

**CITY OF ISANTI  
PLANNING COMMISSION  
MEETING MINUTES  
JUNE 11, 2013**

**1. Meeting Opening.**

**A. Call to Order.**

Stevens 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, Sue Larson, Cindy Lind-Livingston, Steve Lundeen, Sean Stevens, and Michael Streiff III.

**Members Absent:** Kristi Gordon (gave prior notice).

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

**D. Agenda Modifications.**

Wilson stated that she had none.

**2. Approval of Minutes from May 14, 2013 Planning Commission Meeting.**

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

Motion by Lundeen, second by Larson to approve the May 14<sup>th</sup>, 2013 Planning Commission Meeting Minutes. Motion was unanimously approved.

Stevens explained to the public how the public hearing process works and the role that the Planning Commission plays in that process. Stevens stated that if anyone from the public had comments, they would need to approach the podium and provide their name and address for the record prior to speaking.

**3. Public Hearings.**

**A. Request from Brandon and Keri Majewski for a Variance from the Front and Street Side Yard Setback to allow for the construction of an open air front porch on the property located at 120 Broadway St SE.**

Wilson outlined the information that was provided for within the staff memo. Wilson stated that the Planning Commission would need to make findings for each of the items listed on page 2 of the staff memo. Wilson stated that the proposal would need to meet each of these requirements in order for the variance to be granted.

Stevens opened the public hearing at 7:05 p.m. Stevens questioned if the applicants were present; and if so, could they come forward.

Brandon and Keri Majewski, 120 Broadway St SE, were present.

Stevens stated that they have seen the packet of information and have been working with the plans. Stevens questioned if any portion of the patio is there now.

Brandon Majewski stated that it was just the stairs.

Stevens questioned the corner line setback. Stevens stated that we are dealing with both a front and street side yard setback. Stevens questioned how close to the corner the porch would be. Stevens questioned the southeast corner.

Wilson stated that because of the diagonal nature of the front property line, the porch would be a foot closer to the property line than the existing home currently is.

Stevens questioned that again.

Wilson stated that she could project the image on the screen and explain. Wilson showed the location of the porch at the corner. Wilson discussed the proposed dimensions.

Lundeen stated that the stairs right now are already further out then the porch would be.

Stevens questioned if they have played around with different concept drawings to figure out how they could be within the setbacks.

Keri Majewski stated that from what they saw on the survey, no matter what they did they would need a variance, because the house itself is already encroaching into the setback.

Stevens questioned if that was the case.

Wilson stated that the shortest side is considered the front yard per the zoning ordinance. Wilson stated that the home itself is already located 20.6 feet from the property line. Wilson stated that a 30 foot front yard setback is required. Wilson stated that the existing home is only one foot away from the 20 foot street side yard setback.

Lundeen questioned if they were roofing and re-siding the garage as well.

Brandon Majewski stated yes. Majewski stated that they would be doing the same with the home as well.

Lundeen stated that all the roof trusses had come off as well.

Brandon Majewski stated that the garage had been hit by a tree when a storm came through. Majewski stated that the structure needed to be fixed.

Lundeen questioned where in the packet the points for the findings were located.

Wilson stated towards the middle of page 2. Wilson read through each of the standards.

Stevens questioned if the petitioner had any questions.

Brandon Majewski stated that it seemed pretty straight forward based upon the letter.

Stevens stated that he did not find anything that violated any of those points. Stevens stated that there are unique circumstances with the house and lot that force the situation. Stevens stated that he was inclined to grant the variance. Stevens questioned if anyone else on the commission had questions.

Larson stated no. Larson stated that it is an older home on a unique property.

Lundeen stated that the addition would really increase the value of the property and would make the area look nice.

Ashley Gravnik, 100 Nemo Ave SE, stated that she is in support of the variance. Gravnik stated that this will add value to their neighborhood and will help the area to look better.

Stevens closed the public hearing at 7:12 p.m.

Motion by Lundeen, second by Stevens to recommend approval of the variance to reduce the required street side yard setback and front yard setback to allow for a porch to be constructed on the existing structure located at 120 Broadway St SE based upon the Findings of Fact. Motion was unanimously approved.

**B. Request from the City of Isanti to Amend Ordinance No. 445 Zoning, Section 2 Definitions, Section 7 Business Districts, Section 8 Industrial Districts; and other associated sections to allow for brewpubs, brewer tap rooms, microbreweries, distilleries and other similar uses.**

Wilson had outlined the information provided within the staff memo. Wilson provided information regarding the type of uses that would be permitted as conditional uses within each of the districts noted.

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

Stevens questioned where the 40,000 gallons had come from within the definition.

Wilson stated that it came from State Statute.

Stevens questioned if we had an active project for this change.

Wilson stated that staff has received inquiries and wanted to be ahead of things with these uses.

Stevens stated that these types of uses are hot right now and it is appealing to him to have something headquartered in Isanti.

Englund questioned if there would be beer only.

Wilson stated that depending upon the use; there are state statute regulations depending upon what can be served with the liquor license. Wilson stated that if they are a brew pub, they can sell beer from their facility and from other places as well. Wilson stated that if it is a tap room, she believed it can only be beer from the facility.

Streiff stated that should be clear somewhere, because the line is pretty thin.

Englund stated that he figured it would be through state statute too as to what they are licensed to sell.

Stevens stated that there were no members of the public present for this item. Stevens closed the hearing at 7:17 p.m.

Motion by Stevens, second by Lundeen to recommend approval of the Amendment to Ordinance No. 445 Zoning to allow for brewpubs, brewer tap rooms, microbreweries, micro distilleries, and other associated uses based upon the Findings of Fact. Motion was unanimously approved.

**4. Other Business.**

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

Wilson outlined the information that was contained within the packet. Wilson noted what was found from other communities, which were not metro area communities. Wilson stated that most communities do not allow for commercial vehicles in residential districts. Wilson stated that representatives from these communities indicated that there are enforcement issues once commercial vehicles are permitted. Wilson

stated that the only community that had an established lot was the City of Cambridge. Wilson stated that in other communities, the vehicle owners need to find their own locations. Wilson stated that there were comments from the commission members that people could see vehicles parked in areas of other communities when driving to work. Wilson stated that she did want to caution the commissioners, as just because vehicles are parking there does not mean that they are permitted by the City or Ordinance.

Wilson stated that we are going to be adding another layer of parking to city lots. Wilson stated that most lots in the City are smaller. Wilson provided the minimum lot sizes for each of the zoning districts. Wilson stated that we all like to think that a property owner will look at their property and make a decision about purchasing or storing an item on their property based upon its size; however, City staff is dealing with a few properties that have storage issues. Wilson stated that we have some property owners that are trying to fit some very large and an increased number of vehicles on their lot. Wilson stated that they are coming to the City looking for waivers from the code requirements so their toys and vehicles all fit.

Wilson stated that weight classes were provided within the staff memo. Wilson stated that the US Department of Transportation uses the grid for vehicles based upon their weight. Wilson stated that pictures of vehicles that go with particular sizes have been provided as well. Wilson stated that City staff is looking for direction from the Planning Commission on this item. Wilson stated that she had not put a permit process together, as the members seemed divided at the last meeting on where they saw this ordinance going.

Stevens stated that the information between the different communities are spot on. Stevens stated that we have surrounding communities that do not allow for these vehicles. Stevens stated that they have done a little bit of the leg work for us. Stevens stated that it demonstrates the issues with creating an ordinance that allows for larger vehicles. Stevens stated that these groups have already weighed the issues.

Lundeen stated that we can tailor make our ordinance to allow for semi-tractors without having big box trucks and other vehicles on the property.

Stevens stated that we can do anything.

Lundeen stated that we could say they cannot exceed a certain length. Lundeen stated that if you get a big box truck in there, you will not see around it. Lundeen stated that he can think of intersections where vegetation is in the view of motorists and box trucks would be the same.

Englund stated that temporary signs can block a view as well. Englund stated that you have to stick the nose of the vehicle into traffic to see around it.

Lundeen stated that we are not like other cities. Lundeen stated that we can tailor our ordinance make this to work.

Wilson stated that we need to be very careful as to how we are allowing certain commercial vehicles and not others. Wilson stated that we are going to have the guy that has a smaller box truck that weighs less than the semi-tractor wondering why he can't park on his driveway, but that guy can. Wilson stated that we need to be consistent.

Lundeen stated that they could register. Lundeen stated that they should be permitted with the City so we can track the vehicles that are allowed.

Wilson stated that we can go with a permit process, but the group needs to understand that this will take staff time to administer and track. Wilson stated that we need to consider staff's capacity to do all of these permits as well as to track whether or not they are following the permitted rules.

Stevens questioned some of the issues that we are seeing in the field.

Wilson stated that we have received calls from developers that have recently purchased lots throughout the community. Wilson stated that they are heading out to look at the lots and the surrounding area; and are calling the City wondering how they are going to sell these lots and potential homes on these lots with all of the parking and storage issues that they can see in the neighborhood. Wilson stated that some things are allowed and others we can work for compliance. Wilson stated that they have genuine concerns as to what potential homebuyers are going to think when they look at a home and its surrounding neighborhood. Wilson stated that we already have a gentleman that has complaints against his property; and decided to purchase another recreational vehicle that doesn't fit on the lot. Wilson stated that people are not thinking about what the lot can accommodate.

Lundeen stated that is the last thing they are normally thinking about. Lundeen stated that a semi-tractor is not a toy, it is their livelihood.

Wilson stated the concern is that we are going to be allowing another level of parking to each lot. Wilson stated that we may end up with a tractor, utility vehicle, and several other vehicles on one property. Wilson questioned if that was what the commission wanted to see throughout the community. Wilson stated that the Planning Commission is being given the opportunity to establish what the character will be for this community. Wilson stated if that is what we want to see throughout the community, then staff will craft ordinance accordingly. Wilson stated that the group needs to look at the big picture.

Streiff questioned if there was a permitting process are they going to be willing to pay. Streiff stated that he is sure someone will have a problem with that too.

Stevens stated that we are again talking within City limits, "R-1" district, 11,000 square foot lots. Stevens stated that the guy that has a few acres, big deal. Stevens stated that if you have a 14,000 square foot lot, that is an issue. Stevens stated that it would not fly in neighboring communities either. Stevens questioned if staff needed a motion.

Wilson stated that this is for discussion. Wilson stated that staff is willing to bring things back for additional review if needed. Wilson stated that we want to do this right. Wilson stated that we do not want to keep having this discussion. Wilson stated that she is looking for direction from the group.

Stevens stated that it is a tough one.

Lundeen stated that he is still in favor of doing a permit process. Lundeen stated that it will solve some problems in other areas. Lundeen stated that you can't put all of these things on the lot. Lundeen stated that there are other code issues in the City of Isanti. Lundeen provided information regarding impervious surface issues. Lundeen stated that in the Isantian there was information regarding charging businesses storm water charges.

Streiff stated that he would like to know more about the legalities of permitting. Lundeen questioned the legalities of what.

Streiff stated the legalities of saying you are a semi-tractor, so you can be permitted, but other vehicles are not allowed. Streiff stated that will cause some issues for some people.

Lundeen stated that a semi-tractor is not as long as a box truck.

Streiff stated that we would be saying any box truck.

Lundeen stated that it would be length. Lundeen stated that it could apply to all commercial vehicles.

Wilson stated that she did want the Planning Commission to keep in mind that whatever is in ordinance has to be enforceable. Wilson stated that we do not want to be guessing in the field and we need to have something that the public understands. Wilson stated that we are willing to draft ordinance to meet the vision of the commission, but it needs to be easily enforced. Wilson stated that entering properties to verify some of these things can be difficult.

Lundeen stated that if they don't want you out there, they are obviously in the wrong. Lundeen stated that if he got a letter and he knew he was in the right, he wouldn't care.

Streiff stated that people that do not know code, so they are going to be offended. Streiff stated that staff needs to have a way to measure these things; and some people are not going to want a City official either way.

Englund stated that people do not want a city official on their property. Englund stated that there are a lot of new people; and they do not know the rules and take offense when questioned.

Stevens stated that he is more inclined to not have a permit process and prohibit these types of vehicles. Stevens stated that with the issues presented, he does not feel we can get to fair and equitable for everyone. Stevens stated that is his personal opinion. Stevens stated that we have been down this road before a few times in his nine years.

Lind-Livingston questioned if Mr. Anderson lived in an R-1 district.

Wilson stated that he is zoned "R-2", but he has around a 2 acre lot. Wilson stated that some of the lots surrounding him are smaller.

Lind-Livingston questioned if this was just for the "R-1" district.

Wilson stated that this would apply to all.

Stevens questioned if there was a grandfather clause for these.

Wilson stated no.

Lind-Livingston questioned if it can be done by zoning district. Lind-Livingston stated that there is a big difference between parking on a large versus a small "R-1" lot.

Stevens stated that we could look at a variety of things. Stevens stated that we just have to come to something that the group can agree with and the community is comfortable.

Lind-Livingston stated that in the "R-1" we could allow one thing, but in the "R-2" we could allow a larger length.

Stevens stated that he had a problem with that, because the lots get smaller and we start adding attached residential units.

Lind-Livingston questioned if lot size would work.

Wilson stated that may work better, if you are looking at allowing them. Wilson stated that we need to make sure that it is enforceable and easy to understand.

Stevens stated that he was looking at a green space approach. Stevens stated that he originally thought maybe only a percentage of the lot could be occupied by vehicles. Stevens stated that he does not think that would be practical.

Lind-Livingston questioned if there was a limit to how many vehicles you could have on your property.

Wilson stated that the limit is five.

Streiff stated that everyone around us says no.

Stevens stated that does not mean that is what we should do.

Streiff questioned if we knew how many vehicles there were.

Stevens stated that he thought if the City changed this and disallowed it, it would affect 10 people.

Streiff stated that it will be all staff does for a few years. Streiff questioned if this is complaint based.

Wilson stated that we are being proactive. Wilson stated that with all the new sales, rentals, and foreclosures; we were seeing an increased number of issues and violations. Wilson stated that we were getting calls from realtors wondering how they were to sell homes with the property maintenance issues. Wilson stated that this spring alone, the complaints have increased, between outdoor storage and grass issues.

Stevens stated that when he first came on 9 years ago, there were issues with recreational vehicles parked along Main St. Stevens stated that it will continue to be an issue.

Streiff stated that we could prohibit, but maybe we just not act unless there are problems and complaints. Streiff stated if there are issues, then the City would react to that property.

Stevens questioned if staff has issues with this.

Wilson stated that the ordinance should reflect what we want to see in the City. Wilson stated that the ordinance should be something the community is willing to stand by and enforce. Wilson stated that Council decided that it would be more than complaint driven. Wilson stated that when it is complaint driven, it becomes nothing more than finger pointing. Wilson stated that when it is complaint based, it is neighbors that don't like each other just retaliating. Wilson stated that they find out someone else is in violation and never received a letter; then they are upset. Wilson stated that it just ends up snowballing. Wilson stated that people seem to feel better knowing that the whole street was notified, rather than just two people because they don't like each other. Wilson stated the public likes for the City to be consistent.

Lundeen stated that is the problem with complaint driven. Lundeen stated that if you do something to your neighbor, they are going to make you pay the price. Lundeen stated that you are never going to please everyone. Lundeen stated that you can please the few, rather than fight all those that are mad.

Streiff stated that you could be there for 20 years; and you take care of your yard. Streiff stated that you have the rental that doesn't care and the whole block gets in trouble.

Lundeen stated that maybe that should be a requirement that you have to own the property before you can have a commercial vehicle.

Englund stated that we have more problems than commercial vehicles. Englund stated that there are other vehicle issues.

Lundeen stated that he does not have a garbage pick-up at his house, but he listens to the garbage truck at 5:00 a.m. Lundeen stated that people only care when it suits their needs. Lundeen stated his issues with dogs and kids making noise. Lundeen stated that he leaves well enough alone. Lundeen stated that if you affect me, then he is upset. Lundeen stated that he does not have garbage pick-up, but he has to listen to the garbage truck for everyone else. Lundeen stated that neighbors need to accommodate other people's wishes as well.

Stevens stated that Councilmember Lundeen is advocating for establishing some sort of metric with a permit process. Stevens stated that he is not. Stevens stated that the group needed to provide some information to Mrs. Wilson.

Wilson stated that we can put information together for further review; City staff just needs to know what the group is thinking. Wilson stated that it does need to be enforceable.

Lind-Livingston stated that she would not want vehicles like that parked in her neighborhood. Lind-Livingston stated that if you are on a small lot, they should not be allowed. Lind-Livingston stated that if you have a larger lot and it would not affect your neighbors, it could be allowed. Lind-Livingston stated that she knows Mr. Stevens had tried to think about this, so what issues did he have.

Stevens stated that length and weight are pretty cut and dried. Stevens questioned how we could say that you can have a 20-foot semi-tractor, but not a box truck. Stevens stated that there is difficulty there. Stevens stated that you could look at green space that says you have a 20,000 square foot lot and 5% can be used for parking. Stevens stated that if he understands Mrs. Lind-Livingston, she would be advocating for a standard to allow for it, but taking measures to eliminate big vehicles on small lots.

Lind-Livingston stated yes.

Englund stated that he agrees with the green space issue. Englund stated that if you have a bigger lot, you can have a bigger vehicle. Englund stated that with a smaller lot, there are issues with neighbors and views. Englund stated that you might not like what your neighbor does, but if it is not wrong, you put up with it.

Larson stated if you do it by lot size, then a lot of older residents that live on smaller lots will be upset.

Stevens stated that maybe not. Stevens stated that some people may be happy because their neighbor cannot pile pick-up trucks on the lot.

Larson stated that most of them are used to the way that things have been. Larson stated that they do not like change. Larson stated that they cannot do anything about their lot size. Larson stated that we have people that have problems with meeting requirements. Larson stated that corner sight lines become a real issue. Larson stated that she does not want to push people away, but we could do so either way. Larson stated that in the newer developments, I might not want to see a lot. Larson stated that in an older neighborhood, this may not be an issue. Larson stated that if people have invested in their home in a nice neat neighborhood, they are not going to want to see a big commercial vehicle in the yard. Larson stated that we also do not want to limit people that are working and struggling to make ends meet. Larson stated that she is just torn on this item.

Streiff stated that he thinks this is an administrative nightmare. Streiff stated that he feels that long term that may not be the solution.

Stevens stated that it seems that the group is struggling to come up with some sort of standard. Stevens questioned if that made sense.



Wilson stated that City staff will look at it a couple different ways and bring it back.

Larson stated that we struggled with this before. Larson stated that there are so many different things. Larson stated that some people have done unique things and their yards look good. Larson stated that there are others in which, even though they are in compliance, they do not look as good.

Stevens stated that he would like to use the impervious standard. Stevens stated that if a vehicle is so big, it cannot sit on more than 1% or 5% of a certain area. Stevens stated that we are not going to have other communities to look at.

Englund stated that we are trying to work with people in the town versus just saying no.

Larson stated that many people are traveling with commercial vehicles to other areas. Larson stated that we do not have a lot of jobs in the area.

Stevens stated that we would be establishing a rule that would allow for something that is not allowed in this area. Stevens stated that he agrees with Mrs. Lind-Livingston, if you have 11,000 square feet, you would be limited. Stevens stated that if your property is larger, you are allowed more.

Lundeen stated that townhomes would be further limited. Lundeen stated and that is fine, because you chose that living situation because you didn't want to have the big lawn area to maintain.

B. Amendment to Ordinance No. 536 Subdivision and Platting of Lands for the City of Isanti.

Wilson presented the item. Wilson stated that City staff is requesting that the Planning Commission call for a hearing to amend the Ordinance, so that these areas would be deeded to the City upon development.

Motion by Stevens, second by Larson to call for a public hearing to Amend Ordinance No. 536 Subdivision and Platting of Lands for the City of Isanti to be held on July 9<sup>th</sup>, 2013. Motion was unanimously approved.

Larson stated that the City Engineer will be giving a presentation at the next Council meeting regarding the new storm water rules that the City will be facing. Larson invited others to attend.

C. Amendments to Ordinance No. 445 Zoning, Section 18 Sign Plan Review, Subdivision 16 Performance Bond.

Wilson provided background information regarding this item. Wilson stated that the City would need to amend the zoning ordinance to allow for this type of financial surety.

Stevens questioned if the fee information provided in the staff memo even begin to cover what would be necessary for these types of developments.

Wilson stated that we would need to work with the City Engineer to come up with an estimate.

Stevens stated that if we are going to hold money, we should hold the right amount.

Wilson agreed.

Motion by Larson, second by Lundeen to call for a public hearing to Amend Ordinance No. 445 Zoning, Section 18 Site Plan Review, Subdivision 16 Performance Bond to be held on July 9, 2013 meeting. Motion was unanimously approved.

**5. Discussion Items.**

**A. None.**

**6. Adjournment**

Motion byLundeen, second by Englund to adjourn the June 11<sup>th</sup>, 2013 meeting of the Planning Commission. Motion was unanimously approved.

The meeting adjourned at 8:01 p.m.

Dated at Isanti, Minnesota this 9<sup>th</sup> day of July 2013.

Respectfully submitted,

---

Lisa M. Wilson, AICP  
Planning and Parks Director