

**CITY OF ISANTI
PLANNING COMMISSION
MEETING MINUTES
October 14, 2014**

1. Meeting Opening.

A. Call to Order.

Englund called the meeting to order at 7:00 p.m.

B. Pledge of Allegiance.

Everyone rose for the pledge of allegiance.

C. Roll Call.

Members Present: David Englund, Sue Larson, Steve Lundeen, Wayne Traver and Cindy Lind-Livingston.

Members Absent: None

Staff Present: Community Development Director Roxanne Achman

Others Present: Jim Lindberg, Al Torkelson, Doug Fischer (905 6th Ave Ct NE)

D. Agenda Modifications.

Achman stated there were none.

2. Approval of Minutes from September 9, 2014 Planning Commission Meeting.

Englund questioned if there were any comments or changes to the minutes.

Motion by Lundeen, second by Larson to approve the September 9, 2014 Planning Commission Meeting Minutes.

Motion was unanimously approved.

3. Public Hearings.

A. Request from Susan A. Torkelson for Final Plat Approval for Isanti Hills 8th Addition for the property generally located along Birch Ct; and is legally described as Lots 16 – 19, Block 1, Isanti Hills 6th Addition, Isanti County, Minnesota.

Achman presented the staff memo and staff's recommendation to approve the Final Plat of Isanti Hills 8th Addition. Also stating that City Council approved the preliminary plat, PUD amendment and rezoning at the September 16th, 2014 meeting and the utility vacation at the October 7th, 2014 meeting.

Englund opened the public hearing.

Jim Lindberg, Torkelson's Attorney, stated him and his client were in the audience if there were any questions.

The public hearing was closed.

Motion by Lundeen, second by Larson, based on the Findings of Fact and Conclusions, to approve the request from Susan A. Torkelson for Final Plat Approval of Isanti Hills 8th Addition for the property generally located along Birch Ct; and is legally described as Lots 16 – 19, Block 1, Isanti Hills 6th Addition, Isanti County, Minnesota, with the following conditions:

1. The developer should pay one SAC and WAC fee for the eliminated lot at the time the plat is recorded.
2. The unused service shall be capped on the curb stop.
3. Upon approval of the Final Plat by the City Council, the 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.
4. 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, the City Clerk, and Isanti County. No building permits shall be issued until these conditions have been complied with.

Motion carried unanimously.

4. Other Business.

A. Amendments to Ordinance No. 445 Zoning, Section 13 Use Regulations, Article 4 Accessory Buildings, Structures, and Uses; to restrict the height of accessory structures.

Englund read the item into the minutes and turned it over to Achman.

Achman explained a recent incident where she was working with an individual on the construction of his home and accessory building. All areas of code were examined and appeared to be met. However, when the plans were turned in to the Building Inspector it was determined that the accessory structure did not meet code because it was greater than one story. Through further review of code, it's unclear whether accessory structures over one story are allowed. Code states that accessory structures must be similar to the primary structure. It doesn't say anything about the pitch of the roof, which leaves it open for interpretation. Code doesn't state the height of the structure but it does limit the sidewall height to eight feet (the staff report is incorrect in stating ten feet). It's clear in past meeting minutes that the intent was to limit accessory structures and garages to one story, but that didn't come across in the code that was adopted.

Achman stated she's looking for comments and recommendations on changing the ordinance.

Larson described a garage in town that has a loft and how that particular garage is what staff was trying to limit because it had electricity and room to possibly sleep or have parties. Larson believes that at one time a request came in to see if that particular garage could be an apartment. That's what the intent of the previously adopted ordinance was for; to eliminate situations like that.

Achman stated that at this time; code is just too gray to be comfortable with.

Lundeen stated that he has no problem with the code as long as it isn't going to be living quarters. People are limited to the size of their garage and its huge storage space. That way people don't have junk in their yard. My recommendation is that as long as it doesn't become a living space and have plumbing fixtures and such.

Traver asked if a two story referred to a garage that has a loft with access from the inside or the outside.

Larson replied either or.

Traver asked if it had a loft then it wouldn't have a high ceiling?

Lundeen stated that it depends on the pitch of the roof. He went on to say that he doesn't have a problem with it. First you start by limiting plumbing fixtures in there. That keeps it from being an apartment.

Englund discussed how you have to let them have electricity in there because they need lights.

Lundeen reiterated that by limiting plumbing in the garage it keeps it from being used for living quarters. As long as the neighbors aren't going to be complaining about the height. Lundeen continued on stating that he sees it as a way to keep it clean. Every one of us could use more storage. That beats the heck out of having a bunch a little sheds in their backyard.

Englund asked if we should limit the loft area to something like five feet.

Lundeen said the only way you could stipulate that is by regulating the pitch of the roof. If someone wants a garage and has a 12:12 pitch on their house and the garage is to be similar to the house that pitch is going to open it up quite a bit in there. The only way to limit it is to state that there is no living quarters in there. I don't want to regulate everyone to death. Someone might want to put an at-home office in there, just as long as there's not living quarters.

Achman asked if the code should limit garages and accessory structures to a story and a half, or one story with a loft?

Lundeen stated that would be a way to stipulate it.

Traver said for storage only though because once you start putting an office in there, how do you police it?

Englund asked if that would work – to have it state for storage only.

Achman indicated she would have to meet with the Building Official to discuss it because different boards are used if someone is planning to use it for something other than storage. Planning staff can't regulate the materials used to construct the interior of the garage and so that becomes a question for the Building Official. Planning staff can regulate things such as the height, use, size, etc. And obviously we are going to run into instances where someone finishes the loft area of the garage and doesn't pull a permit because they know it's not allowed.

Englund said that's why he was thinking of limiting the loft area to five feet. At six feet you can stand up. At five feet you have to crouch down to move things around and you're not using the space to hang out. You can fit a lot of stuff in a five foot area.

Achman provided options by stating that she can meet with the Building Official and bring this item back next month, either as a discuss item again or as an action item.

Englund asked the commission what their preference was.

The commission agreed that the item should be brought back for discussion in November.

B. Planning Commissioner Removal

Achman stated she wanted to let everyone know that Kristi Gordon is no longer a member of the Planning Commission. Code limits members to three absences within a 12 month time frame. Kristi had missed five in the past 12 months. We now have two open seats that are being advertised for.

C. November Meeting Date Reminder

Achman reminded the Commission that the November meeting will be held on Wednesday, November 12th due to Veterans Day falling on the date of our regularly scheduled meeting date.

5. Discussion Items.

A. None.

A member of the audience asked to approach that podium.

Doug Fischer approached the podium stating that he wasn't sure if this was the right body to approach but he wanted to discuss the accident at Cajima and Highway 65. The accident occurred several weeks ago, fortunately there were no fatalities. We have a school over there and Therapy Associates bringing children in at eight in the morning and three o'clock. It's my understanding that it was part of the Long Range Transportation Plan to put a stop light at the corner of 65 and Cajima. He's was wondering what the thoughts were about that and if this was the right place to bring it up.

Englund and Lundeen responded that it would be a state/MN DOT issue. Englund further stated that they would need to do a study.

Fischer stated there ends up being a congestion issue.

Larson indicated that it wouldn't hurt to have a letter from the city requesting that they take a look at that intersection now.

Achman asked if Mr. Fischer had ever discussed this concern with the City Engineer. He stated he had not. Achman further explained that transportation and traffic issues fall under the scope of the City Engineer and that she would pass along this concern to Mr. DeWolf, and that Mr. Fischer was also welcome to contact Mr. DeWolf.

Lundeen asked when the cut off is for the next council meeting.

Achman stated that tomorrow (Wednesday) was the cutoff date.

Mr. Fischer indicated he would stop by City Hall tomorrow to fill out an agenda request form.

The Commission continued discussion on how that area is filling up with commercial businesses and that it could be a safer intersection.

6. Adjournment

Motion by Lundeen, second by Larson to adjourn the October 14th, 2014 meeting of the Planning Commission. Motion was unanimously approved.

The meeting adjourned at 7:20 p.m.

Dated at Isanti, Minnesota this 14th day of October 2014.

Respectfully submitted,

Roxanne Achman
Community Development Director