

**CITY OF ISANTI  
PLANNING COMMISSION  
MEETING MINUTES  
SEPTEMBER 8, 2009**

**1. Meeting Opening**

**A. Call to Order**

Vice Chairman Rask 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, Ross Lorinser, Steve Rask, and Michael Streiff III.

**Members Absent:** Cindy Lind-Livingston (given prior notice) and Sean Stevens (given prior notice).

**Staff Present:** Lisa Krause, City Planner

**D. Agenda Modifications.**

Krause stated there were none.

**2. Approval of Minutes from August 11, 2009 Planning Commission Meeting**

Motion by Larson, second by Englund to approve the Meeting Minutes from the August 11th, 2009 Planning Commission Meeting. Motion was unanimously approved.

**3. Public Hearings**

**A. Request from Greg Owens, on behalf of The Friends of the Isanti Area Library, for a Conditional Use Permit to allow for a Library Link Site to be located on the property at 110 First Avenue NW.**

Krause presented the staff memo and the recommendations.

Rask opened the public hearing at 7:02 p.m.

Glenn Farrell, 200 1<sup>st</sup> Avenue NW, questioned how long the Link Site would be in place.

Lorinser stated that the agreement is for a one-year lease, in which the Link Site would be reviewed at 3 months, 6 months, and 9 months. Lorinser stated that the reviews would determine if the site should continue.

Farrell questioned why the facility would need to be in City Hall.

Lorinser stated that the group had looked at other locations. Lorinser stated that the consensus was that the best place for the facility was at City Hall.

Farrell questioned why the best place was at City Hall.

Barb Misselt, Director of ECRL, stated that the intent of the service was to replace the book mobile. Misselt stated that the heaviest users were senior citizens from the senior dining, which is held right next to City Hall.

Farrell questioned where the seniors that congregate next door come from.

Misselt stated that they are Isanti residents.

Farrell stated that the people had to come from somewhere to make City Hall the best spot. Farrell stated that the closest place to the senior dining doesn't necessarily make it the best place. Farrell stated that expansion would be necessary in the future, so they should be looking at vacant buildings. Farrell stated that there are already parking issues at City Hall. Farrell stated when things are going on at City Hall or downtown, people are parking in front of his home and there is increased traffic. Farrell stated that this will only increase the problem. Farrell questioned the spaces. Farrell stated that the parking spaces were not adequate. Farrell stated that there is not enough street parking for the existing businesses within the downtown. Farrell indicated that he has spoken to the neighbors and they are also concerned. Farrow stated that the neighbor across the street cannot get mail to a mailbox, so he has to have a box at the post office.

Lorinser stated that this is a Link site and this is not a full library. Lorinser stated that if there are parking issues and people are parked illegally in front of his home, the police department could be contacted to help with those issues.

Farrow stated that during Rodeo Days there were cars parked in front of his driveway. Farrow stated that he contacted the police because a car was covering half of the entrance to his driveway. Farrow stated that he was told by an officer that unless the car covered over  $\frac{3}{4}$  of the driveway, there was nothing that could be done.

Greg Owens, Community Pride Bank, stated that the gentleman has valid points. Owens stated that other sites were looked at. Owens stated that the cost associated with a private business site is too great. Owens stated that this could be a stepping stone to a library in the future. Owens stressed that this is not a library, this is a Link site. Owens stated that people will come in to order books and pick them up here. Owens stated that the books on site will be limited. Owens stated that the points regarding parking are valid; however, he has been to City Hall during the noon to 4:30 p.m. time period and there are parking spaces available. Owens stated that when there are large events in the downtown than there are parking issues. Owens stated that the link site should not generate that kind of traffic issue. Owens stated that this is a true replacement for the book mobile and is not a library.

Englund questioned if there would be internet access.

Owens stated that the internet access is only to provide access to the ECRL system. Owens stated that it does not have Wyfi. Owens stated that access would not be available to surf the web. Owens stated that ECRL does not allow Wyfi, there has to be a hard line. Owens stated that every 90 days the use of the facility will be reviewed to see if the link site is working. Owens stated that this is the first step to having access to library services.

Farrell questioned how big the link site would get.

Larson stated that the link site would only be in Conference Room A and would not expand into any other part of City Hall. Larson stated that the space would be limited to that room only.

Owens stated that if successful, maybe someday a freestanding library building could be built. Owens stated that he understood the gentleman's concerns. Owens stated that the traffic should not be a problem, as the facility will be open only one day a week.

Farrell stated that he has concerns about expansion.

Owens stated that if there were needs for expansion, then obviously the link site has been successful and they should be looking for something bigger.

Farrell stated that he wanted the library be very successful. Farrell stated that he was not against the library and would like to see a freestanding building somewhere.

Zach Knudson questioned why we are working for a library. Knudson stated that libraries are being shut down, as they are outdated. Knudson stated that people go to the library for internet access and not for a book.

Misselt stated that popular media has been saying that libraries are dead and the internet is taking over for years. Misselt stated that in recent months, the use of the library has increased. Misselt stated that the library is launching new ideas and is changing with the times. Misselt stated that people are looking to the library as a community center. Misselt stated that there is programming for kids and adults. Misselt stated that the library is not a museum of books any more, they are changing.

Lorinser questioned if the people using the library are families with young children.

Misselt stated that they are seeing increases across the board. Misselt stated that there are teenagers using the library, as this is a place to meet friends. Misselt stated that they have launched video gaming, in which kids learn through the games. Misselt stated that there are people there to use Chilton's, to help fix their car because they can't afford to buy a new car. Misselt stated that seniors are also using the library quite heavily.

Lorinser stated that Misselt had answered his questions about the users. Lorinser stated that people tend to misunderstand the services that the library can provide.

Misselt stated that they operate 14 branches in the six counties. Misselt stated that they have only grown in the last 50 years. Misselt stated that they had the ribbon cutting for the link site in Onamia and there were a lot of people there. Misselt stated that the legislators are applauding them for using tax dollars in a wise way through the link site.

Rask closed the public hearing at 7:23 p.m.

Lorinser questioned if the agreement with the ECRL board was approved.

Misselt stated that the board meets next Monday on the 14<sup>th</sup>. Misselt stated that she is confident that it will be approved, as the revised language had been generally accepted by the board.

Lorinser questioned if the amount of days per week could be added as a condition.

Krause stated that it could be added. Krause stated that it is in the Partnership Agreement as well.

Motion by Larson, second by Streiff to recommend approval of the Conditional Use Permit to permit a Library Link Site on the property at 110 First Avenue with the conditions as presented by the Planning Review Committee and to include that the facility be open one (1) day a week, not to exceed six (6) hours during the normal hours of operation for City Hall (Monday through Friday 8:00 a.m. to 4:30 p.m.) based upon the Findings of Fact and Conclusion as presented. The motion was unanimously approved.

B. Request from the City of Isanti to Amend Ordinance No. 445, Section 12 Tier One Zoning District, Article 1 "T1-R" Tier One Residential District; Subdivision 6(C) to amend the requirements for accessory structures within the Tier One Residential District and Section 13 Use Regulations to include the "T1-R" Tier One Residential District.

Krause presented the staff memo and outlined the proposed amendments.

Rask opened the public hearing at 7:25 p.m.

As there were no comments or discussion, Rask closed the public hearing at 7:26 p.m.

Motion by Larson, second by Lorinser to recommend approval of the amendments to Ordinance No. 445, Section 12 Tier One Zoning District, Article 1 "T1-R" Tier One Residential District; Subdivision 6(C) to amend the requirements for accessory structures within the Tier One Residential District and Section 13 Use Regulations to include the "T1-R" Tier One Residential District based upon the Findings of Fact and Conclusion as presented. The motion was unanimously approved.

C. Request from the City of Isanti to Amend Ordinance No. 445, Section 2 Definition of Terms to include definitions for commercial recreation, studios, and instruction/learning centers and to amend Section 7 Business Districts; and Section 10 Special Purpose

Districts, Article 2 "CBT" Central Business Transitional District to include instruction/learning centers.

Krause presented the staff memo and outlined the proposed amendments.

Rask opened the public hearing at 7:27 p.m.

As there were no comments or discussion, Rask closed the public hearing at 7:28 p.m.

Motion by Englund, second by Larson to recommend approval of the amendments to Ordinance No. 445, Section 2 Definition of Terms to include the definitions for commercial recreation, studios, and instruction/learning centers and to amend Section 7 Business Districts; and Section 10 Special Purpose Districts, Article 2 "CBT" Central Business Transitional District to include instruction/learning centers based upon the Findings of Fact and Conclusion as presented. The motion was unanimously approved.

**4. Other Business**

**A. Tree Replacement – Residential Properties.**

Krause stated that this item had been reviewed at the previous Planning Commission meeting. Krause stated that the Commissioners had a number of additional questions or concerns. Krause stated that staff had submitted the first question to our resident tree experts, but had received no comment. Krause stated that contractors themselves have decided to plant other trees. Krause stated that the Planning Review Committee did not have further comment on the ordinance language.

Krause stated that there is not a boulevard tree policy in place. Krause stated that staff has provided some examples from other communities. Krause stated that there are areas, particularly within the downtown, where trees were planted within the right-of-way. Krause stated that in newer developments, trees are planted along the right-of-way and not required to be within the right-of-way.

Krause stated that staff has been working on revisions to the subdivision ordinance. Krause stated that the boulevard tree policy would be included within that ordinance and the Planning Commission would review further in the future. Krause stated that the outcome of the Planning Commission discussion would be used in drafting the Ordinance.

Lorinser questioned why we did not have an answer from the experts, as it has been a month.

Krause stated that staff does not have tree experts, so we rely on some residents that do have that expertise. Krause stated that those individuals are very busy.

Lorinser stated that if someone plants a tree in the boulevard it should not interfere with visibility. Lorinser stated that if the City would have to take a tree down that is in the boulevard, which is planted by the resident, the City should not have to pay to replace the tree. Lorinser stated that if the resident plants the tree, maintenance and replacement should be the residents' responsibility.

Larson stated that in looking at what is taking place with Ash trees in other communities, the City should not allow Ash to be planted. Larson stated that the treatment of the ash borer is expensive. Larson questioned if the City had the right to make residents treat their trees if they plant ash.

Englund questioned how this is different than Oak Wilt. Englund stated that it is kind of the same concept. Englund stated that the City still allows oak trees.

Lorinser questioned if oak was on the list.

Englund stated that if Oak Wilt gets into an area, the damage can be extensive.

Lorinser questioned if the tree list was extensive.

Krause stated that the list was quite long.

Lorinser stated that there were plenty of other trees to choose from.

Strieff stated that the ash borer is not as bad as oak wilt because the tree actually has to have a cut for the borer to enter, whereas oak wilt goes through the roots. Strieff stated that an ash tree is a nice tree and would not want to see it removed from the list. Strieff stated that residents could plant at their own risk. Strieff stated that even having oak on the list could be an issue.

Lorinser stated that it would be difficult to regulate what kind of tree every resident is planting.

Strieff stated that any tree could die and the owner would have to replace. Strieff stated that any owner may have financial constraints to replace any tree. Strieff stated that maybe language could be looked at that states the resident would be responsible.

Krause stated that there are concerns as to how staff would regulate the planting of ash trees. Krause stated that if a resident decides to plant a tree, they do not have to get a permit to plant a tree. Krause stated that staff is not aware of every species of tree planted within the city.

Lorinser stated that the ordinance does not require a resident to replace every tree on their property.

Krause stated that if your neighbor were to cut down every tree on their property and the adjacent neighbor called the City, staff could require the resident to replace the trees to meet the minimum requirements of the zoning ordinance. Krause stated that this is what the draft language would require.

Lorinser questioned what the minimum number was per lot.

Krause stated that it is based upon the overall size of the lot.

Lorinser stated that if the property has twenty trees and one dies, they cut it down they do not have to replace it because the property would exceed the standards of the ordinance.

Rask questioned if there was a maximum limitation.

Krause stated there is not.

Strieff stated if the resident were to cut down a tree and replace with an Ash tree, would the City go and check on the tree.

Krause stated that probably not, as staff would probably not have been made aware that the tree were removed and replaced.

Krause read through some of the species of trees listed within each of the categories provided within ordinance.

Lorinser stated that the list was originally made so that contractors knew what to plant. Lorinser stated that he did not feel that this was an issue.

Rask questioned if the tree list was given more to contractors than residents.

Krause stated that developers and contractors are given the list as a guideline when first developing a property. Krause stated that if you are a long time resident of the community and want to add or remove trees, that resident is more than likely not going to call the City before planting.

Rask questioned if a developer could plant all ash.

Krause stated that there are regulations which require that different species be planted. Krause stated that if a certain number of trees are planted a certain percentage needs to be of several different species. Krause stated that many of the ash trees are listed as trees that would be permitted, but would not be counted towards the landscape requirements. Krause stated that the contractor would need to stick to the primary, secondary, or ornamental tree listing to meet the minimum requirements.

Lorinser stated that many homeowners may avoid the ash as well given the issues that are present for the tree. Lorinser questioned if the Commission wanted to remove the ash tree.

Strieff stated that he sees both sides.

Rask stated that he would like to have an opinion from a tree expert as to whether or not removal of the tree from the list was necessary.

Lorinser questioned the boulevard tree issue.

Rask stated that he like the sketch that was provided. Rask stated that he liked boulevard trees as they give the neighborhood a cozy feeling.

Lorinser stated that residents could plant, but if the City needs to remove them, the residents plant them at their own risk and would have to replace.

Rask stated that a setback of some kind may be necessary, which takes into consideration the placement of sidewalk or trail.

Motion by Lorinser, second by Larson to call for a public hearing on October 13<sup>th</sup> on an amendment to Ordinance No. 445 Zoning Section 15 Fencing, Screening, and Landscaping; Subdivision 5 Landscaping Requirements Item (C) Residential Landscaping Requirements to include Maintenance of Landscaping Requirements. Motion was unanimously approved.

B. Maximum Height Regulations – Accessory Structures.

Krause presented the staff memo and the pictures of existing structures within the community.

Lorinser questioned if any of the structures were built under the current ordinance.

Krause stated that she thought they were built under the previous ordinance. Krause stated that there may be one that is under current zoning regulations.

Lorinser questioned if they met the sidewall requirements.

Krause stated that she would have to review the plans to determine that. Krause questioned if the Planning Commission wanted to see taller structures with room above the structure for storage or additional usable space.

Rask stated that there should be a cap on the overall height. Rask stated that he did not want to see something gaudy.

Krause stated that the building official had suggested an overall maximum height as shown on the chart provided.

Lorinser questioned the one-story. Lorinser stated that the chart should show feet rather than the one-story as listed.

Larson stated that staff should work with Mr. Sames to discuss the overall feet.

Krause stated that she would work with Mr. Sames and bring the item back to the next meeting for the Commission's review.

C. Transient Merchants within Commercial/Industrial Districts.

Krause presented the staff memo and the draft language that the Commission had requested at the last meeting. Krause stated that staff had noticed that the language provided would not



address the "tent" sales for auto sales issue in conjunction with financial institutions. Krause stated that staff is going to need to work on draft language that would address this item.

Lorinser questioned if a transient merchant could come to Minnco for auto sales.

Krause stated that if the grocery store were to have someone come and sell peaches, they would be able to do so. Krause stated that the CUP for auto sales would still be required under what has been drafted at this time. Krause stated that the draft ordinance addresses temporary outdoor sales and transient merchants in general.

Krause stated that the second part of the draft language would allow for the bank, with an interim use permit, to have repossessed cars for sale and display on the property. Krause stated that she had driven past numerous banks and did not see cars for sale on the parcels. Krause stated that she had reviewed the zoning provisions for a few communities and did not see anything within their ordinances that addressed this item. Krause questioned whether or not the Commission would want to see accessory car sales on financial institution properties.

Lorinser stated no.

Strieff stated that he oversees a group that does repossessions of items for the bank that he is employed at. Strieff stated that the liability is too great to repossess and keep at the branch bank. Strieff stated that he was unsure why they would want to do that.

Lorinser stated that the draft section dealing with this item should be removed.

Strieff stated that most third parties will keep it on their site for free for a number of days. Strieff stated that there is no cost to the bank to use the third party.

Lorinser questioned if Minnco had requested this item.

Krause stated that in the general meeting with Minnco a number of ideas or questions were thrown out. Krause stated that staff wanted to try to flush out all the issues ahead of time and to get the ordinance correct from the beginning. Krause stated that the language is a draft, which was requested by the Commission.

Lorinser questioned the Ordinance for the licensing. Lorinser stated that there is a day and time difference between the draft language and the licensing section of the ordinance.

Krause stated that she would look into it.

Lorinser questioned if the draft language contained a stipulation that items that could be illegal cannot be displayed. Lorinser stated that glass pipes, beer mugs, or blankets with marijuana leaves should be prohibited. Lorinser stated that a time period for sales needs to be identified.

Lorinser stated the overnight storage should be prohibited. Lorinser stated that the City has items that are nailed down and those are stolen. Lorinser stated that items in a tent could easily be removed or stolen.

Rask questioned if the transient merchant has to identify what would be sold.

Krause stated that she thought the application required the merchant to identify what would be sold.

Rask questioned if there could be a right of refusal. Rask stated that if the item is considered inappropriate by the City, then the City should be able to refuse the license.

Lorinser stated that the review should be handled administratively.

Krause stated that she would need to discuss with the City Attorney as to whether or not we could refuse certain items.

Lorinser questioned a knick-knack store that has a transient merchant that wants to sell glass pipes. Lorinser stated that glass pipes aren't illegal unless being used with drugs, but he would not want to see this sold in the City.

Krause stated that she would discuss with the City Attorney, as to whether these types of limitations can be placed on the transient merchant.

Lorinser questioned overnight storage.

Englund stated that many merchants have tents. Englund stated that these tents are put up by other groups and to take them down every evening would be a lot of work.

Larson stated that when Faith Lutheran had their event the tent was set-up the night before.

Lorinser questioned if that was a transient merchant.

Larson stated no. Larson stated that with all activities the next day, it would be difficult to set-up each day. Larson stated that many sales will be for multiple days. Larson stated that fireworks tents are quite large.

Lorinser questioned if there was a stipulation on the time of operation.

Krause stated that the license section of the ordinance prohibits sales before 8:00 a.m. or after 9:00 p.m.

Krause stated that staff will work on the changes noted by the Planning Commission. Krause stated that staff will draft language for the auto tent sales as well and bring back to the next meeting.

D. Awnings and Design Standards within the "D-1" Downtown Overlay District.

Krause presented the staff memo and the recommendation from the Downtown Committee. Krause stated that the Downtown Committee has worked to create a uniting theme for the downtown and their opinion was considered important.

Krause stated that pictures and language from other communities' documents had been provided to the Downtown group and have been provided for Planning Commission review. Krause stated that the language focuses on the awnings section of those documents only. Krause stated that staff is looking for comments from the Planning Commission, as this will require an amendment to the zoning ordinance.

Lorinser questioned if there were any historical awnings.

Rask stated that the variety store in the 40's, 50's, and 60's had an awning, but that isn't way back.

Larson stated that the old hardware store is just waiting to see what the standards are going to be. Larson stated that the work is at a standstill.

Lorinser stated that the downtown committee has worked to have standards and bring uniformity to the businesses within the area. Lorinser stated that allowing almost anything may cause issues in the future. Lorinser questioned if certain materials should be used over others. Lorinser questioned if the name should be required on the awning.

Larson stated that the item could be brought back to the Downtown Committee on Thursday.

Lorinser stated that when it came to benches, the group had a lot to say on the style and type of benches that could be placed. Lorinser stated that the committee wanted to have a uniform design.

Larson stated that she did not feel the group understood that they could state a specific style. Larson stated that the historic part mentioned may be the answer. Larson stated that the group did not look at one particular style over another.

Lorinser stated that he would like a place to start. Lorinser stated that the business owners should discuss and bring back. Lorinser stated that the business owners had invested their time and money in the area. Lorinser stated that he would like to see everyone on the same page.

Rask stated that several or numerous styles and materials could be used.

Lorinser questioned if the aluminum awning is what they are looking for.

Larson and Englund stated that they would try to be present at the meeting to help with the discussion. Larson stated that Ms. Vita does attend the meetings.

Krause stated that she has seen meeting minutes. Krause stated that the downtown committee had concerns with telling businesses what they could or could not do.

Larson stated that one of the business owners had thought about an awning. Larson stated that the business owner had held off because they did not want to spend money on an awning only to find out that design standards would make the awning non-complying. Larson stated that the owner may decide to do so once the standards have been established.

**5. Discussion Items.**

Krause stated that there were no additional discussion items.

**6. Other Communications.**

Krause stated that the new zoning ordinance sections have been included for the Planning Commission. Krause stated that the existing sections can be removed. Krause stated that the sections provided should be placed within each of their copies of the zoning ordinance for future reference.

**7. Adjournment**

Motion by Englund, second by Lorinser to adjourn the September 8<sup>th</sup>, 2009 meeting of the Planning Commission. Motion was unanimously approved.

The meeting adjourned at 8:21 p.m.

Dated at Isanti, Minnesota this 13<sup>th</sup> day of October 2009.

Respectfully Submitted,

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Lisa M. Krause, AICP  
City Planner