

**CITY OF ISANTI  
PLANNING COMMISSION  
MEETING MINUTES  
December 9, 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, Wayne Traver and Cindy Lind-Livingston.

**Members Absent:** Steve Lundeen (gave prior notice)

**Staff Present:** Community Development Director Roxanne Achman

**Others Present:** None.

**D. Agenda Modifications.**

Achman stated there were none.

**2. Approval of Minutes from November 12, 2014 Planning Commission Meeting.**

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

Motion by Larson, second by Traver to approve the November 12, 2014 Planning Commission Meeting Minutes.

Motion was unanimously approved.

**3. Public Hearings.**

**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 stated that the Planning Commission and staff have been discussing accessory structure height at the past two meetings and this month it is up for the public hearing. Essentially the amendment will limit accessory structure height to twelve feet as defined in Section 2 under Building Height, rather than by the sidewall height.

Englund opened the public hearing. The public hearing was then closed as there was no one in the audience to speak on the topic.

Motion by Larson, second by Lind-Livingston for approval of an amendment to Ordinance No. 445 Zoning, Section 13 Use Regulations, Article 4 Accessory Buildings,

Structures, and Uses; to restrict the height of accessory structures. Motion carried unanimously.

B. Request from Minnesota Organic Merchandise Store dba. City Center Market for approval of a Conditional Use Permit for the operation of a café in the building located at 4 Enterprise Avenue NE, which is legally described as Lots 1, Block 1, Isanti Centennial Complex First Rearrangement.

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

Achman stated that restaurants of any sort require a conditional use permit in the B-2 General Business District. City Center Market has requested to operate a café in the building WillowBridge recently located in. Staff has reviewed the site plan and feels this use is fitting for that location. They meet all the parking requirements and there are no other exterior changes; only interior renovations. Staff recommends approval with the condition that they meet State requirements and obtain all necessary State permits with regards to electrical, plumbing, and health.

Englund opened the public hearing. The public hearing was then closed as there was no one in the audience to speak on the topic.

Motion by Larson, second by Traver for approval of the request from Minnesota Organic Merchandise Store dba. City Center Market for approval of a Conditional Use Permit for the operation of a café in the building located at 4 Enterprise Avenue NE, which is legally described as Lots 1, Block 1, Isanti Centennial Complex First Rearrangement, with the condition that the applicant meet State requirements and obtain all necessary State permits with regards to Electrical, Plumbing, and Health. Motion carried unanimously.

C. Request from the City of Isanti to Amend Ordinance No. 445 Zoning, Section 2 Definitions, Section 6 Residential Districts, and Section 7 Business Districts, to define and include Adult Day Centers as a conditional use in specified Residential Districts and a permitted use in specified Business Districts.

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

Achman indicated that recently staff had been contacted by a group interested in locating an adult day care in a business district in Isanti. Staff reviewed the zoning code and felt that this use didn't specifically fit within Isanti's zoning code. Staff was informed that adult day care centers are regulated by the Minnesota Department of Human Services the same as child day care centers. It seems appropriate to allow adult day care centers in the same districts as child day care centers are allowed. A definition was prepared to include in Section 2, and they were added as a permitted use in all business districts and permitted in residential districts R-1, R-2 and R-3A as long as they have twelve persons or less, and conditionally permitted in the multi-family districts with thirteen or more person. It's important to have it allowed conditionally in the multi-family districts when there are more clients. The definition is provided in the staff memo and it essentially states that adult day centers provide day care to functionally impaired adults on a regular

basis for periods of less than 24 hours. They are providing essential activates for daily living, caring for oneself, manual tasks, and things like that, but it's not to the extent that they are providing assisted living or medical care. It's a place where someone can be dropped off for socialization and other things.

Lind-Livingston asked if they were licensed through DHS.

Achman stated they were.

Larson stated she had a question based on the history of things that have come before the board. We at one time had a similar request that was along the railroad tracks and the more we looked at it we determined they needed to provide fencing for safety. There are those certain times that no matter how many employees you have or safety factors you have built in, someone can get away. We seriously talked about this. In a residential area where there is not a railroad nearby and they are not near a busy street, this would work fine. If it's located near downtown or near highway 5, it would become a potential safety factor.

Lind-Livingston indicated that was her thoughts too. She further stated that if they are licensed by the DHS wouldn't you think they would have rules or regulations against where and how.

Achman stated she assumed they would have similar regulations for daycares since children could escape easily.

Lind-Livingston stated that she thought someone would be regulating for safety. She indicated she wouldn't feel comfortable taking her loved one to a place that was right next to a river. Maybe they have to provide a locked door.

Achman indicated she had placed a call to DHS but had not heard back from them. She had a number of questions to ask them. Achman informed the Commission that she knew it was a lengthy process to get a license to have an adult day care but she didn't know the specifics of whether a site plan was required showing its location in relation to other aspects of the area.

Larson stated that the last time they reviewed a similar use, they (DHS) didn't have anything for safety and that's why it was left up to the City. After hearing this discussion, the group decided not to locate in Isanti because they didn't want to put their people in a fenced in area.

Achman stated that she was under the impression that most of the people going to the adult day centers are of the mental capacity to understand where they are and what is going on. It's more of a social thing for them rather than a full-time care situation.

Larson indicated that some of these individuals would forget little things like turning the burner off on a stove. It's more than just for socialization; it's for their own safety.

Achman stated she did quite a bit of research on these facilities and what other cities have done. She further stated that she didn't see other cities outlining further regulations for adult day centers.

Larson indicated she wanted to leave room in the ordinance so that if the adult day center is in a spot that raises safety concerns, we're able to request certain things from them. There may be some cities that have care centers open and have been dealing with safety issues.

Achman agreed to contact several cities that have operating adult day centers to find out what concerns they've addressed. It was asked whether the Commission would like this item brought back to them next month after further research had been conducted.

The Planning Commission discussed tabling the item and bringing it back next month.

Achman indicated she received a lot of push back from the applicant about the city attempting to regulate something that the DHS already highly regulates.

The Commission discussed amongst themselves that it was still a good idea to see how other cities are handling adult day care safety concerns and how the DHS handles the safety.

Motion by Larson, second by Traver to Table the request from the City of Isanti to Amend Ordinance No. 445 Zoning, Section 2 Definitions, Section 6 Residential Districts, and Section 7 Business Districts, to define and include Adult Day Centers as a conditional use in specified Residential Districts and a permitted use in specified Business Districts. Staff is to research outdoor safety precautions and inquire with other cities that have existing adult day centers on whether they have had any safety issues. Motion carried unanimously.

#### **4. Other Business.**

**A. None.**

#### **5. Discussion Items.**

**A. Amendments to Ordinance No. 445 Zoning, Section 16 Signs; to clarify definitions and add visuals.**

Englund turned the item over to Achman.

Achman indicated that she provided the Commissioners with a copy of the sign code that has red wording indicating the proposed changes. She stated that all the changes are outlined and specified in the staff memo by page number and change made. Achman stated she was still unclear about the expectations of yard and lawn signs. She spoke with several communities regarding their policy on yard signs. Some don't allow them at all, and others allow them so long as they are not advertising signs for a business or service.

Englund elaborated on allowing garage sales, non-profit groups, pancake breakfasts and other things for clubs or groups.

Achman asked if the commission would be comfortable with allowing yard signs like Englund stated and not allowing any business advertising in residential districts. Yard and lawn advertising would be allowed in business districts as long as they apply for a temporary sign permit.

Larson asked about signs that roofers and other contractors put up in yards while they are performing work.

Achman said she didn't have an issue with those signs so long as they are removed when the work is completed. Maybe we include a sentence on the bottom of building permits that says "Please take your sign with you at the completion of your project".

Achman touched on the visuals that were added to the sign code. The Planning Commission felt they were helpful to better understanding the code.

Achman stated that there were two items in sign code that were discussed last month but were not changed in the code; farmer's market signage and special events signage. She stated that signage for both of these are addressed differently. Signage for the farmers market is outlined in the Interim Use Permit and special event signage is addressed in the application and further through the Zoning Administrator. Therefore, no changes were implemented in the sign code for these items.

The Planning Commission agreed they were ready for this item to be brought back in January for a public hearing.

## **6. Adjournment**

Motion by Larson, second by Lind-Livingston to adjourn the December 9<sup>th</sup>, 2014 meeting of the Planning Commission. Motion was unanimously approved.

The meeting adjourned at 7:29 p.m.

Dated at Isanti, Minnesota this 9<sup>th</sup> day of December 2014.

Respectfully submitted,

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Roxanne Achman  
Community Development Director