



**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 6th 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 2nd 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, 2nd 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.*

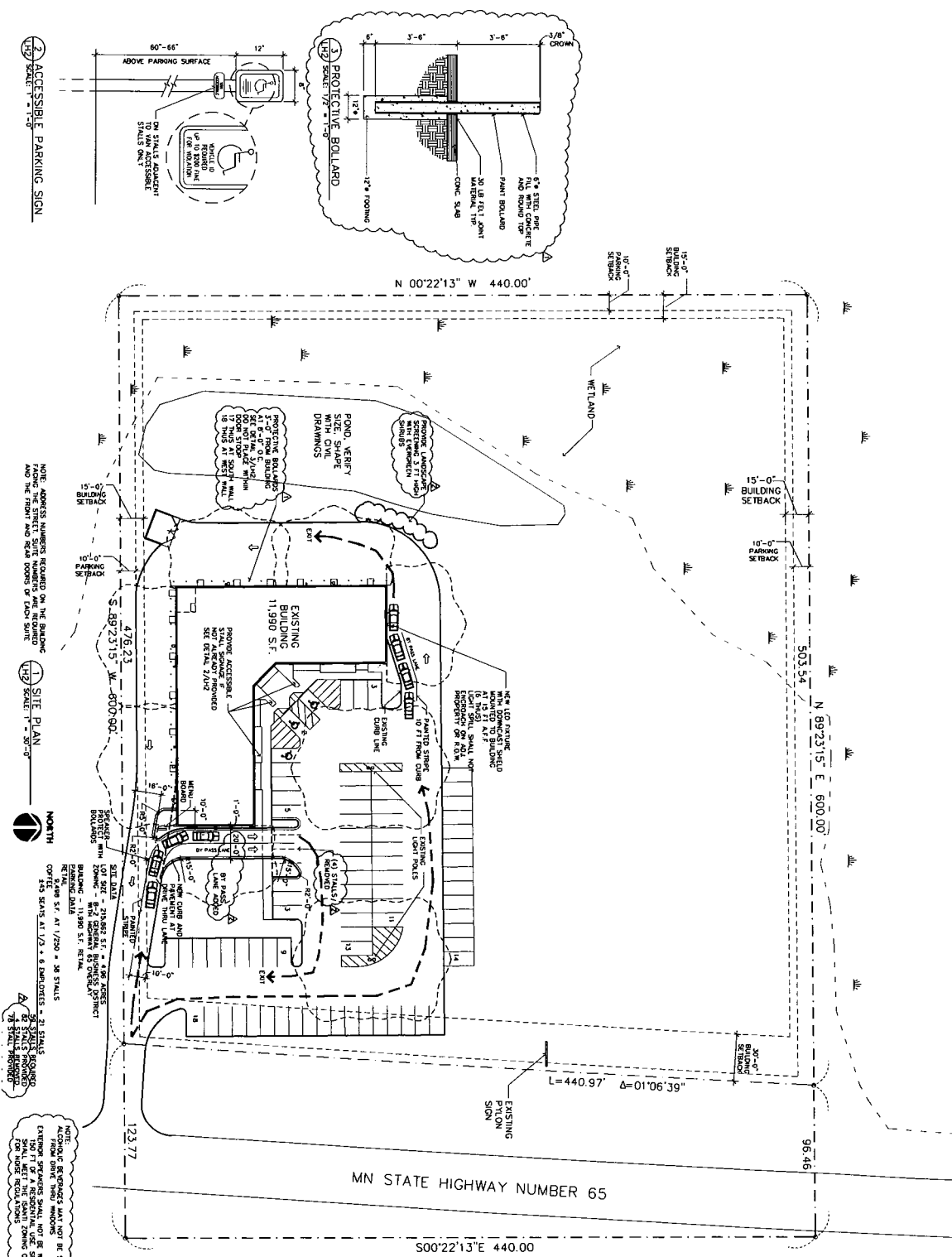
Staff Recommendation:

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





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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

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

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.

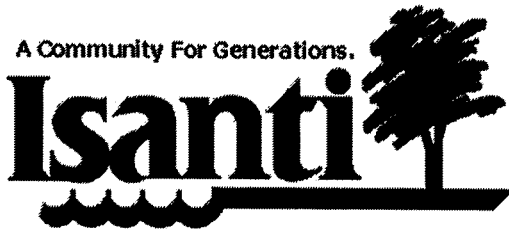
The applicant will be required to obtain all proper licensing from the City, State, County, and Federal Governments as deemed necessary.

- 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 6th Ave Ct NE PID 16.113.0010

Request:

Falcon National Bank is requesting a variance to allow an additional freestanding sign at 905 6th 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 6th 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 6th 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 6th 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 6th 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

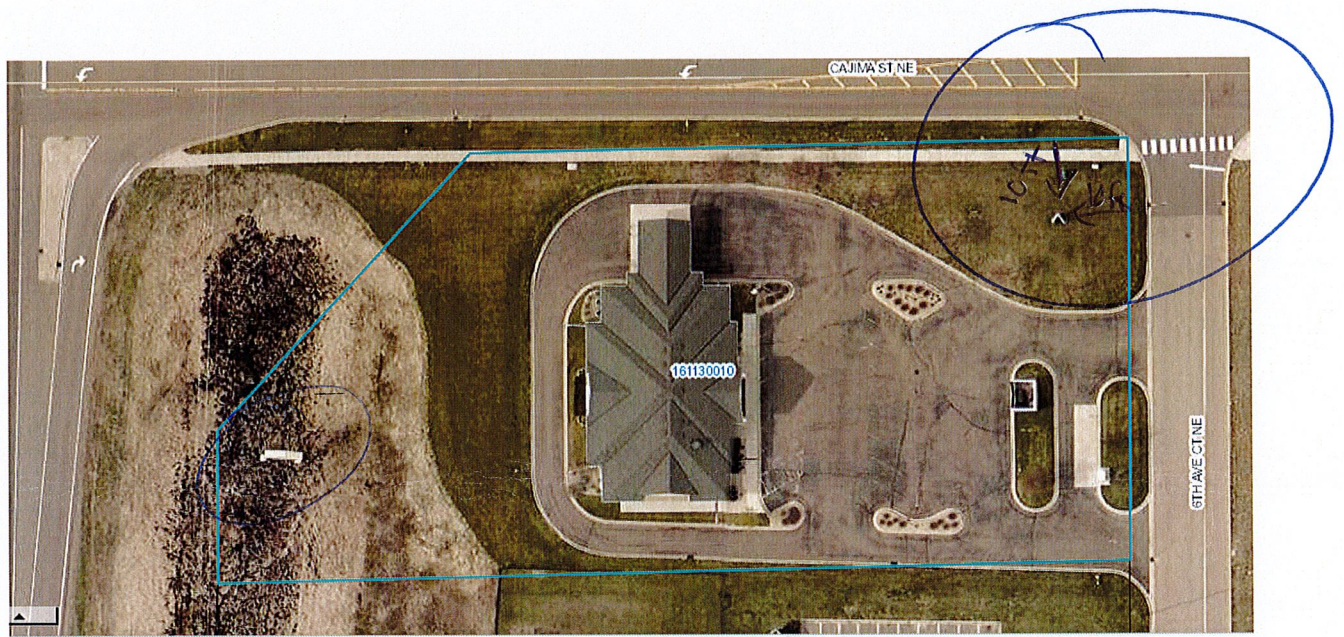
www.FalconNational.com

905 6th Ave Court NE



Falcon
NATIONAL BANK
Member FDIC

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

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 2nd Addition, Isanti County, Isanti Minnesota.

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 3rd 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 3rd 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 3rd addition. Each phase of the 3rd 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

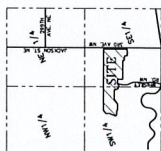
- Proposed Plat
- Applicant's letter
- Lot tabulation
- City Engineer Memo
- Findings of Fact

Outlet A. LEGACY PINES SECOND ADDITION, Isanti County, Minnesota.

2. The aforementioned surveyor has made no investigation, independent search for statements of record, announcements, restrictive covenants, easements, or any other facts that in accurate and current state survey may disclose.

3. GROUPS are listed on the left of LEGACY PILES SECOND ADDITION.
4. PROJECT BENCHMARK #1: The lot is in the Northwest Quadrant of Whiskey Rd. NE and Ashwa Lake NE.
Direction = 137.83
5. PROJECT BENCHMARK #2: The lot is in the Northwest Quadrant of Jackson Street NE and Laurel Parkway NE.
Direction = 148.33
6. LEGACY PINES SECOND ADDITION has not been recorded as of the date of this preliminary plat.
7. Lot numbering per original preliminary plat of LEGACY PINES.

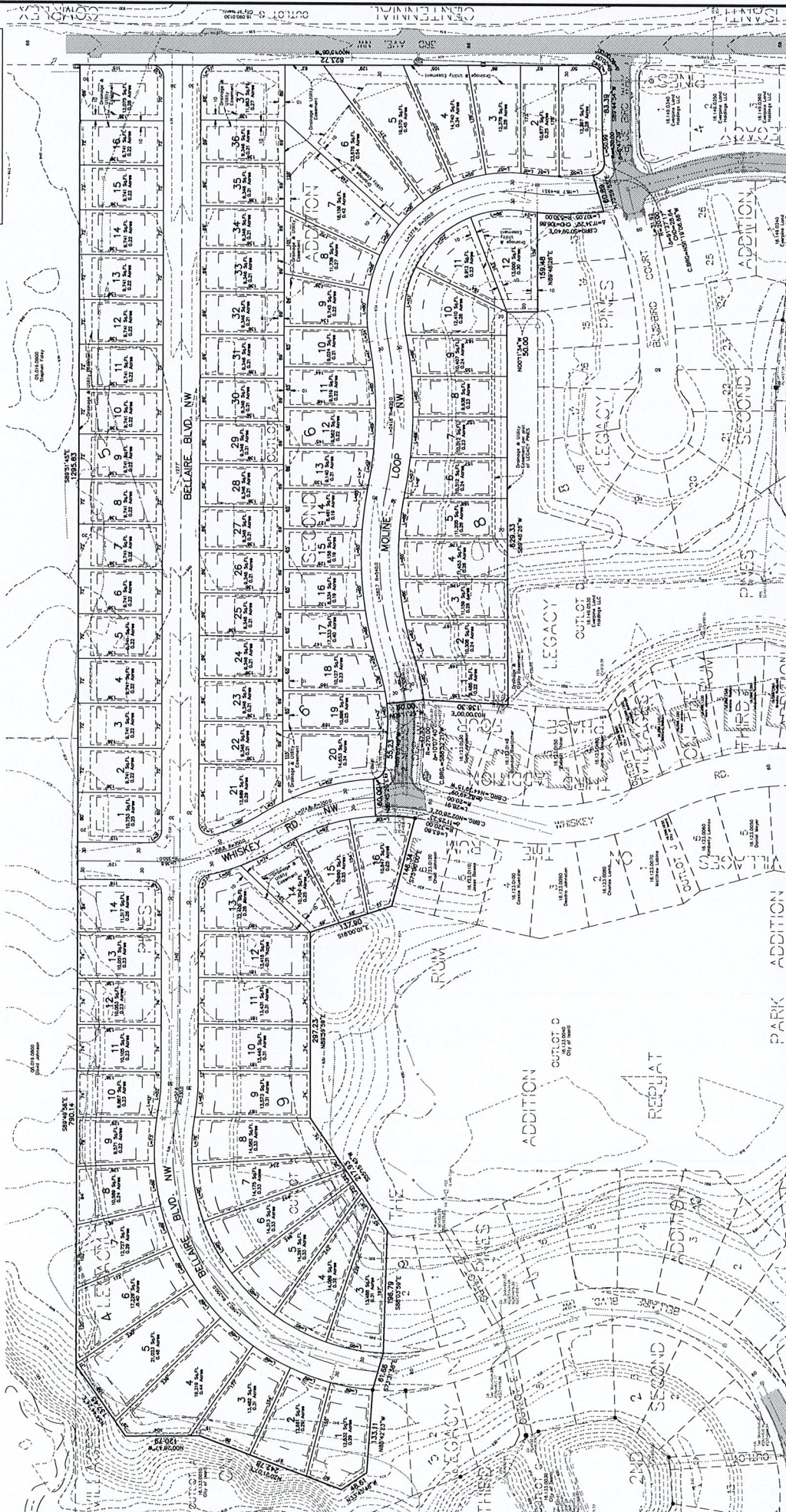
SEC. 19, T. 35, R. 23



Geography	City or town	Building Sections	Design Section	Design/Program
Architectural	Portland, ME	1000	1000	1000
Engineering	Portland, ME	1000	1000	1000
Interior Design	Portland, ME	1000	1000	1000
Industrial Design	Portland, ME	1000	1000	1000
Product Design	Portland, ME	1000	1000	1000
Graphic Design	Portland, ME	1000	1000	1000
Advertising	Portland, ME	1000	1000	1000
Public Relations	Portland, ME	1000	1000	1000
Business Development	Portland, ME	1000	1000	1000
Marketing	Portland, ME	1000	1000	1000
Sales	Portland, ME	1000	1000	1000
Customer Service	Portland, ME	1000	1000	1000
Human Resources	Portland, ME	1000	1000	1000
Finance	Portland, ME	1000	1000	1000
Operations	Portland, ME	1000	1000	1000
Logistics	Portland, ME	1000	1000	1000
Information Technology	Portland, ME	1000	1000	1000
Legal	Portland, ME	1000	1000	1000
Compliance	Portland, ME	1000	1000	1000
Quality Assurance	Portland, ME	1000	1000	1000
Project Management	Portland, ME	1000	1000	1000
Construction Management	Portland, ME	1000	1000	1000
Facilities Management	Portland, ME	1000	1000	1000
Environmental Management	Portland, ME	1000	1000	1000
Health and Safety	Portland, ME	1000	1000	1000
Security	Portland, ME	1000	1000	1000
Insurance	Portland, ME	1000	1000	1000
Accounting	Portland, ME	1000	1000	1000
Tax	Portland, ME	1000	1000	1000
Investment Management	Portland, ME	1000	1000	1000
Real Estate	Portland, ME	1000	1000	1000
Leasing	Portland, ME	1000	1000	1000
Procurement	Portland, ME	1000	1000	1000
Supply Chain Management	Portland, ME	1000	1000	1000
Manufacturing	Portland, ME	1000	1000	1000
Production	Portland, ME	1000	1000	1000
Assembly	Portland, ME	1000	1000	1000
Testing	Portland, ME	1000	1000	1000
Calibration	Portland, ME	1000	1000	1000
Inspection	Portland, ME	1000	1000	1000
Quality Control	Portland, ME	1000	1000	1000
Statistical Process Control	Portland, ME	1000	1000	1000
Lean Manufacturing	Portland, ME	1000	1000	1000
Six Sigma	Portland, ME	1000	1000	1000
Continuous Improvement	Portland, ME	1000	1000	1000
Automation	Portland, ME	1000	1000	1000
Robotics	Portland, ME	1000	1000	1000
Artificial Intelligence	Portland, ME	1000	1000	1000
Machine Learning	Portland, ME	1000	1000	1000
Computer Vision	Portland, ME	1000	1000	1000
Natural Language Processing	Portland, ME	1000	1000	1000
Speech Recognition	Portland, ME	1000	1000	1000
Recommendation Systems	Portland, ME	1000	1000	1000
Personalization	Portland, ME	1000	1000	1000
Targeted Advertising	Portland, ME	1000	1000	1000
Conversion Rate Optimization	Portland, ME	1000	1000	1000
A/B Testing	Portland, ME	1000	1000	1000
Heatmaps	Portland, ME	1000	1000	1000
Clickstream Analysis	Portland, ME	1000	1000	1000
Session Replay	Portland, ME	1000	1000	1000
Feedback Loops	Portland, ME	1000	1000	1000
Surveys	Portland, ME	1000	1000	1000
Net Promoter Score	Portland, ME	1000	1000	1000
Customer Satisfaction	Portland, ME	1000	1000	1000
Churn Rate	Portland, ME	1000	1000	1000
Retention Rate	Portland, ME	1000	1000	1000
Lifetime Value	Portland, ME	1000	1000	1000
Acquisition Cost	Portland, ME	1000	1000	1000
Return on Investment	Portland, ME	1000	1000	1000
Break-Even Point	Portland, ME	1000	1000	1000
Profit Margin	Portland, ME	1000	1000	1000
Gross Profit	Portland, ME	1000	1000	1000
Operating Profit	Portland, ME	1000	1000	1000
Net Profit	Portland, ME	1000	1000	1000
EBITDA	Portland, ME	1000	1000	1000



- [illegible]



DATE	REVISION	<p>I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Minnesota.</p> <p>DATE: 05/08/20 BY: <i>[Signature]</i> LS. No. 49138 DRAWN BY: <i>[Signature]</i> LS. No. 49138 CHECKED BY: <i>[Signature]</i> LS. No. 49138</p>	<p>ORDER BY: BP</p> <p>DRAWN BY: SAN</p> <p>CHECKED BY: SAN</p>	<p>Hokanson Anderson Civil Engineers and Land Surveyors 3607 Hennepin Avenue, Suite 5303 Minneapolis, MN 55412 763-427-5860 FAX 763-427-0520 www.haa-inc.com</p>	<p>LEGACY PINES THIRD ADDITION - FOR - EVERPINE LAND HOLDINGS, LLC</p>	<p>PRELIMINARY PLAT CITY OF ISANTI, MINNESOTA</p>	<p>SHEET 1 OF 2</p>
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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



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 3rd 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 3rd 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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Suite 206
Ramsey, MN 55303-5119

Ph: (763) 433-2851
Fax: (763) 427-0833
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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 3rd Addition, legally described as Outlot A of Legacy Pines 2nd Addition, Isanti County, Isanti, Minnesota.

Findings of Fact

1. The property is legally described as Outlot A of Legacy Pines 2nd 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 3rd 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

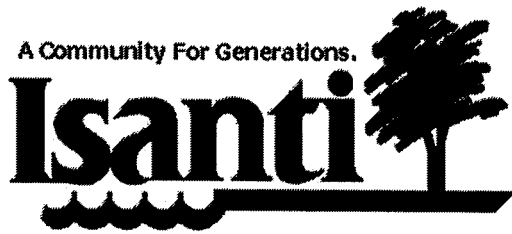
1. The platting is consistent with the 2003 Development Agreement and Planned Unit Development (PUD) for this property, and is consistent with the 2010 PUD Amendment
2. The platting of the property would appear to meet the Design Standards as required by Ordinance No. 536.

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.

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

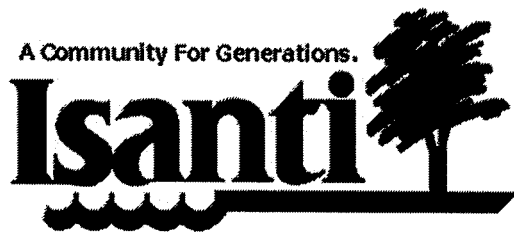
This ordinance shall take effect upon its adoption and publication in the City's Official Newspaper.

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.



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