

**CITY OF ISANTI  
PLANNING COMMISSION  
MEETING MINUTES  
JULY 10, 2012**

**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:** David Englund, Sue Larson, Cindy Lind-Livingston, Steve Lundeen (arrived at 7:02 p.m.), Christopher McDonald and Sean Stevens.

**Members Absent:** None.

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

**D. Agenda Modifications.**

Stevens questioned if there were any modifications to the agenda.

Wilson stated that there were none.

**2. Approval of Minutes from June 12, 2012 Planning Commission Meeting.**

Stevens requested a motion regarding the minutes from the June 12<sup>th</sup> meeting.

Motion by Larson, second by Englund to approve the June 12, 2012 Planning Commission Meeting Minutes. Motion was unanimously approved.

**3. Public Hearings.**

**A. Request from Hugo and Elaine Strike for an Amendment to the Villages on the Rum Third Addition, Phase Two Planned Unit Development to allow for a reduced cove line setback for the property located at 1303 Blossom Blvd NW.**

Stevens stated that for clarity purposes, he is a neighbor to the property. Stevens stated that he did not believe that it would put him in any jeopardy to hear about the project, but he did receive the notification for the 350'.

Wilson presented the staff memo. Wilson stated that she had received some public comment regarding the proposal. Wilson explained that the property owner immediately to the south had concerns regarding the configuration of the proposed home on the property; and how this may affect views from windows located along this side of the property. Wilson stated that the adjacent property owner did not want to deter the applicant from building their dream home, but did have concerns as to how construction at the reduced cove line and the configuration of the home would affect their property and its future value. Wilson stated that another resident in the area had questioned whether or not the property owner could stake out the general location of the home on the property, so surrounding neighbors could get an idea of where the home would be

located on the property. Wilson stated that questions were raised as to whether the lot could support the home.

Stevens opened the public hearing at 7:07 p.m. Stevens questioned if there were any questions or commentary on this item.

Elaine Strike, 204 Richard Ave SE, stated that the neighbor that commented that the windows on their home would be affected is not quite correct. Strike stated that the existing home does not have windows that directly face their lot. Strike stated that there are windows that face the street on that side of the home, but nothing that faces their lot. Strike stated that they wanted to build a nice home and the lot is almost unbuildable if they are required to meet all the setbacks that are required. Strike stated that they would like to move forward with building the home this summer.

Stevens questioned if there were other questions or comments. Stevens stated that the lot is quite challenging, given what goes on with the Rum River. Stevens stated that back a few years ago when the applicants were taking lumber off, it did prove to be a quite challenging lot. Stevens stated that in trying to put a house on the property would be difficult, as the applicant does not want it completely underground or limited to 900 sq./ft.

McDonald questioned if there was anything to the north that would be affected by altering the cove line.

Stevens stated that if the cove line is altered for this property, then the house that is constructed to the north would be staggered back to the original cove line for that property.

Lind-Livingston questioned why there was such a difference in the location of the cove line throughout the various properties.

Wilson stated that she wished she had a good explanation for how the cove line was determined. Wilson stated that City staff had looked through all of the information associated with the development and the plat; and could find nothing that explains how the line was determined. Wilson stated that the cove line was based upon the curves in the road. Wilson stated that there are some lots that have a cove line that is around 30 feet and others, like the lot in question, where it was placed at almost 75 feet back.

Lundeen stated that in looking at Lot 3, they should not have that problem. Lundeen stated that the cove line on this property and the depth of the lot should make it easier for the future property owner to locate a home. Lundeen stated that he agreed it was a challenging situation. Lundeen stated that the homes are not perfectly in line on any street in the City. Lundeen stated that the City needs to come up with a simple solution and let the property owner do what they can with the property. Lundeen stated that on Lot 3, they could adjust the cove line and split the difference. Lundeen stated that they are not blowing it way out of proportion on either side.

Stevens stated that in terms of where the proposed building area is; are they planning on trying to make the house walk-out to the backyard.

Strike indicated yes.

Stevens stated that he understands the neighbor's concern, as every foot that they move forward could potentially put the home right in front of their front window. Stevens stated that they could be looking at a lot of siding. Stevens stated that there are no side windows that would directly look at the structure, but as it moves forward, there could be sight issues. Stevens stated that he is leaning more towards trying to find a line half way in-between and call it a good scenario.

Lundeen questioned if something could be done to move the setbacks that apply to the rear yard.

Wilson stated that the setbacks noted in the rear yard are associated with Minnesota Rules provisions for the Scenic Easement area along the Rum River. Wilson stated that there may be a process through the DNR for these setbacks.

Hugo Strike stated that they had given up drawing plans at this time until they knew what would be allowed by the City. Strike stated that he did not want to be that close to the street either. Strike stated that one of the plans had placed the garage along the south side with a north door on it. Strike stated that they could put some windows along that side of the home. Strike stated that on the lot to the north, there is a big gully on the property. Strike stated that he would be surprised if they could push that home back that far either, without a lot of fill. Strike stated that in a second plan, they had a garage on the north side as well.

Englund questioned if it would be split-entry.

Strike stated that it would be a walk-out Rambler. Strike stated that most things would be located on the main floor. Strike stated that the house to the south is a walk-out Rambler as well. Strike stated that stakes have been provided by Anderson Passe to mark the bluff line.

Stevens questioned if there were concerns regarding what happens to that line as we move to the north.

Wilson stated that the cove line stair steps as you move north from this property. Wilson stated that the property to the north probably has about a 50 foot plus cove line setback. Wilson stated that City staff would need to measure the cove line for each of the lots. Wilson stated that there are concerns, but it will depend upon what type of home and how the future owners construct that home on the property.

Larson stated that in looking at the property to the north, it is a bit wider.

Stevens stated that most of that is at the back of the lot though.

Larson stated that at the front too, it is a little wider than Lot 2. Larson stated that when the plat was drawn, it was challenging to figure out what could be done, as the lots were long and narrow.

Stevens questioned if there were additional comments. Stevens stated that there were none. Stevens closed the public hearing at 7:17 p.m.

Larson stated that she would like to make a motion to allow for the reduced cove line setback to 36.8'. Larson stated that she felt this made the most sense.

Lundeen seconded the motion.

Stevens questioned if Mr. Lundeen wanted to divide the line between the existing and proposed cove line.

Lundeen stated that he agreed with Mrs. Larson. Lundeen stated that he does not see the proposal as being a problem. Lundeen stated that on Lot 3, a future builder could square the lot up a little bit better too.

Larson stated that the home on Lot 3 would be sitting at a very different angle when it is built.

Stevens stated that the way that they angle towards one another, if there is a driveway on the north side then it is going to be challenging not to put another driveway right on top of that one, if they want to pick a southern facing driveway.

Lundeen stated that if you look at Lot 1, they have a forty foot setback and on the Strike lot, they head back to 74 feet.

Stevens stated that he thought the Planning Commission would work to find a middle point. Stevens questioned if anyone on the Planning Commission was open to that idea or do they feel the proposed motion is better.

Lind-Livingston stated that it makes sense to line it up with the home to the south. Lind-Livingston stated that she agreed with the motion that was made.

Motion by Stevens to divide the distance between the existing line and the proposed line to create a new line, half-way in-between the two.

Larson stated that there is already a motion on the table.

Stevens stated that he wanted to give an option.

Motion by Larson, second by Lundeen to recommend approval of the amendment to the Villages on the Rum Third Addition, Phase Two Planned Unit Development to allow for a reduced cove line setback for the property located at 1303 Blossom Blvd NW from 73.5' to 36.8' based upon the Findings of Fact as presented. Motion was approved 5 – 1, with Stevens voting nay.

B. Request from Kardo Properties LLC for a Conditional Use Permit for landbanked parking and Site Plan/Building Appearance Review, which would allow for the construction of an addition to the existing structure located on the property at 605 1st Avenue NW.

Wilson provided the staff memo and the conditions as recommended by City staff.

Stevens requested that the applicant step forward.

Mark Dougal, 605 1<sup>st</sup> Avenue NW, stated that he was present.

Stevens questioned if the applicant had any questions or concerns regarding the proposed conditions.

Dougal questioned if the engineer had any comments, as he thought they recommended approval.

Wilson stated that the engineer did not have any concerns. Wilson stated that throughout the process, it is standard to have such a condition so if something does come up during construction, the applicant must adhere to any requests by the engineer.

Dougal stated that the building was designed to be pushed out in this direction. Dougal stated that it has an expandable end wall. Dougal stated that the same manufacturer is putting together the kit. Dougal stated that all of the drawings will come with the appropriate stamps.

Stevens ran through the conditions briefly. Stevens questioned if there were concerns.

Dougal questioned if the sodding requirement applied to the perimeter of the new addition, once the dirt work was completed.

Wilson stated yes.

Dougal stated that the sign structure was there when he bought the building they are just replacing the face of the sign. Dougal stated that he did not have issues with the conditions. Dougal stated that they are labor light, so they do not need a lot of individuals to produce the product.

Stevens opened the hearing at 7:31 p.m. Stevens stated that there were no further comments from the audience. Stevens closed the hearing at 7:32 p.m.

Motion by Larson, second by Lundeen to recommend approval of the Conditional Use Permit for landbanked parking and Site Plan/Building Appearance Review for the construction of an addition to the existing structure located at 605 1<sup>st</sup> First Avenue NW with staff conditions based upon the Finding of Fact as presented. Motion was unanimously approved.

C. Request from the City of Isanti to Repeal Ordinance No. 254 and Adopt an Ordinance Establishing Rules and Regulations for the Subdivision and Platting of Lands for the City of Isanti.

Wilson presented the staff memo.

Stevens opened the public hearing at 7:33 p.m. Stevens questioned if there were any comments or concerns. Stevens stated that there were none. Stevens closed the public hearing at 7:34 p.m.

Motion by Englund, second by Larson to recommend approval of the Repeal of Ordinance No. 254 and to adopt an Ordinance establishing rules and regulations for the subdivision and platting of lands for the City of Isanti. Motion was unanimously approved.

**4. Other Business.**

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

Wilson presented the information that was provided in the Planning Commission packet. Wilson stated that the information requested by the Commission members at the last meeting has been

included to aid in the discussion. Wilson stated that City staff is looking for further direction on the items that were noted at the last meeting.

Lundeen questioned the definition for commercial vehicles. Lundeen stated that any vehicle over 15,000 GVWR is considered commercial. Lundeen stated that if this is a limitation, this may need to be reviewed as semi-tractors are 16,000 to 21,000 GVWR.

Wilson agreed there would need to be revisions to this definition.

Stevens stated that he is not familiar with the current issues. Stevens stated that this is the third time he has seen this item in his tenure with the Planning Commission. Stevens questioned what types of concerns have been raised more recently. Stevens questioned if these are concerns about issues that our amendments may not have addressed or if these are new concerns.

Wilson outlined the issues that the Community Service Officer is facing in the field with the current Ordinance. Wilson summarized the semi-tractor issue that had recently been presented before the City Council. Wilson stated that the Ordinance was referred back to the Planning Commission, so discussion and clarification can be brought to these issues.

Stevens stated that City staff highlighted a number of areas and rather than cutting new cloth on all of these; the Commission needs to go through each of these. Stevens stated that he was familiar with a few, but not as familiar with others. Stevens questioned the grandfather clause.

Wilson stated that the language in the grandfather clause does not include all the items that were originally intended to be grandfathered. Wilson stated that first, since the representatives for the semi-tractor discussion were present, it may be beneficial to have that discussion with them given that they are at the meeting. Wilson outlined the issues that needed to be reviewed and discussed for this particular item.

Stevens agreed that was a good idea.

Doug Anderson, 30 Buckskin Blvd NE and Robert Schleicher, 1115 Flintwood St SW were both present for the discussion.

Anderson stated that he had done some research. Anderson stated that he has information regarding the footprint of a truck and the weight per square inch. Anderson stated that with a front axle, they weigh more than any other vehicle. Anderson stated that as far as the drive axle, they are one-third of the weight of any vehicle out there. Anderson stated that the average is 29 pounds per square inch. Anderson stated that most other vehicles are 30 pounds per square inch. Anderson stated that this takes into consideration both the front axles and the drive axles. Anderson stated that most drivers are smart enough not to stay in one spot and just turn the wheel. Anderson stated that most drivers know to roll the wheels as they are turning, so as not to cause problems on the roadways. Anderson stated that he has some petitions that he has been gaining signatures from residents.

Anderson stated that he would love to be able to have his truck at home. Anderson stated that he has 1.82 acres in town and has had his truck there for years. Anderson stated that he has never had an issue. Anderson stated that he would like to address line of sight issues, type and size of the truck, arrival and departure times, room to be off the street; and no hazardous trucks in a

residential area. Anderson stated that there are fridges, freezers, shore power, pantries, etc. Anderson stated that they plug in the truck in the winter to keep the engine and fuel warm. Anderson stated this is his home away from home and he needs to keep an eye on the vehicle that is his livelihood. Anderson stated that all of their neighbors are okay with their trucks being in the neighborhood. Anderson stated that he does not believe that a truck should sit on the street, as it is eight feet wide. Anderson stated that in terms of parking it off the street, but most trucks if they are parked in the driveway, if they are 10 feet from the truck to the street there should be no line of sight issues.

Anderson stated that if the truck does not fit in the driveway and if would fit in the yard on an impervious surface, then it could do so. Anderson stated that the truck should be tasteful. Anderson stated that trucks do get dirty. Anderson stated with noise, every graph he has brought up, shows diesel trucks at just above a garbage disposal at 90 dba. Anderson stated that the trucks are going to be coming into the neighborhood slowly, so the noise level should be less.

Stevens stated that he wanted to wrap up a little bit. Stevens stated that Anderson is not concerned about noise, pounds per square inch, parking in a driveway on impervious surface if there is room to do so. Stevens stated that it seems as though Anderson's chief concern is just if the driveway sits on a corner lot, it could potentially block the visibility of individuals coming around the corner. Stevens questioned if that information was accurate.

Anderson stated that would be him as a driver looking at this. Anderson stated that he sees trucks all day every day. Anderson stated that when entering a neighborhood, most kids think it is cool. Anderson stated that he can understand that you can't make everyone happy. Anderson stated that he understands keeping property values up. Anderson stated that most drivers like to take care of their homes. Anderson stated that they can support themselves enough to do those things.

Stevens questioned if his home was on a much smaller lot, like many in Isanti, and he did not have enough room to store his vehicle between his property line and garage to store his vehicle; would it make sense to you that it was not an option for you. Stevens questioned if Anderson would be able to discern that he would not be able to park his vehicle there due to limitations on his property.

Anderson stated yes. Anderson stated that if you don't have room on the driveway or beside your home, then you should have made plans before. Anderson stated that he used to park both his tractor and trailer on his property; and he never received any complaints. Anderson stated that he did not realize that there was an ordinance against parking this type of vehicle on the property.

Stevens stated that is normally how these things come about, something happens, and it comes as a complete shock. Stevens stated that he feels like he has reviewed this ordinance about 10 times. Stevens stated that it is so hard determine what set of circumstances is right for each individual in the community.

Lind-Livingston questioned the size of Mr. Anderson's lot.

Anderson stated that he had 1.82 acres.

Lind-Livingston questioned the size of Mr. Schleicher's lot.

Schleicher stated that his lot is around .27 acres. Schleicher stated that if he parks his vehicle in the driveway, there is ten feet between the truck and the roadway. Schleicher stated that there are no line of sight issues. Schleicher stated that for nine years he has been bringing the vehicle home and none of his neighbors have a problem with it. Schleicher stated that he walked up and down the street; and neighbors were surprised that he could not have the vehicle there.

Schleicher stated that he is not in and out of the neighborhood every day. Schleicher stated that he may return home around 6:00 p.m. and will leave the next day at 7:00 or 8:00 a.m. when everyone else is leaving for work. Schleicher stated that he runs long enough to get the air powered up, which is 2 to 3 minutes and he is on his way. Schleicher stated that his tools for minor repairs are at his home. Schleicher stated that he washes his truck every time his is home. Schleicher stated that it is more convenient for him to come home rather than leave his truck in Becker when he has to be to Princeton the next morning. Schleicher stated that he does not want to bring his trailer home, just his truck. Schleicher stated that he had told him neighbors nine years ago; if they have problems then he will fix them. Schleicher stated that he had received two tickets in one day. Schleicher stated that he had discussed with the police department as well as court administration.

Stevens stated that there are problems and there are a lot of issues that need to be taken into consideration.

Englund stated that when this ordinance was originally discussed, the semi-tractor issue is what started the review. Englund stated that some of the truckers in the past were disrespectful to the neighbors and it became an issue. Englund stated that not every driver is like Anderson and Schleicher.

Lind-Livingston stated that she had a neighbor that would bring his truck home. Lind-Livingston stated that the neighbor kid was louder coming down the road at one in the morning than the semi-tractor ever was.

Lundeen stated that people also associate jake-braking with semi-tractors as well. Lundeen stated that he is not against people bringing a commercial or company vehicle home with them. Lundeen stated that as long as the tractor is not parked in the street, are in the driveway on impervious surface, and there are no line of sight issues; he is fine with it. Lundeen stated that it was directed to the Planning Commission to get these rules in writing. Lundeen stated that a lot of the other sections of this ordinance do need to be reviewed as well. Lundeen stated that you could probably come up with a complaint about many types of noises that you can hear from the neighbor.

Anderson stated that he can hear the train in the house, but not his truck. Anderson stated that he would love to see what is fair for new neighbors that may move in. Anderson stated that he would not want to be rude to them and park it in a manner that is an eyesore to them. Anderson stated that hopefully, they could understand that this is how they make their living. Anderson stated that they try hard to maintain their properties.

Lind-Livingston questioned how long the truck was.

Anderson stated that his truck was 32 feet long.



Schleicher stated that his truck was 30 feet one inch, bumper to bumper.

Stevens questioned if the driveway was 40 feet.

Schleicher stated that it was 43 feet.

Stevens questioned if 30-32 feet was standard.

Anderson stated that they can range from 28 to 38 feet in length.

Schleicher stated that his would be one of the longest you will find. Schleicher stated unless you get into a dump truck, those are longer. Schleicher stated that his was a sleeper. Schleicher stated that between 31 and 32 for a sleeper is average. Schleicher stated that over the road trucks are usually smaller. Schleicher stated that a dump truck would be longer due to the box.

Lundeen stated that no hazardous materials should be permitted. Lundeen stated that most people are not bringing a dump truck home with them in the evenings. Lundeen stated that people do not want to drive those any further than they have to.

Anderson stated that there are tractors that have the stretched out sleepers and those can be longer.

Schleicher stated that in speaking with other drivers in the area, no one seems to have this type of vehicle.

Lundeen stated that he could see if it stays within the limits of the driveway, keeping it to a limited length.

Anderson stated that you have campers that are 40 feet long.

Lundeen stated that is a recreational vehicle, which cannot park on the street and is seasonal. Lundeen stated that if you have a 28 foot driveway, then your tractor is not going to fit in your driveway. Lundeen stated that you cannot encroach the City street or sidewalk.

McDonald stated that the vehicle needs to be so far from either.

Lundeen stated that you have to be ten feet from the street. Lundeen questioned how far the sidewalk comes into the right-of-way.

Wilson stated that most streets are 66 feet in width. Wilson stated that on some streets the sidewalks are closer or further away. Wilson stated that maybe on average a 5 foot grass strip. Wilson stated that this could be reviewed.

Stevens questioned if the right-of-way extends to include the sidewalks within these areas.

Wilson stated that in most cases, that is the practice. Wilson stated that there are a few areas in town where this may not be the case.

Lundeen stated that the line of sight is the problem. Lundeen stated that he did not feel 10 feet was out of line and as long as it does not encroach into the sidewalk, it should be fine.

Stevens questioned if the City Council was looking for general tendencies or were they looking for an edited ordinance.

Wilson stated that she believes they are looking for an edited ordinance, in which to review and take action on. Wilson stated that they are looking for the Planning Commission to work with the details.

Lundeen stated that there were a lot of loop holes and other issues that have arisen as looking at this Ordinance. Lundeen stated the Mayor would like expediency.

Wilson stated that City staff is working with the Planning Commission to address the semi-tractor issue as well as clean-up areas in the ordinance that are lacking, so the ordinance can go back to the Council as a whole package.

Stevens stated that what he would like to see is to create a list of each individual problem that we are concerned with. Stevens stated that at the next session, the group needs to review the list that has been giving us problems; take the current ordinance as it is structured and send it back to Council. Stevens stated that he does not want to take six months doing this.

Wilson stated that City staff would like to see it completed soon.

Stevens stated that based upon the testimony being provided this evening, there are some pretty compelling arguments for allowing these types of vehicles. Stevens stated that there is some pretty easy stuff, but some details that need to be chopped at.

Lundeen questioned how close the CSO and Wilson is in tackling some of the other issues.

Wilson stated that they are constantly working to review and make changes to the Ordinance. Wilson stated that there is a draft. Wilson stated that City staff could work to prepare some language based upon the PC discussion for the semi-tractors.

Stevens stated that he is after that list, so that we can look at the individual issues and take care of the vagaries that we have now and deal with the semi-tractor issue. Stevens questioned if Anderson and Schleicher wanted to come back next month.

Anderson and Schleicher stated that they would try.

Englund stated that if they have questions or further information, contact Mrs. Wilson and she will work with them.

Schleicher stated that he has been told his personal truck is louder than his semi-tractor. Schleicher stated that he crawls through the neighborhood with the semi-tractor, so as not to cause problems with the neighbors.

Stevens stated that sometimes issues that stem from tractors, is actually about something else. Stevens stated that the tractor becomes the hot button issue that they use when they call the

police, rather than just walking over to discuss something with the neighbor. Stevens stated that they are willing to work with the drivers, but there are going to be properties where this is not going to work.

Anderson stated that he wanted to thank the commission for listening and working with them.

Schleicher questioned the date of the next meeting.

Wilson stated that the Planning Commission will land on Wednesday, August 15<sup>th</sup> next month; due to the primary election. Wilson stated that she will send the information regarding the meeting to both individuals that are present.

Stevens stated that there are neighbor-neighbor issues, neighbor-city issues, neighbor-police issues. Stevens questioned if it was standard practice for the CSO to have a citation issued without physical notification.

Wilson stated that letters were sent to the home first with a time limit to move the vehicle. Wilson stated that with the semi-tractors, they come and they go. Wilson stated that upon re-inspection the vehicle may be gone. Wilson stated that if the vehicle is there, the CSO contacts the police department to issue the citation. Wilson stated that the citation may be issued and mailed the following day, which would explain why on the date written or received shows a discrepancy. Wilson stated that with continued violations, the citation is just issued.

Jolene Harris, 1115 Flintwood St SW, stated that the log books showed he was not home on the date the citation was issued. Harris stated that if she had a choice to look at someone's work vehicle that moves every day and someone's RV that never moves; she would rather look at the work vehicle. Harris stated that she did not know much about truck driving, but has learned a lot over the years. Harris stated that these guys work and are gone a lot.

Harris stated that it is different when it is not home every day. Harris stated that there are \$1000's of dollars in these trucks; and you have to park them away from your home.

Schleicher stated that they have a place in Cambridge to park, but there are so many vehicles that are broken into there. Schleicher stated that is not going to happen in your driveway.

Harris stated that you are able to plug it in if it is at home.

Stevens thanked Anderson, Harris, and Schleicher for coming. Stevens stated that they would see them next month. Stevens stated that staff would come back with a list next month, in which the Planning Commission can begin a review and hammer through the issues.

Wilson stated yes.

Stevens questioned if a public hearing was necessary.

Wilson stated that a hearing was not necessary, as this was City Code. Wilson stated that amendments to the City Code only require a reading and approval by the City Council.

**5. Discussion Items.**

**A. None.**

**6. Other Communications.**

**A. Zoning Ordinance Amendments.**

Wilson stated that the City Council had approved amendments to the zoning ordinance. Wilson stated copies of those amendments had been included in the packet for each of the Commission members' personal copies.

**7. Adjournment**

Motion by Englund, second by Lundeen to adjourn the July 10<sup>th</sup>, 2012 meeting of the Planning Commission. Motion was unanimously approved.

The meeting adjourned at 8:21 p.m.

Dated at Isanti, Minnesota this 15<sup>th</sup> day of August 2012.

Respectfully submitted,

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Lisa M. Wilson, AICP  
Planning and Parks Director