

OAK GROVE PLANNING COMMISSION
Regular Meeting
March 19, 2020

Chairperson Smith called the Regular Meeting of the Oak Grove Planning Commission to order at 7:00 p.m. on Thursday, March 19, 2020. Roll call was taken.

Present:	Bill Smith	Wayne Lee
	Guy Farah	Joel Tjepkes

Also Present:	Paul Tradewell, City Council Member
	Loren Wickham, City Administrator

APPROVAL OF MINUTES

1. February 20, 2020 Planning Commission Minutes

MOTION: Commissioner Tjepkes moved, second by Commissioner Farah, to approve the February 20, 2020 minutes as submitted. All in favor.

PUBLIC HEARINGS

2. Rezone - Ribich/Chalupsky, 1808 Viking Blvd NW

Chair Smith read the public hearing notice for Ribich/Chalupsky – rezoning of 1808 Viking Blvd NW

The following exhibits were reviewed and are on file:

- Exhibit 1 – Notice of Hearing
- Exhibit 2 – Application
- Exhibit 3 – Memo
- Exhibit 4 – Findings
- Exhibit 5 – Survey showing parcel 2
- Exhibit 6 – 2030 Future Land Use Map
- Exhibit 7 – 2040 Future Land Use Map

Administrator Wickham read the staff memo. The applicant requests approval to rezone *PARCEL 2* from Agriculture (A) to Single Family Residential (SFR). A minor subdivision approved in 2019 split this parcel and a condition of approval was to rezone *PARCEL 2* to Single Family Residential (SFR) since it is now under the minimum lot size requirements in the Agriculture (A) district. This area is guided for Rural Residential in the 2030 and the 2040 comprehensive plan. The rezoning request does not require a comprehensive plan amendment.

Public Comment:

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

The following findings were reviewed:

1. The subject property is currently zoned Agriculture (A).
2. 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.”
3. In the 2030 Comprehensive Plan the subject property is guided Rural Residential
4. In the 2040 Comprehensive Plan the property is guided towards Rural Residential.
5. Rezoning from (A) to (SFR) conforms with the 2040 Comprehensive Plan.
6. The exhibits for the Ribich/Chalupsky rezoning application are as follows:
 - Exhibit 1 – Notice of Hearing
 - Exhibit 2 – Application
 - Exhibit 3 – Memo
 - Exhibit 4 – Findings
 - Exhibit 5 – Survey showing parcel 2
 - Exhibit 6 – 2030 Future Land Use Map
 - Exhibit 7 – 2040 Future Land Use Map

MOTION: Commissioner Farah moved, second by Commissioner Tjepkes that based on the six findings the Planning Commission recommends to the City Council approval of the rezoning for Ribich/Chalupsky.

The motion passed 4-0. This item will be on the April 13, 2020 City Council Agenda.

3. Preliminary Plat of Cedar Creek Hills – Shaw Trucking

Chair Smith read the public hearing notice for Shaw Trucking Inc - Preliminary Plat of Cedar Creek Hills

The following exhibits were reviewed and are on file:

- Exhibit 1 – Public Hearing Notice
- Exhibit 2 – Application for Preliminary Plat
- Exhibit 3 – Preliminary Plat
- Exhibit 4 – Aerial Photo
- Exhibit 5 – Staff Memo
- Exhibit 6 – Engineer Preliminary Plat Review Memo dated March 12, 2020

Administrator Wickham read the staff memo. Shaw Trucking Inc is the applicant and is requesting approval of the preliminary plat of Cedar Creek Hills. This plat is a 15-lot subdivision with 1 lot on Cedar Creek and one Outlot on the east side of Cedar Dr. NW. The property is zoned Single Family Residential (SFR) and is also subject to the shoreland zoning overlay district. Cedar Creek is designated as a tributary to the Rum

River. The parcels have a significant amount of wetland and floodplain with pockets of high ground and wooded areas. The site is located on the west side of Cedar Drive NW (County Rd 13) and BNSF railway.

Commissioner Farah inquired about the Park Commission's recommendation regarding a park or trails. Administrator Wickham noted that the park commission meeting had been canceled and the item would be discussed at the April 15th meeting.

Public Comment:

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

The following findings were reviewed:

1. Shaw Trucking, Inc is the Applicant and Brenda Shaw and James and Debra Burman, own the subject parcel.
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 Shaw Trucking, Inc preliminary plat application are as follows:
 - Exhibit 1 – Public Hearing Notice
 - Exhibit 2 – Application for Preliminary Plat
 - Exhibit 3 – Preliminary Plat
 - Exhibit 4 – Aerial Photo
 - Exhibit 5 – Staff Memo
 - Exhibit 6 – Engineer Preliminary Plat Review Memo dated March 12, 2020

MOTION: Commissioner Farah moved, second by Commissioner Tjepkes that based on the five findings the Planning Commission recommends to the City Council approval of preliminary plat of Cedar Creek Hills for Shaw Trucking, Inc subject to the following conditions:

1. Prior to final plat approval, 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 *Cedar Creek Hills Preliminary Plat Review Memo* from City Engineer Chuck Schwartz dated March 12, 2020.
3. The City Engineer must approve all final plans.
4. The applicant must comply with the Parks Commission's recommendation for park dedication requirements on April 15, 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 November 19, 2019
9. Prior to final plat approval, applicant must complete and obtain approval of any archeological requirements and for their wetland replacement plan application as required by the Minnesota Wetland Conservation Act.

The motion passed 4-0. This item will be on the April 13, 2020 City Council Agenda.

4. Interim Use Permit (IUP) for Automobile Sales - Feng Vue, 19201 Lake George Blvd NW

Chair Smith read the public hearing notice for Feng Vue - Interim Use Permit for automobile sales at 19201 Lake George Blvd NW

The following exhibits were reviewed and are on file:

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

Chair Smith read a synopsis of questions submitted by resident John Shugren at 3060 191st Ave NW. Administrator Wickham read the staff memo. The applicant is applying for an Interim Use Permit (IUP) for automobile sales. The applicant proposes to lease space in the Oak Grove Mall to sell computers and automobiles sales.

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 General Business (GB).
2. The subject property is 4.84 acres, according to Anoka County GIS.
3. Oak Grove Mall Development LLC is the owner of the subject property according to Anoka County Tax Records.
4. Section 109-198 (d) (2) of the City Code identifies auto sales as a conditional/interim use in the GB District.
5. 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 – Site Plan submitted by the applicant

Exhibit 4 – Aerial photograph of the subject property
Exhibit 5 – Staff Memo

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

MOTION: Commissioner Farah moved, second by Commissioner Tjepkes that based on the six findings the Planning Commission recommends to the City Council approval of Interim Use Permit for Feng Vue subject to the following conditions:

1. The fence along the property line needs to be maintained in good condition and must be repaired or replaced as needed.
2. No more than 30 cars for sale on-site at any given time and cars must be parked in the areas depicted on the site plan submitted with the application on February 20, 2020.
3. All service work and detailing of vehicles must be performed off-site or indoors. No outside service work allowed.
4. Hours of operation are limited to Monday-Saturday from 6:00 am – 9:00 pm
5. The Interim Use Permit is granted only to Feng Vue and expires if he moves from the site, sells the business or if the business ceases to exist for six months. The Permit is granted until January 31, 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 31, 2021.

The motion passed 4-0. This item will be on the March 30, 2020 City Council Agenda.

ADJOURNMENT

Commissioner Farah motioned to adjourn, second by Commissioner Tjepkes. All in favor.
The meeting was adjourned at 7:56 p.m.

Respectfully Submitted,

Jessica Rieland
Interim City Clerk