

**CITY OF ISANTI
PLANNING COMMISSION
MEETING MINUTES
JULY 12, 2011**

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: Nick Dimassis, David Englund, Sue Larson, Cindy Lind-Livingston, Ross Lorinser, Sean Stevens, and Michael Streiff.

Members Absent: None

Staff Present: Don Lorsung, City Administrator, Kevin Bittner, Assistant City Engineer.

D. Agenda Modifications.

Stevens questioned if there were modifications to the Agenda.

Lorsung stated there were no modifications to the Agenda.

2. Approval Minutes from the June 14, 2011 Regular Planning Commission Meeting.

Motion by Larson, second by Stevens to approve the June 14th, 2011 Planning Commission Meeting Minutes. Motion was unanimously approved.

3. Public Hearings.

A. Request for Site Plan/Building Appearance Approval, Conditional Use Permit, and Variation for Rick Waytashek, RMW, Twins LLC, for construction of a Restaurant and drive thru at 410 Main Street East

Chair Stevens opened the hearing at 7:02 p.m. The applicant, Rick Waytashek, 30768 Heather Street, Isanti, MN was present as well as Don Fiedler, Don Fielders Companies, project contractor. Lorsung reviewed the request, which is for construction of a restaurant with drive-thru. This request requires a site plan review, as well as a Conditional Use Permit since it is in a B-2 General Commercial District. The applicant is also requesting a Variance from the requirements for green space within the parking area. Lorsung discussed the applicant's variance request from the 10% interior parking area green space requirement, with the proposal meeting 3% of the need. The applicant is also placing pervious pavers in the outdoor seating section that would allow water infiltration. Although our ordinance does not recognize the addition of the pervious pavers as meeting the requirements, they would add another 2% more pervious space to the interior area.

Chair Stevens indicated that he understood the request and conformance with the Comprehensive Plan. His question regarded the green space requirements. Staff had discussed the percentage requirements for interior and overall green space, but clarification is needed regarding meeting the requirements. Lorsung indicated the project met the 30% overall green space requirement and the deficiency is with meeting the interior green space requirements in the parking area.

Lorinser inquired if the islands in the parking area counted toward interior green space requirements and if they could be added to. Lorsung indicated that in review with the City Engineer we looked at the islands and width of the drive lanes. In order to accommodate service trucks, the drive lanes need to be that width as designed, leaving the smaller areas for islands and green space. Assistant City Engineer Bittner confirmed this to the Commission, stating that any additional islands would be detrimental to the required drive area. Lorinser asked about the hardship for the variance request. Lorsung stated that the lot was created prior to adoption of the current zoning ordinance and the petitioner is requesting a reasonable reuse of the property. Chair Stevens indicated that with the change in State Statutes the variance request meets the new requirements.

Chair Stevens questioned the need to the two bicycle stalls. Lorsung indicated that they could be placed on the southwest side parking island. Chair Stevens asked about parking and bicycle stall requirements. Larson indicated that the City has worked to have such requirements. Lorsung indicated that it is in ordinance. Chair Stevens inquired whether removing the bicycle stall requirement will allow the project to meet interior green space standards. Lorsung stated it would not.

There was further discussion on the interior green space requirement. Fielder indicated that the building would probably be slightly shortened but a couple of feet and that should add to the interior green space to make it closer to 6 to 7% through additional outdoor seating area. Lorinser questioned the size of the building. Fielder indicated that it is close to being final due to building kitchen and equipment needs. Discussion was then had concerning the number of seats needed for the project.

Dimassis asked if there would be sufficient parking for multiple bicycles. Fielder discussed that the bikes could use parking stalls or side areas for bike parking.

Streiff questioned the bike requirements. Lorsung reviewed the ordinance requirements for bicycle parking. Questions were asked regarding bike spaces versus racks. Lorsung indicated that a bike rack in conformance with the ordinance could accommodate the needs.

Dimassis questioned the capacity of adjacent roads to serve the proposed use. Discussion was had regarding access through Credit Union Drive. Lorsung discussed the history of the area road system and the future potential for connection through the Anlauf Development. Bittner also confirmed that in MNDOT's review of the project vehicle capacity of the roads was not an issue. Fielder pointed out that their plan includes a future drive lane in case the road is extended from the Anlauf Development in the future.

Stevens discussed the variance findings. Lorsung reviewed the variance review and findings with the Commission.

With no further discussion, Stevens closed the hearing at 7:20 p.m.

Motion by Larson, seconded by Streiff to recommend approval of the Site/Building Plan, Conditional Use Permit and Variance Request, with the findings of fact as presented, and all conditions as recommended by staff. Motion was unanimously approved.

Stevens told the applicant that the next step is City Council consideration of the request at the next meeting, scheduled for 7:00 p.m., Tuesday, July 19, 2011. He advised the applicants to be present at the meeting.

B. Amendment to Ordinance No. 445 Zoning, Section 21, Administration and Enforcement, Article 5, Variances.

Lorsung presented the staff memo and discussed that this request is for updating the zoning ordinance to conform to State Statute changes, as was presented at the last Planning Commission meeting. The City Attorney has reviewed the changes in ordinance language. Lorsung stated that if the new ordinance is approved, staff will work with the City Attorney to prepare a variance checklist that will be used in reviewing the request. Chair Stevens discussed the review process for variances.

Chair Stevens opened the public hearing at 8:24 p.m. There were no members of the public present at the hearing. Chair Stevens closed the hearing at 8:25 p.m.

Motion by Larson, seconded by Stevens, to recommend approval of the proposed amendment Ordinance No. 445, Section 21, Administration and Enforcement, Article 5 Variances. Motion was unanimously approved..

4. Other Business.

A. None

5. Discussion Items.

A. Discussion regarding requirements for Residential Kennel Applications

Lorsung presented the staff memo and reviewed the former requirement that applicants for commercial or residential kennels had to obtain letters of written approval from owners of abutting real estate as a part of their application for a kennel, unless 300 feet or more from any structure used as a home. If directed staff will work with the City Attorney to prepare language to consider placing this requirement in ordinance or city code.

Larson discussed that this gave the City extra information in considering the applications.

The Commission discussed the application and complaint process as it exists now

Lind-Livingston expressed concerns if the applicant had a neighbor that did not like them and they could use the letter to stop the applicant's request for a kennel on no real basis. She discussed that there should be a basis for denial or revocation of the permit, not just because a neighbor does not like the applicant. She reviewed a situation she has had that creates a concern for her about this requirement.

The Commission discussed concerns and whether there should be a process that could include such letters in consideration of issuance of the interim use permit. Lorinser discussed the City Council concerns that there was no input from the neighbors in the two recent interim permit requests. There was continued discussion about the use of such letters in review of kennel applications.

Stevens questioned notification for such permits. Lorsung stated that it was 350 foot notification of adjacent property owners. A question was asked concerning the number of dogs. Lorsung stated that this is placed in the permit and any change would need an amendment of the permit. There was continued discussion regarding notification requirements, letters that would give input and process requirements.

Lind-Livingston asked if Police input is requested when staff reviews the permit requests. Lorsung indicated that the previous permits were reviewed with the Police Department.

Lorsung will discuss the process of such letters with the City Attorney and staff will bring back potential ordinance language for review with the Planning Commission at an upcoming meeting.

6. Other Communications.

A. None

Stevens questioned if Mr. Lorsung had anything additional.

Lorsung stated that he did not.

7. Adjournment

Motion by Lorinser, second by Lind-Livingston to adjourn the July 12th, 2011 meeting of the Planning Commission. Motion was unanimously approved.

The meeting adjourned at 7:38 p.m.

Dated at Isanti, Minnesota this 13th day of July 2011.

Respectfully submitted,

Don Lorsung
City Administrator