

OAK GROVE PLANNING COMMISSION

Regular Meeting

February 16, 2023

Chairperson Johnson called the Regular Meeting of the Oak Grove Planning Commission to order at 7:00 p.m. on Thursday, February 16, 2022. Roll call was taken.

Present: Brad Johnson Alan Hall
Guy Farah Darrel Untereker

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

APPROVAL OF JANUARY 19, 2023, MEETING MINUTES

MOTION: Commissioner Untereker moved, second by Commissioner Farah, to approve the January 19, 2023, minutes as submitted. All in favor.

PUBLIC HEARINGS

1. Interim Use Permit (IUP) – Ryan Anderson, RCA Properties, LLC

Chair Johnson read the public hearing notice for Ryan Anderson, RCA Properties, LLC – Interim Use Permit for a specialty hauling, heavy equipment, and soil relocation business including outside storage of trailers at 19303 Rum River Blvd NW, PID 30-33-24-13-0004.

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 – Survey dated October 13, 2022
- Exhibit 7 – Anoka County Transportation email dated February 13, 2023

Administrator Wickham read the staff memo stating that the applicant is applying for an Interim Use Permit (IUP) to operate a home-based specialty hauling, heavy equipment, and soil relocation business including outside storage of trailers. The Applicant proposes to store two semi tractors, two dump trucks and one single axel flatbed inside the attached garage. He also plans on parking three trailers outside occasionally. The property is a residential lot with a single-family dwelling on it with a 50'x90' attached garage that will be used to store company vehicles. Ryan Anderson co-owns RCA Enterprises.

Jeremy Anderson and Ryan Anderson 19436 Fox St NW noted that they have added a new client and would like to request to store three trailers on the property because their business has grown since the last meeting.

Public Comment:

Chair Johnson opened the meeting for public comment.

Mark Ingebrigtsen 19366 Blackfoot St NW asked how long the IUP is issued for.

Chair Johnson replied that an IUP is initially issued for 12 months and then the renewal periods are extended to five years.

Administrator Wickham noted that the permit would expire if the applicant moved from the property, or the business does not operate for six months.

Laura Ingebrigtsen 19366 Blackfoot St NW asked for more information about the environmental impacts of the building and business.

Chair Johnson explained that the site takes access off Rum River Blvd NW and does not abut the river so the home and garage will not be visible from the Ingebrigtsen's property.

Hearing no further comment, Chair Johnson closed the public comment section.

Commissioner Hall inquired where the trailers will be parked and what type of parking surface will be installed.

Mr. Anderson replied that the trailers will be parked in the locations depicted on the site plan drawing and it will be a concrete driveway.

Commissioner Untereker asked about the snow removal plan.

Mr. Anderson replied that they will be using a skid loader to plow snow off the driveway and onto designated areas of the yard.

Commissioner Farah inquired about the secondary containment in the garage.

Mr. Anderson confirmed that he would be installing an expansion chamber in the garage, and it will be regularly pumped and maintained.

Commissioner Farah asked if the applicant received a response from Anoka County Transportation.

Administrator Wickham noted that Anoka County had already given them an access permit when they began building and they do not have additional comments at this time.

Chair Johnson recommended planting trees or a fence on the northern lot line if/when the property to the north is developed.

Mr. Anderson voiced support for building a fence if/when the property is developed.

The following findings were reviewed:

1. The subject property is zoned Single Family Residential (SFR).
2. The subject property is approximately 11.36 acres, according to Anoka County GIS.
3. RCA Properties, LLC is the owner of the subject property according to Anoka County Tax Records.
4. Section 109-96 (d) (15) of the City Code identifies home occupations as a conditional/interim use in the SFR District.
5. Section 109-195 (b) (1) (4) and (5) of the City Code requires and interim use permit for home occupations which exceed any of the standards listed under Chapter 109-195 (b). Applicant's proposal exceeds standard number one (1), four (4) and five (5) of the above-mentioned section of the City Code and therefore requires an Interim Use Permit.
6. The exhibits submitted for the review of Applicant's Interim Use Permit application are as follows:
 - 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 – Survey dated October 13, 2022
 - Exhibit 7 – Anoka County Transportation email dated February 13, 2023
7. The proposal meets the eleven criteria of the City Code for issuance of an interim use permit.

MOTION: Commissioner Farah moved, second by Commissioner Untereker that based on the seven findings the Planning Commission recommends to the City Council approval of the Interim Use Permit (IUP) for Ryan Anderson, RCA Properties, LLC, subject to the following conditions:

1. The Interim Use Permit is granted only to Ryan Anderson 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, 2024. 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. Applicant may apply for renewal of this permit prior to its expiration on January 31, 2024.
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. When a house is constructed on the lot to the north the applicant must plant trees or install a fence to screen the business activity.
6. Outside storage must be screened with trees (3') and a berm (8') from the driveway access off County Rd 7 to the northern lot boundary. The combination of the berm and trees shall be at least 11' as measured from the ground.
7. Applicant must park the three business-related trailers in locations one and two depicted on the site plan drawing.
8. Applicant must install and maintain secondary containment in the floor drain of the garage.

The motion passed 4-0. This item will be on the February 27, 2023, City Council Agenda.

2. Variance, Site Plan Review, Conditional Use Permit (CUP) – Robert Funk, Cedar Manufacturing Solutions

Administrator Wickham read the public hearing notice for a Variance for Robert Funk, Cedar Manufacturing Solutions. He noted that there are three parts to this application, a Variance, CUP, and a Site Plan Review.

The following exhibits were reviewed and are on file:

- Exhibit 1 – Public Hearing Notice
- Exhibit 2 – Application for Variance
- Exhibit 3 – Staff Memo
- Exhibit 4 – Survey
- Exhibit 5 – Engineer Review Memo dated February 13, 2023
- Exhibit 6 – Aerial photos
- Exhibit 7 – Building Elevation Drawings

Administrator Wickham read the staff memo stating that Cedar Manufacturing Solutions is constructing a new commercial building at 19151 Main Street NW. They are requesting a variance from the impervious surface requirement due to the size of their lot. The applicant is requesting to have 52% impervious surface on the lot, which exceeds the 40% maximum for the General Business (GB) district. The applicant has identified practical difficulties to grant the

variance. The applicant proposes to help mitigate the increased impervious coverage by providing on-site stormwater management for the building and site improvements.

Public Comment:

Chair Johnson opened the meeting for public comment.

Robert Funk, owner of Cedar Manufacturing Solutions introduced himself and noted that he is an Oak Grove resident. He mentioned that he spoke with his engineer to get answers to the questions the commission had at the previous meeting. He stated that the tractor of the semi-trucks will extend into 191st Ln NW by 5.5' when the trailer is pulled into the dock door to make a delivery.

Chair Johnson asked how often they have semi-truck deliveries.

Mr. Funk replied two-three times a month.

Engineer Schwartz discussed his review memo and stated that he does not have any concerns with the plan presented. Administrator Wickham added that city code was written without considering the uniqueness of this area and he suggested creating a separate zoning district for this neighborhood.

Greg Friedrich 19187 Main St NW voiced support for this application. He also asked if there has been an environmental study done on the property.

Chair Johnson replied that there has not been an environmental study done because the city still owns the property.

Administrator Wickham stated that if the applicant gets planning and council approval, they will move forward with the purchase agreement they have with Mr. Funk. The city is selling the lot as-is.

Mr. Friedrich added that traffic on 191st Ln NW is very slow, and he does not see deliveries being an issue. However, the trucks idling at night is currently an issue with residents in the neighborhood.

Hearing no further comment, Chair Johnson closed the public comment section.

The following findings were reviewed:

1. The subject property is zoned General Business (GB).
2. The City of Oak Grove owns the subject property according to Anoka County Tax Records.
3. The subject property is approximately 0.40 acres according to Anoka County.
4. Section 109-48 (a) of the Oak Grove City Code allows for the granting of variances in cases where the "property owner proposes to use the property in a reasonable manner not permitted by a zoning requirement; the plight of the landowner is due to circumstances unique to the property and not created by the landowner; and the variance, if granted, will not alter the essential character of the neighborhood."
5. The property owners propose to use the property in a reasonable manner.
6. The plight of the landowner is due to circumstances unique to the property and not created by the landowner.
7. The variance will not alter the essential character of the neighborhood.
8. The variance request is reasonable and meets the city's criteria.
9. The applicants have identified practical difficulties and meets the requirements for granting a variance.
10. The exhibits submitted for the review of Applicant's Variance application are as follows:

Exhibit 1 – Public Hearing Notice

Exhibit 2 – Application for Variance

Exhibit 3 – Staff Memo

Exhibit 4 – Survey

Exhibit 5 – Engineer Review Memo dated February 13, 2023

- Exhibit 6 – Aerial photos
- Exhibit 7 – Building Elevation Drawings

MOTION: Commissioner Untereker moved, second by Commissioner Farah that based on the ten findings the Planning Commission recommends to the City Council approval of the Variance for Robert Funk, Cedar Manufacturing Solutions, subject to the following conditions:

1. Applicant must address any issues in the *Cedar Manufacturing Site Plan Review Memo* dated February 13, 2023, by City Engineer Chuck Schwartz.
2. Stormwater Plans must be approved by the City Engineer before a building permit is issued.
3. Parking is restricted to the east side of Main Street NW.

The motion passed 4-0. This item will be on the February 27, 2023, City Council Agenda.

Site Plan Review and CUP

Administrator Wickham read the staff memo stating that Section 109-29 of the Oak Grove City Code requires a site plan to be approved before any commercial building permit can be issued for a new building. The purpose of the review is to assure that new development conforms to City plans and the City Code.

The following exhibits were reviewed and are on file:

- Exhibit 1 – Public Hearing Notice
- Exhibit 2 – Application for Site Plan Review
- Exhibit 3 – Staff Memo
- Exhibit 4 – Survey
- Exhibit 5 – Engineer Review Memo dated February 13, 2023
- Exhibit 6 – Aerial photos
- Exhibit 7 – Building Elevation Drawings

The following findings were reviewed:

1. The subject property is zoned General Business (GB).
2. The subject property is 0.40 acres, according to Anoka County Tax Records.
3. The City of Oak Grove is the owner of the subject property according to Anoka County Tax Records.
4. Section 109-199 (d) of the City Code lists all the uses that require a conditional/interim use in the GB District.
5. The exhibits submitted for the review of Applicant’s Site Plan Review and Conditional Use Permit application are as follows:

- Exhibit 1 – Public Hearing notice
- Exhibit 2 – Application for Conditional Use Permit
- Exhibit 3 – Cedar Manufacturing Business Narrative
- Exhibit 4 – Staff Memo
- Exhibit 5 – City Engineer Site Plan Review Memo dated February 13,2023
- Exhibit 6 – Aerial photos
- Exhibit 7 – Building Elevation Drawings

6. The proposal meets the requirements of the Oak Grove City Code, to be permitted with conditions.

MOTION: Commissioner Untereker moved, second by Commissioner Farah that based on the six findings the Planning Commission recommends to the City Council approval of the Site Plan Review and CUP for Robert Funk, Cedar Manufacturing Solutions, subject to the following conditions:

1. The applicant must address any engineering concerns in *Cedar Manufacturing Site Plan Review Memo* from City Engineer Chuck Schwartz dated February 13, 2023.
2. Approval of the site plan does not constitute a building permit. The applicant must obtain a building permit and provide all information required by the Building Official and Fire Department to receive a certificate of occupancy.
3. Approval of site-plan is for one year from the date the City Council approves it.
4. All exterior lighting shall be downcast and not shine onto neighboring properties.
5. No overnight parking or idling of semis on 191st Ave NW.
6. All signage must conform to the requirements of Chapter 1322 of the Oak Grove City Code.
7. Parking is restricted to the east side of Main Street NW.
8. No trucks are allowed to idle outside of business hours.
9. Applicant must provide plan for secondary septic system.

The motion passed 4-0. This item will be on the February 27, 2023, City Council Agenda.

DISCUSSION ITEM

3. Anoka County Bridge Project

Brett Wolfe with HDR Engineering, introduced himself and noted that they are the consultants hired by Anoka County for the bridge reconstruction project on Viking Blvd NW. He provided background information and what residents should expect during the project.

SKETCH PLANS

4. IUP – Josh Walstrom, 18540 Flamingo St NW

Administrator Wickham read the staff memo stating that Mr. Walstrom has inquired about an Interim Use Permit (IUP) 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 <https://refugeroofing.com/>.

Mr. Walstrom currently has an IUP to operate Refuge Roofing and Siding at his current residence and would like to purchase a new property and relocate the business there. The applicant originally proposed moving his business to the lot he owns in the Industrial Park but now plans on selling that lot and building a new home and accessory building for his business on Flamingo Street.

Joshua Walstrom 18315 Dahlia St NW provided an aerial image of the parcel he plans to purchase and explained that he would like to build his accessory building in front of the primary dwelling.

Administrator Wickham noted that on lots of this size, the code allows accessory buildings to be built in front of the dwelling if it is within 50% of the distance that the home is from the road.

Mr. Walstrom estimated that the house will be located 500' from the road and the accessory building will be located 150' closer which is within the 50% distance requirement.

The commission is in favor of this application moving forward.

5. IUP Brandi Murphy, 2635 181st Ave NW

Administrator Wickham read the staff memo stating that Ms. Murphy inquired about rezoning part of her property to General Business (GB) to operate a used car lot from the property. The property is zoned Single Family Residential (SFR) and is adjacent to SFR zoned properties so changing it would be considered spot zoning. It would also require a comprehensive plan amendment from the Met Council.

Ms. Murphy wants to discuss an Interim Use Permit (IUP) to operate a used car lot on her property. The property currently has several outbuildings on it and frontage on both Crocus St. NW and 181st Ave NW.

Brandi Murphy 2635 181st Ave NW provided a site plan for a used car lot on her property and mentioned that she has considered installing a second driveway off Crocus St NW to minimize the impact on traffic on 181st Ave NW.

Chair Johnson asked how many cars they plan to sell and if they will also repair vehicles on the site. Unidentified person with Brandi Murphy replied that all repairs will be made at his shop in Minneapolis and that they would like to sell 50+ cars annually. He noted that his busy season is usually January-June.

Administrator Wickham found an existing IUP for used-car sales and there is a condition of approval that states that no exterior storage or display of vehicles is permitted.

The commission voiced concern about the number of cars the applicant would like to sell and suggested exploring other sites in the city for a used-car lot.

6. CUP Michael Straus, Vision Quest, 855 Sims Rd NW

Administrator Wickham read the staff memo stating that the city issued a Conditional Use Permit (CUP) to Mike Rivard in 2015 for Outdoor Recreation to operate VisonQuest, a disc golf course. The CUP was subsequently amended in 2017 to allow for camping (tent and open air). In 2022, Mike Rivard subdivided his property to separate his homestead from the VisionQuest parcel, because the business hadn't been in operation for more than 6 months and the conditional use permits on the property had expired. The VisionQuest parcel has been sold to Mr. Straus and he would like to reopen the disc golf course with camping. He is looking for feedback from the Planning Commission before proceeding.

Mike Straus 19531 East Tri Oak Circle NE, East Bethel stated that he purchased VisionQuest last year and would like to reopen the frisbee golf course and camping at that location. He would also like to expand camping to weeklong reservations.

Chair Johnson suggested learning more about programs such as Harvest Host and how they may benefit the business. Chair Johnson inquired if the city has had any campgrounds beyond the scale of what was approved for Mr. Rivard. Administrator Wickham replied no, not to his knowledge.

Council Member Bray Johnson suggested having a "dry" family campground. Mr. Straus was in favor of having an alcohol free, family campground.

The commission is in favor of this application moving forward.

DISCUSSION ITEM

7. Self-Storage

Administrator Wickham mentioned that Staff receives a lot of inquiries about storage buildings in Oak Grove and after doing research, he does not believe that self-storage units are allowed in the Limited Industry (LI) or the General Business (GB) district. He noted that there is only one structure in the city today that was approved in 2002 as a self-storage facility. However, that use no longer exists in the city code. Administrator Wickham inquired if the commission would like to update the code to include self-storage.

The commission discussed how to proceed with self-storage inquiries.

ADJOURNMENT

Commissioner Hall motioned to adjourn, second by Commissioner Untereker. All in favor. The meeting was adjourned at 10:10 p.m.

Respectfully Submitted,
Jessica Rieland
City Clerk