

**CITY OF ISANTI
PLANNING COMMISSION
MEETING MINUTES
JULY 14, 2009**

1. Meeting Opening

A. Call to Order

Chairman Stevens called the meeting to order at 7:01 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, Ross Lorinser, Steve Rask, Sean Stevens, and Michael Streiff III

Members Absent: None

Staff Present: Lisa Krause, City Planner

D. Agenda Modifications.

Krause stated there were none.

2. Approval of Minutes from May 12, 2009 Planning Commission Meeting

Motion by Stevens, second by Englund to approve the meeting minutes from the May 12, 2009 Planning Commission Meeting. Motion was unanimously approved.

3. Public Hearings

Stevens stated that there were no public hearing items. Stevens stated that the Commission would move to "Other Business".

4. Other Business

A. Use of Semi-trailers as Storage Facilities within Commercial and Industrial Districts.

Krause presented the information provided in the staff memo. Krause stated that staff was looking for comments and / or direction from the Planning Commission on this item.

Lorinser stated that the Business Industrial Sub-Committee had worked on the initial recommendation. Lorinser questioned who was on that Committee and if they own a business within the community.

Krause stated there are two Planning Commission members and two EDA members that make up the committee. Krause stated that Mr. Rask and Mr. Englund are the two Planning Commission representatives; and Mr. Kuechle and Mr. Dragisich are the two EDA representatives. Krause stated that she believed Mr. Kuechle does have a business in town.

Lorinser stated that other business owners had stated in previous meetings that they do not want the City to regulate this. Lorinser stated that he felt the current ordinance already appeared to regulate this. Lorinser stated that outdoor storage is provided for as well as off-street parking and loading. Lorinser questioned the section of the zoning ordinance dealing with off-street parking and loading and if there were time limits in place for semi-trailers coming into businesses.

Krause stated that the off-street parking and loading section regulates loading and parking requirements. Krause stated that many commercial and industrial businesses have loading docks of which semi trailers are coming and going consistently; and those would be permitted. Krause stated that in these instances, the trailers do not remain on the property over time.

Lorinser questioned if the trailers were not licensed and were in the B-2 district, then those would not be permitted as the ordinance does not allow for outdoor storage. Lorinser questioned if they would be legal non-conforming.

Krause stated that there are a couple of instances in which trailers have been used as storage on the property of a business within the B-2 for quite some time. Krause stated that the question is then if they have been on the property and actively used as storage could they remain to do so.

Lorinser questioned if we would need to evaluate if those trailers had been there before our current ordinance.

Krause stated that staff would have to evaluate.

Lorinser stated that if the use was legal non-conforming, then they would be able to remain.

Krause stated that would be correct. Krause stated that legal non-conformities are able to remain. Krause stated that if the property were to change hands or the property owner wished to make changes to the property, the City could request that the property be brought into conformance.

Rask stated the item has been time consuming. Rask stated that what is proposed would make sense. Rask stated that there would appear to be no way to make everyone happy.

Lorinser stated that Mr. Joslin should be consulted to make sure our current ordinance does handle the issue and the Planning Commission is on the right track.

Krause stated that she could confirm with the City Attorney.

Lorinser questioned if the City Attorney could be consulted before the Council meeting.

Krause questioned if the item should go to Council or an update provided to the Planning Commission.

Stevens stated that if the City Attorney would recommend clarification in the text, then a public hearing would be necessary.

Motion by Lorinser to table the item pending clarification from the City Attorney.

Larson stated that the tabling may not be necessary. Larson stated that the Planning Commission should call for a public hearing. Larson stated that the Attorney's opinion could be provided at the public hearing.

Lorinser questioned what they would be calling for a public hearing on.

Krause stated that the language for outdoor storage is already in the ordinance. Krause stated that if the Planning Commission wanted to amend the text for further clarity than that could be done.

Lorinser stated that a public hearing is only necessary if adopting a new ordinance or amending the current ordinance. Lorinser stated that if the text amendment is not necessary and the current ordinance would handle the issue then the ordinance should be left alone.

Larson agreed and seconded the motion.

Stevens questioned the intent and if the item was an issue. Stevens questioned if the intent was to clean up properties where there is an issue or if this is merely a moving forward thing. Stevens stated the current outdoor storage is for the I-1 District only and has a CUP weighted time limit. Stevens questioned if that applied across the board to other districts.

Krause stated that there are a few trailers in the B-2 that currently are being used as storage facilities. Krause stated that many of the individuals attending the meetings, which have trailers as storage are within the I-1 district. Krause stated that moving forward any business within the Industrial District that would have storage containers, those containers would be considered outside storage. Krause stated that a CUP would be required and the petitioner would need to meet performance standards as outlined in the ordinance. Krause stated that there would need to be a review of whether or not trailers meet nuisance ordinance requirements.

Lorinser questioned whether they meet the nuisance ordinance.

Krause stated that there are a few B-2 businesses with storage trailers. Krause stated from what she understands those businesses and the trailers have been located on the properties going back prior to the previous zoning ordinance.

Lorinser questioned if the text should be changed to clarify this situation.

Krause stated that it could be amended to clarify the item.

Lorinser stated that the City Attorney should provide clarification as to whether this is necessary.

Motion by Lorinser, second by Larson to table the item to the August Planning Commission meeting pending legal opinion. The motion was unanimously approved.

B. Amendments to Section 15: Fencing, Screening, and Landscaping.

Krause presented the staff memo and outlined the changes to the ordinance.

Lorinser stated that DAC had also removed chain link fences from the front yard. Lorinser stated that a three foot decorative fence would be the only type of fence allowed in the front yard. Lorinser stated that there is a typo under Figure 12 that needs to be amended.

Krause stated that the change would be made.

Lorinser questioned if all of DAC's recommendations had been reflected in the ordinance.

Krause stated that the ordinance had been drafted to reflect DAC's recommendations.

Motion by Larson, second by Stevens to call for a public hearing to amend Section 15: Fencing, Screening and Landscaping. The motion was unanimously approved.

5. Discussion Items

Stevens stated that there were no additional discussion items. Stevens questioned if staff had anything additional.

Krause stated that each of the Commission members had received a copy of the Planning Commission Handbook published by the League.

6. Adjournment

Motion by Englund, second by Larson to adjourn the July 14th meeting of the Planning Commission. Motion was unanimously approved.

The meeting adjourned at 7:19 p.m.

Dated at Isanti, Minnesota this 11th day of August 2009.

Respectfully Submitted,

Lisa M. Krause, AICP
City Planner