

OAK GROVE PLANNING COMMISSION
Regular Meeting
February 20, 2020

Chairperson Smith called the Regular Meeting of the Oak Grove Planning Commission to order at 7:00 p.m. on Thursday, February 20, 2020. Roll call was taken.

Present: Bill Smith Wayne Lee
 Guy Farah Joel Tjepkes
 Darrel Untereker

Also Present: Paul Tradewell, City Council Member
 Loren Wickham, City Administrator
 Jessica Rieland, Interim City Clerk
 James Watters, MSA Professional Services

Chairperson Smith called the meeting to order at 7:00 p.m.

ORGANIZATION

1. Nominate 2020 Chairperson

MOTION: Motion by Commissioner Farah, second by Commissioner Tjepkes, nominating Commissioner Smith as Chairperson. All in favor.

2. Nominate 2020 Vice Chair

MOTION: Motion by Commissioner Tjepkes, no second was made, nominating Commissioner Farah as Vice Chair. All in favor.

APPROVAL OF MINUTES

3. December 19, 2019 Planning Commission Minutes

MOTION: Commissioner Untereker moved, no second was made, to approve the December 19, 2019 minutes as submitted. All in favor.

PUBLIC HEARINGS

4. PUBLIC HEARING Steve Pelton - Interim Use Permit

for a home-based tree and brush business 19920 Butternut Street NW, PID 24-33-24-41-0004

Administrator Wickham read the public hearing notice for Steve Pelton - Interim Use Permit for a home-based tree and brush business 19920 Butternut Street NW, PID 24-33-24-41-0004

The following exhibits were reviewed and are on file:

- Exhibit 1 – Public Hearing notice
- Exhibit 2 – Application for Interim Use Permit
- Exhibit 3 – Description and photos submitted by the applicant
- Exhibit 4 – Aerial photograph of the subject property
- Exhibit 5 – Staff Memo

Administrator Wickham read the staff memo. The applicant is seeking approval of an Interim Use Permit (IUP) to operate a tree trimming business with outside storage. The applicant proposes to store vehicles, trailers and equipment next to his pole barn. The applicant has been operating at this site for many years and has voluntarily applied for an Interim Use Permit (IUP) to bring his business into compliance. There are no active complaints regarding the business. This lot has some trees planted along the driveway and north property line to provide some screening from neighboring properties; however trucks and equipment are visible from Butternut St. NW. The back of the lot is wooded.

Chair Smith requested to amend the answer to number 9. It currently says ...”operated for many years with issues or complaints” and should say operated for many years with no issues or complaints. Chair Smith recommends that the applicant plant more trees to help fill in buffer between his business and the site lines from the road.

Public Comment:

Chair Smith opened the meeting for public comment, no comments were made, and public comment section was closed.

The following findings were reviewed:

1. The subject property is zoned Single Family Residential (SFR).
2. The subject property is 2.26 acres, according to Anoka County GIS.
3. Steven Pelton 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 (c) (1) 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 – Description and photos submitted by the applicant
- Exhibit 4 – Aerial photograph of the subject property
- Exhibit 5 – Staff Memo

7. The proposal meets the eleven criteria of the City Code for issuance of an interim use permit.

MOTION: Commissioner Tjepkes moved, second by Commissioner Untereker that based on the seven findings the Planning Commission recommends to the City Council approval of Interim Use Permit for Steven Pelton, subject to the following conditions:

1. The Interim Use Permit is granted only to Steven Pelton 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 1, 2021. 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 1, 2021.
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. Outside storage is limited to existing outside storage areas as depicted in Exhibit 4.
5. Applicant must conform to the requirements of the City Code and State Law at all times.

The motion passed 5-0. This item will be on the March 9, 2020 City Council Agenda.

5. PUBLIC HEARING Grant Rademacher - Preliminary Plat of Viking Bluffs consisting of 28 residential lots and 5 commercial lots on 168 acres located south of Viking Boulevard and adjacent to Rum River Boulevard, PID's 30-33-24-21-0001, 30-33-24-12-0001, 30-33-24-24-0002, 30-33-24-11-0001, 30-33-24-13-0001, 30-33-24-14-0001, and 30-33-24-24-0003

Administrator Wickham read the public hearing notice for Preliminary Plat of Viking Bluffs consisting of 28 residential lots and 5 commercial lots on 168 acres located south of Viking Boulevard and adjacent to Rum River Boulevard, PID's 30-33-24-21-0001, 30-33-24-12-0001, 30-33-24-24-0002, 30-33-24-11-0001, 30-33-24-13-0001, 30-33-24-14-0001, and 30-33-24-24-0003

The following exhibits were reviewed and are on file:

- Exhibit 1 – Public Hearing Notice
- Exhibit 2 – Application for Preliminary Plat
- Exhibit 3 – Preliminary Plat Submittal
- Exhibit 4 – Aerial Photo
- Exhibit 5 – Staff Memo
- Exhibit 6 – Engineer Preliminary Plat Review Memo
- Exhibit 7 – Anoka County Highway Transportation Division Letter

Administrator Wickham read the Preliminary Plat memo stating that the Rademacher Family Limited Partnership is requesting approval of the preliminary plat of Viking Bluffs. This plat has 28- Single Family Residential (SFR) lots and 5 General Business (GB) lots. The GB lots have frontage on Viking Blvd NW & Rum River Blvd NW. Some of the SFR lots have frontage on the Rum River; those lots are also subject and are also subject to the shoreland zoning/Scenic River District overlay district. The parcel is mostly open field, wetlands, floodplain and wooded areas along the Rum River. The application meets the standards set forth by the City for a single-family residential subdivision and the density is within the

limits of both the Comprehensive Land Use Plan and the City Code. City Staff recommends approval of the preliminary plat, subject to the findings of the Planning Commission and conditions of approval.

Public Comment:

Chair Smith opened the meeting for public comment.

John Hoeft, 19731 Kiowa St NW, requested clarification from developer regarding the commercial businesses that will be built and where the transportation routes will be. Voiced concerned regarding traffic flow and noise volume. Hoeft inquired if there was a way to influence Anoka County into constructing a roundabout instead of installing stop lights. In closing, he asked if the opposite side of County Road 7 was considered for the commercial lots.

Administrator Wickham commented that Anoka County will consider all options and will recommend the best solution based on the traffic patterns of that intersection.

Commissioner Untereker commented that the best way to influence Anoka County would be to contact them and advocate for a roundabout.

Grant Radmacher, 15920 St Andrews St, Ramsey, responded that Bill's Superette is what is proposed for the corner lot. In response to the question regarding taking access from the opposite side of County Road 7, Radmacher stated that it was not considered because access was denied by Anoka County.

Christie Hartmann, 4216 Viking Blvd NW, voiced concern over the location of the access point in proximity to her driveway, increase in traffic and where the commercial sites would be located.

Administrator Wickham commented that the commercial sites would be located at the intersection of County Road 22 and County Road 7.

Shane Nelson, from Hakanson Anderson, representing the developer, addressed the questions regarding the proposed road access. Nelson noted that the applicant is open to relocating the Hartmann's driveway in order to provide safer road access further away from the commercial lot access point.

Mark Ingebrigtsen, 19366 Blackfoot St, requested clarification on location of development in proximity to his property.

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

The following findings were reviewed:

1. Grant Radmacher is the Applicant and Radmacher Family Limited Partnership, owns the subject parcel.
2. The subject property is currently zoned, in part, as General Business (GB), and in part, as Single Family Residential (SFR).
3. The proposed preliminary plat meets the requirements set forth in Chapters 107 and 109 of the Oak Grove City Code for approval of a Preliminary Plat.

4. The subject property is guided in part as Business Park and in part as Rural Residential in the 2030 and as Rural Residential in the 2040 Comprehensive Plan. The proposed preliminary plat is consistent with Business and Rural Residential land uses.
5. The exhibits for the Grant Rademacher preliminary plat application are as follows:
 - Exhibit 1 – Public Hearing Notice
 - Exhibit 2 – Application for Preliminary Plat
 - Exhibit 3 – Preliminary Plat Submittal
 - Exhibit 4 – Aerial Photo
 - Exhibit 5 – Staff Memo
 - Exhibit 6 – Engineer Preliminary Plat Review Memo
 - Exhibit 7 – Anoka County Highway Transportation Division Letter

Motion: Commissioner Tjepkes moved, second by Commissioner Untereker, that based on the five findings, the Planning Commission recommend to the City Council approval of preliminary plat of Viking Bluffs consisting of 28 residential lots and 5 commercial lots on 168 acres located south of Viking Boulevard and adjacent to Rum River Boulevard, PID's 30-33-24-21-0001, 30-33-24-12-0001, with the following conditions:

1. Prior to final plat recording, Applicant must enter a development agreement with the City addressing all public improvements, financial security and final conditions of approval.
2. The applicant must address any engineering concerns in *Viking Bluffs Preliminary Plat Review Memo* from City Engineer Chuck Schwartz dated February 11, 2020.
3. The City Engineer must approve all final plans.
4. The applicant must comply with the Parks Commission's recommendation of \$64,400 cash in lieu of land for park dedication requirements on February 19, 2020
5. The applicant must provide current title work to be reviewed by the City Attorney.
6. The applicant must comply with the City Attorney's plat opinion and associated requirements.
7. Buffer strips must be identified within each parcel by permanent monumentation as required in City Code. The signs must be installed prior to the issuance of a building permit.
8. The applicant must address any concerns in the Anoka County Transportation Division letter dated January 31, 2020.

The motion passed 5-0. This item will be on the March 9, 2020 City Council Agenda.

- 6. PUBLIC HEARING Don Shaw – Minor Subdivision
of 27.48 acres located at the 20100 block on the east side of Cedar Drive NW, PID 23-33-24-14-0005
and**

Rezoning of approximately 99 acres located north of the Robert and Marilyn Burman Wildlife Management Area, from Agricultural (A) to Single Family Residential (SFR). PID's 23-33-24-42-0001, 23-33-24-41-0001, 24-33-24-32-0002, and a portion of 23-33-24-14-0005

Administrator Wickham read the public hearing notice for Minor Subdivision of 27.48 acres located at the 20100 block on the east side of Cedar Drive NW, PID 23-33-24-14-0005 and Rezoning of approximately 99 acres located north of the Robert and Marilyn Burman Wildlife Management Area, from Agricultural (A) to Single Family Residential (SFR). PID's 23-33-24-42-0001, 23-33-24-41-0001, 24-33-24-32-0002, and a portion of 23-33-24-14-0005.

The following Exhibits were reviewed and are on file:

- Exhibit 1 – Location Map
- Exhibit 2 – 2030 Future Land Use Map
- Exhibit 3 – Current Zoning Map
- Exhibit 4 – 2040 Future Land Use Map
- Exhibit 5 – Legal Description of Subject Property
- Exhibit 6 – Rezoning Sketch

Administrator Wickham reviewed the staff report. The applicant proposes to combine Parcel B into the proposed Cedar Creek Hills subdivision. The reason for this minor subdivision is based on feedback from Anoka County Transportation Division. The applicant initially proposed access to Cedar Creek Hills on a curve along Cedar Dr. NW (County Rd 13) but Anoka County wouldn't allow an access point on the curve, in response to that, the applicant is acquiring additional land from the Burman's to move the access off the curve. The Burman's own additional land adjacent to Parcel A.

Public Comment:

Chair Smith opened the meeting for public comment.

Larissa Graupmen, 20165 Cedar Drive NW, voiced concern for the wildlife habitats that would be disrupted and was strongly opposed to more housing developments coming into Oak Grove. Graupmen delivered letters from three other concerned residents.

The Planning Commission expressed empathy and also mentioned that the new development abuts the wildlife management area and that the animals will be able to migrate to this land and not be displaced. Chair Smith noted that the proposed plan is consistent with the long term plan of the City and that the land owner had a right to develop his property.

Don Shaw reassured Graupmen that the proposed plan will take precautions to minimize the environmental effects caused by the development.

Hearing no further comment, Chair Smith closed the public hearing.

The findings were reviewed:

1. Brenda Shaw and James and Debra Burman own the subject parcels.
2. The subject property is currently zoned Agriculture (A).

3. Section 109-92 (a) (7) of the Oak Grove City Code lists one of the purposes of the (A) zoning district as “In areas that have been designated for residential development on the city's comprehensive plan, this district serves as a holding classification for future residential development.”
4. In the 2030 Comprehensive Plan the subject property is guided Rural Residential
5. In the 2040 Comprehensive Plan the property is guided towards Rural Residential.
6. Rezoning from (A) to (SFR) conforms to the 2040 Comprehensive Plan.
7. The exhibits for the Shaw rezoning application are as follows:
 - Exhibit 1 – Location Map
 - Exhibit 2 – 2030 Future Land Use Map
 - Exhibit 3 – Current Zoning Map
 - Exhibit 4 – 2040 Future Land Use Map
 - Exhibit 5 – Legal Description of Subject Property
 - Exhibit 6 – Rezoning Sketch

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 application submitted by Don Shaw for rezoning and minor subdivision based on the following conditions:

1. Applicants must provide a copy of current title work for the City Attorney to review.
2. Parcel A must be included in the plat of Cedar Creek Hills.

The motion passed 5-0. This item will be on the March 9, 2020 City Council Agenda.

OLD BUSINESS

- 8. Preliminary and Final Plat of Collins Corner consisting of 31 lots on approximately 75.27 acres located at 19800 Flamingo Street NW, PIDs 22-33-24-41-0001, #22-33-24-44-0007 and #22-33-24-42-0009**

Chair Smith read the notice for Preliminary and Final Plat, of Collins Corner consisting of 31 lots on approximately 75.27 acres located at 19800 Flamingo Street NW, PIDs 22-33-24-41-0001, #22-33-24-44-0007 and #22-33-24-42-0009.

Administrator Wickham noted that on July 18, 2019 the Planning Commission held a public hearing to review the preliminary plat of Collins Corner; the preliminary plat was tabled at the applicants request so they could work through title issues. The applicant granted the City additional review time so they could work through probate and title issues. Those issues have been resolved and the applicant is requesting that the city consider their application for preliminary and final plat. No changes have been made since the public hearing on July 18th.

The following exhibits were reviewed and are on file:

- Exhibit 1 – Public Hearing Notice
- Exhibit 2 – Application for Preliminary Plat

- Exhibit 3 – Preliminary Plat Submittal
- Exhibit 4 – Aerial Photo
- Exhibit 5 – Staff Memo
- Exhibit 6 – Engineer Preliminary Plat Review Memo

Administrator Wickham read the Preliminary & Final Plat Staff report. The applicant, SW Wold Construction, Inc., is seeking the approval of preliminary and final plat for Collins corner.

Commissioner Farah inquired about item 5 on page 2, the debris piles on the property and if they had been cleaned up. Administrator Wickham deferred question to the applicant.

Scott Wold, 2260 221st Ave NW, Oak Grove, commented that the debris piles consisted of hay wagons, trailers, snowmobiles and old farm equipment and that the debris would be removed as part of the project.

The findings were reviewed:

1. The subject parcel is owned by Mary Rita Collins, Nancy T. Collins, Sandra L. Collins, Deloris A. Collins, David A. Collins, Doris E. Anderson, Trustee, Francis E. Collins, Lyle J. Collins, Mark J. Collins, Michael J. Collins, Richard L. Collins, Robert P. Collins and Virgil J. Collins, and SW Wold Construction, Inc. is the applicant.
2. The subject property is currently zoned Single Family Residential (SFR).
3. The proposed preliminary plat meets the requirements set forth in Chapters 107 and 109 of the Oak Grove City Code for approval of a Preliminary Plat.
4. The subject property is guided Rural Residential in the 2030 and 2040 Comprehensive Plan and the proposed preliminary plat is consistent with Rural Residential land use.
5. The exhibits for SW Wold Construction, Inc. preliminary plat application are as follows:

- Exhibit 1 – Public Hearing Notice
- Exhibit 2 – Application for Preliminary Plat
- Exhibit 3 – Preliminary Plat Submittal
- Exhibit 4 – Aerial Photo
- Exhibit 5 – Staff Memo
- Exhibit 6 – Engineer Preliminary Plat Review Memo

Motion: Commissioner Tjepkes moved, second by Commissioner Farah that based on the six exhibits the Planning Commission recommends to the City Council approval of preliminary plat of Collins Corner consisting of 31 lots on approximately 75.27 acres located at 19800 Flamingo Street NW, PIDs 22-33-24-41-0001, #22-33-24-44-0007 and #22-33-24-42-0009 based on the following conditions:

1. Prior to final plat recording, applicant must enter a development agreement with the City addressing all public improvements, financial security and final conditions of approval.
2. The applicant must address any engineering concerns in *Collins Corner Plat Review Memo* from City Engineer Chuck Schwartz dated July 16, 2019.
3. The City Engineer must approve all final plans.
4. The applicant must comply with the park dedication requirement of \$64,000 cash in lieu of land as determined by the Park Commission's recommendation on July 17, 2019.
5. The applicant must provide current title work to be reviewed by the City Attorney.
6. The applicant must comply with the City Attorney's plat opinion and associated requirements.
7. Buffer strips must be identified within each parcel by permanent monumentation as required in City Code. The signs must be installed prior to the issuance of a building permit.
8. Screening consisting of an earth berm required for all double frontage lots along 201st Ave NW and Flamingo St. NW.

The motion passed 5-0. This item will be on the March 9, 2020 City Council Agenda.

Administrator Wickham reviewed the final plat staff memo.

Commissioner moved to approve final plat with the following conditions:

1. Prior to final plat recording, applicant must enter a development agreement with the City addressing all public improvements, financial security and final conditions of approval.
2. The applicant must address any engineering concerns in *Collins Corner Plat Review Memo* from City Engineer Chuck Schwartz dated July 16, 2019.
3. The City Engineer must approve all final plans.
4. The applicant must comply with the park dedication requirement of \$64,000 cash in lieu of land as determined by the Park Commission's recommendation on July 17, 2019.
5. The applicant must provide current title work to be reviewed by the City Attorney.
6. The applicant must comply with the City Attorney's plat opinion and associated requirements.
7. Buffer strips must be identified within each parcel by permanent monumentation as required in City Code. The signs must be installed prior to the issuance of a building permit.
8. Screening consisting of an earth berm required for all double frontage lots along 201st Ave NW and Flamingo St. NW.

Motion: Commissioner Untereker moved, seconded by Commissioner Tjepkes. All in favor. The motion passed 5-0. This item will be on the March 9, 2020 City Council Agenda.

FINAL PLAT

- 1. Final Plat of River Bluffs of Oak Grove consisting of 19 residential lots on approximately 73 acres at the 22100 block on the east side of Rum River Boulevard, PID 05-33-24-33-0002 and 05-33-24-34-0001**

The following exhibits were reviewed and are on file:

- Exhibit 1 – Location Map
- Exhibit 2 – 2030 Future Land Use Map
- Exhibit 3 – Current Zoning Map
- Exhibit 4 – 2040 Future Land Use Map
- Exhibit 5 – Legal Description of Subject Property

Administrator Wickham read the staff memo and noted that there were no deviations found from the preliminary plat. Staff recommends approval of the final plat for River Bluffs of Oak Grove.

Motion: Commissioner Farah moved, second by Commissioner Tjepkes that the Planning Commission recommends to the City Council approval of the *River Bluffs of Oak Grove* Final Plat.

SKETCH PLANS

- 9. Don Shaw – Cedar Creek Hills**

Administrator Wickham recapped the combined projects for Don Shaw and stated that the minor subdivision and rezone applications on the agenda tonight are the first steps for Don Shaw to move forward with his Cedar Creek Hills subdivision application. He is acquiring additional land from the Burman's to relocate an entrance to the development further away from the curve on Cedar Creek Drive. (County Rd 13). There will be wetland impacts for the proposed road and the applicant will have to work through wetland conservation act permitting before bringing a preliminary plat forward. Lots along Cedar Creek are subject to the City's shoreland overlay zoning district.

- 10. Oliver Warzecha – Immaculate Heart of Mary (IHMA)**

Administrator Wickham stated that Immaculate Heart of Mary Academy (girl's school), currently located at 777 221st Ave NW is interested in acquiring the parcel across the street from them on the south side of 221st Ave NW and constructing a boy's school and church. This would require rezoning from General Business (GB) to Institutional. This would also change the property tax status to exempt. They are requesting feedback from the Planning Commission on this before moving ahead any further.

Chair Smith voiced concern about the increase in noise/traffic level for the surrounding residential neighborhood. He recommends that the applicant meet with residents in the neighborhood to get feedback before moving forward. Commissioner Tjepkes supports the recommendation to meet with neighbors. Commissioner Untereker voiced concern for children crossing the street to get from one facility to the other and recommends taking safety precautions.

Administrator Wickham recommends contacting Anoka County Transportation Division to discuss intersection improvement requirements at this location.

- 11. Mike Malaman/Good Earths LLC**

Administrator Wickham stated that the Malman's own 200+ acres of Agriculture (A) land north of 181st Ave NW and east of Flamingo St. NW. The Malman's propose to reconfigure the boundary lines between their house and the processing buildings. They are proposing to sell the buildings and 10 acres to Earth Goods LLC. so they can continue to process produce for distribution. The Malman's propose to retain the 13 acres with their house on it. Both lots would meet the minimum lot size requirements for the A district. The Malman's have inquired how the City would address the stand alone parcel and buildings if they no longer own them.

The Malman's would like guidance on their proposal before moving forward.

Wickham noted that the Agriculture (A) District doesn't define produce *Agricultural uses* processing or production as a use. It lists general *Agricultural uses* as permitted in the district but is not defined in the code leaving it open for interpretation. Administrator Wickham believes this use could be considered an *Agricultural use* and Good Earth, LLC could continue to operate as it currently does.

The Planning Commission recommended allowing Good Earths LLC to continue operating as it currently does.

12. Jerry Bauer PID: 06-33-24-12-0001

Administrator Wickham noted that Mr. Bauer owns 40 acres on the border of Oak Grove and St. Francis. This parcel is adjacent to Wickstrom Forest Park and denser urban development in St. Francis. The City of Oak Grove has this parcel guided towards rural residential (2.5 acres lots). Mr. Bauer would like to discuss developing townhomes or higher density on this site because of its proximity to urban services (sewer and water) in St. Francis. This would be a departure from the rural residential guiding and would require a comprehensive plan amendment as well as service agreement with the City of St. Francis.

The Planning Commission does not support high density development in Oak Grove and recommends staying with 2.5 acre lots.

ADJOURNMENT

Commissioner Untereker motioned to adjourn, second by Commissioner Tjepkes. All in favor. The meeting was adjourned at 8:49 p.m.

Respectfully Submitted,

Jessica Rieland
Interim City Clerk