

**MINUTES OF THE PROCEEDINGS
OF THE PLANNING COMMISSION OF THE CITY OF
NORTH BRANCH IN THE COUNTY OF CHISAGO
AND IN THE STATE OF MINNESOTA**

REGULAR SESSION

April 21, 2014

CALL TO ORDER: The North Branch Planning Commission met in regular session and was called to order at 7:00 p.m.

Planner Roberts administered the Oath of Office to Brian Bellfield.

ROLL CALL: Commissioners present were John Von Lange, Mark Ramaley (absent), Tom Borchardt, Don Swanson, and Brian Bellfield. Also present City Planner Ken Roberts.

APPROVAL OF MINUTES:

Motion by Borchardt, seconded by Swanson to approve the Minutes of March 11, 2014 and March 17, 2014. All voted AYE. Motion carried.

ADDITIONS TO AGENDA:

NONE

STAFF REPORTS:

- 5.1 City Council Update**
Roberts provided an update on recent Council actions.
- 5.2 Activity Report**
Roberts reviewed building activity report information with the Commission.

PUBLIC HEARINGS:

- 6.1 Conditional Use Permit and Sale of City Property – Norlite Steel – 6551 396th Court**
Planner Roberts provided an overview of the proposed sale and Conditional Use Permit for their business operation at 6551 – 396th Court. The Conditional Use Permit is for outdoor storage at their site. Staff received no feedback from the mailed notice and publication.

Chair Von Lange opened the public hearing.

Brent Scholl, owner of Norlite Steel, addressed the Commission and asked for approval of the sale and the Conditional Use Permit for outdoor storage.

Von Lange said that he is concerned with the requirement to plant coniferous trees along Ash Street. Von Lange indicated that dripping of sap and needles is an issue with storage of steel and he feels these are a detriment in this location.

Von Lange asked what kind of a curb there will be in the location for the cu-de-sac. Brent from Norlite indicated there will need to be a curb cut to allow for semi-truck traffic to enter the site.

Von Lange said that he likes the idea of compacted gravel but he is concerned about drainage.

Borchardt asked how high the current fence is. Brent indicated the fence is 8 feet. Borchardt asked why the fence is included in the CUP since it is all on the same piece of property.

Borchardt said that of the seven proposed conditions in the recommendations number three has been scratched and he wants to scratch number four. This language was not in the original CUP and there is too much subjectivity in the interpretation. Borchardt would also like to remove condition six, as he does not see that it applies.

Von Lange would like to amend the original CUP rather than make a new CUP.

Borchardt suggested this remain a separate CUP to prevent them having to improve surface area on the existing CUP property.

Borchardt provided information on changes to accessory building sizes for the applicant to consider for future growth.

Motion by Borchardt, seconded by Swanson, to close the public hearing. All voted AYE. Motion carried.

Motion by Borchardt, seconded by Swanson, to approve the CUP with the changes as discussed to the proposed conditions by removing three and four from the list. All voted AYE. Motion carried.

Motion by Borchardt, seconded by Swanson, to approve the Resolution approving the sale of the property. All voted AYE. Motion carried.

OLD BUSINESS:

7.1 Draft Interim Use Permit Ordinance

Planner Roberts provided a review of the proposed Interim Use Permit Ordinance. Borchardt asked to begin on Page 10 and go through it. Commission asked that the language be removed regarding “until zoning regulations preclude the use” as long as that is okay with the Attorney if that cannot be done then language to allow grandfathering of uses should be added. On Page 12 there is language regarding the use not impeding development or redevelopment on the site. The Commission clarified that the City should not prevent an IUP because there “might” be a development. The language was dropped in D and F on this page. On Page 13 the highlighted language in number four should be removed. Planner Roberts will check with the City Attorney. Von Lange asked about item one on Page 17. Borchardt would like to allow mobile homes and allow access to the existing septic if there is a two bedroom home because they are designed for four bedrooms.

Motion by Borchardt, seconded by Bellfield, to direct staff to make the discussed corrections, contact the City Attorney for clarification and hold a public hearing at the next Planning Commission work session on the proposed Ordinance. All voted AYE. Motion carried.

Planner Roberts indicated that he is not sure how long the Attorney needs to take a look at this so he is concerned about setting the public hearing before knowing that the Attorney has reviewed the documents.

7.2 Planning Commission Membership Requirements

Von Lange indicated he brought this up because there are a lot of business people that do not live in the community but have a vested interest in how things go and he thinks it would be prudent to expand membership on the Planning Commission to those that own a business in the city. Von Lange would like to have the Council consider amendment to the Ordinance to allow residents and/or business owners to serve on the Planning Commission. Swanson thinks there is merit to what has been said but there is merit to requiring being a resident of the community too. Bellfield said it sounds like we want those on the Commission to have

investment in the community so he is wondering if it could be reworded to say residents or property owners.

Motion by Borchardt, seconded by Swanson, to suggest amendment to the Ordinance to allow residents, property owners, or business owners to be on the Planning Commission and discuss at a public hearing at the next meeting.

Borchardt there are already residents and he would like to see people who own property in the City but do not live in the City. He suggested simplifying the proposed change to property owners or business owners.

All voted AYE. Motion carried.

Planner Roberts indicated that the Planning Commission may not hold the public hearing on this because it is not part of the Zoning Code so it goes to the City Council.

Motion by Borchardt, seconded by Swanson, to hold a public hearing on this if the Planning Commission needs to hold the public hearing. All voted AYE. Motion carried.

7.3 Review of Building Setback Requirements – Highway 95 and County Road 30

Von Lange said he would like to discuss setbacks because he is concerned about buildings being built between Grand Avenue and I-35 that prohibits expansion or widening of Highway 95. Von Lange would like to allow for widening of Highway 95 in the future. Borchardt said he thinks the best that could be done would be to change the setback requirements from City Hall to the east to keep new buildings from locating so close to the Highway. Von Lange asked for maps with building locations and setbacks for the next work session to help with this discussion.

Borchardt suggested asking the Council for feedback on whether to spend time on this.

NEW BUSINESS:

Borchardt would like to move two items forward. He then said he would make motions for them individually.

Motion by Borchardt, seconded by Bellfield, to have a public hearing on the language for fixing the one-acre lot concern. All voted AYE. Motion carried.

Motion by Borchardt, seconded by Bellfield, to have a public hearing on the Conditional Use Permit language to say that if a Conditional Use Permit if they are not using it for a year then the CUP dies.

Planner Roberts indicated that this is on his list. Borchardt said that he wants to get this moving to get these items off the plate.

Swanson asked why this is needed. Planner Roberts said there could be a CUP on a property that ends and then they sell the property and someone else comes in so that CUP is still valid but that may not be good for the City. The new person or owner should apply to protect the City and surrounding property owners and ensure compliance with requirements.

Swanson there are merits to both sides and he likes the idea that it can be used for the same use again if there is a CUP. He would go for a three year and then expired rather than a one year.

The motion was amended to change the code to have a CUP expire after three years of non-use, seconded by Swanson. All voted AYE. Motion carried.

COMMISSIONERS QUESTIONS/COMMENTS:

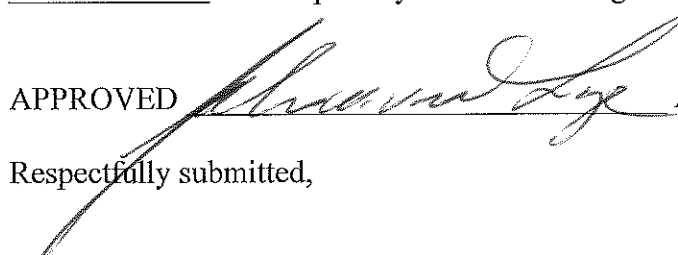
Von Lange would like to have a Planning Commissioner attend the Council meeting to be a representative of the Planning Commission at the Council meeting to answer any questions on the Planning related items.

Borchardt at the next meeting there will be a public hearing and then a work session.

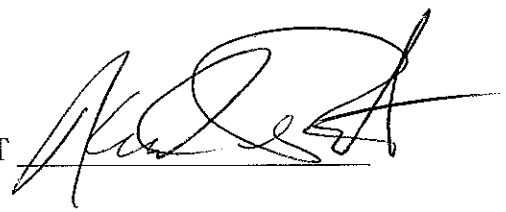
Motion by Swanson, seconded by Borchardt, to adjourn. All Voted AYE. Motion carried.

ADJOURNED: at 8:39 p.m. by Chair Von Lange.

APPROVED



ATTEST



Respectfully submitted,

Planner Roberts

TOSS/jrl