

OAK GROVE PLANNING COMMISSION
Regular Meeting
January 18, 2024

Chairperson Johnson called the Regular Meeting of the Oak Grove Planning Commission to order at 6:30 p.m. on Thursday, January 18, 2024. Roll call was taken.

Present:	Brad Johnson	Darrel Untereker
	Guy Farah	Marshall Anson
	Alan Hall	

Also Present: Angie Bray Johnson, City Council Member
Loren Wickham, City Administrator

APPROVAL OF NOVEMBER 16, 2023 MEETING MINUTES

MOTION: Motion made by Commissioner Anson, second by Commissioner Farah, to approve the November 16, 2023, minutes as presented. 5-0. Motion carried.

ORGANIZATION

1. Nominate 2024 Chairperson

MOTION: Motion made by Commissioner Farah, second by Commissioner Untereker, nominating Commissioner Johnson as Chairperson. 5-0. Motion carried.

2. Nominate 2024 Vice-Chair

MOTION: Motion made by Commissioner Untereker, second by Commissioner Hall, nominating Commissioner Farah as Vice-Chair. 5-0. Motion carried.

UPDATES

Chairperson Johnson gave an update from the City Council meeting and discussed three main priority areas and Commission goals that he discussed with the City Council.

1. 2.5-acre lot size standard
2. Education session for the Community
3. Comprehensive Plan

PUBLIC HEARINGS

1. Interim Use Permit (IUP) – Refuge Roofing -18540 Flamingo St NW

Administrator Wickham gave a brief overview of the request. The applicant is applying for an interim use permit to operate a home-based roofing and siding business. The applicant proposes to use part of his accessory building as an office for his business, store more than one light commercial vehicle and more than one business related trailer on the property. The applicant owns Refuge Roofing & Siding and has had an IUP for the same business at 1835 Dahlia St NW since 2002.

Chair Johnson discussed the concerns posed by the Assistant County Engineer regarding sightlines and traffic safety.

Applicant, Josh Walstrom, addressed the Commission with additional details regarding his business and property.

Chair Johnson opened the public hearing at 7:00pm.

The following exhibits were reviewed and are on file:

- Exhibit 1–Public Hearing notice
- Exhibit 2–Application for Interim Use Permit
- Exhibit 3–Staff Memo
- Exhibit 4–Description of business and site plan submitted by applicant
- Exhibit 5–Aerial photos
- Exhibit 6–Email correspondence from Jerry Auge, Assistant County Engineer

Public Comment:

David Heitzman – 18571 Flamingo St NW

Mr. Heitzman had questions regarding Interim Use Permit and the proposal. His questions about the amount of equipment stored outside led to a discussion about screening.

Mike Hanson – 18531 Flamingo St NW

Mr. Hanson asked about signage and if it would be lit.

Chair Johnson stated that he would entertain a motion to approve the findings as presented with the following conditions:

1. The Interim Use Permit is granted only to Joshua Walstrom and expires if he moves from the site, sells the property or if the business ceases to exist for six months. The Permit is granted until January 31, 2025. The City Council may revoke this permit for good cause including but not limited to non-compliance with conditions of approval and the city may at any time impose additional conditions on applicant to address unforeseen issues.
2. City Staff may enter onto the property and inspect the site with or without notice.
3. The applicant shall allow the Fire Department to inspect the site and comply with any Fire Department requirements and recommendations.
4. Applicant must conform to the requirements of the City Code and State Law at all times.
5. Outside storage of vehicles, trailers and business materials be limited to 6.
6. Outside storage limited to area identified on application for vehicles and trailers.
7. Outside storage must be screened. Plan provided to City prior to City Council action on application.
8. Applicant must comply with recommendations and conditions from Anoka County Highway Department.
9. Building materials must be stored indoors except for the day of or directly preceding pick-up by vendor.

MOTION: Commissioner Hall moved, second by Commissioner Farah that based on the 9 findings the Planning Commission recommends to the City Council approval of Interim Use Permit subject to the stated conditions. 5-0. This item will be on the January 29, 2024, City Council Agenda.

2. Interim Use Permit (IUP) – Immaculate Heart of Mary Academy

Administrator Wickham gave a brief overview of the request. The applicant is applying for an interim use permit (IUP) for temporary classrooms in a single-family house from August 1, 2024 through June 1, 2027 at 675 221st Ave NW. Mark Pauly was present to represent Immaculate Heart of Mary Academy.

Mr. Pauly gave a brief overview of enrollment numbers and occupancy as well as hours of operation. The school will be operating from 7:00am-4:00pm Monday – Friday.

Chair Johnson opened the public hearing at 8:05pm.

The following exhibits were reviewed and are on file:

- Exhibit 1–Public Hearing notice
- Exhibit 2–Application for Interim Use Permit
- Exhibit 3–Staff Memo
- Exhibit 4–Aerial photos

Public Comment:

Patty Franz – 624 221st Ave NW

Ms. Franz had questions about the future use of the lot across from Immaculate Heart of Mary at the intersection of Cedar Dr. NW and 221st Ave NW.

Mark Pauly – 557 221st Ave NW

Mr. Pauly spoke in favor of the application.

Commissioner Hall recommended changing the IUP expiration date to July 31, 2027 for consistency.

Chair Johnson stated that he would entertain a motion to approve the findings as presented with the following conditions:

1. The Interim Use Permit is granted only to Immaculate Heart of Mary Academy and expires if they move from the site, sell the property or if the business ceases to exist for six months. The Permit is granted until June 1, 2027. The City Council may revoke this permit for good cause including but not limited to non-compliance with conditions of approval and the city may at any time impose additional conditions on applicant to address unforeseen issues.
2. Approval of the Interim Use Permit does not constitute a building permit. The applicant must obtain a building permit and provide all the information required by the Building Official and Fire Department to receive a certificate of occupancy for the proposed use.
3. City Staff may enter onto the property and inspect the site with or without notice.
4. The applicant shall allow the Fire Department to inspect the site and comply with any Fire Department requirements and recommendations.

MOTION: Commissioner Farah moved, second by Commissioner Untereker that based on the 4 findings the Planning Commission recommends to the City Council approval of Interim Use Permit subject to the stated conditions. 5-0. This item will be on the January 29, 2024, City Council Agenda.

3. Rezone – Limited Industry (LI) to Public/Institution (P) Carlson/Immaculate Heart of Mary

Administrator Wickham gave a brief overview of the application. The application of Immaculate Heart of Mary

Academy to rezone PIDs 12-33-24-31-0001 and a portion of 12-33-24-24-0001 from Limited Industry (LI) to Public/Institution (P/I). The applicant was present, represented by Peter Bushman, 11720 129th Ave N, Dayton, MN. This area was guided for Limited Industry (LI) in the 2030 comprehensive plan but was not rezoned.

Mr. Bushman updated the Commission on background information about the school and the developments that have led to this application and the need for an additional high school.

The following exhibits were reviewed and on file:

Exhibit 1 – Public hearing notice

Exhibit 2 - Application

Exhibit 3 - Staff Memo

Exhibit 4 – Rezone Exhibit

Chair Johnson opened the public comment hearing at 8:43pm.

Public Comment:

Chair Johnson read emails from Joe Buhn, Glenn and Sharon Harvey, and Alicia Wigen into record.

Administrator Wickham stated that he took a phone call from John Young at 301 221st Ave NW and he was in favor of the rezone as long as it did not result in loss of hunting land for him.

Commissioner Hall asked if this plan did not work out if the parcels could go back to (LI). Administrator Wickham stated that the property is currently guided in the comprehensive plan as Single Family and to return to (LI) would require a comprehensive plan amendment.

Commissioner Untereker commented that he was in favor of this request and that the school has been a great neighbor.

MOTION: Motion made by Commissioner Anson, seconded by Commissioner Farah to recommend approval of the rezone of PIDs 12-33-24-31-0001 and a portion of 12-33-24-24-0001 from Limited Industry (LI) to Public/Institution (P/I). 5-0. Motion carried.

SKETCH PLANS

1. Variance – Craig Walker – Home Metal Signs – 1151 211th Avenue NW

The property owners are looking for feedback before moving forward with a variance application. They are proposing a 20' x 42' attached garage addition on the west side of their property. The proposed addition will encroach on the drainage and utility easement and possibly a portion of the 20' side yard setback. The City Engineer has reviewed the drainage and utility easement on the site and is ok with encroaching on it as long as the drainage ditch remains open and doesn't impede the drainage.

The Commissioners suggested he vacate a portion of the drainage and utility easement instead of seeking a variance.

2. Mohammad Najem – Pigeons

The applicant would like to keep 150 pigeons in an enclosed shelter on his property. Mr. Najem trains and races

these pigeons. The City Code allows 10 fowl/acre on a Single Family Residential Lot (SFR). If pigeons were considered fowl, the max he could have on a 3 acre parcel is 30. The City received a complaint about the building he was housing the pigeons in and the number of them. He has since consolidated the buildings.

The commissioners spoke with Mr. Najem and his interpreter about the number of, size, and permitting of the buildings on his property as he had begun to build a building to house the pigeons. They discussed that the statutory requirement on the number of pigeons isn't something they can change. Mr. Najem commented through his interpreter that he was going to adhere to the 30 pigeon limit that his property size allows.

3. Judi Copeland and Ben Lishwouk - Interim Use Permit (IUP) – Semi-truck parking - 18159 Uplander

Judi Copeland is the realtor for Ben Lishwouk who is considering purchasing 18159 Uplander. Mr. Lishwouk is an over the road truck driver and he needs to know if he is going to be able to park semi-trucks on the property. The Commission suggested that this type of IUP has been granted before and that it's helpful when moving forward to talk with the neighbors. They also suggested the type of out building that could be built on the lot.

DISCUSSION ITEMS

Administrator Wickham read staff memo and requested an interpretation on the ADU side yard setback of 40'. Consensus from Commission is that 40' side yard setback applies to ADU's inside an accessory building. If it is a preexisting accessory building built before the ADU code amendment they would apply for a variance.

ADJOURNMENT

Commissioner Hall made a motion to adjourn, second by Commissioner Anson. 5-0. Motion carried. The meeting was adjourned at 10:40 p.m.

Respectfully Submitted,
Billi Larson
City Clerk