a variance application, a city exercises so-called “quasi-judicial” authority. This means that the city’s role is limited to applying the legal standard of practical difficulties to the facts presented by the application. The city acts like a judge in evaluating the facts against the legal standard. If the applicant meets the standard, then the variance may be granted. In contrast, when the city writes the rules in zoning ordinance, the city is exercising “legislative” authority and has much broader discretion.

#### **A. Practical difficulties**

“Practical difficulties” is a legal standard set forth in law that cities must apply when considering applications for variances. It is a three-factor test and applies to all requests for variances. To constitute practical difficulties, all three factors of the test must be satisfied.

##### **1. Reasonableness**

The first factor is that the property owner proposes to use the property in a reasonable manner. This factor means that the landowner would like to use the property in a particular reasonable way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. For example, if the variance application is for a building too close to a lot line or does not meet the required setback, the focus of the first factor is whether the request to place a building there is reasonable.

##### **2. Uniqueness**

The second factor is that the landowner’s problem is due to circumstances unique to the property not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands or trees.

RELEVANT LINKS:

2011 Minn. Laws, ch. 19,  
*amending* Minn. Stat. §  
462.357, subd. 6.

*Krummenacher v. City of  
Minnetonka*, 783 N.W.2d 721  
(Minn. June 24, 2010).

Minn. Stat. § 462.357, subd.  
6.

Minn. Stat. § 394.27, subd. 7.

See Section I, *What is a  
variance*.

See Section IV-A, *Harmony  
with other land use controls*.

### 3. Essential character

The third factor is that the variance, if granted, will not alter the essential character of the locality. Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area.

### B. Undue hardship

“Undue hardship” was the name of the three-factor test prior to a May 2011 change of law. After a long and contentious session working to restore city variance authority, the final version of HF 52 supported by the League and allies was passed unanimously by the Legislature. On May 5, Gov. Dayton signed the new law. It was effective on May 6, the day following the governor’s approval. Presumably it applies to pending applications, as the general rule is that cities are to apply the law at the time of the decision, rather than at the time of application.

The 2011 law restores municipal variance authority in response to a Minnesota Supreme Court case, *Krummenacher v. City of Minnetonka*. It also provides consistent statutory language between city land use planning statutes and county variance authority, and clarifies that conditions may be imposed on granting of variances if those conditions are directly related to, and bear a rough proportionality to, the impact created by the variance.

In *Krummenacher*, the Minnesota Supreme Court narrowly interpreted the statutory definition of “undue hardship” and held that the “reasonable use” prong of the “undue hardship” test is not whether the proposed use is reasonable, but rather whether there is a reasonable use in the absence of the variance. The new law changes that factor back to the “reasonable manner” understanding that had been used by some lower courts prior to the *Krummenacher* ruling.

The 2011 law renamed the municipal variance standard from “undue hardship” to “practical difficulties,” but otherwise retained the familiar three-factor test of (1) reasonableness, (2) uniqueness, and (3) essential character. Also included is a sentence new to city variance authority that was already in the county statutes.

**RELEVANT LINKS:**

*Issuance of Variances*, LMC Model Ordinance.

*Variance Application*, LMC Model Form.  
*Adopting Findings of Fact*, LMC Model Resolution.

Minn. Stat. § 462.357, subd. 6.

See LMC information memo, *Taking the Mystery out of Findings of Fact*.

Minn. Stat. § 462.357, subd. 6.

## **C. City ordinances**

Some cities may have ordinance provisions that codified the old statutory language, or that have their own set of standards. For those cities, the question may be whether you have to first amend your zoning code before processing variances under the new standard. A credible argument can be made that the statutory language pre-empts inconsistent local ordinance provisions. Under a pre-emption theory, cities could apply the new law immediately without necessarily amending their ordinance first. In any regard, it would be best practice for cities to revisit their ordinance provisions and consider adopting language that mirrors the new statute.

The models linked at the left reflect the 2011 variance legislation. While they may contain provisions that could serve as models in drafting your own documents, your city attorney would need to review prior to council action to tailor to your city's needs. Your city may have different ordinance requirements that need to be accommodated.

## **IV. Other considerations**

### **A. Harmony with other land use controls**

The 2011 law also provides that: "Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the terms of the variance are consistent with the comprehensive plan." This is in addition to the three-factor practical difficulties test. So a city evaluating a variance application should make findings as to:

- Is the variance in *harmony with* the purposes and intent of the ordinance?
- Is the variance *consistent with* the *comprehensive plan*?
- Does the proposal put property to use in a *reasonable manner*?
- Are there *unique circumstances* to the property not created by the landowner?
- Will the variance, if granted, alter the *essential character* of the locality?

### **B. Economic factors**

Sometimes landowners insist that they deserve a variance because they have already incurred substantial costs or argue they will not receive expected revenue without the variance. State statute specifically notes that economic considerations alone cannot create practical difficulties. Rather, practical difficulties exist only when the three statutory factors are met.

**RELEVANT LINKS:**

Minn. Stat. § 462.357, subd.  
6.

## **C. Neighborhood opinion**

Neighborhood opinion alone is not a valid basis for granting or denying a variance request. While city officials may feel their decision should reflect the overall will of the residents, the task in considering a variance request is limited to evaluating how the variance application meets the statutory practical difficulties factors. Residents can often provide important facts that may help the city in addressing these factors, but unsubstantiated opinions and reactions to a request do not form a legitimate basis for a variance decision. If neighborhood opinion is a significant basis for the variance decision, the decision could be overturned by a court.

## **D. Conditions**

A city may impose a condition when it grants a variance so long as the condition is directly related and bears a rough proportionality to the impact created by the variance. For instance, if a variance is granted to exceed an otherwise applicable height limit, any conditions attached should presumably relate to mitigating the effect of excess height.

## **V. Variance procedural issues**

### **A. Public hearings**

Minnesota statute does not clearly require a public hearing before a variance is granted or denied, but many practitioners and attorneys agree that the best practice is to hold public hearings on all variance requests. A public hearing allows the city to establish a record and elicit facts to help determine if the application meets the practical difficulties factors.

### **B. Past practices**

While past practice may be instructive, it cannot replace the need for analysis of all three of the practical difficulties factors for each and every variance request. In evaluating a variance request, cities are not generally bound by decisions made for prior variance requests. If a city finds that it is issuing many variances to a particular zoning standard, the city should consider the possibility of amending the ordinance to change the standard.

## RELEVANT LINKS:

Minn. Stat. § 15.99.

Minn. Stat. § 15.99, subd. 2.

See LMC information memo,  
*Taking the Mystery out of  
Findings of Fact.*

Minn. Stat. § 15.99, subd. 2.

Jed Burkett  
LMCIT Land Use Attorney  
jburkett@lmc.org  
651.281.1247

### C. Time limit

A written request for a variance is subject to Minnesota's 60-day rule and must be approved or denied within 60 days of the time it is submitted to the city. A city may extend the time period for an additional 60 days, but only if it does so in writing before expiration of the initial 60-day period. Under the 60-day rule, failure to approve or deny a request within the statutory time period is deemed an approval.

### D. Documentation

Whatever the decision, a city should create a record that will support it. In the case of a variance denial, the 60-day rule requires that the reasons for the denial be put in writing. Even when the variance is approved, the city should consider a written statement explaining the decision. The written statement should explain the variance decision, address each of the three practical difficulties factors and list the relevant facts and conclusions as to each factor.

If a variance is denied, the 60-day rule requires a written statement of the reasons for denial be provided to the applicant within the statutory time period. While meeting minutes may document the reasons for denial, usually a separate written statement will need to be provided to the applicant in order to meet the statutory deadline. A separate written statement is advisable even for a variance approval, although meeting minutes could serve as adequate documentation, provided they include detail about the decision factors and not just a record indicating an approval motion passed.

### VI. Variances once granted

A variance once issued is a property right that "runs with the land" so it attaches to and benefits the land and is not limited to a particular landowner. A variance is typically filed with the county recorder. Even if the property is sold to another person, the variance applies.

### VII. Further assistance

If you have questions about how your city should approach variances under this statute, you should discuss it with your city attorney. You may also contact League staff.

To Whom it May Concern:

I am looking at building a garage for my home located at 201 Broadway St. SE. This home currently does not have a garage on the property. I would like to build a 26ftx28ft two stall garage. The current city limit is a 24ftx24ft. I have included my building plans for this project. I would like to build this garage so I can fit two full size vehicles and a little work bench. At the current limit of 24x24 you cannot fit a full-size truck in and walk around all sides of the garage. I would like to extend the size of the garage by 2 feet on the on side and 4 feet on the other side. I feel like this garage will fit in with the neighborhood. There are several garages on my street with garages that are much larger than what I would like to build. If you would consider passing this variance I would love to have a garage on my property.

Sincerely,

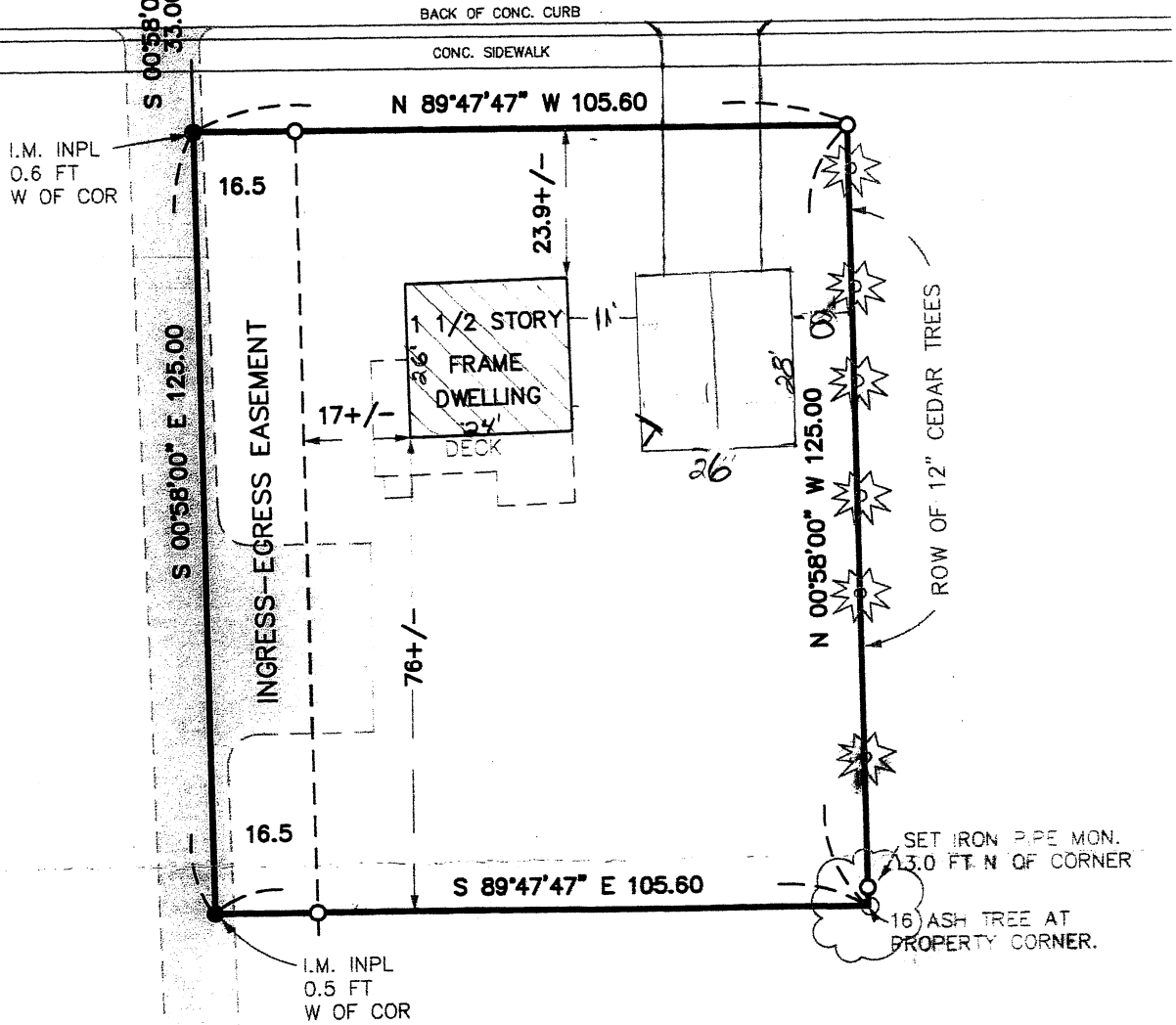
Scott Zimprich

A handwritten signature in black ink that reads "Scott Zimprich". The signature is written in a cursive style with a large, stylized "S" at the beginning.

NORTH LINE, SW1/4-SW1/4  
SEC 29, T35 R23

S 89°47'47" E  
594.0 (36 RODS)

**BROADWAY ST.**

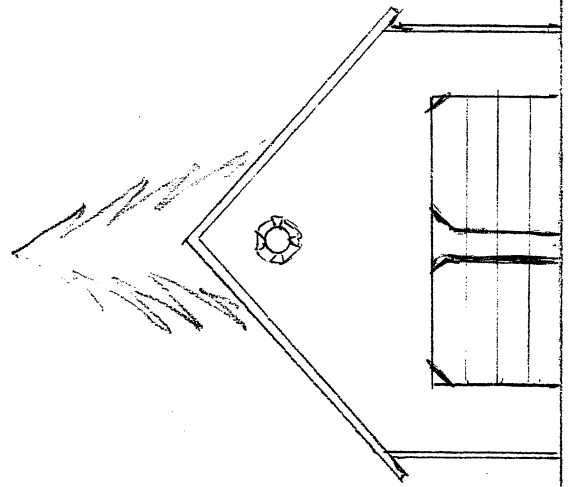
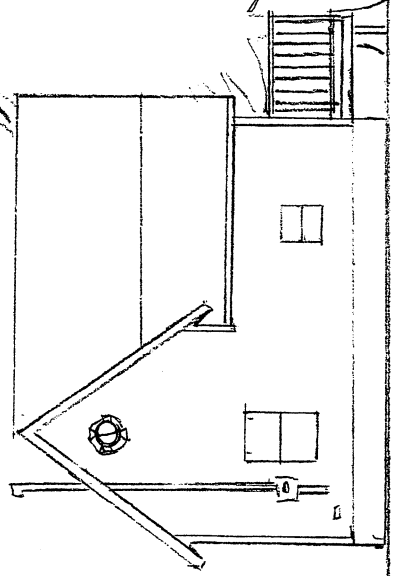
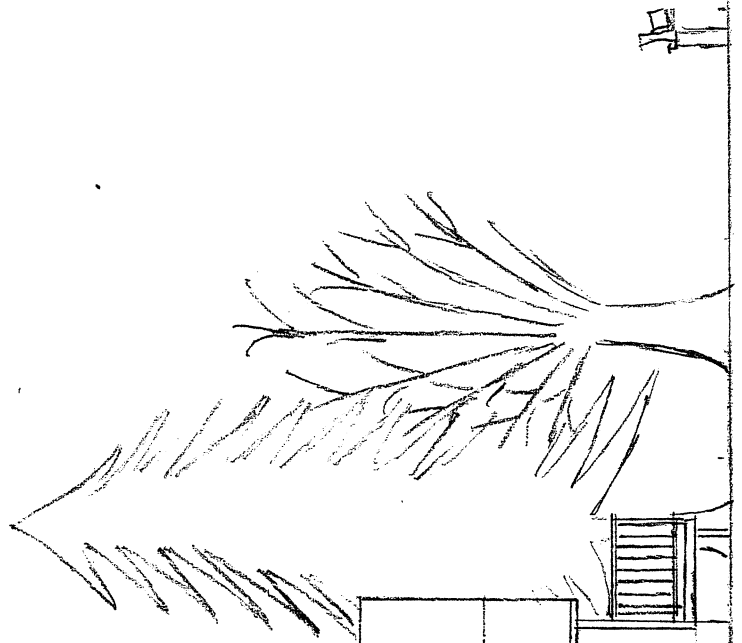


1 INCH = 30 FEET  
JULY 1, 2015

- IS IRON PIPE MONUMENT SET
- IS IRON PIPE MONUMENT INPLACE

**THE NORTH 125 FEET OF LOT 57, AUDITOR'S SUBDIVISION NO. 10,  
ISANTI COUNTY, MINNESOTA**

**SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS  
THE WEST 125 FEET THEREOF.**



Hand-drawn architectural sketch of a building with a gabled roof and a circular window.



**CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, October 20, 2020  
Immediately Following the 7:00pm City Council Meeting  
CITY HALL**

- 1. Meeting Opening**
  - A. Call to Order
  - B. Pledge of Allegiance
  - C. Roll Call
  - D. Agenda Modifications
  
- 2. Meeting Minutes**
  - A. Approval of Minutes from August 18, 2020 Planning Commission Meeting
  
- 3. Public Hearing**
  - A. Ordinance Amending the City Code, Chapter 253 Rental Dwellings.
  - B. Ordinance Amending the City Code, Chapter 536 Subdivision.
  
- 4. Other Business**
  
- 5. Discussion Item**
  - A. Concept Plan
  
- 6. Adjournment**

**CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, August 18, 2020**

**2.A.**

**1. Meeting Opening**

- A. Call to Order: Chair Johnson called the meeting to order at 7:29 p.m.
- B. Pledge of Allegiance
- C. Roll Call: Members present: Jeff Johnson, Dan Collison, Steve Lundeen, Jimmy Gordan, Paul Bergley, Arissya Simon.  
Members Absent: Alexander Collins  
Staff present: Community Development Director Sheila Sellman, Community Development Specialist Ryan Saltis
- D. Agenda Modifications: None

**2. Meeting Minutes**

- A. Approval of Minutes from July 21, 2020 Planning Commission Meeting motion by Collison, second by Lundeen motion passes 6-0.

**3. Public Hearing**

- A. Request from Scott Zimprich for a garage to exceed 580 square feet and to be larger than the house at 201 Broadway. Sellman explained the variance request in which the applicant proposes to construct a larger detached garage than the allowable square footage based on the lot size and would exceed the size of the principal structure on the lot. The applicant has started to pour a concrete slab for the detached garage without approval of the building permit application and a stop work order was issued to the homeowner. The applicant, Scott Zimprich was present at the meeting and available for questions. There was one person, Luke Merrill, present from the public to speak at the public hearing. Luke explained that the homeowner does not currently have a garage on his property, and by allowing the variance, it would increase the property values of neighboring homes as well. The Planning Commission discussed whether a variance should be granted due to the applicant starting the project without City approval, and if the Planning Commission would have to grant all similar applications in the future. Motion for denial of the variance request by Johnson, 2<sup>nd</sup> by Collison, motion passed 4-2.

**4. Other Business:** None

**5. Discussion Item:** None

**6. Adjournment:** Motion by Bergley, 2<sup>nd</sup> by Collison to adjourn, motion passed 6-0 meeting adjourned at 8:02 p.m.

Respectfully submitted by Ryan Saltis, Community Development Specialist



## MEMORANDUM

TO: Planning Commission

FROM: Ryan Saltis, Community Development Specialist

DATE: October 20, 2020

SUBJECT: Ordinance Amending the City Code, Chapter 253 Rental Dwellings.

---

**Request:** Amend Section 253-4 Residency Requirements, amend Section 253-6 Fees and 253-8 Inspections, investigations and Maintenance

**Overview/Background:** In February of 2020, a rental ordinance review was conducted by City Staff members to determine what sections of City Code needed to be updated to reflect warranted changes to the rental license process. The amendments proposed to Chapter 253 of City Code include the rental license fees, residency requirements for owners.

**Amendment to Section 253-4. Residency Requirements**

Currently, code requires owners or their designee live within Isanti County or an adjacent county. Adjacent counties to Isanti County include: Sherburne, Mille Lacs, Kanabec, Pine, and Chisago. According to the current code, someone who lives in Vineland, MN (72.5 miles away, 1 hour, 13 minute drive) or someone lives in Nickerson, MN (89.4 miles away, 1 hour, 26 minute drive) could be a landlord or designee while someone in Hugo, MN (35.7 miles away, 36 minutes away) or Champlin, MN (27.6 miles away, 38 minutes away) cannot due to the counties in which they are located.

**Proposed Amendment: Remove Section 253-4 Residency Requirements:** This section should be removed altogether, allowing owners/landlords/agents to reside wherever. This current section to the code might restrict or prevent owners/landlords from owning property in the City that is intended to generate rental income. With the advancements of technology as well as the availability of local contractors to perform maintenance work on rental properties, it is fairly easy for owners/landlords to operate a rental property remotely.

**Amendment to Section 253-6 Fees**

Currently in City Code, it is written that applicants have a 30-day window (no less than 60, not more than 90) to get their paperwork and fees in to City Staff. In 2019, only 40% of applicants submitted their application and fees in time for renewal of a rental license. Fees for Rental dwellings have been loosely followed in the past, and it would be beneficial if the city enforced penalties for late submittals by increasing the license fee total in increments of when the paperwork was turned in to City Staff. The chart below resembles what this would look like.

<b>DATES</b>	<b>FEE</b>	<b>Example</b>
Sept. 1 or next business day (nbd)	Renewals are sent	<i>(single family home)</i>
Submitted Sept. 1/nbd to 60 days	100% base fee	\$150
Submitted 61 days to 90	125% base fee	\$175
Submitted 91 days to Dec 31	150% of license base fee	\$200
Submitted after December 31	200% of license base fee	\$300

**Staff Recommendation:**

Staff recommends approval of the Amendments to City Code Chapter 253 Rental Dwellings.

**Attachments:**

Ordinance XX

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND CITY CODE CHAPTER 253 RENTAL DWELLINGS,  
SECTION 253-4 RESIDENCY REQUIREMENTS, AND SECTION 253-6 FEES**

**The City Council of the City of Isanti does ordain:**

**Section 1 – Amendment.** Ordinance 434, and Ordinance 438, codified in Chapter 253 of the City Code, Rental Dwellings are hereby amended as follows:

**~~Section 253-4 Residency requirements is removed from City Code:~~**

~~Owners of property for rent must reside within Isanti County or a county adjacent to Isanti County. The owner of the property whether individual, partnership, corporation, etc., must reside within Isanti County or a county adjacent to Isanti County or shall have an appointed and authorized agent that resides within Isanti County or a county adjacent to Isanti County. The agent shall have full authorization to care for all matters pertaining to operations, maintenance, etc., of the subject property and grounds.~~

**Section 253-6. Fees is amended and replaced with the following:**

A. License fees.

- (2) ~~Filing due date and penalty. An applicant shall have an application window from not more than 90 days before the beginning of the licensing period to not less than 60 days before the beginning of the license period to submit the completed application, fees and relevant items. If an application is made less than 60 days before the beginning date of the license period applied for, then the fee shall be accompanied by an additional amount equal to 100% of such license fee. The additional amount shall be a penalty for a late application, with the exception of the first year of the adoption of this chapter. In no case shall there be a lapse in the license period. Failure to maintain the license on a current basis shall constitute a violation of this chapter. The late penalty is established for those licensees who have failed to submit an application as specified in this chapter. All new owners must submit an application, pass an inspection and obtain a new rental license; the old license is not transferable.~~

License renewal letters shall be sent to license holders 90 days before the expiration date of the license. An applicant shall have 30 days from the date stated in the letter to submit a completed application. A completed application includes all fees and relevant items. If the completed application is received in a time period after the 30-day window, in the time period of 60 to 30 days before the expiration date of the license, the fee shall be 125% of the original fee charged for license renewal. If the completed application is

received with less than 30 days before the expiration date of the license, the fee shall be 150% of the license renewal fee. If the application fee is received after the expiration date of the license, the fee shall be 200% of the license fee. Failure to maintain the license on a current basis shall constitute a violation of this Chapter.

**EFFECTIVE DATE:**

This ordinance takes effect upon its passage and publication in the official newspaper of the City of Isanti.

Adopted by the Isanti City Council this \_\_\_\_ day of \_\_\_\_\_, 2020.

---

Mayor Jeff Johnson

Attest:

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Katie Brooks  
Human Resources/City Clerk

Posting Date:

CC Reading Date:

Publication Date:

Effective Date:



MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: October 20, 2020

SUBJECT: Ordinance Amending the City Code, Chapter 536

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**Request:** Amend Ordinance 536 as proposed.

**Overview/Background:** Staff proposes to update the Subdivision ordinance by removing City Planner and Zoning Administrator and replacing with “Community Development Director or designee” and to remove final plat review for the Planning Commission. The final plat should only be reviewed by the City Council since the Council is the only body of approval, in addition adding a planning commission review of the final plat add one month onto the development process.

**Staff Recommendation:** Staff recommends approval of the amendment as written

**Attachments**

- Ordinance XX

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDMENT TO AMEND CITY CODE CHAPTER 536  
SUBDIVISION

**The City Council of the City of Isanti does ordain:**

**Section 1 – Amendment** Chapter 536 of the City Code, Subdivision is hereby amended as follows:

**ARTICLE 1. IN GENERAL**

**Subdivision 1. Purpose and Scope.**

- A. Purpose. It is the intent of this Ordinance to safeguard the best interests of the City and to assist the subdivider in harmonizing his or her interests with those of the City of Isanti. Because each subdivision becomes a permanent unit in the legal and physical structure of the community and because piecemeal planning will result in a disconnected patchwork of plats, increased operation costs, and oftentimes a poorly designed system of lots, blocks, public open spaces, and roads; it is the purpose of this Ordinance to set platting regulations and minimum requirements to protect the public health, safety, and general welfare of the community. The City of Isanti deems it necessary to provide regulations requiring platting, and for subdividing of property within the City for the following purposes:
1. To encourage well-planned, efficient, and attractive construction and design; and to prevent the use of land that is not feasible for subdivision;
  2. To provide for the health and safety of City residents by requiring necessary services, to include but is not limited to, properly designed and located streets, drainage ways, and through the provision of adequate sewage disposal and water supply systems;
  3. To place the cost of improvements against those benefitting from their construction;
  4. To make all subdivision of property conform to the Comprehensive Plan and the overall development objectives of the City;
  5. To establish procedures and standards for the review of all subdivision plats;
  6. To set forth rules and regulations for the subdivision, re-subdivision, or consolidation of real property; and
  7. To assure the general design of subdivisions complies with Zoning, Building Code requirements, and other pertinent regulations of the City of Isanti, Isanti County, and the State of Minnesota.
- B. Scope. The rules and regulations governing plats and subdivision of land contained herein shall apply throughout the corporate boundaries of the City and within those areas as identified as Tier One. All land subdivisions shall meet or exceed the standards as set forth in this Ordinance. Except in the case of re-subdivision; this Chapter shall not apply to any lot or lots forming a part of a subdivision recorded in the County Offices prior to the effective date of this Ordinance. It is not intended by this Ordinance to repeal, annul, or in any way impair or interfere with, existing provisions or other laws or City Code provisions, except those specifically repealed by, or in conflict with this Chapter, or with restrictions on the land that is imposed or required by such existing provision of law, City Code provision, contract or deed; the provisions of this Ordinance shall control.
- C. Applicability. No person shall:
1. Divide or further divide land, or
  2. Consolidate residentially zoned lots which come under common ownership after July 17, 2012, or
  3. Otherwise alter the boundaries of lots or parcels of land; or,

4. Dedicate land for use as streets, alleys, sidewalks, trails, or other public purposes, except in compliance with the provisions of this Ordinance.

**Subdivision 2. Compliance.**

Upon adoption of this Ordinance, no lot in a subdivision shall be sold, no permit shall be issued to alter or erect any building upon land in a subdivision, and no building shall be erected in a subdivision unless the subdivision plat has been approved and recorded and until the improvements by the City Council relative to the subdivision have been constructed or arranged for as provided within this Ordinance. Any subdivision creating parcels, tracts, or lots after the adoption of these regulations shall be platted, except for those parcels meeting the requirements of an Administrative Subdivision.

**Subdivision 3. Registered Land Surveys and Conveyance by Metes and Bounds.**

A. Registered Land Surveys.

All registered land surveys in the City shall be presented to the Planning Commission in the form of a Preliminary Plat in accordance with the standards set forth in this Ordinance for Preliminary Plats. The Planning Commission shall first approve the arrangement, sizes, and relationship of the proposed tracts in such registered land surveys, and those tracts to be used as easements or roads should be so designated. Unless such Planning Commission recommendation and City Council approval in accordance with the City standards set forth in this Ordinance have been obtained, building permits will be withheld for buildings on tracts which have been subdivided by registered land surveys and the City may refuse to take over tracts as streets or roads to improve, repair, or maintain any such tracts unless so approved.

B. Conveyance by Metes and Bounds.

No conveyance of one (1) or more parcels in which the land is described by metes and bounds or by reference to an unapproved registered land survey made after the effective date of this Ordinance shall be filed or recorded except in certain cases of Administrative Subdivisions as defined by this Ordinance. The following conveyances shall be exempt from the provisions of this Ordinance and shall not constitute a subdivision:

1. The parcel was a separate lot of record prior to December 16, 1986.
2. The parcel was the subject of a written agreement to convey, which was entered into prior to the effective date of this Ordinance.
3. The parcel is a single parcel of land of not less than five (5) acres and having a width of not less than three hundred (300) feet and its conveyance does not result in the division of the parcel into two (2) or more lots or parcels, any one of which is less than five (5) acres in area or three hundred (300) feet in width and all parcels have frontage on a public right-of-way.
4. The parcel relates to a division of a lot, which is part of a recorded plat where the division is to permit the adding of a parcel of land to an abutting lot or to create two (2) lots, and the newly created lot will not cause the other remaining portion of the lot to be in violation of this Ordinance or the Zoning Ordinance.
5. Cemetery lots.
6. Parcels resulting from court orders or the adjustments of a lot line by the relocation of a common boundary as the result of a correctional survey of a previously recorded parcel, or an instrument of conveyance to correct a faulty description in a previously recorded instrument of conveyance.
7. Lot line adjustments.

**Subdivision 4. Definitions.**

For the purpose of this Ordinance, the following words and terms shall be interpreted as herein defined. Words in the present tense include the future; words in the singular include the plural; words in the plural include the singular; the word "shall" is mandatory; and the word "may" is permissive.

**Administrative Subdivision** means a subdivision whereby the intent is to permit the addition of a parcel of land to an abutting lot, to adjust a lot line or to divide an existing lot into two (2) lots.

**Alley** means a public thoroughfare which provides secondary access to abutting property.

**Block** means a tract of land bounded by streets or a combination of streets or public parks, cemeteries, railroad right-of-way, shorelines, unsubdivided acreage, or boundary lines of the corporate limits of the city.

**Boulevard** means the portion of the street right-of-way between the curb line or edge of the paved roadway and the property line.

**Buildable Land** means a contiguous land area occurring within the property lines of a parcel or lot; excluding wetlands, steep slopes, flood hazard areas, storm water retention/detention areas, or any other man-made or natural feature that may restrict development.

**Caliper Inches** means the diameter, in inches, of the trunk of a tree taken six (6) inches above the ground up to and including four (4) inch caliper size, and twelve (12) inches above the ground for larger sizes.

**CIC Plat** means a Common Interest Community Plat as described in Section 515B.2 – 110 of the Minnesota State Statutes.

**City Council** means the City Council of the City of Isanti.

**City Engineer** means the City Engineer for the City of Isanti or their authorized representative.

~~**City Planner** means the City Planner for the City of Isanti or their authorized representative.~~

**Cluster Development** means a subdivision development that is planned and constructed, so as to arrange residential housing units into compact groupings, in an effort to preserve the natural amenities of the land and provide a unified network of open spaces; which meets the overall density requirements of the Zoning District in which the parcel is located and the Comprehensive Plan.

**Common Open Space** means any open space; including but not limited to, parks, native areas, playgrounds, trails, and recreational facilities that are owned in common by a group of property owners.

**Community Development Director** means the Community Development Director for the City of Isanti

**Comprehensive Plan** means the Comprehensive Land Use Plan prepared and adopted by the City of Isanti, indicating the general locations recommended for major land uses, streets, parks, public buildings, and other public improvements.

**Conservancy** means the implementation of policies for the protection and preservation of the natural character of lands for their value to scenic enjoyment, native vegetation, wildlife, water and soil conservation, floodplain management, forestry, and other such purposes.

**Conservation Easement** means a non-possessory interest in real property that imposes limitations or affirmative obligations, the purpose of which include retaining and protecting natural, scenic, or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; or maintaining air or water quality.

**Conservation Land** means any parcel or area of undeveloped land conserved in its natural state for perpetuity through deeds or other legal means.

**Consolidation** means the combining of two (2) or more lots or portions of two (2) or more lots into a lesser number of lots for the purpose of creating a single unified development.

**Critical Root Zone** means an imaginary circle surrounding the tree trunk with a radius distance of one (1) foot per one (1) inch of tree diameter. Example, a twenty (20) inch diameter tree has a critical root zone with a radius of twenty (20) feet.

**Crown** means the leaves and branches of a tree or shrub; the upper portion of a tree from the lowest branch on the trunk to the top.

**Cul-de-sac** means a minor street with only one (1) outlet and having an appropriate turn-around for the safe and convenient reversal of traffic movement.

**Design Standards** means the specifications for land owners or subdividers for the preparation of plats, both preliminary and final, indicating among other things, the minimum or maximum dimensions of such items as right-of-way, blocks, easements, and lots.

**Developer** means any person or entity other than a builder who undertakes to improve a parcel of land, by platting, grading, installing utilities, or constructing or improving any building thereon.

**Development Agreement** means a formal agreement with the City that clearly establishes the developer's responsibility regarding project phasing, the provision of public and private facilities and improvements, and any other mutually agreed to terms and requirements.

**Drip Line** means an imaginary vertical line that extends from the outermost branches of the tree's canopy to the ground.

**Easement** means authorization by a property owner to the use of land by the public, a corporation, or persons for specific purposes such as the construction of utilities, drainage ways, or roadways.

**Lot** means a parcel of land of sufficient size to meet zoning and platting requirements for use, coverage, and buildable area, and to provide such yards, setbacks, parking, landscaping, and other open spaces as are required by this Ordinance and the Zoning Ordinance for the zoning district in which said parcel is located.

**Lot Combination** means the combining of two (2) or more contiguous lots having the same property owner.

**Lot, Flag** means a lot not directly fronting or abutting a public right-of-way and where access to the roadway is limited to a narrow private right-of-way.

**Metes and Bounds** means a description of land prepared by a state registered land surveyor providing measured distances and courses (metes) from known or established points on the surface of the earth (bounds).

**Minor Subdivision** means a subdivision that result in the creation of four (4) or fewer lots that is processed in a compressed timeframe.

**Owner** means the person or persons having the right of legal title to, beneficial interest in, or a contractual right to purchase a lot or parcel of land.

**Pedestrian Way** means public or private right-of-way across a block or within a block to provide access for pedestrians and which may be used for the installation of utility lines, to include but is not limited to, sidewalks and trails.

**Percentage of Grade** means the distance vertically (up or down) from the horizontal in feet and decimals of a foot for each one hundred (100) feet of horizontal distance.

**Planned Unit Development** means a large lot or tract of land developed as a unit rather than as an individual development wherein two (2) or more buildings may be located in relationship to each other rather than to lot lines or zoning district boundaries.

**Planning Commission** means the Planning Commission of the City of Isanti.

**Plat, Final** means a drawing or map of a subdivision, meeting all the requirements of the City and in such form as required by Isanti County for purposes of recording.

**Plat, Preliminary** means the preliminary map, drawing, or chart indicating the proposed layout of the subdivision to be submitted to the Planning Commission for consideration and recommendation; and to the City Council for approval.

**Protective covenants** means contracts made between private parties as to the manner in which land may be used, with the view of protecting and preserving the physical, social, and economic integrity of a given area.

**Resubdivision** means a consolidation, as defined in this Ordinance, or the division of land which was previously subdivided by means of platting through the Isanti approval process.

**Right-of-Way** means a strip of public land occupied or intended to be occupied by a road, crosswalk, utility line, railroad, electric transmission line or other similar use.

**Root Crown** means the point at which the root and stem of a plant meet and primary vascular anatomy changes from that of a stem to that of a root.

**Sketch Plan** means a generalized plan of a proposed subdivision indicating lot layouts, streets, park areas, and water and sewer systems presented to City officials for discussion purposes prior to the submittal of a Preliminary Plat.

**Street** means a thoroughfare which affords a principal means of access to abutting property and which has been accepted by the City as a public way.

**Street, Collector** means a street that serves a dual purpose of accommodating traffic and the provision of more direct access to adjacent properties. Major collectors connect to minor arterials and services shorter trips within the City or County. Minor collector streets provide the connection between neighborhoods and commercial / industrial areas and the major collector / minor arterial system.

**Street, Dead-End** means a local street that is open at one end only and without special provisions for vehicles turning around. Such street may be intended to connect with another street at the closed end for future development.

**Street, Half** means any public right-of-way having only one-half the required right-of-way width.

**Street, Local** means a street designed to provide vehicular access to abutting properties. Such streets are designed for short trips at low speeds.

**Street, Minor Arterial** means a street that connects urban service areas to cities / towns inside and outside of the region, which services medium to short range trips. Such streets provide connections to collector roads. Land access is restricted to concentrations of commercial or industrial land uses.

**Street, Principal Arterial** means a street that provides higher speed travel and mobility for long distance trips. These roads function to carry larger volumes of traffic to minor arterials and collectors. Access along such facilities is extremely limited.

**Street, Private** means a road or street that is not publically owned and maintained and is used by occupants of the development, their guests, and the general public.

**Street Width** means the street right-of-way width measured at right angles to the centerline of the street.

**Subdivider** means the owner, or any other person, firm or corporation authorized by the owner undertaking proceedings under the provisions of this Ordinance for the purpose of subdividing or re-subdividing land

**Subdivision** means the division of a lot, parcel, or tract of land into two (2) or more lots, parcels, or tracts of land for the purpose of transferring ownership or building development; or if a new street is involved, any division or development of a parcel of land. The term includes re-subdivision.

**Tangent** means a straight line which is perpendicular to the radius of a curve where a tangent meets a curve.

**Tree Canopy** means the horizontal extension of a tree's branches in all directions from its trunk.

**Tree Protection** means the measures taken to protect existing trees from damage or loss before, during, and after project construction.

**Tree, Significant** means any healthy mature tree measuring a minimum of eight (8) inches in tree diameter or greater or any healthy coniferous tree measuring eight (8) feet or more in height. Boxelder, cottonwood, and popular shall not be considered to be significant trees.

**Vertical Curve** means the surface curvature connecting lines of different percentage of grade.

**Viewshed** means an area of land, water, or other environmental element that is visible from one (1) or more vantage points.

**Woodland** means a grouping or cluster of coniferous and / or deciduous trees with contiguous crown cover, occupying five hundred (500) or more square feet of property, which are comprised of primarily deciduous trees between four (4) and twelve (12) caliper inches or coniferous trees between four (4) feet and twelve (12) feet in height.

**Zoning Administrator** means the ~~City Planner~~ Community Development Director for the City of Isanti and / or their authorized designee.

**Zoning Ordinance** means the Ordinance adopted by the City of Isanti, which controls the use of land as well as regulates lot size, building bulk and location, and other development standards within the City.

**Subdivision 5. Platting Required.**

All subdivisions that create five (5) or more parcels or consolidate residentially zoned lots which come under common ownership after July 17, 2012 shall be platted, except as provided otherwise within this Ordinance.

**Subdivision 6. Land Suitability.**

- A. No land shall be subdivided which is held unsuitable for its intended use by the City Council for reasons of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, unfavorable topography, inadequate water supply or sewage disposal capabilities or any other feature harmful to the health, safety, or welfare of the future residents of the proposed subdivision or community.

- B. The City Council may approve the Preliminary and Final Plats if the subdivider improves the land consistent with the standards of this Ordinance and other applicable Ordinances in order to make the area, in the opinion of the City Council, suitable for its intended use. Should the City Council determine that only part of the proposed subdivision can be safely developed, it shall limit development to that part and require that the specifications for development be consistent with such determination.

**Subdivision 7. Premature Subdivision.**

A subdivision shall be considered premature if any of the following exists:

- A. Lack of adequate storm water drainage.
- B. Lack of dedicated and improved public streets.
- C. Lack of adequate sanitary sewer systems. ISTS shall not be deemed adequate unless consisting of a cluster system designed to connect at a future date to the City's sanitary sewer system, as reviewed and approved by the City Engineer.
- D. Lack of adequate off-site public improvements and support systems.
- E. Lack of adequate public water supply.

**Subdivision 8. Variances.**

- A. The Planning Commission may recommend a variance from the provisions of this Ordinance when, in its opinion, undue hardship may result from strict compliance. In granting any variance, the City Council shall prescribe any conditions it deems necessary to or desirable for the public interest. In making its findings, as required in this Subdivision, the Planning Commission shall take into account the nature of the proposed use of land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions within the vicinity. No variance shall be granted unless the Planning Commission and City Council find that:
  - 1. There are special circumstances or conditions affecting such property, in which the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land.
  - 2. The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same district and vicinity. The possibility of increased financial return shall not in itself be deemed sufficient to warrant a variance.
  - 3. The granting of the variance will not be detrimental to the public welfare or injurious to the other property in the immediate area, and will not have an adverse effect upon traffic or public safety.
  - 4. The relief sought from this Ordinance would not in any manner affect the provisions of the Zoning Ordinance and Map or Comprehensive Plan, except that those documents may be amended in the manner prescribed by law.
- B. Applications for any variance shall be submitted in writing on the appropriate application form with the required application fee, as provided by the City at the time when the Preliminary Plat is filed for consideration by the Planning Commission. Such application shall fully and clearly state all facts relied upon by the petitioner and shall be supplemented by maps, plans, or other additional data which may aid the Planning Commission in the analysis of the proposed project. The plans for such development shall include such covenants, restrictions, or other legal provisions necessary to guarantee the full achievement of the plan.

- C. A Variance from the Subdivision Ordinance shall require the same information and shall follow the same process as outlined within Section 21 of the Zoning Ordinance.

**Subdivision 9. Street, Alley, and Utility Vacations.**

No public utility easement, street, or alley within the corporate limits of the City shall be vacated or discontinued except in conformity with the following procedural requirements:

- A. Petition. Proceedings to vacate a public utility easement, street, or alley shall be commenced by action of the City Council on its own motion / Resolution, or by a petition in writing filed with the ~~City Planner~~ Community Development Director or designee and signed by a majority of the owners of property abutting upon the portion of the public utility easement, highway, street, or alley to be vacated.
- B. Reference of Petition to City Administrator. The ~~City Planner~~ Community Development Director or designee shall furnish copies of the petition to the City Administrator and to the Planning Commission for recommendation.
- C. Notice of Hearing. A notice shall be published in the official newspaper specifying the date and place of a hearing. Such notice shall not be published less than two (2) weeks prior to the public hearing. A copy of the notice shall be sent at least ten (10) days prior to the public hearing to each abutting property owner. The notice shall contain the time, place, and date of the hearing as well as contain a copy of the petition or proposed Resolution, if Council initiated.
- D. Hearing. At the time and place specified in such notice, the City Council shall conduct a public hearing on the petition or proposal, and, at any time following such hearing, the City Council may vacate or discontinue the public utility easement, street, or alley, or portion thereof, in accordance with the petition or proposal, upon adoption of an ordinance to that effect by vote of at least four members of the Council, if Council initiated. If such request is initiated by petition of the majority of abutting property owners, then a simple majority of the quorum is needed.
- E. Notice of Completion. Upon the adoption of such Resolution, the City Clerk shall prepare and file with the Isanti County Recorder's Office a notice as required by law. If the petition is denied, a Resolution setting forth the reasons for denial and written findings of fact shall be created.
- F. Fee. The application fee as established by City Council Resolution shall be paid at the time of application.

**Subdivision 10. Certification of Taxes.**

Prior to approving an application for Preliminary Plat, Final Plat, Minor Subdivision, Lot Splits, Preliminary or Final Plat Extension requests, Variances from this Ordinance, and Vacation requests; the applicant shall provide as part of the application request, certification to the City that there are no delinquent property taxes, special assessments, penalties, interest, and municipal utility fees outstanding on the parcel(s) to which the application relates.

**Subdivision 11. CIC Plats.**

A CIC Plat shall be considered a Final Plat. Application requirements and filing procedures for a CIC Plat shall be filed and processed in the same manner as a Final Plat.

**Subdivision 12. Violations and penalties.**

Violation of any part of this Ordinance is a misdemeanor, and upon conviction thereof, shall be fined and / or imprisoned as provided for misdemeanor violations under Minnesota State Law.

## ARTICLE 2. ADMINISTRATIVE SUBDIVISION

**Subdivision 1. Purpose.** The provisions of this Section shall apply only to those subdivisions defined as Administrative Subdivisions, where the intent is to adjust a lot line or divide an existing platted lot into two (2) lots, or to add area from an existing abutting lot in an effort to bring the lot receiving additional area further towards compliance with the minimum lot size, lot depth, lot width, or road frontage. While the Administrative Subdivision is an abbreviated review process; standards and requirements of this Ordinance shall apply to the proposed subdivision.

**Subdivision 2. Applicability.** The following may be considered an Administrative Subdivision. In the event circumstances warrant platting of the following, the ~~City Zoning Administrator~~ Community Development Director or designated representative shall require that subdivision to be processed through the Preliminary and Final Plat processes as identified within this Ordinance. The ~~City Zoning Administrator~~ Community Development Director or designee ~~designated representative~~ may authorize approval of the Administrative Subdivision upon finding:

- A. The parcel of land has not previously been the subject of division by the Administrative Subdivision procedure.
- B. The division will not result in more than two (2) lots.
- C. All newly created lots meet the minimum requirements of the Zoning District in which they are located.
- D. The subdivision will not cause any structure on the land to be in violation of the Zoning or Subdivision Ordinance.
- E. Any drainage, utility, trail, right-of-way or access easements required by the City shall be granted.
- F. Lots shall have the minimum required frontage upon a public roadway.
- G. Lots that will not be receiving urban services shall provide evidence that septic system and water supply systems meet requirements. The Building Official shall review such information and may require further documentation.

### **Subdivision 3. Application Requirements.**

Whenever any subdivision of land as outlined within this Section is proposed, and before any contract is made for sale of any part of the parcel, and before any building permit has been issued for the erection of a structure on such proposed subdivision shall be granted, the subdividing owner or his authorized agent, shall file an application and secure approval of an Administrative Subdivision. Such application shall be considered to be officially filed and complete when the ~~Zoning Administrator~~ or their Community Development Director designee has received all of the following items:

- A. Complete application form.
- B. Application fee and escrow (if required).
- C. Acreage calculations for proposed lots.
- D. Certification of taxes paid, in accordance with the requirements of this Ordinance.
- E. A Certificate of Survey (full size and 11" x 17" reduction) prepared by a licensed land surveyor identifying the following:
  - 1. A graphic scale not less than one inch to 100 feet.
  - 2. Name and address of legal owner and / or agent of the property.

3. North arrow.
4. Boundaries, dimensions, and area of existing lots being subdivided and new lots to be created.
5. Legal descriptions of existing lot(s) and legal description of proposed new lots.
6. Easements of record.
7. Water courses, including delineated wetlands.
8. All encroachments, easements, and right-of-way encumbering the property.
9. Existing buildings, structure, and improvements within the parcel(s) to be platted.
10. Locations, widths, and names of all public streets, right-of-way or railroad right-of-way showing type, width, and condition of the improvements.
11. Proposed driveway locations and locations of existing driveways.
12. Location of any abandoned or existing private wells and septic systems.
13. Additional data requirements as determined appropriate by the Zoning Administrator to ensure compliance with City requirements.
14. Drainage and utility easements, along all lot lines.
15. Any required right-of-way dedication.

#### **Section 4. Procedure.**

- A. Upon submittal of a complete Administrative Subdivision Application, the ~~Zoning Administrator~~ Community Development Director or designee shall request input from the City's planning, engineering, and legal staff, as appropriate.
- B. The Administrative Subdivision of land abutting upon any existing or proposed trunk highway, county road or highway or county state-aid highway shall be subject to review by the Minnesota Department of Transportation and / or Isanti County Highway Department. Written notice and a copy of the proposed Administrative Subdivision shall be filed with either or both entities, as deemed appropriate.
- C. The Administrative Subdivision of land located within a Floodplain District shall be subject to the review of the Minnesota Department of Natural Resources and / or Watershed District. Written notice and a copy of the proposed subdivision shall be filed with either or both entities, as deemed appropriate.
- D. The ~~Zoning Administrator~~ Community Development Director or designee shall have the authority to request additional information pertinent to the Administrative Subdivision. Failure to provide the necessary supportive information may be grounds for denial of the request.
- E. The ~~Zoning Administrator~~ Community Development Director or designee shall reach a decision on the requested Administrative Subdivision within one hundred twenty (120) days upon receipt of a complete application, unless the applicant agrees to an extension of the review period.
  1. The ~~Zoning Administrator~~ Community Development Director or designee may approve the Administrative Subdivision with conditions that must be met to ensure that the subdivision is compliant with the regulations of the zoning and subdivision ordinances, as amended, and any other applicable requirements.
  2. The ~~Zoning Administrator~~ Community Development Director or designee may deny the Administrative Subdivision and prepare findings that the subdivision is found to be premature or fails to comply with the regulations of the zoning and subdivision ordinances, as amended, and any other applicable requirements. The applicant may appeal an Administrative Subdivision denial following the procedures as outlined within the Zoning Ordinance.

- F. Prior to certification by the City, approving the Administrative Subdivision, the applicant shall supply the deed(s), which grant to the City the easements and / or right-of-way required by this Ordinance.

**Subdivision 5. Recording.** Upon approval of an Administrative Subdivision, the applicant shall record the deed and the accompanying survey with the Office of the Recorder for Isanti County within ninety (90) days after the date of approval; otherwise the approval of the Administrative Subdivision will be considered void. Verification of such recording shall be provided to the City by the applicant.

### **ARTICLE 3. MINOR SUBDIVISION PLAT**

**Subdivision 1. Purpose.** The Minor Subdivision Plat procedure for processing applications for the division of land or re-subdivision, including consolidation of land, is to provide for an expedited procedure in those limited cases where strict adherence to the standard platting process is not required. The Minor Subdivision Plat is not intended to be a substitute for the standard platting process set forth in this Ordinance. A Concept Plan is not required. The Planning Commission shall hold the public hearing for both the Preliminary Plat and the Final Plat to be reviewed at the same meeting.

**Subdivision 2. Applicability.** The Minor Subdivision Plat may be utilized where the following circumstances exist:

- A. The property to be divided will result in four (4) or fewer lots.
- B. The property has not previously been subject to division by either an Administrative Subdivision or Minor Subdivision Plat.
- C. The property to be divided is not part of a Planned Unit Development (PUD).
- D. The newly created lots shall meet the requirements of the underlying zoning district; and shall not cause any structure on the land to be in violation of the Zoning Ordinance.
- E. No variances are required to complete the subdivision as proposed.
- F. All standards, requirements, and improvements required of a standard subdivision are required for a Minor Subdivision.
- G. For residentially zoned lots, the proposed lot area of each lot within a re-subdivision or consolidation is no more than twenty (20) percent greater or ten (10) percent less than the average zoning lot area on that same frontage.
- H. For residentially zoned lots, the proposed lot width of each lot is no more than twenty (20) percent greater or ten (10) percent less than the average zoning lot width on the same frontage.

**Subdivision 3. Application Requirements.** All data required for Preliminary and Final Plats are required for the Minor Subdivision Plat. All data shall be submitted to the ~~Zoning Administrator~~ Community Development Director or designee, along with the appropriate application form, filing fees, and escrows (if required).

**Subdivision 4. Procedures.**

- A. Upon submittal of a complete Minor Subdivision Application, the ~~Zoning Administrator~~ Community Development Director or designee shall request input from the City's planning, engineering, and legal staff, as appropriate. The subdivider shall reimburse the City for any legal or engineering costs associated with the review of the Minor Subdivision Plat.

- B. The Minor Subdivision of land abutting upon any existing or proposed trunk highway, county road or highway or county state-aid highway shall be subject to review and approval of the Minnesota Department of Transportation and / or Isanti County Highway Department. Written notice and a copy of the proposed Minor Subdivision Plat shall be filed with either or both entities, as deemed appropriate. Access to local collector, minor or arterial roadways is subject to review and approval by the City Engineer.
- C. The Minor Subdivision of land located within a Floodplain District shall be subject to the review of the Minnesota Department of Natural Resources and / or Watershed District, as deemed appropriate. Written notice and a copy of the proposed subdivision shall be filed with either or both entities, if necessary.
- D. The ~~Zoning Administrator~~ Community Development Director or designee shall have the authority to request additional information pertinent to the Administrative Subdivision. Failure to provide the necessary supportive information may be grounds for denial of the request.
- E. The ~~Zoning Administrator~~ Community Development Director or designee shall forward the Minor Subdivision (Preliminary and Final Plat) submittals to the Park and Recreation Board for consideration at their regularly scheduled meeting, if applicable. The applicant is required to attend all meetings with advisory boards and the City Council. Failure of the applicant to attend a meeting may result in the tabling of or denial of the application.
- F. The Planning Commission shall hold a public hearing on the proposed Minor Subdivision Plat. Notice of the public hearing shall be published in the City's official newspaper at least ten (10) days before the hearing. The City shall mail written notification of the proposed Minor Subdivision Plat to property owners located within three hundred fifty (350) feet of the subject site. Failure to give mailed notice to individual property owner shall not invalidate the proceedings, provided a bona fide attempt to comply has been made.
- G. At the public hearing, the Planning Commission shall receive the written report of the ~~City Planner~~ Community Development Director or designee and shall take testimony from the subdivider and all other interested parties. At the close of the public hearing, the Planning Commission shall consider all the written reports and materials, and the oral testimony, and make a recommendation on the Minor Subdivision Plat to the City Council. The Planning Commission may recommend approval, approval subject to modifications or conditions, or denial. If denial is recommended, the reasons for such recommendation shall be stated in the record.
- H. The City Council shall consider the plat at its next meeting following receipt of the Planning Commission recommendation. The City Council shall take action on the application ~~which shall include findings of fact~~, which shall be entered in the proceedings of the City Council and transmitted to the applicant in writing. The lack of a simple majority to approve a Preliminary or Final Plat shall be a denial of the requested application.
- I. Upon approval of the Final Plat by the City Council, ~~the applicant City Clerk or their designee~~ shall record it with the Isanti County Recorder's Office within ninety (90) days after the date of approval; otherwise, failure of the applicant to comply and submit the necessary items for the recording of the Final Plat by the City shall be cause for revoking the City's approval and the Final Plat shall be considered void, unless the developer or applicant requests an extension, in writing and receives approval from the City Council. The City Council may approve up to two (2) extensions for a term not to exceed one (1) additional year for each extension. Fees associated with the recording of the Final Plat will be charged back to the developer or subdivider.

- J. The subdivider shall immediately upon approval, furnish the City Administrator or his/her designee with three (3) full size mylar transparencies of the Final Plat, two (2) for the County and one (1) for the City. Three (3) additional 11 inch by 17 inches mylar transparencies shall be given to the City Planner, Community Development Director or designee, ~~the City Clerk~~, and Isanti County. No building permits shall be issued until these conditions have been complied with.
- K. Record plans and electronic copies of all final plan documents shall be submitted to the Zoning Administrator Community Development Director or designee and City Engineer.

#### **ARTICLE 4. PRE-APPLICATION MEETING AND SKETCH PLAN**

##### **Subdivision 1. Pre-Application Meeting.**

- A. Prior to the preparation of a preliminary plat, the subdividers or owners shall meet with the City Planner, Community Development Director or designee, City Administrator and other appropriate ~~officials~~ staff in order to be made fully aware of all applicable ordinances, regulations and plans in the area to be subdivided. At this time or at subsequent informal meetings, subdividers shall be invited to submit a sketch plan in simple form showing that consideration has been given to the relationship of the proposed subdivision to existing community facilities that would serve it, to neighboring subdivisions and development, and to the topography of the site.
- B. The sketch plan shall be considered as the basis for discussion between the subdivider, City staff, and Planning Commission. Submission of the sketch plan shall not constitute formal filing of a preliminary plat. The Planning Commission shall, on the basis of the sketch plan, unofficially advise the subdivider of the extent to which the proposed subdivision conforms to the design standards of this Ordinance, and the City's Comprehensive Plan and shall discuss possible modifications. The City Council may also review the sketch plan. Any comments provided by the Planning Commission or City Council shall not constitute plat approval and are considered non-binding.
- C. Escrow Required for Professional Services. The subdivider or owners shall enter into an escrow agreement and file funds with the City before any review or work can be completed by a consultant for the City, which includes but is not limited to engineering and legal services. Escrow fees are determined by Resolution of the City Council.

##### **Subdivision 2. Content of the Sketch Plan.**

The sketch plan should contain the following information:

- A. A site location map showing major streets, parks, community facilities, and other significant developments within the subject area.
- B. Tract boundaries.
- C. North point and scale.
- D. Topography and physical features, including lakes, ponds, wetlands, and wooded areas.
- E. Proposed uses, to include parks and open spaces.
- F. Streets within and adjacent to the tract.
- G. Proposed general street layout and design.
- H. Proposed lot size and orientation.

- I. Proposed zoning change, if any proposed.
- J. If the project will be a Planned Unit Development, then such development is subject to the regulations and procedures as presented within Ordinance No. 445, Zoning Ordinance.
- K. Any additional items that may aid the Planning Commission in the review of the subdivision request.

## **ARTICLE 5. PRELIMINARY PLAT**

### **Subdivision 1. Filing Procedures.**

- A. After the pre-application meeting and review of the sketch plan, the subdivider or owner shall file with the City Planner Community Development Director or designee a completed and signed application for Preliminary Plat Approval on a form provided by the City, along with four (4) full size copies of plans, one (1) 11" x 17" reproducible copy of the plans, and an electronic copy (pdf) of the plans; in accordance with the regulations set forth within this Ordinance. All plats and subdivisions presented for recommendation by the Planning Commission and approval by the City Council shall be accompanied by the filing and escrow fees as established by Resolution of the City Council and by an escrow agreement that the subdivider reimburse the City for its costs to review the Preliminary Plat. The application for Preliminary Plat shall not be deemed complete until all data and supplementary information required by this Ordinance has been received by the City.
- B. The Preliminary Plat will be reviewed by all affected City departments to determine whether the subdivision complies with the requirements of this Ordinance and the City of Isanti Zoning Ordinance (Ordinance No. 445), and to determine how the proposed development will affect traffic, utilities, drainage, community facilities, public safety, surrounding developments, natural features, historic sites, open space, etc. Developments meeting the requirements for an Environment Assessment Worksheet (EAW) or Environmental Impact Statement (EIS) shall file the appropriate information for review, distribution, and approval in accordance with Minnesota State Statute requirements, prior to review and approval of the proposed plat by the City.
- C. The City Planner Community Development Director or designee shall compile comments from the other City departments and prepare a written report. A copy of that report shall be sent to the subdivider.
- D. The City Planner Community Development Director or designee shall also submit copies of the Preliminary Plat to the County Highway Department, State Department of Transportation, Department of Natural Resources Commissioner, and Watershed District, where applicable.
- E. Upon receipt by the City of a complete application for Preliminary Plat Approval, including all required supporting documentation, the Planning Commission shall hold a public hearing on the proposed subdivision. The required legal publication shall be made and notices shall be sent to all property owners of record within three hundred fifty (350) feet of the exterior boundaries of the proposed plat. The subdivider is required to obtain the list of property owner's from the County Auditor's Office.
- F. The subdivider or duly authorized representative shall attend the Planning Commission meetings at which the proposal is scheduled for consideration.
- G. At the public hearing, the Planning Commission shall receive the written report of the City Planner Community Development Director or designee and shall take testimony from the subdivider and all other interested parties. At the close of the public hearing, the Planning Commission shall consider all the written reports and materials, and the oral testimony, and make a recommendation on the Preliminary Plat to the City Council. The Planning Commission may recommend approval, approval

subject to modifications or conditions, or denial. If denial is recommended, the reasons for such recommendation shall be stated in the record.

- H. The City Council shall consider the preliminary plat and shall approve or deny the plat within one hundred twenty (120) days of receipt of a complete application. The City Council shall either approve with or without modification or conditions, refer the Preliminary Plat back to the Planning Commission or City staff for further review, or deny the Preliminary Plat. The City shall notify the applicant in writing of the City Council's action stating the conditions of approval or reasons for disapproval of the Preliminary Plat. If approved, the City shall send the applicant a copy of the approval with items requiring modification noted.
- I. Conditional approval of a Preliminary Plat shall not constitute approval of the Final Plat. Rather, it shall be deemed to be an expression of approval of the layout submitted on the Preliminary Plat and act as an authorization and guide to proceed with the preparation of the Final Plat. This approval of the Preliminary Plat shall be effective for a period of one (1) year, unless a phasing plan has been approved or an extension is granted by the City Council prior to the termination of such one (1) year period. The developer or applicant must submit the extension request in writing. The City Council may approve up to two (2) extensions for a term not to exceed one (1) additional year for each extension.
- J. The subdivider may file a final plat limited to a portion of the Preliminary Plat that they propose to record and develop at that time; provided that such portion must conform to all requirements of this Ordinance.
- K. If the subdivider should desire to amend the Preliminary Plat as approved, the subdivider shall resubmit the amended Preliminary Plat, which shall follow the same procedure except for the public hearing. If the amendment, in the opinion of the City, is of such scope that it would constitute a new Preliminary Plat, then such Preliminary Plat shall be refilled and a new public hearing be called.

**Subdivision 2. Data Required for Preliminary Plat.**

Unless otherwise exempted within this Ordinance, the owner or subdivider shall prepare and submit a Preliminary Plat containing the following information:

- A. Identification and description.
  - 1. Proposed name of subdivision, which shall not duplicate or be similar in pronunciation or spelling to the name of any other plat in the City.
  - 2. Legal description.
  - 3. Names and addresses of the record owner, subdivider, land surveyor, engineer, designer of the plat, and any agent having control of the land.
  - 4. Graphic scale not less than one (1) inch to one hundred (100) feet.
  - 5. North arrow.
  - 6. Key map including area within one (1) mile radius of plat.
  - 7. Date of preparation.
- B. Existing conditions.
  - 1. Boundary lines of proposed subdivision.
  - 2. Existing zoning classifications for land within and abutting the subdivision.
  - 3. Acreage and lot dimensions.
  - 4. Location, right-of-way width, and names of existing or platted streets; locations of parks, buildings and structures, railroad right-of-way, easements, section lines and corporate boundaries within the proposed subdivision and to a distance one hundred fifty (150) feet beyond.

5. Boundary lines of adjoining platted or subdivided land, within one hundred fifty (150) feet, identified by name and ownership including all contiguous land owned or controlled by the subdivider.
6. Topographic data within the property to be subdivided and one hundred (100) feet beyond the property boundary, showing contours as follows: two-foot intervals where slope is ten (10) percent or less; five-foot intervals where slope is ten (10) to fifteen (15) percent; ten-foot intervals where slope is greater than fifteen (15) percent. All areas of the subdivision to be platted with a slope greater than twenty-five (25) percent must be clearly indicated. However, on undevelopable sections or larger acre lots topographic data may be reduced to significant physical characteristics, such as top and toe of slope, if in the opinion of the city the area is viewed as unsuitable for future subdivision. Location and elevations of on-site and abutting water courses, lakes, wetlands, rivers, streams, and marshes at date of survey and their ordinary high water mark plus approximate high and low water elevations shall also be shown. Where the subdivision borders a lake, river or stream, a meander line shall be established at an elevation two (2) feet above the recorded high water elevation of the lake, river or stream. Flood plain areas, location of wooded areas, rocky outcrops, power transmission poles and lines and other significant physical features shall also be shown.
7. An accurate soil report indicating soil conditions, permeability and slope.
8. Utilities on or adjacent to the property, including location, size and invert elevation of public sanitary and storm sewers, catch basins and manholes; location and size of water mains and hydrants; location of gas mains, high pressure lines, fire hydrants, electric and telephone lines, and street lights. The direction, distance to, and size of such facilities shall be indicated.
9. Location of any wetlands.

C. Proposed design features.

1. Layout of proposed streets showing the proposed names, the right-of-way widths, centerline gradients and typical cross sections. Street names shall be assigned or approved by the city. Turn lanes must be shown on collector and minor/major arterial streets.
2. Location and width of proposed pedestrian ways, to include both sidewalks and trails; and utility easements.
3. Lot sizes, layout, numbers and preliminary dimensions of lots and blocks.
4. Minimum building setback lines as required by the zoning ordinance.
5. Areas other than streets, alleys, pedestrian ways and utility easements, intended to be dedicated or reserved for public use, including the size of such areas.
6. Location, size and approximate grade of proposed public sewer and water mains. If public sewer and water are not available the developer shall provide site evaluation data required by Minnesota Pollution Control Agency Individual Sewage Treatment Standards (WPC 409) to determine the suitability of the site for individual sewage systems. References shall be made to "The Isanti County's Policies for Individual Sewage Systems", and the U.S. Department of Agriculture, Soil Conservation Service, and any other available sources. The data required shall be determined by the city. If cluster systems are provided, such systems shall be reviewed and approved by the City Engineer.
7. If the preliminary plat is a rearrangement of a recorded plat, the lot and block arrangement of the original plat, its original name, and all revised or vacated right-of-ways and easements shall be shown by dotted or dashed line.
8. Location, width and height of landscaped buffers between collector and arterial streets as described later in this ordinance. Landscaping must be approved by the ~~City Planner~~ Community Development Director or designee with a minimum of 1 tree per 20 feet of frontage.

D. Supplementary information.

1. Statement of the proposed use of lots stating type of buildings with number of proposed dwelling units or type of business or industry to reveal the effect of the proposed development on traffic, fire hazards, and density of population.
2. Any proposed protective covenants.
3. A drainage plan for the area indicating the direction and rate of natural storm water runoff and those unaltered areas where storm water collects and percolates into the ground. A proposed drainage plan for the developed site indicating the direction and rate of runoff and those areas where storm water will collect and percolate into the ground shall also be included. Storm water plans shall be consistent with the storm water management ordinance (Ord. No. 420).
4. A proposed finished grading plan shown at contour intervals appropriate to the topography or spot elevations indicating the relationship of proposed changes to existing topography and remaining features.
5. If any zoning changes are contemplated, the proposed zoning plans for the areas. A proposed rezoning of property must be reviewed and approved at the time of Preliminary Plat Approval.
6. Where the subdivider owns property adjacent to that proposed for the subdivision, a general development plan of the remaining property depicting the possible relationships between the proposed subdivision and the future subdivision must be provided. The plan shall address the overall land use, traffic circulation, utility easement configurations, and general lot layouts. Note, an Environmental Assessment Review of the project or the cumulative effects of projects may be necessary and must be completed before a preliminary plat is accepted.
7. A soil erosion and sediment control plan. The plan shall include a timing schedule and sequence of operation indicating the anticipated starting and completion dates of the particular development segment and the estimated time of exposure of each area prior to completion of effective erosion and sediment control measures. Gradients of waterways, design of velocity and erosion control measures, and landscaping of the erosion and sediment control system shall also be shown.
8. A vegetation preservation and protection plan to provide stabilization of erosion or sediment-producing areas. This area shall start at the curb line and end six (6) feet from the curb, planted with grass in efforts to protect the storm sewer system.
9. Required variances.
10. Water distribution system.
11. Proposals for street lighting; curb and gutters, sidewalks and boulevard improvements.
12. Such other information as may be requested by the city.
13. A plan showing the locations and "footprints" of houses as described later in this Ordinance.
14. A tree survey and preservation plan, in accordance with the provisions of this Ordinance.

## **ARTICLE 6. FINAL PLAT**

### **Subdivision 1. Filing Procedures for Final Plat.**

- A. The owner or subdivider shall file four (4) full size copies, one (1) 11" x 17" reproducible copy, and an electronic copy (pdf version) of the Final Plat not later than one (1) year after the date of approval of the preliminary plat; otherwise, the preliminary plat shall be considered void unless an extension is requested in writing by the subdivider and for good cause granted by the City Council. The City Council may approve up to two (2) extensions, not to exceed two (2) additional years for each extension. It shall be the responsibility of the subdivider to request such extension prior to the expiration of the Preliminary Plat Approval. Such request for extension shall include the following:
  1. An explanation for why the final plat has yet to be applied for;
  2. What good faith efforts have been made to further the platting process; and
  3. The anticipated date of completion.

- B. The owner or subdivider shall also submit at the same time an up-to-date certified abstract of title or registered property report and such other evidence as the City Attorney may require showing title or control by the applicant.
- C. The Final Plat shall have incorporated all changes or modifications required by the City Council; in all other respects it shall conform to the Preliminary Plat. It may constitute only that portion of the approved preliminary plat which the subdivider proposed to record and develop at the time, provided that the portion conforms to all requirements of this Chapter.
- D. The City Council shall consider the Final Plat officially filed after the City Administrator or their designee has examined it and deemed complete. ~~and advised the Planning Commission and City Council that it is in proper form.~~
- E. On the same date that it places the Final Plat on file, the ~~City Planner~~ Community Development Director ~~or their designee~~ shall refer copies of the Final Plat ~~to the Planning Commission and one (1) copy~~ to the City Engineer. The abstract of title or registered property report shall be referred to the City Attorney for his or her examination and report. The City Attorney shall report all findings to the City Council within thirty (30) days. ~~The Planning Commission shall review the Final Plat submittal and make recommendations to the City Council.~~ The City Engineer shall review the proposal and report all findings within thirty (30) days of receiving the plat. The City Council shall review the Final Plat and shall approve or disapprove the plat within sixty (60) days of receipt of the completed application.
- F. One (1) copy of the Final Plat shall be submitted to the County by the subdivider for purposes of mathematical checking and compliance with State and County law; a certificate of compliance shall be returned to the City prior to final approval by the City and all fees imposed for checking and certification shall be paid for by the subdivider.
- G. Upon receiving approval of a Final Plat for a portion of the approved Preliminary Plat the subdivider shall not be required to request a continuation of the City's recognition of the Preliminary Plat so as to maintain its approval, as outlined within the Development Agreement or Resolution. However, the Final Plat application for subsequent phases, unless described otherwise by an approved phasing plan, shall be submitted within one (1) year of approval of the Final Plat for the previous phase. If such time line cannot be met, an extension may be requested in writing for City Council approval.
- H. The City Council may either approve or disapprove the Final Plat. If the Final Plat is not approved, the reasons for such action shall be recorded in the official proceedings and shall be transmitted to the applicant. If the Final Plat is approved, such approval shall constitute final acceptance of the subdivision. Should the City Council determine that the Final Plat is inconsistent with the approved Preliminary Plat or requirements of the Preliminary Plat approval are not resolved, the City Council may refer the Final Plat to the Planning Commission for review and recommendation. If there are inconsistencies between the Preliminary and Final Plats, the subdivider shall submit an amended Preliminary Plat, which shall follow the same procedures as the original Preliminary Plat.
- I. Upon approval of the Final Plat by the City Council, the applicant ~~City Clerk or his/her designee~~ shall record it with the County Recorder's Office within ninety (90) days after the date of approval; otherwise, failure of the applicant to comply and submit the necessary items and fees for the recording of the Final Plat by the City shall be cause for revoking the City's approval and the Final Plat shall be considered void, unless the developer or applicant requests an extension, in writing and receives approval from the City Council. The City Council may approve up to two (2) extensions for a term not to exceed one (1) additional year for each extension. Fees associated with the recording of the Final Plat will be charged back to the developer or subdivider.

- J. The subdivider shall immediately upon approval, furnish the City Administrator or his/her designee with three (3) full size mylar transparencies of the Final Plat, two (2) for the County and one (1) for the City. ~~Three (3)~~ One (1) additional 11 inch by 17 inches mylar transparencies shall be given to the ~~City Planner, the City Clerk, Community Development Director or designee~~ and Isanti County. No building permits shall be issued until these conditions have been complied with.

**Subdivision 2. Data Required for Final Plat.**

- A. The Final Plat shall be prepared by a land surveyor who is registered in the State of Minnesota and shall be prepared and conform to all State requirements, applicable County regulations, and this Ordinance.
- B. The following items shall be included with the Final Plat:
1. Surveying requirements for the Final Plat shall be under the regulation of the County Surveyor. The County Surveyor shall submit a report to the City regarding the conformance of the proposed Final Plat to the County requirements and all provisions of State law for platting.
  2. All information required on the Preliminary Plat shall be accurately shown on the Final Plat. Final plans of all improvements to be installed by the subdivider shall be submitted with grades and profiles.
  3. Names of new streets and roadways, ~~in accordance with the City's street naming policy~~ shall be provided.
  4. Copies of permits granted by other government agencies and regulatory bodies shall be provided.
  5. A Tile Opinion, Certificate of Title, or up-to-date abstract showing ownership must be provided.
  6. Execution by all owners having interest in the land to be subdivided and any holders of a mortgage therein of deeds or easements for any area to be conveyed for public use and any covenants or association documents shall be required, in such form as shall be approved by the City Attorney.
  7. The applicant shall provide all required cash contributions, and conveyances and / or dedication of land, in accordance with earlier City approvals. The applicant shall submit all other data, certificates, affidavits, and endorsements that may be required by the Planning Commission or City Council.
  8. Final plat information shall be submitted with a signed application form, as provided by the City, with four (4) full size copies, one (1) 11" x 17" reproducible copy, and in electronic format (pdf version).

**Subdivision 3. As-Built Plans.**

A complete set of as-built construction drawings and an electronic copy of such drawings, in a format acceptable to the City Engineer, for public improvements constructed in the subdivision shall be furnished as soon as the construction is complete and has been approved by the City.

**Subdivision 4. Development Agreement.**

- A. As a condition of approval of the Final Plat and prior to the installation of any required improvements, the subdivider shall enter into a Development Agreement with the City requiring the subdivider, at his sole expense, to furnish and construct such improvements as shall be required by the City. Such improvements may include, but are not limited to, streets, sidewalks, public water systems, sanitary sewer systems, surface and storm water drainage systems, and public utility services. The installation of said improvements shall be in conformity with approved construction plans and specifications and all applicable standards and City Code provisions approved by the City Council.

- B. Said contract shall provide for the supervision of construction by the City Engineer and shall require that the City be reimbursed for all costs incurred by the City for engineering and legal fees and all other expenses in connection with such improvements. An escrow shall be provided, as stipulated within the Development Agreement, to pay for such costs.
- C. No subdivider shall be permitted to start work on any other subdivision without special approval of the City Council, if he or she has previously defaulted on work or commitments within the City or has failed to provide payment on any delinquent accounts associated with prior developments.

**Subdivision 5. Performance Bond.**

- A. The Development Agreement provided for herein shall require the subdivider to provide an irrevocable letter of credit filed with the City or make a cash deposit to be held by the City for required improvements from a financial institution that is FDIC insured. Said insurance must be adequate to cover the full amount of the required surety and shall guarantee conformance and compliance with the conditions placed upon the Subdivision Approval and as defined within the Development Agreement. An amount equal to 125% of the estimated cost of labor and materials for the proposed improvements or development shall be collected. Said project can be handled in stages at the discretion of the City Council. The City shall hold the security until completion of the proposed improvements or development and until all warranty time periods have ended and any delinquent accounts have been paid in full. Failure to comply with the conditions of the Subdivision Approval or the Developer’s Agreement and / or the policies and ordinances of the City shall result in the City’s ability to draw upon the irrevocable letter of credit or cash deposit, so as to ensure the conditions, policies, and ordinances applicable to the development are implemented and / or constructed.

**ARTICLE 7. DESIGN STANDARDS**

**Subdivision 1. Generally.**

The proposed subdivision shall conform to the comprehensive plan, zoning ordinance, and subdivision ordinance; and any other regulations as deemed appropriate and applicable to the development proposal. The design features set forth in this article are minimum requirements. Subdivision developments shall meet the requirements as provided within the City of Isanti Engineering Design Standards and the Stormwater Management Ordinance (Ord. No. 420). The city may impose additional or more stringent requirements concerning lot size, streets and overall design as deemed appropriate considering the property being subdivided, local traffic patterns (current and projected) and any other City concern.

**Subdivision 2. Streets.**

- A. Streets shall be dedicated as public right-of-way on the plat. The location and design of streets shall consider existing and future street locations, traffic circulation, topographic conditions, storm water run-off, public convenience and safety, and the existing and proposed land uses to be served.
- B. Street right-of-way widths shall be consistent with the comprehensive plan and official map, and shall conform to county and state standards. If no such plans or standards are applicable, right-of-way widths shall be not less than the following:

<b>Street Classification</b>	<b>R-O-W Width (Feet)</b>	<b>Pavement Width (Feet)</b>
Minor Arterial	100	36 to 44
Collector	80	36
Local Street (Rural Residential)	60	28
Local Street (Urban Residential)	60	28 to 32
Local Street (Commercial / Industrial)	60	36

Cul-de-sac, turn-around radius (Rural Residential)	60	40
Cul-de-sac, turn-around radius (Urban Residential)	60	45
Cul-de-sac, turn-around radius (Commercial / Industrial)	60	48

- C. Insofar as practical, streets shall intersect at right angles. In no case shall the angle formed by the intersection of two (2) streets be less than sixty (60) degrees. Intersections having more than four (4) corners are prohibited.
- D. A tangent of at least three hundred (300) feet shall be introduced between reverse curves on arterial and collector streets.
- E. When connecting street lines deflect from each other at one (1) point by more than ten (10) degrees they shall be connected by a curve with a radius adequate to ensure a sight distance within the right-of-way of not less than five hundred (500) feet for arterials, three hundred (300) feet for collectors, and one hundred (100) feet for all other streets.
- F. Proper design shall consider required turning radius of vehicles for access points or entrances to and from a highway using standards adopted by the Minnesota Department of Transportation (MNDOT).
- G. All centerline grades shall be at least five-tenths percent and shall not exceed five (5) percent, for arterial and seven (7) percent for all other streets and alleys. Whenever possible, grades within thirty (30) feet of intersections or railroad crossings shall not exceed three (3) percent.
- H. Different connecting street grades shall be connected with vertical curves. Minimum length, in feet, of the vertical curves shall be twenty (20) times the algebraic difference in the percentage of grade of the two (2) adjacent slopes.
- I. Local streets shall have a centerline offset of not less than three hundred (300) feet. Offset intersections shall be avoided.
- J. The alignment shall discourage through traffic on local streets.
- K. The maximum length of a street terminating in a cul-de-sac shall be five hundred (500) feet measured from the center of the adjoining road.
- L. Where a proposed subdivision is adjacent to a limited access highway, arterial or collector street, there shall be no direct vehicular or pedestrian access from individual lots to such highways or streets. To the extent feasible access to arterial streets shall be at intervals of not less than one-fourth mile and through existing and established crossroads. Access along collector streets will be restricted and controlled on the final plat.
- M. Half streets shall be prohibited except where it will be practical to require the dedication of the other half when the adjoining property is subdivided, in which case the dedication of a half street may be permitted or required. The probable length of time elapsing before dedication of the remainder shall be a factor considered in making this determination.
- N. Public streets shall be constructed to design and construction standards as prepared by the City Engineer.
- O. Streets may be designed so as to include traffic calming measures to help reduce traffic speeds.

- P. Private streets / access drives may be permitted in Residential Districts, providing that the following standards are met:
1. Extension of the public street is not physically feasible as determined by the City. If the City determines that there is need for such extension, this provision shall not apply, and the right-of-way for a public street shall be provided by dedication in the plat;
  2. Severe grades make it infeasible according to the City to construct a public street to minimum City standards;
  3. The City determines that a public road extension would adversely impact natural amenities, including wetlands or stands of mature trees containing deciduous trees;
  4. There is no feasible present or future means of extending right-of-way from other directions;
  5. The number of lots to share a common private street does not exceed three (3); and
  6. Covenants which assign driveway installation and future maintenance responsibility are submitted and recorded with the titles of the parcels which are benefitted.

Private street / access drive design standards, include:

1. Common sections of a private street serving two (2) units or more must be built to a seven-ton design, paved to a minimum width of twenty (20) feet, utilize a maximum grade of ten (10) percent, and provide a turnaround area acceptable to the Fire Chief or their designee based upon guidelines provided by applicable fire codes. Plans for the street shall be submitted to the city engineer. Upon completion of the driveway, the applicant shall submit a set of "as-built" plans signed by a registered civil engineer.
2. Private streets and access driveways must be located within a private easement of at least thirty (30) feet wide which extends out to the public right-of-way.
3. Private streets must be maintained in good condition and plowed within twenty-four (24) hours of a snowfall greater than two (2) inches. Covenants concerning maintenance shall be filed against all benefiting properties. Parking on the private street or otherwise blocking all or part of the private street shall be prohibited.
4. Private streets that are not usable by emergency vehicles because of obstructions, snow accumulation, or poor maintenance are a public safety hazard. The city may remedy such conditions and assess the cost back to the property pursuant to Minnesota Statutes section 429.101, Subdivision 1(C).
5. The private street shall be provided with adequate drainage facilities to convey storm runoff which may require hydrologic calculations for a ten-year storm should be included. In all zoning districts, these improvements shall include concrete curb and gutter.
6. Street addresses or city approved street name sign, if required, must be posted at the point where the private street intersects the public right-of-way.
7. The private street shall be designed to minimize impacts upon adjoining parcels. The city may require revised alignments and landscaping to minimize impacts. An erosion control plan should be completed and approved prior to construction.
8. Maintenance and repair of utilities located within the private driveway easement shall be the responsibility of the benefiting property.
9. Private reserve strips controlling public access to streets shall be prohibited.

**Subdivision 3. Alleys.**

Alleys are prohibited, except when utilized as a fire lane in a commercial or industrial development. Alleys may be permitted as a part of a Planned Unit Development, upon approval by the City Council.

**Subdivision 4. Blocks.**

The length and width of blocks shall be sufficient to provide convenient and safe access, circulation, control and street design. Blocks shall not be longer than one thousand eight hundred (1,800) feet or shorter than three hundred (300) feet except where topography or surrounding development limits the ability to strictly comply or as specifically approved by the City Council to foster innovative design consistent with sound planning principles.

**Subdivision 5. Pedestrian Ways.**

Pedestrian ways will be required on all blocks. Easements for pedestrian ways shall be at least twenty (20) feet wide for trails only and shall be required in locations deemed necessary to public health, convenience, and necessity. Sidewalks and trails shall meet the location and construction requirements established by this Ordinance.

**A. Sidewalks.**

1. Location. Sidewalks shall be placed on the west side and the north side of every street, cul-de-sac, or other roadway as identified by the City.
  - a. The City may modify the location of sidewalks when necessary, to form a contiguous sidewalk system.
  - b. Parcels located within Industrial Districts are exempt from these requirements.
  - c. All new subdivision / developments shall install sidewalks at the developer's expense.
2. Construction Standards.
  - a. Sidewalks shall be five (5) feet in width with six (6) foot boulevards.
  - b. Sidewalks shall be constructed of concrete five (5) inches thick. Where the sidewalk is part of a driveway, it shall be six (6) inches thick.
  - c. Sidewalks shall be constructed on a three (3) inch sand cushion. The sand shall meet MNDOT requirements and the Isanti Engineering Design Standards.
  - d. Pedestrian curb ramps shall be installed on all corners according to MNDOT standards and City Engineer specifications.
  - e. The City Engineer shall inspect sidewalk construction.
  - f. All materials, workmanship, and details of the construction of sidewalks on the public right-of-way shall be in accordance with approved plans and specifications by the City Engineer.

**B. Trails.**

1. Location. Trails shall be placed in accordance with the 2008 Comprehensive Plan and Parks, Trails and Open Space Plan.
  - a. The City may modify the location of trails when necessary, to form a contiguous trail system.
  - b. All new subdivision / developments shall install trails at the developer's expense.
2. Construction Standards.
  - a. Trails shall be at least eight (8) feet in width.
  - b. Trails shall be constructed of concrete or bituminous. In some instances, the City may permit a wood chip trail, if located within an environmentally sensitive area.
  - c. Trails through wetland areas may be constructed to boardwalk / bogwalk requirements as indicated in the City Engineering Design Standards, in lieu of filling wetlands or wetland mitigation.
  - d. Trails shall meet the specifications of the City Engineer.
  - e. Concrete pedestrian curb ramps shall be installed on all corners according to MNDOT standards and City Engineer specifications.
  - f. The City Engineer shall inspect trail construction.

**Subdivision 6. Lots.**

- A. All lots shall have frontage upon a public street or upon an approved private street or common access road.
- B. The lot size, width, shape, and orientation shall be appropriate for the proposed type of development and shall meet the minimum requirements of the Zoning Ordinance.
- C. Flag lots shall have a minimum of thirty (30) feet of frontage.

- D. Side lines of lots shall be substantially at right angles to straight street lines or substantially radial to curved street lines.
- E. Lots shall be graded to drain away from building locations.
- F. Lots shall be placed to preserve and protect natural amenities, such as vegetation, wetlands, steep slopes, water courses and historic areas.
- G. Lot remnants are prohibited.
- H. Street arrangements for the proposed subdivision shall not cause undue hardship to owners of adjoining property in subdividing their own land.
- I. Double frontage lots with frontage on two (2) parallel streets or reverse frontage shall not be permitted except where lots back on an arterial or collector street. Such lots shall require additional depth of up to twenty-five (25) percent over the zoning district standards, so as to accommodate adequate vegetative screening along the back lot line. Wherever possible, structures on double frontage lots should face the front of existing structures across the street. If this cannot be achieved, then such lots shall have an additional depth of up to twenty-five (25) percent over the zoning district standards, so as to accommodate vegetation screening along the back lot line.
- J. A residential lot will be permitted to have stormwater holding ponds with the following conditions:
  1. Pond area cannot be used in the minimum lot size square footage.
  2. Pond(s) shall be at least 30 feet from a primary structure.

**Subdivision 7. Driveways.**

- A. Driveway grades shall be a minimum of one-half (1/2) percent and a maximum grade of eight (8) percent.
- B. Driveway widths and setbacks shall meet the requirements of the Zoning Ordinance for the district in which the parcel is located.
- C. No driveway or driveway extension shall be constructed within a required side yard easement.

**Subdivision 8. Easements.**

- A. All easements shall be dedicated by appropriate language on the final plat in accordance with this section.
- B. Easements shall be provided that are at least ten (10) feet wide along all street right-of-way lines and five (5) feet along the rear and side lot lines for utilities. If appropriate, easements of lesser or greater width may be required by the city. All utility easements shall have continuity of alignment from block to block.
- C. Easements shall be provided along each side of the centerline of any water course or drainage channel, to a width sufficient to provide proper maintenance and protection and to provide for storm water run-off from a 100-year, and twenty-four (24) hour rain event . Where necessary, drainage easements corresponding to lot lines shall be provided. Such easements for drainage purposes shall not be less than ten (10) feet in width.

**Subdivision 9. Landscaping Requirements.**

- A. Landscaping shall meet the requirements as established within Section 15, Subdivision 5 of the City of Isanti Zoning Ordinance.

- B. Landscaping must be installed prior to receiving a certificate of occupancy or financial guarantees acceptable to the city must be provided to ensure timely installation.
- C. All areas disturbed by site grading and/or construction must be seeded or sodded immediately upon completion of work to minimize erosion. When certificates of occupancy are requested prior to the satisfaction of this requirement, financial guarantees acceptable to the city, must be provided.
- D. No dead trees or uprooted stumps shall remain after development. On-site burial is not permitted.
- E. Landscaped buffers around the exterior of a residential subdivision shall be required by the city when the Plat is contiguous to collector or arterial streets as defined in the comprehensive plan or when the subdivision plat is adjacent to more or less intensive land uses.
  1. Required buffering may consist of berms and/or landscape material consisting of a mix of trees and shrubs and/or tree preservation areas.
  2. Fencing may be permitted between the required buffer and the collector or arterial street; providing a combination of coniferous and deciduous trees is planted to soften the appearance of the fence or wall from adjacent properties and the public street.
  3. Where appropriate, the city may require additional lot depth and area on lots containing the buffer so that it can be adequately accommodated and the homes protected from impacts. Lot depths and areas may be increased by twenty-five (25) percent over zoning district standards.
  4. The landscape plan must be developed with the preliminary and final plat submittals for city approval.
  5. Appropriate financial guarantees acceptable to the city shall be required.
- F. It is the policy of the City to preserve existing trees and natural woodland areas and with respect to specific site development to retain as far as practical, substantial tree stands which can be incorporated into the overall landscape plan.
- G. No clear-cutting of woodland areas shall be permitted except as approved in a subdivision, planned unit development or site plan application.

**Subdivision 10. Erosion and Sediment Control.**

- A. The development shall conform to the topography and soils to create the least potential for soil erosion.
- B. Detailed requirements for each plat shall be set forth in the development agreement.
- C. Erosion and Sediment Control Plans shall be submitted to the City Engineer for approval. All plans shall be in accordance with MPCA NPDES Phase 2 Permit requirements.

**ARTICLE 8. CONSERVATION SUBDIVISION**

**Subdivision 1. Purpose.**

The purpose of the Conservation Subdivision is to protect and retain significant natural areas, as identified in the Natural Resources Analysis and Inventory prepared and adopted in the Comprehensive Plan. The City has identified preservation and enhancement of natural areas of significant importance in the process of planning for future growth and development; and as such, has established the Conservation Subdivision regulations as a tool for encouraging the sustainability of the City's natural resources for future generations.

**Subdivision 2. Intent.**

It is the intent of the Conservation Subdivision method to:

- A. Provide for the unified and planned development of clustered residential uses which are designed and located, in an effort to reduce the perceived density of development, provide privacy for residential dwellings, and to incorporate large tracts of predominantly protected common open space in perpetuity.
- B. Allow for the continuation of agricultural uses in those areas best suited for such activities and when adjacent to residential uses are made compatible with such uses.
- C. Maintain and protect the City of Isanti's natural character by preserving areas containing such unique and environmentally sensitive natural features such as woodlands, river and stream corridors, drainage ways, wetlands, floodplains, prairies, steep slopes, critical species habitats, and productive agricultural land by setting them aside from development.
- D. Connect common open space areas, wetlands, and identified natural areas between adjacent parcels to create environmental corridors throughout the City of Isanti.
- E. Preserve scenic views and minimize the views of new development from existing homes and roadways.
- F. Allow for greater design flexibility in the siting of residential dwellings and other types of development features than would be permitted by the application of standard regulations; in order to minimize disturbance of landscape elements and sensitive areas, scenic quality, and the overall aesthetic value of the landscape.
- G. Increase flexibility in the siting of services and infrastructure through the alteration of road length, utility requirements, drainage requirements, and the amount of paving required for residential development, when possible.
- H. Reduce erosion and sedimentation by retaining existing vegetation.
- I. Permit various means for owning common open space, preserved landscape elements, agricultural land, and to protect such areas from development in perpetuity.

**Subdivision 3. Applicability.**

The Conservation Subdivision provides an alternative set of design objectives and standards for subdivision and residential development.

**Subdivision 4. Residential Cluster Development.**

The purpose of the residential cluster development method seeks to maintain the rural character associated with the outlying areas of the City of Isanti through the preservation of agricultural land, woodlands, natural corridors, and other significant natural features and areas while allowing residential development that is consistent with the goals and objectives of the City Comprehensive Plan. This type of development will allow an alternative to large lot single-family housing and will reduce the cost of constructing and maintaining public facilities and infrastructure. Protected open space will enhance and preserve the natural character of the community and create distinct neighborhoods for future residents.

**Subdivision 5. Development Standards.**

Conservation Subdivision developers shall comply with the following minimum standards, unless otherwise modified by the City Council based upon a record of findings that the proposed modification(s) would better enhance the natural character more so than the strict interpretation of the Conservation Subdivision regulations of the City of Isanti and would otherwise be consistent with the purpose and intent of the Comprehensive Plan and Conservation Subdivision.

- A. Land Area. The minimum land area required for a Conservation Subdivision is five (5) acres.

- B. Density Standards. The total number of dwelling units permitted within a Conservation Subdivision may not exceed the density limitation contained within the underlying zoning district. If the following additional standards are met, then the following density bonuses may apply. Density bonuses shall not exceed thirty (30) percent and must be approved and granted by the City Council.
1. A ten (10) percent increase for preserving land in open space with a conservation easement by a qualified land trust.
  2. A ten (10) percent increase for the development of common gardens and / or a village green.
  3. Developments which preserve additional open space beyond the minimum requirements of this Section may be qualified for a density bonus. The developments shall receive a density bonus of half the additional percentage of open space preserved. For example, each development is required to preserve thirty (30) percent of the land in open space. If the development has fifty (50) percent of its land in open space, the developer is qualified for an additional ten (10) percent density bonus. ( $\frac{1}{2} * (50\% - 30\%) = 10\%$ )
- C. Open Space.
1. The total open space area within a Conservation Subdivision shall be at least thirty (30) percent of the total buildable land area. Land that is not buildable shall be considered open space but shall not count towards the buildable land area. Dwelling units shall be grouped so that at least thirty (30) percent of the buildable land of the proposed development remains open space in a large contiguous pattern. The open space shall consist of agricultural lands, natural habitats, pedestrian corridors, neighborhood or community recreation areas, and other environmentally significant areas.
  2. Each open space outlot shall be classified as natural habitat, neighborhood recreation, or pedestrian corridor open space, and shall conform to the type of use, location criteria, and deed restrictions of that classification.
    - a. Natural Habitat. The development shall preserve the maximum quantity of natural habitat open spaces in contiguous, connected configuration. Natural habitat open spaces may include, but are not limited to fields, wetlands, slopes, bluffs, dense woods, lakes, ponds, streams, shorelands, and other environmentally sensitive areas or desirable viewsheds.
    - b. Pedestrian Corridors. The development shall locate pedestrian corridor open spaces in strategic places such that larger open space outlots and designated places of destination both on the development tract and adjacent tracts are connected with one another. Pedestrian corridor open spaces may include, but are not limited to established regional trails, local pathways, paved walkways, and shorelines. Pedestrian corridor outlots shall be a minimum of twenty (20) feet in width. Motorized vehicles shall be prohibited.
    - c. Neighborhood Recreation. The development shall locate neighborhood recreation open spaces such that they are an integral part of the neighborhood of surrounding homesites, at an elevation appropriate to their intended recreational use, defined by coherent boundaries, and accessible to all neighborhood residents. Neighborhood recreation open spaces may include, but are not limited to greens, commons, playgrounds, ballfields, gardens, or other recreational areas.
  3. All open space shall be subject to conservation easements and used for the purposes as defined within its open space classification section. Habitable structures shall not be permitted in any open space outlot. Ownership of common open space and facilities shall not be transferred to another entity except in conformance with this subdivision. Documentation of the proposed ownership arrangement for common facilities and open space shall accompany the Preliminary Plat, including draft contracts, articles of incorporation, by-laws, etc. The land shall be controlled in one (1) or more of the following manners, as determined by the City.
    - a. Homeowner's Association.

Open spaces may be owned in common by the property owners created through the subdivision of the original tract. Management shall be the responsibility of that subdivision's homeowners association. In the case where at least one (1) open space is held in common ownership, a homeowner association shall be established for that subdivision. Membership in the association by all property owners in the subdivision is mandatory. The homeowner association documents or the declaration of covenants, conditions and restrictions shall contain the following information:

- (1) The legal description of the common lands and facilities.
- (2) The restrictions placed upon the use and enjoyment of the lands or facilities including the persons or entities entitled to enforce the restrictions.
- (3) A mechanism for resolving disputes among the owners or association members.
- (4) A mechanism to assess and enforce the common expenses for the land or facilities including upkeep and maintenance expenses, real estate taxes, and insurance premiums.
- (5) The conditions and timing of the transfer of ownership and control of land or facilities to the association or to common ownership.

b. Land Trust or Private / Non-Profit Conservation Organization. Open space may be deeded to an established land trust or private / non-profit conservation organization. Management shall be the responsibility of the land trust or private / non-profit conservation organization. Maintenance may be performed by the neighborhood homeowners association, through written agreement between the association and the land trust or private / non-profit conservation organization.

- (1) Open space may be protected by establishing conservation easements in perpetuity in favor of an established land trust or private / non-profit conservation organization as provided within Minnesota Statutes 84.64 – 84.65. Unless the document establishing the restrictions specifically provides to the contrary, the City shall have no responsibility for the maintenance or management of the area subject to the restrictions. The form and content of the deed or other instrument establishing the restrictions must be approved by the City prior to the execution and delivery thereof.
- (2) Stormwater drainage systems located within open spaces or the residential lots shall be covered by utility and drainage easements dedicated on the Final Plat to the City.

c. City of Isanti.

- (1) Open space may be deeded to the City of Isanti for open space purposes or conveyed by easement to the City. Open space areas shall be in accordance with the 2008 Comprehensive Plan and the Parks, Trails, and Open Space Plan, subject to City Council Approval.
- (2) Open space may be protected by establishing conservation restrictions in perpetuity in favor of the City as provided within Minnesota Statutes 84.64 – 84-65. Unless the document establishing the restrictions specifically provides to the contrary, the City shall have no responsibility for the maintenance or management of the area subject to the restrictions. The form and content of the deed or other instrument establishing the restrictions must be approved by the City prior to the execution and delivery thereof. Notwithstanding any provision of this Ordinance to the contrary, the City may, in cases where conservation restrictions are utilized to meet open space dedication requirements of this Ordinance, waive the requirement that the area subject to the restrictions be platted as a separate outlot.

- d. Ownership retained by original landowner. Ownership of common open space may be retained by the original landowner or developer provided that:
  - (1) Resident access to the open space is limited by agreement between the owner of the common open space and property owners of the development, as indicated by documents signed at the time of purchase of said lots or dwelling units.
  - (2) The open space may be retained by the owner for agricultural purposes.
  - (3) The original landowner or legal representative may transfer ownership to another person in compliance with this subsection.
4. Common open space shall be restricted in perpetuity from further subdivision or land development by conservation easement pursuant to Minnesota Statutes, and such conservation easement shall be recorded in the office of the Isanti County Recorder.

D. Lot Design.

Lots shall be sited so as to achieve the following objectives:

1. Lots shall be laid out to receive City services in the most efficient manner and as to maintain the largest portion of contiguous land for open space.
2. Residential lot areas shall consist of buildable land as defined by this Ordinance.
3. Residential lots shall be located in a manner that preserves existing significant trees and woodlands on the site.
4. Lots shall be arranged such that a majority of the principle structures will take visual advantage of an identifiable feature, building, structure, greenway, wetland, woods, lake, stream, or other open space which could be described as a view shed.
5. Lots may be arranged such that the principle structure faces a local street enhanced with landscaping, street trees, boulevards, medians, or other landscaping techniques appropriate to the City's Street Design Standards.
6. Lot size and setbacks shall be consistent with the regulations stated in the zoning district in which the parcel(s) are located. Such standards may be departed from upon approval of the City Council.
7. Lots shall be located in cluster groups and a plat may contain more than one (1) cluster group.
8. In order to establish a cohesive neighborhood, clusters shall include five (5) lots or twenty-five (25) percent of the allowable number of lots on the parcel to be subdivided, whichever is greater. An efficiency of land utilization should be encouraged by maximizing the number of lots in any one cluster development, while adhering to density and open space requirements.

E. Structures.

The structures within the neighborhoods should convey a particular architectural style with similar building materials, components, and roof pitches.

F. Buffer Zones.

1. In conservation subdivisions, buffer zones from the outer boundaries of the lot lines of each cluster group shall conform to the separation distances as provided:
  - (a) From other cluster group boundaries, existing and proposed right-of-ways for arterial and collector roadways, agricultural uses, and subdivision site boundaries; a fifty (50) foot buffer zone is required.
  - (b) From wetlands, floodplains, water courses, and drainage ways; a seventy-five (75) foot buffer zone is required.
2. Separation distances may be reduced up to fifty (50) percent, if the applicant can demonstrate that such reduced setbacks are more appropriate for the site and will improve the project's conformance with the design objectives, the intent of this Ordinance, and the goals, policies, and objectives of the City of Isanti Comprehensive Plan.

- (a) All buffer zones shall be planted with native grasses, shrubs, and trees.
- (b) Roads may be substituted for the buffer zone, if it creates an effective barrier between yards and agricultural fields and pastures.

G. Landscaping.

- 1. Tree preservation and reforestation requirements of this Ordinance shall apply.
- 2. Existing trees and vegetation considered indigenous and appropriate to the natural landscape shall be preserved to the extent reasonably possible.
- 3. Landscaping is required along all streets outside of the designated right-of-way to consist of at least one (1) tree for every thirty (30) feet of frontage or placed in clusters at the same ratio.
- 4. A landscape plan is required for the entire site. Residential lots shall meet the landscaping requirements as provided within the Zoning Ordinance.
- 5. The overall landscape plan will be given flexibility, if the plan incorporates the placement of buildings on sites to minimize and preserve existing landscaping and trees.

H. Pathways.

Trails and sidewalks shall be identified, which extend through buildable land area or through the open space land to connect to other planned or existing trails and sidewalks on adjacent parcels or along local roadways.

I. Streets.

- 1. All new roadways shall be constructed and maintained in accordance with this Ordinance and the City of Isanti Design Standards.
- 2. Dead-end streets are prohibited, unless such street will connect with another street at the closed end with future development, and cul-de-sacs shall be permitted only where topography or other physical conditions justify their use.
- 3. Roads shall be designed to minimize the visual size and scale of the development and help discourage excessive speeds.
- 4. Street widths and alignments should be carefully scaled to neighborhood size and be patterned after the character of existing residential streets. Future connections shall be identified and platted as an easement to encourage future connections so as to avoid long cul-de-sacs and potential congestion as development and density increases throughout the City.
- 5. The applicant shall demonstrate that access from a primary road to the site is adequate and has the capacity to handle traffic generated by the proposed project and will not endanger the safety of the general public.

J. Storm water Management.

- 1. Storm water management shall meet the requirements established within this Ordinance.

**Subdivision 6. Submittals and Review Process.**

- A. Plans required and submitted under this Section must be submitted in a form which will satisfy the requirements of this Ordinance for Concept, Preliminary and Final Plats.
- B. It is the intent of this Section that the requirements of the Subdivision Ordinance be carried out simultaneously with the review of a Planned Unit Development under the Zoning Ordinance.

**ARTICLE 9. TREE PRESERVATION**

**Subdivision 1. Findings and Purpose Statement.**

The City recognizes that the preservation and replanting of trees is important in maintaining a healthy and desirable community and finds that it is in the best interest of the City to protect, preserve, and enhance the

natural environment of the community. The City encourages a resourceful and sensible approach to development, redevelopment, and alteration of trees and / or wooded areas. The City also recognizes that a certain amount of tree loss is an inevitable consequence of the development process. The City Council finds that these tree preservation regulations will help to establish a balance between an individual's rights to develop a parcel(s) and the needs of the community to protect aspects of the natural environment. The purpose of the tree preservation regulations include, but are not limited to, the following:

- A. Prevention of soil erosion and sedimentation from storm water runoff;
- B. Protection and preservation of the environment;
- C. Improve air quality and control the urban heat island effect;
- D. Protect and increase property values;
- E. Assure the orderly development and redevelopment of areas with trees or wooded areas, so as to minimize tree and habitat loss;
- F. Improve energy conservation through natural insulation, wind breaks, and shading;
- G. Establish natural buffers between conflicting land uses;
- H. Provide incentives for creative land use and environmentally compatible site design, which preserves trees and minimizes tree removal and clear cutting during development;
- I. Reduce noise pollution;
- J. Reforestation of open lands;
- K. Establish minimum standards for tree preservation and the mitigation of environmental impacts that result from tree removal; and
- L. Enforce tree preservation and protection standards that promote and protect the public health, safety, and welfare of the City.

**Subdivision 2. Tree Survey and Preservation Plan.**

- A. Scope of Application. A tree survey and preservation plan shall be submitted to, approved by the City Council, and implemented in connection with the following:
  - 1. Grading or excavation permit.
  - 2. New development in any zoning district.
  - 3. New building construction in any zoning district.
  - 4. Expansion of any existing commercial, industrial, or institutional building or impervious surface area by 10% or greater of the gross floor area, where an approved tree preservation plan is not on file with the City and trees may be affected by the proposed expansion.
- B. Exemptions. The provisions of this Section shall not apply to trees removed as a result of additions to existing structures or construction of new accessory structures for single-family, two-family, or three-family parcels.
- C. Tree Survey. Upon submittal of a Preliminary Plat application; a tree survey of the site shall be prepared by a registered landscape architect or licensed forester. This survey shall include the following information: species, size, condition and location of all significant, damaged or diseased trees on site. All significant, damaged or diseased trees shall be tagged and identified by number on the survey. A delineation of the existing canopy coverage area(s) which outlines all areas covered by

tree canopy shall be included as part of the survey. Additionally, all damaged and diseased trees shall be cataloged with the nature and extent of any damage or disease specified.

D. Tree Preservation Plan Requirements.

The tree preservation plan may be submitted or incorporated with a grading, drainage and erosion control plan. All tree preservation plans must be certified by a licensed forester or landscaped architect. To the extent practical, site design shall preserve significant trees as well as woodland areas. Special priority for tree preservation shall be given to areas within floodplains, wetlands, stream corridors, wooded slopes, and along collector and arterial roadway corridors. The tree preservation plan, a narrative and map or series of maps, shall include the following information:

1. A Certificate of Survey, prepared in accordance with City specifications;
2. Information obtained within the tree survey should be presented in both graphic and tabular form;
3. Areas to be graded and limits of land disturbance should be delineated;
4. All significant trees to be removed within the construction area should be identified in both graphic and tabular form;
5. Measures to protect significant trees and woodlands should be noted; and,
6. Signature of the person(s) preparing the plan.

E. Reforestation Plan.

In accordance with this Article, if significant trees and woodlands are removed from the parcel(s) to be developed, the applicant shall provide a reforestation plan. A reforestation plan shall be prepared and signed by a licensed landscape architect or forester and shall contain the following information and adhere to the following criteria:

1. Location and diameter or height of all trees to be planted;
2. List of all replacement trees including species, caliper; and planting method;
3. Statement explaining why replacement trees are necessary; and
4. Rationale for selection of placement/forestation trees.
5. The replacement trees shall be at least two and a half (2 1/2) inches caliper and will be species that conform to the tree list as provided within Section 15, Subdivision 5 of the Zoning Ordinance.
6. No more than one-third (1/3) of the trees may be from any one (1) tree species.
7. Plantings shall be of similar vegetation as found on the site and shall be appropriate for the soil conditions found on the site.
8. Trees to be planted shall be from certified nursery stock.

**Subdivision 3. Protective Measures.**

A. Required Protective Measures. The tree preservation plan shall identify and require the following measures to be utilized during construction to protect significant trees and woodland areas:

1. Installation of snow fencing or polyethylene laminar safety netting placed at the drip line or at the Critical Root Zone, whichever is greater. No grade change, construction activity, or storage of materials shall occur within the fenced area.
2. Placement of fill against the trunk of the tree, on the root crown, and under the drip line of the tree is prohibited.
3. Prevention of change in soil chemistry due to concrete washout and leakage or spillage of toxic materials such as fuels or paints.
4. Pruning of oak trees must not take place from April 15 through July 1. If wounding of oak trees occurs, a non-toxic tree wound dressing must be applied immediately.

- B. Additional Protective Measures. The following tree protection measures are suggested to protect significant trees and woodland areas that are intended to be preserved according to the submitted tree preservation plan and may be required by the City:
1. Installation of retaining walls or tree wells to preserve trees.
  2. Placement of utilities in common trenches outside of the drip line of significant trees, or use of tunneled installation.
  3. Use of tree root aeration, fertilization, and / or irrigation systems.
  4. Transplanting of significant trees into a protected area for later moving into permanent sites within the construction area.
  5. Therapeutic pruning of diseased tree branches or damaged and exposed root systems.
  6. Installation of root severing protection barriers along Critical Root Zones.
  7. Designation of areas for soil and equipment storage to prevent soil compaction in Critical Root Zones.

**Subdivision 4. Tree Replacement Ratio**

Significant trees or woodlands that are lost and / or removed as defined within this Subdivision shall be replaced in accordance with the requirements as identified below:

- A. Significant deciduous trees eight (8) inches or greater shall be replaced by two (2), two and one-half (2.5) inch caliper or greater deciduous trees or two (2), six (6) foot high coniferous trees.
- B. Significant deciduous trees twelve (12) inches or greater shall be replaced by three (3), two and one-half (2.5) inch caliper or greater deciduous trees or three (3), six (6) foot high coniferous trees.
- C. Significant coniferous trees eight (8) feet high or greater shall be replaced by one (1), six (6) foot high or greater coniferous tree.
- D. Significant coniferous trees twelve (12) feet high or greater shall be replaced by two (2), six (6) foot high or greater coniferous trees.
- E. In no case will the total number of replacement trees exceed eight (8) trees per acre. Parking lots, driveways, and accessory uses should take existing trees into account prior to construction.
- F. Trees Not Counted. The caliper inches of significant trees to be removed for water quality treatment ponds, public trails or sidewalks, and right-of-way for arterial and collector roadways shall be exempt from the calculation of total significant caliper inches on a development site.

**Subdivision 5. Compliance with Tree Preservation and Reforestation Plan.**

- A. The applicant shall implement the tree preservation and reforestation plan prior to and during any construction. The tree protection measures shall remain in place until all grading and construction activity is completed or until a request is made to and approved by the City Administrator or their designee.
- B. No significant trees or woodland areas shall be removed until a tree preservation plan is approved and such removals shall be in accordance with the approved plan.
- C. The City shall have the right to inspect the development and / or building site in order to determine compliance with the approved tree preservation and reforestation plans.

**Subdivision 6. Amendments Tree Preservation and Reforestation Plan.**

- A. The tree preservation and reforestation plan may be amended after it has been approved by the City Council. The City Administrator or their designee shall have the authority to approve amendments, except that a change resulting in removal of more than ten (10) percent of the significant tree inches

that were shown as preserved on a City Council approved tree preservation plan shall require further review by the City Council.

- B. As part of any amendment to a tree preservation plan, the required reforestation and / or restitution shall be increased or decreased as appropriate. Requests for amendments shall be submitted prior to removal of any trees shown as preserved on the approved plan.

**Subdivision 7. Performance Guarantee.**

- A. Upon approval of the tree preservation and reforestation plan, the City shall require an irrevocable letter of credit or cash deposit prior to the issuing of building permits or initiation of work on the proposed improvements or development. Said security shall guarantee conformance and compliance with the conditions of the approval. An amount equal to 125% of the estimated costs to furnish and replace the trees shall be provided to the City.
- B. Following written request from the applicant for acceptance, the performance guarantee will be released upon verification by the City that the tree preservation and reforestation plan was followed. In no event shall the performance guarantee be released earlier than two (2) growing seasons after the date of approval of final inspection.

**Subdivision 8. Removal of Diseased Trees Required.**

Prior to any grading, all diseased, hazardous, and nuisance trees on the subject property shall be identified by the City in accordance with the tree disease control and prevention regulations of the City Code. Any and all diseased or hazardous trees as identified in other sections of this Ordinance shall be removed from the property at the expense of the property owner, at the time of grading, if so directed.

**Subdivision 9. Inspection.**

The City shall have the right to inspect the development and / or building site in order to determine compliance with the approved tree preservation and reforestation plan. The City shall determine whether the tree preservation and reforestation plan has been implemented as approved.

**Subdivision 10. Warranty Requirement.**

Any replacement tree(s) which is not alive or healthy, as determined by the City, or which subsequently dies due to construction activity within two (2) growing seasons after the date of project closure shall be removed by the developer and replaced with a new healthy tree meeting the same minimum size requirements within eight (8) months of the tree(s) removal.

**Subdivision 11. Public Trees.**

- A. Authority. The City shall have the right, but does not have the obligation, to plant, prune, maintain and remove trees, plants and shrubs within the public right-of-way of all streets, alleys, avenues, and lanes as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds, pursuant to City Code. The City shall be responsible for the planting and maintenance of public trees, which are located within parks, outlots, and other properties owned by the City.
- B. Removal and Installation of Public Trees.
  - 1. No trees, bushes, vines, shrubs, and/or ground cover are to be removed by anyone, including adjacent landowners, from any City-owned land or public right-of-way without the permission of the City of Isanti; unless said tree, bush, vine, shrub, and/or ground cover was planted within the public right-of-way by the adjacent property owner, pursuant to City Code.
  - 2. Street trees, which are located in the public right-of-way or boulevard that die of disease, insects, or natural disaster may be removed by the City. The City shall have the right to remove trees within the boulevard, so as to protect the public health, safety, and welfare.

The City is not responsible for ongoing maintenance and replacement of trees planted within the boulevard by private parties.

- C. No person shall intentionally damage, cut, carve, transplant, or remove any public tree; attach any rope, wire, nails, advertisements, or other contrivance to any public tree; allow any gaseous liquid, or solid substance which is harmful to such trees to come into contact with them; or set fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any public tree.
- D. Each tree shall be planted a minimum of five (5) feet from the public right-of-way.

## **ARTICLE 10. PARK DEDICATION**

### **Subdivision 1. Intent.**

The City Council recognizes that it is essential to the health, safety, and general welfare of the citizens of the City of Isanti that the character and quality of the natural environment be of major importance in the planning and development of the City, both now and into the future. The preservation of land for public use as parks (active and passive), recreational facilities, playgrounds, trails, wetlands, natural and scenic areas, and public open spaces; are essential for maintaining a healthful and desirable environment for the citizens of the community. The City must provide these amenities, to not only present residents, but future residents that may choose to live, work, and recreate within the community. It is recognized by the City Council that the need for these amenities and natural areas are directly related to the density and intensity of population and development permitted within the City. Increased population, intensity of uses, and the types of development permitted result in greater demands for these types of amenities and facilities. To disregard these principles would result in the deterioration of public spaces, facilities, and the natural environment; which would diminish the quality of life that residents have come to expect within the community.

### **Subdivision 2. Park Land Dedication Requirements.**

- A. As a prerequisite to subdivision approval, subdividers shall dedicate land for parks, playgrounds, public open spaces and trails and/or shall make a cash contribution to the city's park fund and trail fund as provided by this section.
- B. The park and recreation committee shall recommend to the city council the land dedication and cash contribution requirements for proposed subdivisions. Land dedication shall be consistent with the 2008 Comprehensive Plan and 2030 update and the Parks, Trails, and Open Space Plan.
- C. If the property being subdivided was previously subdivided, a credit will be given for similar requirements satisfied in conjunction with the previous subdivision.
- D. Land area conveyed or dedicated to the city shall not be used in calculating density requirements of the city zoning ordinance and shall be in addition to and not in lieu of open space requirements for planned unit developments.
- E. Where private open space for park and recreation purposes is provided in a proposed subdivision, such areas may be used for credit, at the discretion of the city council, against the requirement of dedication for park and recreation purposes, provided the city council finds it is in the public interest.
- F. The city, upon consideration of the particular type of development, may require larger or lesser parcels of land to be dedicated if the city determines that present or future residents would require greater or lesser land for park and playground purposes.
- G. In residential plats either a cash donation equal to fifteen (15) percent of the fair market value of the undeveloped property or fifteen (15) percent of the gross land being platted or a combination thereof shall be conveyed to the City.

- H. In plats other than residential plats, either a cash donation equal to ten (10) percent of the fair market value of the undeveloped property or ten (10) percent of the gross area of land being platted or a combination thereof shall be conveyed to the city.
- I. In lieu of a park land donation, the city may require an equivalent cash donation based upon average undeveloped land value in the city. The cash dedication requirement shall be established annually by the city council.
- J. In lieu of a trail donation, trail construction, or trail easement dedication, the city may require a cash donation for the trail system. The cash dedication requirement shall be established annually by the city council.
- K. The city may elect to receive a combination of cash, land, and development of the land for park use. The fair market value of the land the city wants and the value of the development of the land shall be calculated. That amount shall be subtracted from the cash contribution required by subsection (k) above. The remainder shall be the cash contribution requirement.
- L. "Fair market value" shall be determined as of the time of filing the final plat in accordance with the following:
  - 1. The city and the developer may agree as to the fair market value, or
  - 2. The fair market value may be based upon a current appraisal submitted to the city by the subdivider at the subdivider's expense.
  - 3. If the city disputes such appraisal the city may, at the subdivider's expense, obtain an appraisal of the property by a certified real estate appraiser, which appraisal shall be conclusive evidence of the fair market value of the land.
- M. Planned developments with mixed land uses shall make cash and/or land contributions in accordance with this section based upon the percentage of land devoted to the various uses.
- N. One hundred percent (100%) of the park and trail cash contribution shall be paid immediately upon approval and execution of the Development Agreement.
- O. The cash contributions for parks and trails shall be deposited in either the city's park and recreation development fund or multipurpose pedestrian trail fund and shall be used only for park acquisition or development and trail acquisition or development.
- P. Wetlands, ponding areas and drainage ways accepted by the city shall not be considered in the park land and/or cash contribution to the city.
- Q. Subdividers of land abutting streets that have been designated in the city's comprehensive plan for the installation of a trail shall be required to dedicate the land for the trail to the city and construct the trail.

**Subdivision 3. Determination of Land to be Dedicated.**

- A. Land to be dedicated shall be reasonably suitable for its intended use and shall be at a location convenient to the people to be served. Factors used in evaluating the adequacy of proposed park and recreation areas shall include size, shape, topography, geology, hydrology, tree cover, access and location.
- B. When a proposed park, playground, recreational area, school site or other public ground has been indicated in the city's official map or comprehensive plan and is located in whole or in part within a proposed plat, it shall be designated as such on the plat and shall be dedicated to the appropriate governmental unit.

- C. Land dedication shall be selected based upon the policies and recommendations provided within the Comprehensive Plan. Active parkland areas shall be exclusive of wetlands, slopes exceeding twelve (12) percent, ponding areas, or other features unsuitable for active park development. The City may accept natural open space or passive parks containing unique natural environmental features as part of the parkland dedication. Selection of park land for dedication shall be at the discretion of the City Council based upon the policies and recommendations of the Comprehensive Plan and Comprehensive Park, Trails, and Open Space Plan. The City Council may vary from these requirements if a development demonstrates unique attributes sufficient for parks and open space included in the development.
- D. Lands to be dedicated shall not be located in drainage ways, floodplains, or ponding areas after the site has been developed.

**Subdivision 4. Land in Excess of Dedication Requirements.**

Where land requested for public use exceeds the amount legally and reasonably required by the City and the developer will not dedicate the additional amount, the City may consider an option or purchase of said additional amount of land.

**Subdivision 5. Standards for Accepting Dedication of Land.**

In addition to all the other requirements of this Section, all land to be dedicated to satisfy the park dedication requirements shall meet the following standards:

- A. The area dedicated shall meet the needs of the City as identified within the Comprehensive Plan and Comprehensive Parks, Trails, and Open Space Plan;
- B. The applicant, prior to Final Plat Approval, deliver to the City Attorney an Abstract of Title or Registered Property Abstract for all land to be dedicated, evidencing good marketable title without liens or encumbrances of any kind. It shall have a marketable title, free and clear of any mortgages, liens, encumbrances, assessments and taxes. The conveyance documents shall be in a form acceptable to the City;
- C. The required conveyance of land to be dedicated and any payment of cash equivalency in lieu of land dedication shall be made prior to filing of the final plat or granting of final approval;
- D. The removal of trees, topsoil, storage of construction equipment, burying of construction debris, or stockpiling of surplus soil on dedicated land is strictly forbidden without the written approval of the City.

**Subdivision 6. Required Improvements to Dedicated Lands.**

- A. Applicants shall provide finished grading and ground cover for all park, playground, and public open spaces within their development contract; and,
- B. Where dedicated park areas fall outside a developer's plat or subdivision, the developer shall establish monumental irons on all dedicated park properties for the purpose of identifying park boundaries. The developer shall also provide a certificate of survey, prepared by a registered land surveyor to the park and recreation department.

**ARTICLE 11. REQUIRED IMPROVEMENTS**

**Subdivision 1. Dedication of Land or Contribution in Cash for Public Purposes.**

In every plat or subdivision the developer may be required to dedicate land or make cash contributions for public streets, easements for sewers, electric, gas, water facilities, storm water drainage, holding ponds and similar utilities and improvements.

**Subdivision 2. Required Improvements.**

- A. The subdivider shall submit engineering plans and specifications satisfactory to the city for all required improvements, as listed or as specified in this chapter. These improvements must be initiated within one (1) year of final plat approval and completed within two (2) years.
- B. The following public improvements are required in every plat:
1. All subdivision boundary corners, block and lot corners, road intersection corners and points of tangency and curvature shall be marked with durable iron or steel monuments meeting the minimum requirements of state law. The city may, when a subdivision is essentially complete, require a development to have the plat re-staked to replace the original monuments destroyed or obliterated during the construction process.
  2. As a rule, the surface water discharge rate from the subdivision is to be retained at the predevelopment rate for a 2-year, 24 -hour; 10-year, 24-hour; and 100-year, 24-hour rain events through the use of surface water detention/retention facilities or other appropriate means as approved by the city engineer. All stormwater requirements are outlined within the Stormwater Management Ordinance.
  3. Every street shall have an adequate sub-base and shall be improved with a bituminous or concrete surface in accordance with the design standards specified by the city for urban or rural sections. Except in areas where lot widths exceed one hundred (100) feet or topography or tree cover dictates otherwise, grading shall provide for easy installation of sidewalks.
  4. Concrete curb and gutter shall be required for all urban street sections.
  5. Sidewalks and trails shall be required, in accordance with the standards presented herein.
  6. The subdivider shall be required to provide a connection to the public water system for every lot in the subdivision.
  7. Street lighting shall meet the following requirements:
    - a. Street lighting type and design shall be approved by the city prior to installation.
    - b. 100w High Pressure Sodium (HPS) lights shall be placed at intersections, cul-de-sacs and a maximum of 300 feet in-between.
    - c. All County Road intersections require a 150w HPS light.
    - d. All commercial lighting shall consist of 250w HPS lights. Total cut-off lighting fixtures (i.e. shoebox design) shall be used in commercial areas.
  8. If available, public sanitary sewer main and service connections shall be approved by the city engineer and installed to serve all lots in the subdivision.
  9. A system that will adequately accommodate the surface water runoff within the subdivision, as required by this chapter, shall be provided.
  10. Street signs of standard design approved by the city shall be installed at each street intersection before building permits will be issued. Regulatory signs shall be installed as required.
  11. Where any proposed plat adjoins a natural lake, pond, river or stream, including streams which flow only intermittently, the city may require that a strip of land running along all sides thereof which are contiguous to such lake, pond or stream, be dedicated to the city for public use, or subject to a perpetual easement in favor of the city for the purpose of protecting its hydraulic efficiency and natural character and beauty.
  12. All utility lines for telephone, cable tv, internet and electrical service shall be placed underground or where this is not feasible shall be placed in rear lot line easements when carried on overhead poles.

- C. Prior to the city signing the final plat and prior to the construction of any improvements, the developer shall provide the city with an irrevocable letter of credit or cash escrow to insure that all improvements required by this chapter will be installed and paid for at no expense to the City. For improvements to be installed by the developer, the developer is obligated to install and complete all such improvements at his own expense and under the supervision and inspection of the city. For improvements which the city agrees to install, the developer shall pay the cost of such improvements through payment of special assessments. As security to the city for installation of the improvements or the payment of the special assessments, the developer shall be required to file a cash escrow or an irrevocable letter of credit in an amount and form acceptable to the city to cover the cost of all public improvements and special assessments. All financial sureties shall be from a financial institution that is FDIC insured.

**ARTICLE 12. REPEAL**

Isanti Ordinance No. 254, as amended, entitled “An Ordinance Establishing Rules and Regulations of Plats and the Installation of Streets and Other Improvements Establishing Procedures for the Approval and Recording of Plats, and Regulating Subdivisions”, is hereby repealed as of the effective date of this Ordinance No. 536

**ARTICLE 13. EFFECTIVE DATE**

Isanti Ordinance No.536 shall take effect upon its adoption and publication in the City’s Official Newspaper.

Adopted by the Isanti City Council this \_\_\_\_ day of \_\_\_\_\_ 2020.

Attest:

\_\_\_\_\_  
Mayor Jeff Johnson

\_\_\_\_\_  
Katie Brooks Human Resources/City Clerk

Public Hearing Date: 10.20.20  
Publication Date:  
Effective Date:



## MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: October 20, 2020

SUBJECT: Concept Review

---

**Request:** Review and comments on development concept

**Overview/Background:**

The subject site is located on County Road 5 east of highway 65 and consists of 100.25 acres (currently 4 separate parcels). The lot breakdown is as follows:

- 58.4 acres            Zoned R-3A: (Low Density Family Residential) Guided Commercial
- 19.7 acres            Zoned R-3A, Guided Commercial
- 17.75 acres           Zoned R-3A, Guided Commercial
- 4.4 acres              Zoned B-3: (Neighborhood Business) Guided Neighborhood Commercial

The R-3A allows for single family, two-family and townhome development. The B-3 district allows for neighborhood commercial uses. Surrounding land is zoned R-1 single family residential and guided as low density residential and open space.

**Concept Plan:**

The concept plan shows a variety of Life Cycle Housing that would accommodate first time buyers, move-up buyers, and senior buyers and includes: Single Level Patio Home Villas (Parallel to Cty Rd 5) Multi-Level Detached Townhomes (Interior of Site) Single Family Homes (Site's South Region). The development would be a Planned Unit Development (PUD) and would use R-3A zoning regulations as a basis. The City Engineer has reviewed the concept and provided general comments.

The Planning Commission should comment and discuss the overall concept of changing the land use designation from commercial to residential. A residential development of this size should also go before the Park Board for direction on park dedication (fees and/or land). For this

development to happen the applicant would need to apply for Comprehensive Land Use Plan Amendment and rezoning (4.4 acres) and a preliminary and final plat. All of the above mentioned require a public hearing at the Planning Commission.

**Staff Recommendation:** no motion is necessary; the Commission should provide comments.

**Attachments**

- Location Map
- Concept narrative and plan
- Engineering comments



**CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, November 17, 2020  
7:30pm ZOOM meeting**

Pursuant to Minn Statute 13D.02, the public body has determined that the Planning Commission will not be able to hold the meeting in person due to the pandemic COVID-19. Pursuant to Minn Statute 13D.021, The Planning Commission will be holding the meeting via telephone, by using Zoom.

**The public can comment at the Planning Commission meeting by visiting this website:**

<https://zoom.us/j/92419558788?pwd=WFk4MVJVdXZ0NHJhQ2dOZUIDUVFrUT09>

or by calling into this number +1 (646) 558-8656 with this meeting ID: 924 1955 8788 and passcode 146681

**To mute and unmute during meeting press \*6**

- 1. Meeting Opening**
  - A. Call to Order
  - B. Pledge of Allegiance
  - C. Roll Call
  - D. Agenda Modifications
- 2. Meeting Minutes**
  - A. Approval of Minutes from October 20, 2020 Planning Commission Meeting
- 3. Public Hearing**
  - A. Ordinance Amending the City Zoning Code, Ordinance 445 Section 2: Definitions and Section 15: Fencing, Screening and Landscaping.
- 4. Other Business**
  - A. Sign Consideration for Best Western
- 5. Discussion Item**
- 6. Adjournment**

## CITY OF ISANTI

## PLANNING COMMISSION MEETING

TUESDAY, October 20, 2020

Immediately following the 7:00 P.M City Council Meeting:

**1. Meeting Opening**

- A. Call to Order: Chair Johnson called the meeting to order at 7:15 p.m.
- B. Pledge of Allegiance
- C. Roll Call: Members present: Jeff Johnson, Steve Lundeen, Jimmy Gordan, Paul Bergley, Arissya Simon.  
Members Absent: Dan Collison, Alexander Collins  
Staff present: Community Development Director Sheila Sellman, Community Development Specialist Ryan Saltis, City Engineer Jason Cook
- D. Agenda Modifications: None

**2. Meeting Minutes**

- A. Approval of Minutes from October 20, 2020 Planning Commission Meeting motion by Bergley, second by Collison motion passes 5-0.

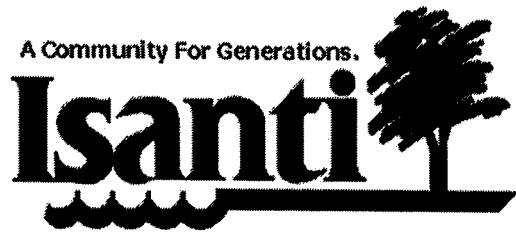
**3. Public Hearing**

- A. Ordinance Amending the City Code, Chapter 253 Rental Dwellings. Saltis explained that the rental dwelling section of City Code needs to be amended to update residency requirements and introduce fees for late submitted rental paperwork. Currently the code restricts owners of rental properties or their agents to reside in adjacent counties to Isanti County. This requirement is proposed to be removed to allow owners, landlords and agents to reside wherever. The advancements of technology and availability of local contractors make it easy to maintain a rental property remotely. The next amendment to the rental dwelling section involved introducing fees for rental paperwork submitted past deadlines. Currently in code, there are no late fees for submitting rental license renewal applications past the deadline, and it is proposed to add these fees to enforce a penalty for late submissions of paperwork. No one from the public was present to speak at the public hearing. The Planning Commission recommended approval of the ordinance amendments. Motion for approval of the ordinance amendments by Lundeen, 2<sup>nd</sup> by Gordon, motion passed 5-0.
- B. Ordinance Amending the City Zoning Code, Chapter 536 Subdivision. Sellman explained that the Subdivision ordinance should be amended to reflect current positions held by city staff. This would remove the language “City Planner and Zoning Administrator” and replace it with “Community Development Director or designee”. The final plats for subdivisions should only be reviewed by the City Council for approval, as the ordinance currently states that the Planning

Commission has to review final plats, which delays the approval process by one month. No one from the public was present to speak at the public hearing. Motion for approval to amend the Subdivision ordinance by Bergley, 2<sup>nd</sup> by Lundeen, motion passed 5-0.

4. **Other Business:** None
5. **Discussion Item:** Concept Plan. Sellman introduced a concept plan for a possible development located on County Rd 5 that would accommodate home buyers at all stages of life. The lot breakdown as well as current and future zoning of the parcels was discussed. Jay Roos from Paxmar Land Development was present at the meeting and spoke on behalf of the project. The planning commission asked questions to the developer regarding the project and seemed open to allowing for the future land use for the parcels to change from commercial to residential.
6. **Adjournment:** Motion by Lundeen, 2<sup>nd</sup> by Bergley to adjourn, motion passed 5-0 meeting adjourned at 7:31 p.m.

Respectfully submitted by Ryan Saltis, Community Development Specialist



MEMORANDUM

TO: Planning Commission

FROM: Ryan Saltis, Community Development Specialist

DATE: November 17, 2020

SUBJECT: Ordinance Amending the City Zoning Ordinance, Section 2: Definitions and Section 15: Fencing, Screening, and Landscaping

---

**Request:** Amend City Zoning Ordinance Section 2: Definitions and Section 15: Fencing, Screening, and Landscaping

**Overview/Background:** City Staff members have found language in the Fencing, Screening and Landscaping Section needed to be updated to reflect current job titles that the city holds and for soil requirements to refer to MNDOT Specifications. The definition for premium topsoil that is found in the Section 2 is accompanied by a premium topsoil chart, which could be updated by MNDOT periodically. Any updates for premium topsoil specifications from MNDOT would make this chart in the definitions section outdated.

**Amendment to Section 2: Definitions**

Currently in the Definitions section of the City Zoning Ordinances, a chart for premium topsoil is provided with language referring to MNDOT specifications standards Section 3877. City staff would like to have the language refer to the MNDOT specifications while leaving out the Section number that these specifications are found. This will prevent the city from having to change the language in the future, in case this section number or specifications change from MNDOT for premium topsoil requirements.

The following definition for Premium Topsoil shall be amended, and the chart removed from Section 2: Definitions:

Premium Topsoil

As defined by MNDOT specifications, ~~standard Section 3877, shall meet the following requirements~~

**TABLE 1: Premium Topsoil**

	Minimum (% of weight)	Maximum (% of weight)
Material Passing 2.0 mm (#10) Sieve	95%	****
Clay	10%	25%
Silt	25%	60%
Sand and Gravel	25%	60%
Organic Matter	5%	15%
pH	6.0	7.1
Soluble Salts	****	0.15 siemens/m

**Amendment to Section 15: Fencing, Screening, and Landscaping**

Currently, the City Zoning Ordinance refers to the Zoning Administrator or his/her designee. This language should get amended to refer to the Community Development Director or his/her designee, as this current position title should be referenced in the Zoning Ordinances.

**Staff Recommendation:**

Staff recommends approval of the Amendments to the City Zoning Ordinance Section 2: Definitions and Section 15 Fencing, Screening and Landscaping.

**Attachments:**

Ordinance XX

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND CITY ZONING CODE, ORDINANCE 445 SECTION 2:  
DEFINITIONS AND SECTION 15: FENCING, SCREENING, AND LANDSCAPING**

**The City Council of the City of Isanti does ordain:**

**Section 1 – Amendment.** Ordinance 445, Section 2: Definitions, and Section 15: Fencing, Screening and Landscaping are hereby amended as follows:

**Section 2: Definitions is amended and replaced with the following:**

Premium Topsoil

As defined by MNDOT specification standards, ~~Section 3877~~, shall meet the following requirements

**Table 1: Premium Topsoil**

	Minimum (% of weight)	Maximum (% of weight)
Material Passing 2.0 mm (#10) Sieve	95%	---
Clay	10%	25%
Silt	25%	60%
Sand and Gravel	25%	60%
Organic Matter	5%	15%
pH	6.0	7.1
Soluble Salts	---	0.15 siemens/m

**Section 15: Fencing, Screening, and Landscaping is amended and replaced with the following:**

Subdivision 1: General Provisions.

B. Maintenance. All fences shall be properly maintained, so as not to become unsightly, hazardous, or constitute a nuisance. Damaged and destroyed fences shall be removed and replaced within thirty (30) days upon written notice from the ~~Zoning Administrator~~ Community Development Director or his/her designee. All fences shall be maintained at the property owner's expense. The persons, firms, corporations, or individuals constructing or causing the construction of such fence shall be responsible for maintaining that part of the property between the fence and the property line.

## Subdivision 2: Residential Fences

B. Exceptions. The following exceptions apply to residential fences.

4. Screening fences, as required by Chapter 227, Article II of the City Code of the City of Isanti; for screening of stored recreational vehicles within the side or rear yard shall meet one of the following acceptable screening options: (Ord. No. 608) a. A fencing screen per Subdivision 4(A) of this Section and shall obscure from view at ground level any neighboring property or public street by at least 80% of the area. b. Installation of a planting screen. Where natural materials, such as trees or hedges are approved in lieu of required screening by means of walls or fences, density and species of planting shall be such to achieve 80% opaqueness year-round from view at ground level at any neighboring property or public street.

- (1) Acceptable plantings include arborvitae, upright juniper, upright yew, fountain hemlock, or other species approved by the ~~Zoning Administrator~~ Community Development Director or his/her designee.
- (5) All planting screens shall be reviewed and approved by the ~~Zoning Administrator~~ Community Development Director or his/her designee.
- (6) Planting screens shall be maintained in a healthy condition. Dead material shall be removed and replaced within thirty (30) days upon written notice of the ~~Zoning Administrator~~ Community Development Director or his/her designee.

## Subdivision 4: Screening Fences and Planting Screens

B. Planting Screens.

3. Planting screens shall be maintained in a healthy condition. Dead material shall be removed and replaced within thirty (30) days upon written notice of the ~~Zoning Administrator~~ Community Development Director or his/her designee.

## Subdivision 5: Landscaping Requirements

C. Residential Requirements. In addition to the general requirements noted, properties located within residential districts, shall be subject to the following regulations.

1. Soil Requirements. All disturbed areas that are not planned to receive an impervious surface shall be graded and finished with a minimum layer of four (4) inches of Premium Topsoil that is screened, pulverized and

incompliance with the requirements as defined by MNDOT specifications, ~~Section 3877 and as defined within Section 2 of this Ordinance.~~

- a. The topsoil shall be hauled from a pre-approved source certified by the Minnesota Department of Transportation or the material shall be tested by an independent laboratory hired by the applicant, ~~and approved by the City prior to hauling any material within the City limits. Lists for both certified sites as well as testing facilities can be obtained from the Building Official or City Engineer.~~ Any material tested that is not within MNDOT Standards ~~the limits identified in the table provided in Section 2 of this Ordinance, thus meeting the definition of Premium Topsoil~~ will be considered not in compliance and rejected from use within the City limits.

**EFFECTIVE DATE:**

This ordinance takes effect upon its passage and publication in the official newspaper of the City of Isanti.

Adopted by the Isanti City Council this \_\_\_\_ day of \_\_\_\_\_, 2020.

---

Mayor Jeff Johnson

Attest:

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Katie Brooks  
Human Resources/City Clerk

Posting Date:

CC Reading Date:

Publication Date:

Effective Date:



## MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: November 17, 2020

SUBJECT: Sign Consideration for Best Western

---

**Request:** Best Western is requesting consideration of a pylon sign that was denied by previous administration.

**Overview/Background:** The Development Operations and Advisory Committee (DOAC) met in November 2019 to discuss Best Western's freestanding sign. The DOAC has since been dissolved but at that time they reviewed the pylon sign and denied the sign Best Western proposed. The memo is attached for reference. The memo is from the previous Community Development Director he states the Community Development Department "has enforced strict pylon sign regulations to enhance the aesthetics of the TH-65 corridor. All signs either have a brick base or a brick pole cover."

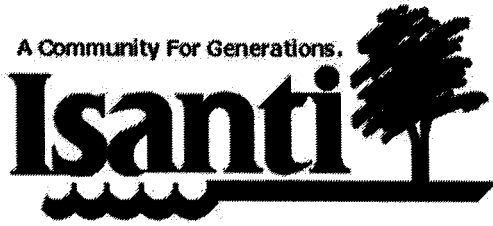
Best Western is located in the TH-65 Overlay District. Highway 65 provides the main entrance into Isanti from the north and south. It is the purpose of this district to enhance the first impression of Isanti through development of a corridor that is inviting, visually appealing and a place that community members want to visit and passersby want to stop. This district is designed and intended to promote the development of an attractive view of the community from Highway 65 through architectural and signage controls, landscaping, screening, building orientation and other features. However, the sign code does not provide design specifics. The code allows a 200 square foot freestanding sign with a maximum height of 45 feet. Based on the purpose of this district it makes sense to hold the signage to a higher standard. Past administration has required freestanding signage along the corridor to have a brick base or brick pole cover and required the same for Best Western.

Best Western recognizes the desire of the district but it is not a code requirement nor called out in their development agreement to provide a sign with a brick base. They have proposed a compromise with the proposed sign. They propose to do a pylon sign that has aluminum skirting on the base, not brick. This is similar in appearance to Strikes Funeral Home's sign.

**Staff Recommendation:** Staff seeks direction on this item. If the Planning Commission and Council would like to keep requiring higher sign standards along the TH-65 corridor then the ordinance should be amended to reflect this requirement.


**Attachments**

- DOAC memo
- Best Western Sign
- Site Plan
- Pictures of other signs



## MEMORANDUM

TO: DOAC

FROM: Ryan Kernosky, Community Development Director 

DATE: November 19, 2018

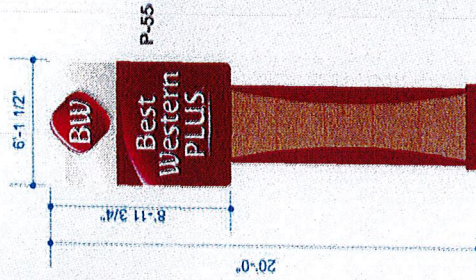
SUBJECT: **BEST WESTERN PYLON SIGN**

---

The Community Development Department has enforced strict pylon sign regulations to enhance the aesthetics of the TH-65 corridor. All signs either have a brick base or a brick pole cover (minus O'Reilly's, which is working on correcting their sign).

Best Western Plus has submitted a basic pole sign for installation. In trying to keep consistency with what the City has required in the past, I informed them that they need to provide a more aesthetically consistent sign with the rest of the corridor. They have inquired whether or not doing landscaping around the sign would suffice and have submitted a landscaping plan.

I'm asking for DOAC to review the proposed landscaping and provide direction. I would recommend that we require the brick pole cover, similar to what O'Reilly's, Allina, and Coborn's.



DRAWING NO.  
**103605.00**  
 APFST: PAAJ DATE: 08-18-20  
 SHEET: 5 OF 3

BEST WESTERN PLUS 24-145  
 409 MAIN STREET EAST  
 ISANTI, MN

Rev. #1	Rev. #2	Rev. #3	Rev. #4	Rev. #5	Rev. #6

CUSTOMER APPROVAL:  
 DATE: \_\_\_\_\_

THIS IS AN ORIGINAL UNREVISED DRAWING CREATED FOR YOUR PERSONAL USE IN CONNECTION WITH A PROJECT PLANNED FOR YOU BY CUMMINGS. IT IS NOT TO BE SHOWN OUTSIDE YOUR ORGANIZATION NOR REPRODUCED, COPIED OR EXHIBITED IN ANY MANNER UNLESS AUTHORIZED IN WRITING BY AN OFFICER OF CUMMINGS.



Drawing No.  
**BWPL-PY204X0059.120A**

**P35**

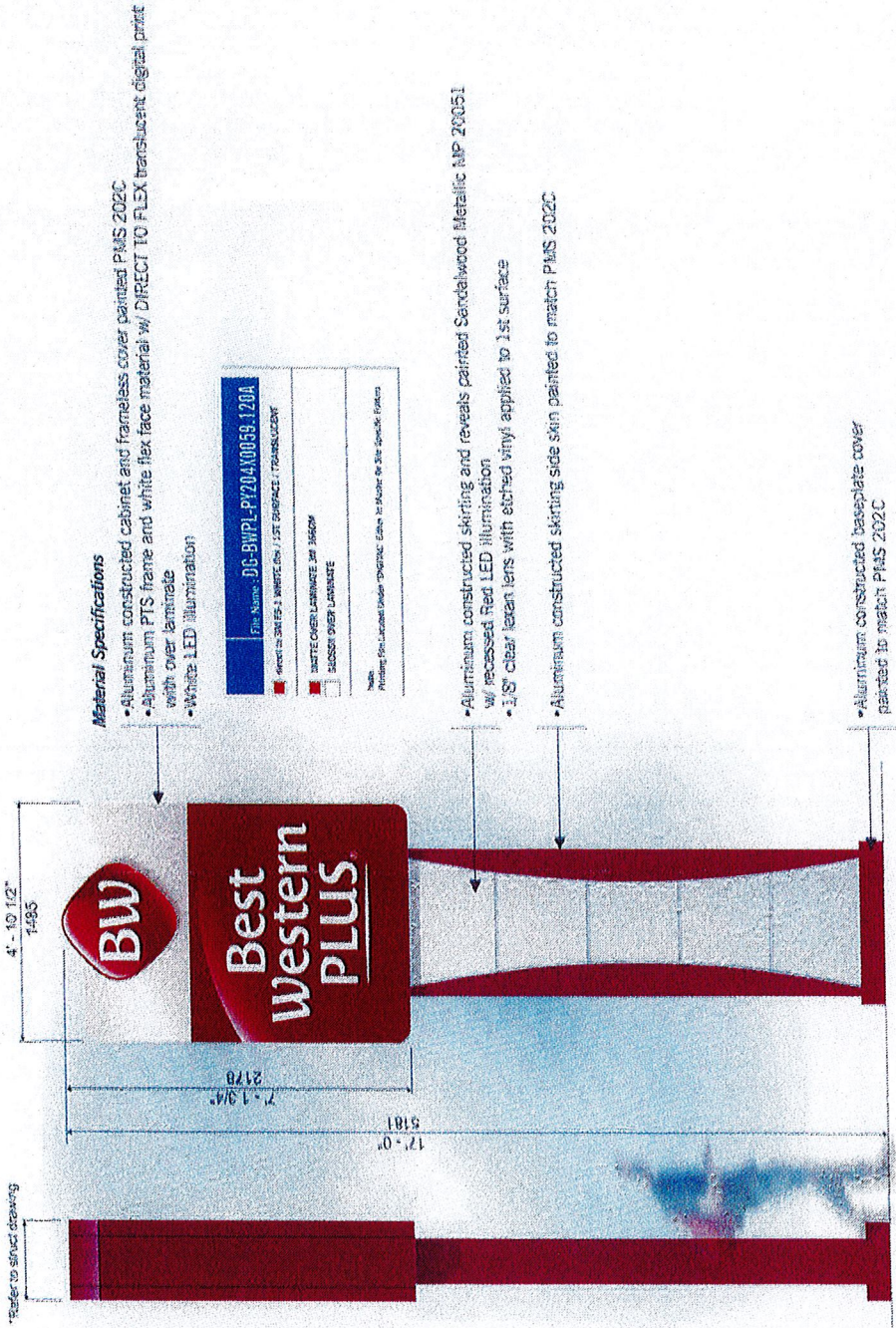
**Electrical Requirements**  
 120V

Color Accuracy: Minimum 90% Color Accuracy  
 Color Fidelity: Minimum 90% Color Fidelity  
 Color Reproduction: Minimum 90% Color Reproduction  
 Color Contrast: Minimum 90% Color Contrast  
 Color Brightness: Minimum 90% Color Brightness  
 Color Saturation: Minimum 90% Color Saturation  
 Color Contrast: Minimum 90% Color Contrast

Production: 1/2016  
 Assembly: 1/2016

CLIENT APPROVAL  
 REVISION DATES:

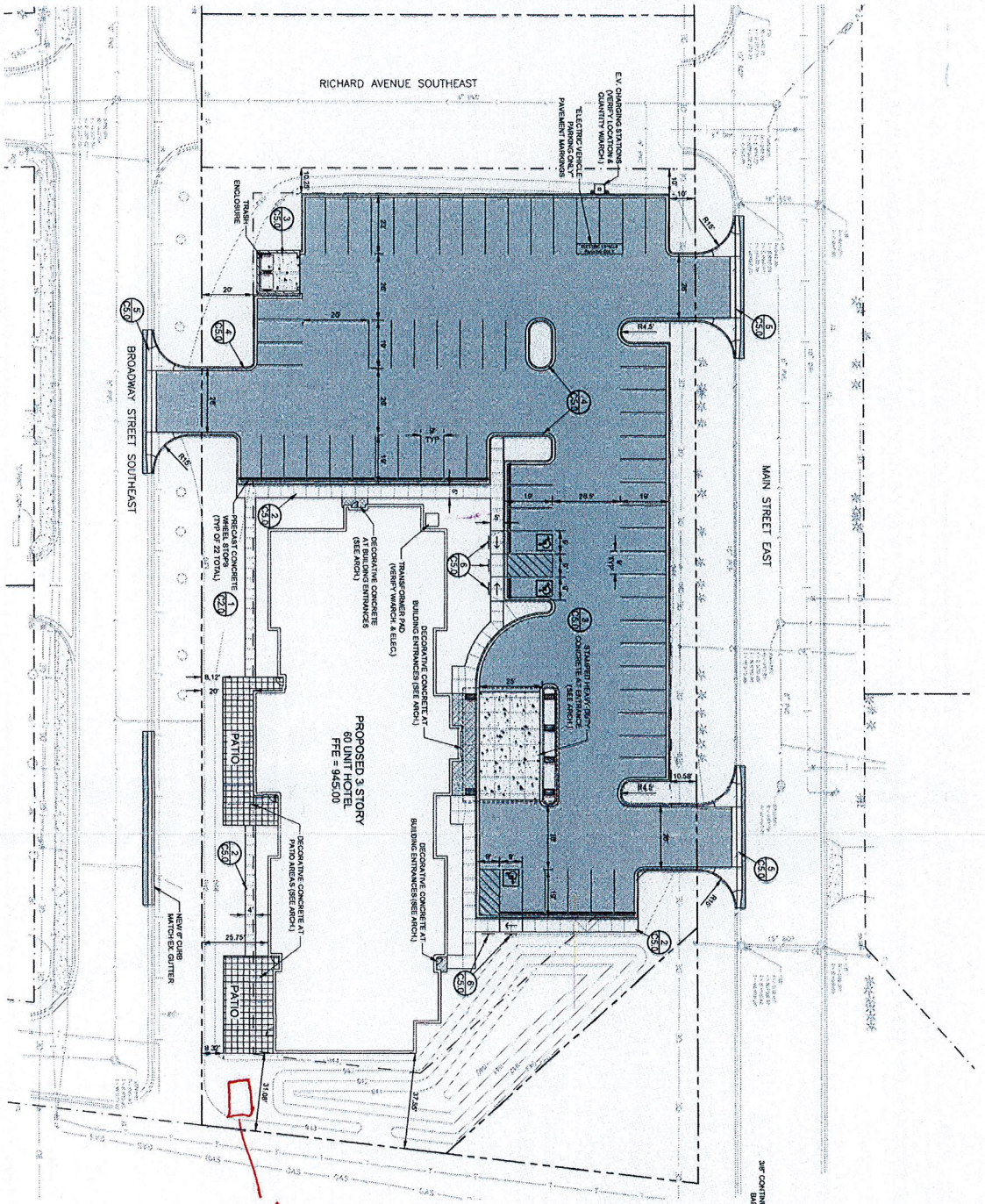
DRAWN BY: B. Ketch  
 DATE: April 6, 2016



D/S Specialty Mid-Rise Pylon  
 South, N.Y.S.

**PRIDE SIGNS** **sac face**

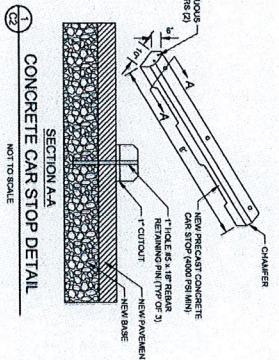
2350 PROVERB ROAD COLUMBIANA, OHIO 43084 TEL: 614.864.1466 FAX: 614.864.1457 #PAC0005943.0216



*See location  
SRT BACK 10 FEET  
FROM PARKING LANE*

**SYMBOL LEGEND**

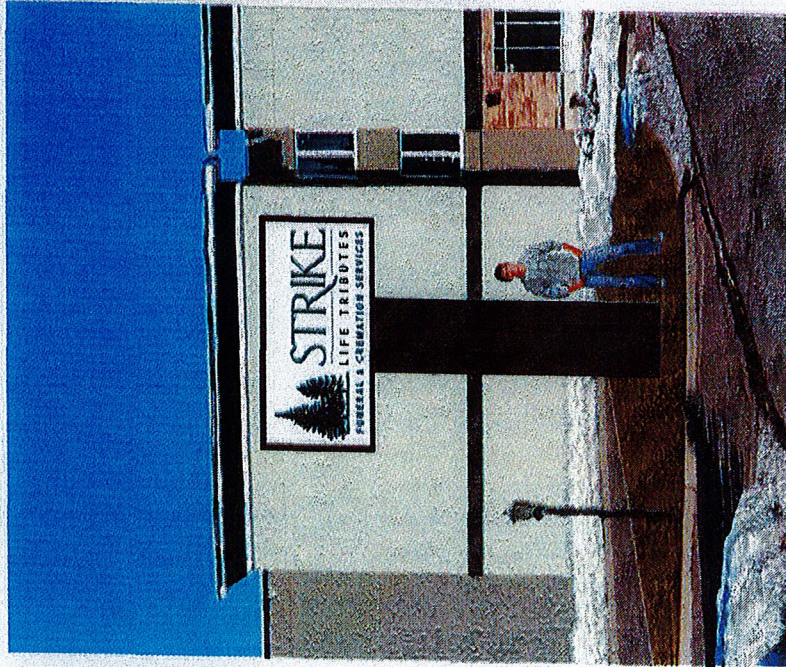
	NEW 4' REINFORCED PARKING CURB
	NEW 4' RAISED AGGREGATE BASE
	NEW 4' CONCRETE SIDEWALK OVER EXISTING CONCRETE BASE
	NEW 4' CONCRETE PARKING CURB OVER EXISTING AGGREGATE BASE



<p><b>C2.0</b></p> <p>PAVING AND DIMENSION PLAN</p> <p>Scale: 1/8" = 1'-0"</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Rev.</td> <td>Date</td> <td>Description</td> </tr> <tr> <td>1</td> <td>11/21/17</td> <td>CONCRETE</td> </tr> <tr> <td>2</td> <td>12/12/18</td> <td>REV. CHANGING</td> </tr> </table> <p>Project # 17-001-001          Drawing # 004          Issue Date 12/18/17          Sheet 124</p>	Rev.	Date	Description	1	11/21/17	CONCRETE	2	12/12/18	REV. CHANGING	<p>Project Title</p> <p><b>BEST WESTERN PLUS HOTEL &amp; SUITES</b>          ISANTI, MN</p>	<p>Client</p> <p><b>ISANTI HOTEL PARTNERS, LLC</b>          415 3RD STREET NORTH, SUITE 100          WAITE PARK, MN 56387</p>
Rev.	Date	Description									
1	11/21/17	CONCRETE									
2	12/12/18	REV. CHANGING									
<p><b>Larson Engineering, Inc.</b>          816 West St. Germain Street          Suite 308          St. Cloud, MN 56301          320.774.1944          www.larsonengr.com</p> <p>© 2017 Larson Engineering, Inc. All rights reserved.</p>											



ELECTRICAL: THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 605 OF THE NATIONAL ELECTRICAL CODE AND OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND TIGHTENING OF THE SIGN.

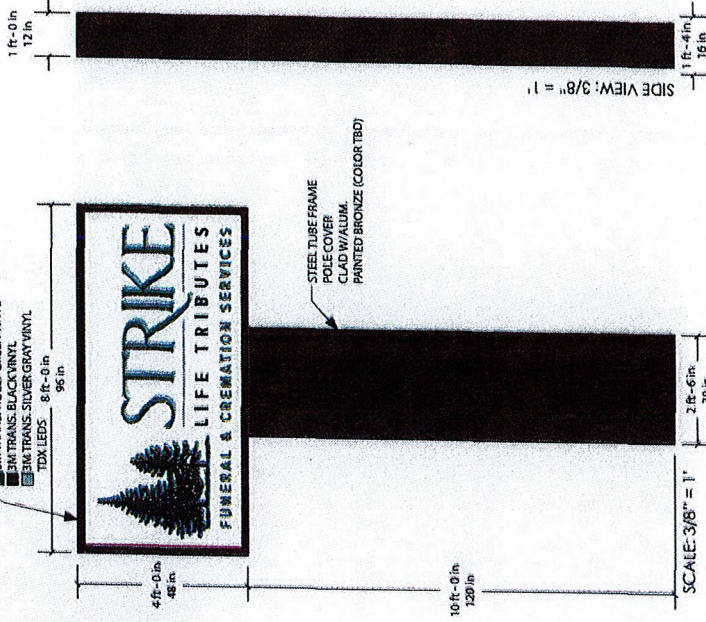


AFTER - 1/4" = 1'



BEFORE - NOT TO SCALE

- 1" CONVENTIONAL CABINET
- 2" CABINET
- PAINTED BRONZE (COLOR TBD)
- WHITE LEVANCE
- EM TRANS. HOLLY GREEN VINYL
- EM TRANS. BLACK VINYL
- EM TRANS. SILVER GRAY VINYL
- TOX LEDS 8 ft-0 in 96 in



VIEW FROM HIGHWAY →  
ON NEXT PAGE







 **MEMBERS**  
COOPERATIVE CREDIT UNION

NORTH AMERICAN  
TITLE COMPANY

 **GREATER  
MIDWEST**  
Realty

**GREATER MIDWEST  
REALTY**

**LEASE SPACE  
AVAILABLE**



AltraHealth  
CLINIC



**CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, December 15, 2020  
7:30pm ZOOM meeting**

Pursuant to Minn Statute 13D.02, the public body has determined that the Planning Commission will not be able to hold the meeting in person due to the pandemic COVID-19. Pursuant to Minn Statute 13D.021, The Planning Commission will be holding the meeting via telephone, by using Zoom.

**The public can comment at the Planning Commission meeting by visiting this website:**

<https://zoom.us/j/96351399907?pwd=VXFOeFYyTXdhRkl2ZVBDM3RwSHNXUT09>

Or by calling this number +1 (312) 626-6799 with this Meeting ID 963 5139 9907  
Passcode: 121498

**To mute and unmute during meeting press \*6**

- 1. Meeting Opening**
  - A. Call to Order
  - B. Pledge of Allegiance
  - C. Roll Call
  - D. Agenda Modifications
  
- 2. Meeting Minutes**
  - A. Approval of Minutes from November 17, 2020 Planning Commission Meeting
  
- 3. Public Hearing**
  - A. Ordinance Amending the City Zoning Code, Ordinance 445 Section 16 signs
  - B. Ordinance Amending the City Zoning Code, Ordinance 445, Section 6 Residential Districts
  
- 4. Other Business**
  
- 5. Discussion Item**
  - A. Concept Plan
  
- 6. Adjournment**

CITY OF ISANTI  
PLANNING COMMISSION MEETING  
TUESDAY, November 17, 2020  
ZOOM meeting

1. **Meeting Opening**

- A. **Call to Order:** Chair Johnson called the meeting to order at 7:45pm
- B. **Pledge of Allegiance**
- C. **Roll Call:** Commissioners present: Jeff Johnson, Paul Bergley, Jimmy Gordon, Steve Lundeen, Dan Collision, Arissya Simon. Staff present: Sheila Sellman Community Development Director. Absent: Commissioner Alexander Collins
- D. **Agenda Modifications:** None

2. **Meeting Minutes**

- A. Approval of Minutes from October 20, 2020 Planning Commission Meeting: Motion by Lundeen, second by Bergley to approve, motion passed 6-0.

3. **Public Hearing**

- A. Ordinance Amending the City Zoning Code, Ordinance 445 Section 2: Definitions and Section 15: Fencing, Screening and Landscaping: Sellman gave the presentation regarding soil and sod requirements, this amendment is more of a housekeeping that removes MNDOT specification numbers and just references MNDOT Specs rather than a specific number. No one from the public spoke on this item. Motion by Lundeen, second by Bergley to approve the amendment. Motion passed 6-0.

4. **Other Business**

- A. Sign Consideration for Best Western: Sellman explained that Best Western applied for a free-standing sign permit and was denied by past administration because it did not have a brick base. The hotel is located in the HWY 65 overlay and should be held to higher development standards however the sign code does not specify what that is. The hotel proposed a freestanding sign with a solid base but not of brick. The Planning Commission discussed the base and agreed it should be solid and should be similar to what the other businesses in that district have done (Coborns, Oreilly etc) The Commission agreed to what the hotel proposed with the addition of a small brick base with landscaping around it. The Commission directed staff to draft an ordinance amendment for the HWY 65 overlay sign requirements. Motion by Dan to approve the sign as presented with the addition of a 2-3 layer brick base with landscape around it, second by Lundeen, motion passed 4-2. Bergley and Gordon voted no against the extra requirements, what they proposed is fine.

5. **Discussion Item**

- Commissioner Collins request of absence: Commissioner Collins requested a leave of absence from the Planning Commission and has missed a few meetings prior to the request. He said he should be back in December. Complicaitons with COVID has kept him out of the country. Motion by Lundeen, second by Gordon/Collison to allow the leave of absence and revisit in January. Motion passed 6-0.

6. **Adjournment:** Motion to adjourn by Bergley, second by Collins to adjourn, motion approved 6-0, meeting adjourned at 8:33pm.



## MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: December 15, 2020

SUBJECT: Ordinance Amendment – Section 16 Signs

**Request:** Amend the sign code to set parameters for freestanding signs in the HWY 65 Overlay District.

**Overview/Background:** Highway 65 provides the main entrance into Isanti from the north and south. It is the purpose of this district to enhance the first impression of Isanti through development of a corridor that is inviting, visually appealing and a place that community members want to visit and passersby want to stop. This district is designed and intended to promote the development of an attractive view of the community from Highway 65 through architectural and signage controls, landscaping, screening, building orientation and other features. However, the sign code does not provide design specifics. The code allows a 200 square foot freestanding sign with a maximum height of 45 feet. Based on the purpose of this district it makes sense to hold the signage to a higher standard. Past administration has required freestanding signage along the corridor to have a brick base or brick pole cover. At the November Planning Commission meeting the Commission considered a freestanding sign for Best Western and at that meeting the Commission directed staff to come back with a draft ordinance amendment that would create design standards for freestanding signs in the highway 65 overlay district.

Landscaping around the base is already a sign code requirement for freestanding signs, staff is not recommending any changes to that. Staff suggests adding the following language to Subdivision 5 C Development Standards, Freestanding signs:

5. Trunk Highway 65 Overlay District additional Freestanding sign Standards:

a. The base of the sign shall be enclosed with brick or a material that matches the main building on which the sign is for. If the sign has a double pole structure a minimum four-foot brick (or established material) base is required.

**Staff Recommendation:**

Staff recommends approval

**Attachments**

Draft Ordinance

**ORDINANCE XXX**  
**ORDINANCE AMENDING THE CITY ZONING CODE, ORDINANCE 445, SECTION 16 SIGNS.**

**THE CITY OF ISANTI DOES ORDAIN:**

**I. AMENDMENTS**

Subdivision 5: Development Standards

C. Freestanding Signs.

1. A maximum of one (1) freestanding sign is permitted, with the exception of a business center greater than two (2) acres. One (1) freestanding sign per three (300) feet of zoning lot frontage may be located not less than three hundred (300) feet from any other freestanding sign for the same center.
2. The maximum area and height of a freestanding sign are shown below for the zoning district in which the sign is located.

<b>Zoning District</b>	<b>Square feet of Sign Area</b>	<b>Height</b>
R-1, R-2, R-3A, R-3B	8	4
R-4	24	4
B-2	120	35
TH 65 Overlay	200	45
B-3, RC	100	12
I-1	100	25
Heritage Overlay	110	30

3. Landscaping requirements. A dense clustering of plantings, with a minimum area of one (1) square foot per square foot of sign face for a double-faced sign or two (2) square feet per square foot of sign face for a single-faced sign. The plantings shall include evergreens and may include perennials, annuals, and other varieties of plantings. The line of sight of the sign must not be compromised by the height of the landscaping.
4. No part of a freestanding sign shall be within ten (10) feet of the property line.

5. Trunk Highway 65 Overlay District additional Freestanding Sign Standards:

- a. The base of the sign shall be enclosed with brick or a material that matches the main building on which the sign is for. If the sign has a double pole structure a minimum four-foot brick (or established material) base is required.

**II. EFFECTIVE DATE**

This ordinance shall take effect upon its adoption and publication in the City's Official Newspaper. Adopted by the City Council this \_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Mayor Jeff Johnson

Attest:

\_\_\_\_\_  
Katie Brooks, Human Resources/City Clerk



## MEMORANDUM

TO: Planning Commission

FROM: Sheila Sellman, Community Development Director

DATE: December 15, 2020

SUBJECT: Ordinance Amendment – Section 6 Residential Districts

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**Request:** Amend the R-3A district to allow Fire Station as a permitted use.

**Overview/Background:** Currently the R-3A district allows Public buildings as a conditional use, according to the definition fire stations are a public building or use. Per the sale of the fire station it was agreed the ordinance would be amended to include fire station as a permitted use. Having Public building or use as a conditional use will remain in the ordinance but it will specifically list Fire Station as a permitted use.

**Staff Recommendation:**  
Staff recommends approval

### Attachments

- Draft Ordinance

**ORDINANCE XXX**

**ORDINANCE AMENDING THE CITY ZONING CODE, ORDINANCE 445,  
SECTION 6 ADDING FIRE DEPARTMENT TO R3-A ZONING DISTRICT.**

**THE CITY OF ISANTI DOES ORDAIN:**

**I. AMENDMENTS**

**Subdivision 2: Permitted Uses**

The following are permitted uses:

K. Fire Station

**II. EFFECTIVE DATE**

This ordinance shall take effect upon its adoption and publication in the City's Official Newspaper.

Adopted by the City Council this \_\_\_ day of \_\_\_\_\_, 2021.

---

Mayor Jeff Johnson

Attest:

---

Katie Brooks, Human Resources/City Clerk



## MEMORANDUM

TO: Planning Commission

FROM: Ryan Saltis, Community Development Specialist

DATE: December 15, 2020

SUBJECT: Concept Plan Review – Fairview Greens North Development

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**Request:** Provide comments regarding the concept plan for a proposed development labeled “Fairway Greens North”.

**Overview/Background:** City Staff has received a sketch/concept plan for a proposed housing development located northeast of MN Hwy 65 and Cajima St NE. The developers, Homepride Inc, currently own three parcels of land in this area, with two parcels being 40 acres in size and a parcel to the west of these being 1.92 acres in size. The two 40-acre parcels are currently zoned R-1, Single Family Residential and the small parcel is zoned R-3A, Low Density Multiple Family Residential. The comp plan guides these parcels as low density residential. The concept plan shows the PUD consisting of 174 lots over the two 40-acre parcels, for a total of 80 acres.

The concept shows the development constructed in phases of roughly 30-35 lots per phase. As proposed the development will include a variety of single-family homes from walk-out and look-out homes and varying lot sizes throughout the development. Smaller lot sizes of roughly a quarter acre (10,900 square feet) are displayed on the concept plan overlooking the Sanbrook Golf Course, directly to the east of the project. Larger lots of roughly 1-2 acres are proposed in various locations on the concept plans as well. Minimum lot widths proposed for the project are 60 ft and will go up to a maximum lot width of 80 ft. The R-1 district requires a minimum lot size of 11,000 square feet with a lot width of 80 feet or 95 feet for a corner lot. There are a couple lots this will need to be reconfigured as they appear to be covered completely by easement and a couple that might not be buildable as shown.

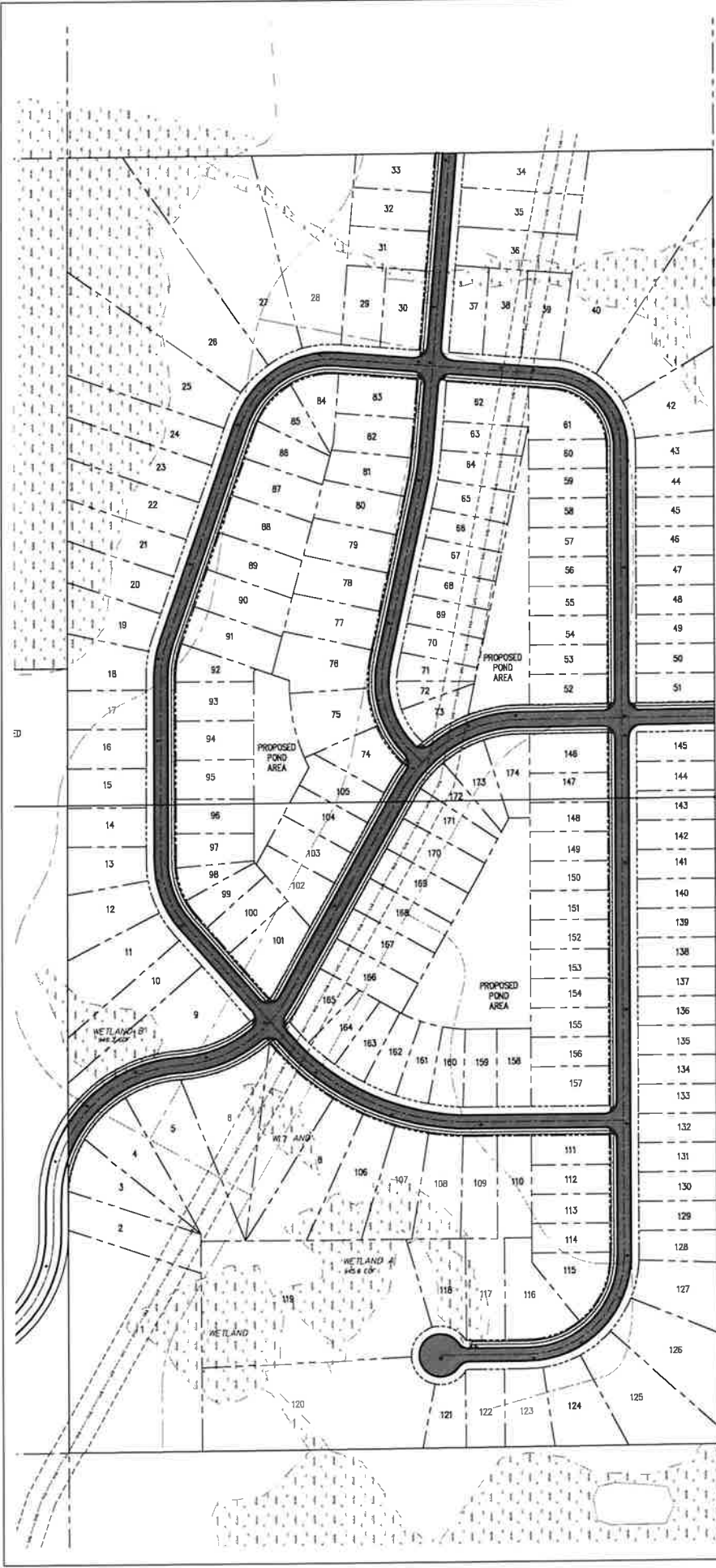
The concept plans illustrate three stormwater ponding areas near the center of the development that will conform to the MPCA General Stormwater Permit. Wetlands are present in areas of the proposed development that will make some lots unbuildable. City utilities including water and sanitary sewer will need to be extended from Cajima Street. Currently there is a gas easement running through the middle of the proposed development, that will prevent the installation of fences, trees and landscaping on the lots that surround it. The developer should contact the gas company to discuss if driveways will be permitted over the easement and what type of documentation that will require.

The street network will also be extended north from 7<sup>th</sup> Ave NE, where there is currently a temporary cul-de-sac. A temporary cul-de-sac is needed at the far north end of the development where the street extension ends, for a proper turn around point.

The parcels intended for development will have landscaping obstacles to get around prior to houses being built in the proposed areas. Specifically, the northwest end of the site is heavily wooded, as well as the south end of the site, with wetlands also present. A tree preservation plan will be needed for the project and if a significant amount of trees are proposed to be removed from the site, a reforestation plan will need to be implemented. The City recognizes that the preservation and replanting of trees is important in maintaining a healthy and desirable community and finds that it is in the best interest of the City to protect, preserve, and enhance the natural environment of the community. Tree preservation for the site shall follow Section 9 of the city's subdivision ordinance.

**Attachments:**

- Development Concept Plans
- Developer's E-mail
- Engineer's Comments Memo



**WARNING**  
 LOCATION OF ALL UNDERGROUND UTILITIES SHALL BE DETERMINED BY THE CONTRACTOR.  
 CALL BEFORE DIGGING.  
 MINNESOTA  
 ONE-CALL SYSTEM  
 1-800-252-1166  
 REQUIRED BY  
 MN STATUTE 216D

- LEGEND**
- CURB & GUTTER
  - STIMULANUS PAVEMENT
  - CONCRETE PAVEMENT
  - TURF & SEED
  - CLAY LINER
  - 30% STONE
  - DETENTABLE MANNING
  - ENTRANCE WETLAND

- SHEET NOTES**
1. PREPARE FIRM DAMAGE ALL SURFACES OUTSIDE THE CONSTRUCTION LIMITS. RESTORE ALL DISTURBED AREAS DUE TO CONSTRUCTION ACTIVITIES TO PRECONSTRUCTION CONDITION UNLESS OTHERWISE NOTED IN THE DRAWINGS.
  2. ADJUST ALL DISTANCES, WALL THICKNESSES AND JUNCTION BOXES TO FINISH GRADE.
  3. PROVIDE STIMULANUS THICK CHASE BETWEEN PROPOSED STIMULANUS PAVEMENT AND ALL ADJACENT CONCRETE OR STIMULANUS SURFACES.
  4. PROVIDE STIMULANUS THICK CHASE BETWEEN THE WEARING AND HIGH-WEARING COURSES FOR ALL PROPOSED STIMULANUS PAVEMENTS.
  5. PROVIDE STIMULANUS PAVEMENT TO PROPOSED POND AREAS ALONG A WEIR LINE AND FULL DEPTH. SAW CUT ALL EXISTING CONCRETE PAVEMENTS OF CURB AND THE NEAREST EXISTING JUNCTION.
  6. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE TO BACK OF CURB.
  7. ONLY PLACE FILL MATERIALS ON COMPACTED, UNDISTURBED SUBGRADE.
  8. PLACE EXPANSION JOINTS AT 80 FOOT INTERVALS ALONG CONCRETE PAVEMENT.

SUBJECT	SKETCH PLAN	PROJECT #:	200645
C401	FAIRWAY GREENS NORTH	CHECK BY:	DRAWN BY:
OAK GROVE, MN		<p><b>PRELIMINARY</b> NOT FOR CONSTRUCTION -4-2020</p>	
NO. DATE		COMPANY: HOMEPRIDE, INC. 1500 211th Ave NW Oak Grove, MN 55011	CONTACT: (763) 441-8800 (763) 441-8800 27100 132nd Ave S, Ste 201, Weyburn, NE 68391

## Sheila Sellman

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**From:** Adam Besse <Adam.Besse@lhbcorp.com>  
**Sent:** Friday, November 20, 2020 1:38 PM  
**To:** Sheila Sellman  
**Cc:** Michael Jost  
**Subject:** Fairway Greens North Sketch Plan Review  
**Attachments:** 200645 C401 Surfacing Plan-C401-SKETCH PLAN.pdf

Sheila,

Please find the attached sketch plan for your review. Per our discussion, we will get the escrow money over to you early next week. Please find the below description of the project.

The Owner plans to subdivide the 80-acre parcel, located on the north side MN HWY 65 at the end of Cajima Street, into quarter acre lots as part of a Planned Unit Development (PUD). This development will include a variety of single-family homes with a preference on walk- out and look-out lots where practicable. The project will be constructed in phases of 30-35 lots each. The full development will occur over several years with the sketch plan, Preliminary Plat, and phase one Final Plat and Construction Drawings to be completed winter of 2020-2021. The development will include stormwater management conforming to the MPCA General Stormwater Permit, and City Ordinance. City utilities including water and sanitary sewer will be extended from Cajima Street.

Please let me know if you have any questions.

Best regards,

**Adam Besse, P.E.\* – Senior Civil Engineer**  
701 Washington Avenue North, Suite 200, Minneapolis, MN 55401  
Direct 612.766.2849 | Cell 701.213.7865  
[LHBcorp.com](http://LHBcorp.com)

**LHB, Inc. | PERFORMANCE DRIVEN DESIGN.**

\*Registered in MN



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& MENK**

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Fax: (763) 427-0833  
Bolton-Menk.com

## MEMORANDUM

**Date:** December 1, 2020  
**To:** Sheila Sellman, Community Development Director  
**From:** Jason W. Cook, P.E.  
City Engineer  
**Subject:** Fairway Greens North – Preliminary Sketch Plan Review  
City of Isanti, MN  
Project No.: R13.120117

We have reviewed the preliminary layout entitled “Fairway Greens North – Sketch Plan” submitted on November 20, 2020 by LHB Corp.

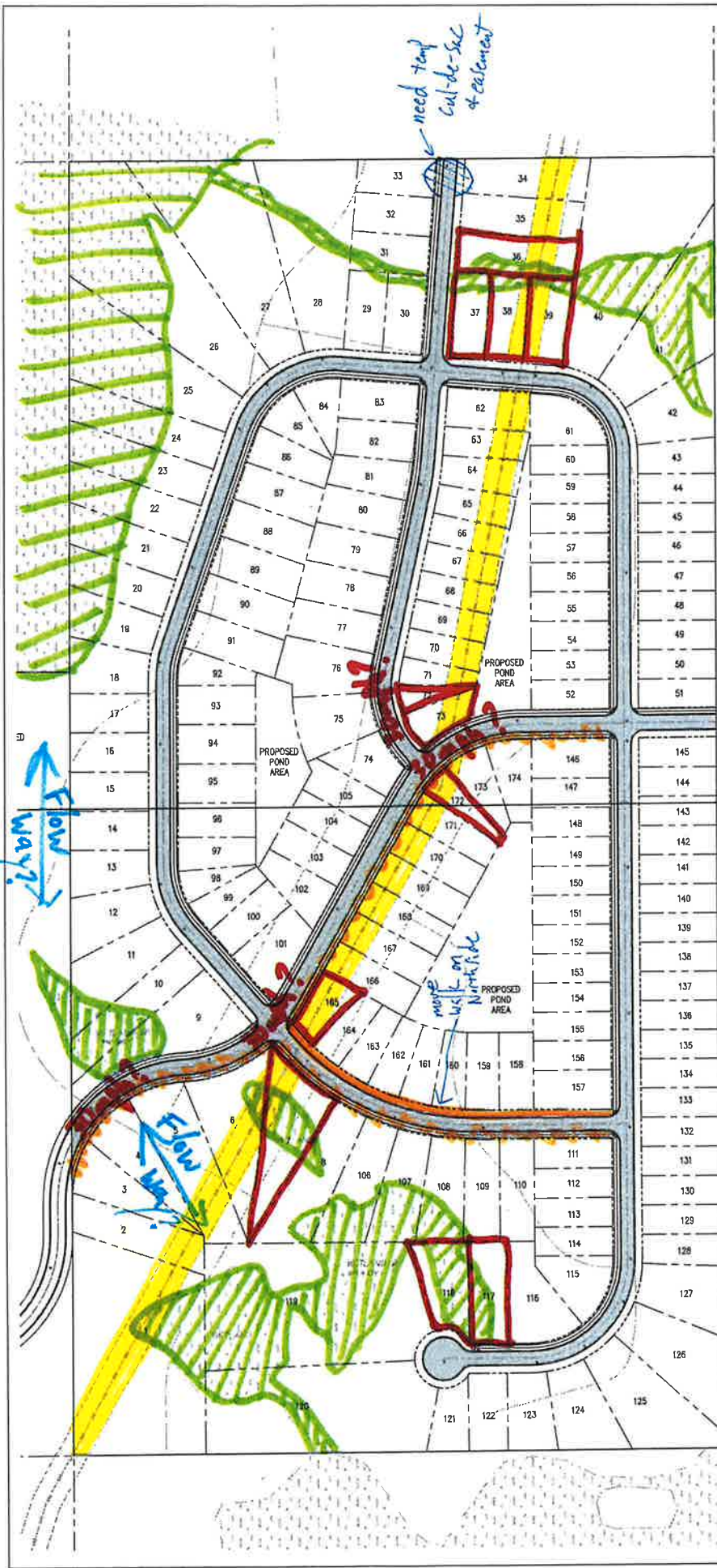
The sketch layout includes 174 parcels with proposed roadways, sidewalks, and ponding locations.

We have reviewed the submitted sketch plan and have the following comments:

### Sketch Plan:

1. Multiple lots do not appear to be buildable or meet minimum buildable area requirements.
  - a. See red parcels marked up in the attached.
    - i. Wetland mitigation for individual parcel layout is more difficult than for proposed roadways.
2. Verify sanitary, water, and storm will have grade to service the site and not conflict with the existing gas line.
3. The gas easement marked in yellow on the attached will not allow fences, trees, or landscaping in the easement. This applies to the front of some lots and the back of others.
4. Sidewalks should be on the north or west side where possible. Attached is a markup of the recommended revisions.
5. A temporary cul-de-sac will be required on the north dead-end roadway. This will also require a temporary easement.
6. A flow-way/wetland was identified in previous wetland delineations. This is not shown on the sketch plan and may impact the constructability of some lots to maintain the flow-way. (specifically lots 4 or 5)
7. Verify through roads have 30 mph horizontal curve lengths.

Please contact me if you have any questions.



**WARNING**  
 LOCATION OF ALL UNDERGROUND UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR.  
 CALL BEFORE DIGGING  
 MINNESOTA  
 ONE-CALL SYSTEM  
 1-800-252-1166  
 REQUIRED BY  
 MN STATUTE 216D

do these meet buildable lot requirements?  
 add walk  
 remove walk

difficult to do wetland mitigation for individual lots (67, 8, 76, 117, 118)  
 no fences or landscaping or trees in Gas easement

**LEGEND**

- CONCRETE FOOTING
- CONCRETE WALK
- TOPSOIL & 200
- TOPSOIL & 200
- CLAY LAYER
- SOIL
- DETECTABLE WARNING
- EXISTING WETLAND

**SHEET NOTES**

1. VERIFY FROM OWNER ALL SURVEYS AND CONSTRUCTION LIMITS BEFORE ALL DISMANTLED AREAS DUE TO CONSTRUCTION ACTIVITIES TO PRECONSTRUCTION CONDITIONS UNLESS OTHERWISE NOTED IN THE DRAWINGS.
2. ADJUST ALL CURBS, VOLUME EASES AND JUNCTION BOXES TO FINISH GRADE.
3. PROVIDE BITUMINOUS TACK COAT BETWEEN PROPOSED BITUMINOUS PARAPETS AND ALL ADJACENT CONCRETE OR BITUMINOUS SURFACES.
4. PROVIDE BITUMINOUS TACK COAT BETWEEN THE WEARING AND NON-WEARING COURSES FOR ALL PROPOSED BITUMINOUS PARAPETS.
5. SAW CUT ALL EXISTING PARAPETS ADJACENT TO PROPOSED PARAPETS ALONG A WEAT LINE AND FULL DEPTH SAW CUT ALL EXISTING CONCRETE PARAPETS, OR CURB AT THE NEAREST EXISTING CURB.
6. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ON COMPLETION, INSPECTED SURROUND.
7. ONLY PLACE FILL MATERIALS ON COMPACTED, INSPECTED SURROUND.
8. PLACE EXPANSION JOINTS AT 60 FEET INTERVALS ALONG CONCRETE WALK.

SHEET C401  
 SKETCH PLAN  
 PROJECT#: 200645  
 CHECK BY: DRAWN BY:  
 FAIRWAY GREENS NORTH  
 OAK GROVE, MN  
 PRELIMINARY  
 NOT FOR CONSTRUCTION  
 1-2020  
 client: HOMEPRIDE, INC.  
 1500 21th Ave NW  
 OAK GROVE, MN 55011  
 consultant: JAB PERFORMANCE DRIVER DESIGN  
 311 Knappton Ave. S. Ste 201 | Roseville, MN 55127