

**CITY OF ISANTI  
PLANNING COMMISSION  
MEETING MINUTES  
MAY 14, 2013**

**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:** Dave Englund, Kristi Gordon, Sue Larson, Cindy Lind-Livingston, Steve Lundeen, Sean Stevens (arrived 7:01 p.m.) and Michael Streiff III.

**Members Absent:** None.

**Staff Present:** Lisa Wilson, Planning and Parks Director.

**D. Agenda Modifications.**

Wilson stated that she had none.

**2. Approval of Minutes from April 9, 2013 Planning Commission Meeting.**

Stevens questioned if there were any comments or changes on the minutes.

Motion by Englund, second by Larson to approve the April 9<sup>th</sup>, 2013 Planning Commission Meeting Minutes. Motion was unanimously approved.

**3. Public Hearings.**

**A. Request from Minnco Credit Union for an Interim Use Permit to allow for Temporary Motor Vehicle Sales on the properties located at 309 and 311 Credit Union Drive NE.**

Wilson presented the items within the staff memo and outlined the recommended conditions.

Stevens opened the public hearing at 7:02 p.m. Stevens requested that any one present to speak on behalf of this item approach the podium. Stevens stated that if the representative could state their name and address for the record.

Frank Wrzos, 24170 E Tippoe Drive NE, Linwood, MN 55079 was present to discuss the item with the Commission.

Stevens stated that he has been through the process before. Stevens questioned if he had any comments or concerns regarding any of the conditions placed on the approval.

Wrzos stated that he had none. Wrzos stated that nothing has changed in how they would operate the sale.

Stevens questioned how last year turned out.

Wrzos stated that it is very successful for the dealerships that are involved. Wrzos stated that this allows them to have a very unique type of environment in which to sell their products. Wrzos stated that instead of coming to a showroom; there is a different dynamic. Wrzos stated that Minnco does get first claim on

any financing that may be necessary for the vehicles purchased. Wrzos stated that his company is the one that basically organizes it for Minnco.

Stevens questioned how the event is being marketed.

Wrzos stated that it is being marketed through direct mail by Minnco to their credit union members. Wrzos stated that it will also be part of a television campaign. Wrzos stated that they do use their own sign board on their property. Wrzos stated that additional signage is not brought in for the event.

Stevens stated that he thought he had one other question. Stevens questioned if other Commissioners had questions for the representative. Stevens stated that given there were none, he would move on, as he cannot remember his last question.

Stevens closed the public hearing at 7:05 p.m.

Motion by Larson, second by Streiff to recommend approval of the request from Minnco Credit Union for an Interim Use Permit to operate a Temporary Motor Vehicle Sales event on the properties located at 309 and 311 Credit Union Drive NE, with staff conditions based upon the Findings of Fact and Conclusion. Motion was unanimously approved.

Stevens explained that the Planning Commission is an advisory body, which makes recommendations to the City Council. Stevens stated that this item would move forward to the City Council with a positive recommendation. Stevens stated that the applicant or representative may want to be present at the City Council meeting, in case there are further questions from the Council regarding the request.

B. Request from the City of Isanti for an Interim Use Permit to operate a Farmer's Market on the property located at 18 Broadway St SW (Eagle Park).

Wilson presented the staff memo on the item and outlined the recommended conditions.

Streiff jokingly stated that we need to tell Mr. Sullivan that there should be no short cuts and all the conditions should be followed.

Wilson stated that her office is immediately adjacent to Mr. Sullivan's office, so she can keep an eye on him.

Lundeen stated that the Council has strived to bring some downtown business into the area.

Streiff questioned if they are all in favor of the item.

Lundeen stated that there is a strong push for this event. Lundeen stated that a goal of the Council was to revitalize downtown and this was considered one of the ways in which to accomplish that.

Streiff stated that he had only gone couple of times, but it seemed like a lot of out of town businesses that would be at this rather than our own businesses.

Lundeen stated that it is whatever will bring people into town. Lundeen stated that just like the car sale, there is a lot of people that come here for the event. Lundeen stated that these people then go to the stores or the restaurants. Lundeen stated that it would be nice to have local businesses. Lundeen stated that it is bringing people into town and this is vital. Lundeen stated that at the last Council meeting there was discussion about the street dances, as there was a gentleman that spoke against those events. Lundeen stated that the businesses want these events to happen.

Stevens stated that if you are the bike shop or the book store, it might be hard to justify placing a booth at the event, when your store is right nearby. Stevens stated that it might lend itself to someone from Cambridge or Isanti County to be here.

Lundeen stated that the last time they had one vendor there that sold bread. Lundeen stated that the bread was wonderful and they would sell out quick. Lundeen stated that he didn't even know where they were from.

Stevens questioned if we knew at this point where the restroom would be located, should it be needed.

Wilson stated that a specific location had not been provided.

Lundeen stated that they had one there last time and it was on the NE or SE corner of the area. Lundeen stated that it was still on City property.

Englund stated that it was on the SE corner, as it was a handicapped facility.

Lundeen stated that Rum River Ornamental was there last time. Lundeen stated that they had a trailer full of their products.

Stevens opened the public hearing at 7:15 p.m.

Stevens stated that there was no public audience present for the item. Stevens closed the hearing at 7:16 p.m.

Stevens questioned if we knew how marketing will take place for this event.

Wilson stated that the Farmer's Market website and City website are being used. Wilson stated that a guidebook was prepared and sent out to individuals. Wilson stated that each of the community banks would be having the information on the reader board signs.

Stevens stated that in looking at the Minnco event, he thinks there are some take-aways from that, and we should throw a really big net to get the information out to the most individuals.

Lundeen stated that the City should get something out on the sign at the PD location.

Larson stated that the businesses should be encouraged to be open when the farmer's market takes place. Larson stated that in the past, these places were closed to those that may have come into town for the event. Larson stated that there were individuals that came to the community to see and do other things, but they were not available.

Lundeen stated that Isanti Retail Meats was there making sandwiches. Lundeen stated that he had only been there a handful of times and it seemed to be well attended. Lundeen stated that it is a great thing for the City.

Lind-Livingston questioned if there was a cost for the vendors.

Wilson stated that there is an application fee and a stall fee.

Lind-Livingston questioned the cost.

Wilson stated that she is not absolutely sure, but she thought there was a \$15 application fee. Wilson stated that for a half season it was around \$85 and for a full season \$130. Wilson stated that they should not quote her on that being accurate.

Stevens questioned if there has been a call for volunteers to help with the event.

Wilson stated that there will be an interim to help with these events. Wilson stated that Mr. Sullivan is taking volunteers.

Motion by Lundeen, second by Streiff to recommend approval of the request from the City of Isanti for an Interim Use Permit to operate a Farmer's Market on the property located at 18 Broadway St SW (Eagle Park area) with staff conditions as presented and based upon the Findings of Fact and Conclusion. Motion was unanimously approved.

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

##### **A. Review of Chapter 227 Parking and Storage of the Isanti City Code.**

Wilson outlined the two proposals that were within the packet. Wilson provided a review of the proposed changes within each of the drafts. Wilson stated that a staff review is in place, but there are a few individuals that have yet to provide comment. Wilson stated that staff was looking for comments and direction from the Planning Commission.

Lundeen questioned the 15 days for commercial vehicles. Lundeen questioned if that was 15 consecutive days or 15 days in a month period.

Wilson stated that she believed the intent was to be 15 days period.

Lundeen stated that would be tough for truck drivers. Lundeen stated that if the guys come in after being gone for a week, and are here for a week that will put a crunch on them. Lundeen stated that it should be 15 days consecutive.

Stevens questioned how that would be tracked.

Wilson stated that it was a point of discussion and it could be difficult to monitor. Wilson stated that in speaking with the Police Chief, he felt it could be done.

Lundeen stated that the only way it may work is if they were required to have a permit. Lundeen stated that they could get a permit for a month or six months, but with no fee. Lundeen stated that it is a paperwork hassle, but it would reduce the financial strain for the driver and the City would know where a vehicle is allowed to sit.

Englund stated that in 15 days, ten of that is the weekend. Englund stated that there are 10 out of the 15 days already.

Lind-Livingston questioned how that would be enforced.

Englund stated that you will notice if it hasn't moved.

Lundeen stated that he had received a call from someone regarding the semi that is parked at the Church. Lundeen stated that he has never seen it.

Streiff stated that on Sunday mornings, it is sitting there every Sunday morning when they go to early church services. Streiff stated that the truck has been there for a couple of months.

Larson stated that the pastor of the church had given the driver permission to park there.

Lundeen stated that he was told it was there for days on end. Lundeen stated that when people call a Council or City staff, the complaints can be over the top. Lundeen stated that we need to be able to allow people to live and work in the City. Lundeen stated if we do not they will leave the City or tell others not to come to the City. Lundeen stated that if we put in there 15 days in a month, it will be harder to monitor. Lundeen stated that we have a CSO that drives around town. Lundeen stated that he does not want to see a permit, with fees, as this is more city staff time. Lundeen stated that he is just looking for a happy medium on the item. Lundeen stated that like Mr. Englund said 10 of them is weekend off the bat.

Lind-Livingston questioned the purpose of the time limit. Lind-Livingston questioned if someone is going to be annoyed after five days or ten days. Lind-Livingston questioned the thought behind the time limit.

Wilson stated that some people are going to be annoyed after just one day. Wilson stated that the intent is to ensure that the vehicle is actually moving. Wilson stated that we need to make sure that these individuals are actually using the vehicle for work purposes, not just storing the vehicle there in perpetuity. Wilson stated that we do allow for something to be in your driveway at any time. Wilson stated that staff removed the seasonal stipulation from the ordinance. Wilson stated that city staff has heard on more than one occasion that an individual stares at their neighbors enclosed unity trailer all year long; how is that any different leaving a 5<sup>th</sup> wheel on the driveway or my boat that is covered.

Lundeen stated that he agreed that was the right thing to do.

Lind-Livingston stated that instead of stating the day limitation. Lind-Livingston stated that it should just state that it has to move.

Wilson stated that staff could parrot what is found in the industrial district. Wilson stated that there is a requirement in the zoning ordinance that a vehicle has to be actively moving.

Lundeen stated that if the person has a tractor on their property, it is going to be moving, as he needs to be out making money. Lundeen stated that if it sitting there for a length of time, then so be it. Lundeen stated that he would like to see Mr. Anderson here to discuss this further.

Englund stated that if a guy goes out on the road and comes back, he will probably be there for three days or better. Englund stated that the semis will be there three days minimum.

Lundeen stated that there are times when they wait until they have a full load and that could be a few days. Lundeen stated that we need to find a balance.

Streiff stated that when looking back at council meetings, all we hear from are the people that are trying to do the right thing. Streiff stated that they have talked with their neighbors. Streiff stated that the people we are not hearing from are the people that are not doing the right thing. Streiff stated that we need to establish something that requires them to talk to their neighbors, they are informed of the code, and they move on.

Lundeen stated that it would be similar to a dog kennel.

Streiff stated that people that don't do that, they are notified that they have to have a permit from the City. Streiff stated that at least we can track where they are at in the City and that they are meeting requirements.

Lundeen stated that he does not see the noise of the semis being an issue, as long as he isn't jake breaking when he comes into town. Lundeen stated that vehicle is not going to any louder than some of these other vehicles.

Englund stated that a tiny car can have a large exhaust system.

Lundeen stated that the time limitation needs to be removed. Lundeen stated that we are going to be back re-discussing that item if we move forward with it.

Wilson stated that city staff can re-evaluate that requirement.

Streiff questioned if Cambridge has this.

Wilson stated no. Wilson stated that it was very difficult to find communities that allow commercial vehicles of this nature. Wilson stated that the community service officer had spoken to one community that had loosened their parking restrictions and things just went south. Wilson stated that they ended up changing the ordinance back; and are now having to undo what the code allowed for previously.

Englund stated that Cambridge has Westrum's Corner. Englund stated that the City does not have a lot that can be used.

Larson stated that there is a lot of vandalism.

Lundeen stated that Mr. Anderson should be brought to the next meeting. Lundeen stated that there needs to be an understanding that if you do not abide by this then you lose these rights.

Stevens questioned what the ratio was for communities allowing or prohibiting commercial vehicles.

Wilson stated that the overwhelming majority do not allow for it.

Larson agreed with that comment.

Stevens stated that we do need to take some wisdom from communities that have been there and done that. Stevens stated that we heard testimony that people were parking their vehicles on a larger plot. Stevens stated that most people own a 1/3 or 1/8 of an acre in town. Stevens stated that we need to look at this again. Stevens stated that we creating a community standard. Stevens stated that he is leaning much more towards not allowing these vehicles.

Lundeen stated that most of those other communities have a place for residents to park those vehicles.

Stevens stated that he is not sure of that. Stevens stated that Cambridge's may be by sheer accident.

Lundeen stated that he drives to the cities every day and he sees a lot of places where people park their trucks and trailers.

Stevens questioned if he lived in Blaine where would that location be.

Lundeen stated that he was not sure, but he would bet he could find them.

Streiff questioned if you can park out by where they have Blaine days. Streiff stated that is at 10 and 65.

Englund stated that at one time, there was discussion to have them placed at the soccer complex.

Lundeen stated that the old burger top property would be a nice location.

Englund stated that he doubts that individual would want that on his property, which he is trying to market for sale.

Larson stated that the corridor also showcases our town, so we need to look at what is coming in.

Lundeen stated that if we could use an industrial lot owned by the City it would be nice, but not an option when you are trying to sell lots.

Streiff stated that you have liability issues too.

Lundeen stated that Doug Anderson had stated no trailers; just the tractors would be brought home. Lundeen stated that it is no different than the box truck that someone brings home.

Lind-Livingston questioned what else would be allowed under this code.

Wilson stated that the City would be allowing anything that meets the 33,000 GVW. Wilson stated that you are going to allow for a lot of vehicles.

Lind-Livingston stated that we are going to be allowing big trailers with bobcats on it.

Englund provided an example located within Lind-Livingston's neighborhood.

Lind-Livingston stated that if someone is doing construction would they be allowed.

Wilson stated that this is now going to allow the trailer with the construction equipment as well. Wilson stated that code enforcement is dealing with one property that had a lot of equipment and commercial vehicles. Wilson stated that the property is quite a mess. Wilson stated that based upon discussions with Mr. Joslin, all commercial vehicles are put on the same playing field. If they can meet the requirements, they would be permitted.

Lundeen stated that the group had discussed prohibiting certain types of vehicles.

Wilson stated that all vehicles are going to be on the same page.

Lind-Livingston questioned the weight of these vehicles.

Wilson stated that some are around 33,000; but there are many that are over. Wilson stated that the problem is that it is going to be very hard to determine the actual weight of some of these.

Lundeen stated that you would need to go over and open the door to look.

Wilson stated that is difficult to do, as they cannot enter the property she will be unable to do that.

Lind-Livingston stated that the example provided was around 26,000.

Wilson stated that we can bring back some pictures of what some of these vehicles are rated as. Wilson stated that City staff can also look into whether or not communities that prohibit these vehicles provide places for these vehicles to park and what a permit process would look like. Wilson stated that these items can be brought to the next meeting for further discussion.

Lind-Livingston stated that it is a tough decision to prohibit someone when it is their livelihood. Lind-Livingston stated that it is also difficult to tell someone that they now have to look at these vehicles every day.

Stevens questioned if City staff had looked at an approach where we treat every property in a similar to fashion as impervious surface requirements, in which a vehicle can occupy only so much of your own dirt. Stevens stated that if you have a small lot, you would be limited to a certain percentage of area.

Wilson stated that she had not seen that in the file. Wilson stated that she had not seen regulations like this in any of the communities that they had looked at either.

Englund stated that at this point, we need to have further information to review before a decision is made. Englund stated that this information would be helpful.

Stevens stated that he does not know if he is a neighbor that does not want to look at the truck next door it is going to be an issue.

Englund stated that some of the complaints are a bit exaggerated as well. Englund stated that he listened to the Council meetings and the residents stated that the truck is there all the time; yet no one else seems to see it.

Lundeen stated that it is similar to the dog issue. Lundeen stated that some residents do not want to listen to your dogs, but they are still able to have them. Lundeen stated that we need to find a happy medium for everyone. Lundeen stated that you are not going to please everyone. Lundeen stated that there are homes on his street with trailers everywhere, he hates it, but the rules are the rules.

Stevens stated that he understands what Mr. Lundeen is saying, but we get to develop a community standard and say what flies in Isanti.

Lundeen stated that if we want to let this community to grow, we cannot regulate the people to death.

Stevens stated that he did not believe that we are or should.

Lundeen stated that by telling people that if you drive truck, don't live in Isanti because you do not have a place to park it. Lundeen stated that he has seen 6 vehicles in the driveway. Lundeen stated that Mr. Anderson is pretty influential and if they tell people not to come to Isanti, then that is less residents to town.

Lind-Livingston stated that there is a flip side to that argument, if you have semis all over, who is going to want to live in the community that allows everything.

Streiff stated that there is give and take when you live in a city. Streiff stated that if you want to do whatever you want, you own a farm. Streiff stated that we cannot govern out of fear that everyone will leave. Streiff stated that he feels for those individuals. Streiff stated that he is trying to do everything right; and he is not a problem.

Lundeen stated that if you have a permit process and your neighbors are okay, then it shouldn't be a problem to have a vehicle.

Streiff stated that we should have a list of options for people. Streiff stated that residents need to have conversations with their neighbors.



Wilson stated that in doing code enforcement, there are a lot neighbors that just can't talk to one another without it becoming a verbal altercation with yelling.

Lind-Livingston questioned if in the research did we find any community that does have regulations for the ratio of yard space to the surface area of vehicles.

Wilson stated that she had not.

Lind-Livingston stated that made sense to her. Lind-Livingston stated that if you have a small property, they should not have as much on the property.

Larson stated that with the variety of sized lots, there are many in which these vehicles just would not fit.

Stevens stated that does create an issue for people buying homes, as they look at a house and they want to park a big rig with a small driveway that is probably not the house to pick.

Streiff stated that looking at the larger metro communities is not comparable.

Lind-Livingston questioned if we looked at Braham or Mora.

Wilson stated that we tried to look at similar sized and situated communities throughout the metro area. Wilson listed a few that were used. Wilson stated that a number of the residents that are calling asking code questions seem very versed in regulations. Wilson stated that some of the complaints coming in are new residents that do not like what they are looking at next door. Wilson stated that there are metro area residents moving to Isanti, who are used to property maintenance and parking regulations.

Lind-Livingston questioned if there could be a permit process for this. Lind-Livingston questioned if the neighbors could then sign showing that they approve.

Wilson stated that a permit process would need to be drafted and reviewed.

Streiff stated that it should not be tailored so that one can and one cannot because of the neighbor. Streiff stated that it is still up to Council as to whether to grant that permit.

Lundeen stated that if there are enough to complain, then you could say no. Lundeen stated that the wording would need to be that residents within 150' would need to be surveyed and if they are okay, then you can have the permit.

Gordon stated that would not be fair to those that have neighbors that do not want the vehicle there. Gordon stated that she would not care, but that could hinder someone from being able to have a vehicle.

Lundeen provided a dog kennel example from last year. Lundeen stated that it ends up being a tough call to make. Lundeen stated that if your neighbor doesn't like you, they will do whatever they can to stop you.

Gordon stated that it would stink to leave your whole life in the hands of your neighbor liking you or not. Gordon stated that you can't bring it home because your neighbor doesn't like you should not be considered an option.

Wilson stated that we would need to be very careful on that point. Wilson stated that the general rule in most situations, for example, even with a CUP or IUP, if you meet the requirements and can meet conditions; even if we have a whole room full of people against it, it would be granted. Wilson stated that the complaints would need to be verified as a ground for denial.

Gordon stated that it really wouldn't come down to a neighbor approval, it would be you meet these stipulations, so you can have the vehicle.

Streiff stated that it would be a notification process, rather than approval.

Lundeen stated that when it comes to using other cities ordinances, he has questioned why we do not do something that another community does he was told that we don't have to do that because we are not them.

Stevens stated that we do not need to be the junior Wayzata or Blaine, but we decide who we want to be. Stevens stated that people live where they want to live. Stevens stated that it is part of their job to maintain the community that has drawn people there. Stevens stated that he does not know if that is with trucks or without trucks. Stevens stated that he is leaning towards the certain percentage of a lot area.

Gordon questioned the rationale behind allowing the truck but not the trailer.

Stevens stated that it is size.

Lundeen stated that the length would be a deterrent on most lots.

Streiff stated that he wonders if this ends up being an enforcement nightmare; that is why other communities do not allow for it. Streiff stated that they may have allowed for it; and with staff time involved in trying to enforce it and verify, they just said no, we don't allow for it anymore.

Gordon questioned the complaints.

Stevens stated that they are noise, visibility around the vehicle when parked at the end of the driveway, and they just don't want to look at it.

Wilson agreed with those complaints.

Lind-Livingston questioned what those that park these vehicles there would do if this is prohibited. Lind-Livingston stated that some option should be provided to them.

Stevens questioned if staff had homework for Planning Commission members.

Wilson stated that she will get the items together that they are looking for. Wilson stated that the group should look at the lots throughout the community and try to picture what this may look like on these properties if it is allowed. Wilson stated that this is changing a community standard.

B. Amendment to Ordinance No. 445 Zoning to allow for microbreweries, brewpubs, brewer tap rooms and other similar uses within commercial districts.

Wilson outlined the information contained with the staff memo. Wilson stated that several use categories would need to be created and added to the zoning ordinance. Wilson stated that the intent would be for these uses to be listed as conditional uses. Wilson stated that some amendments to the City Code would be necessary; as our current Liquor licensing does not extend to these types of liquor establishments. Wilson stated that a public hearing is required to amend the zoning ordinance; however, the City Code section only requires a review by City Council. Wilson stated that the intent would be to hold the hearing on the zoning amendments at the June 11<sup>th</sup> meeting; then the whole package could head to Council on June 18<sup>th</sup>.

Motion by Larson, second by Lundeen to call for a public hearing to Amend Ordinance No. 445 Zoning to allow for microbreweries, brewpubs, brewer tap rooms and other similar uses within commercial districts. Motion was unanimously approved.

**5. Discussion Items.**

**A. Zoning Ordinance Amendments.**

Wilson stated that everyone should have copies of the recent amendments for their at-home zoning ordinance.

Stevens stated that he would also like to give an update on the sign sub-committee group, as they have met twice to review the issues with the sign code.

Wilson stated that the group is working on some draft language to some components. Wilson stated that there continues to be discussion about temporary signs. Wilson stated that there is a divide in the group in terms of what should be permitted when it comes to this type of signage. Wilson stated that staff was going to draft some options for the group to consider at the next meeting.

Stevens stated that in meeting with the group, they definitely feel like they are being included in the process with the City.

**6. Adjournment**

Motion by Lundeen, second by Lind-Livingston to adjourn the May 14<sup>th</sup>, 2013 meeting of the Planning Commission. Motion was unanimously approved.

The meeting adjourned at 8:12 p.m.

Dated at Isanti, Minnesota this 11<sup>th</sup> day of June 2013.

Respectfully submitted,

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Lisa M. Wilson, AICP  
Planning and Parks Director