

EAST BETHEL PLANNING COMMISSION MEETING

April 22, 2014

The East Bethel Planning Commission met for a Regular Planning Commission Meeting on April 22, 2014 at 7:02 P.M for their regular meeting at City Hall.

MEMBERS PRESENT: Brian Mundle, Jr. Randy Plaisance Eldon Holmes Glenn Terry
Lorraine Bonin Lou Cornicelli

MEMBERS ABSENT: Tanner Balfany

ALSO PRESENT: Colleen Winter, Community Development Director

Call to Order & Adopt Agenda

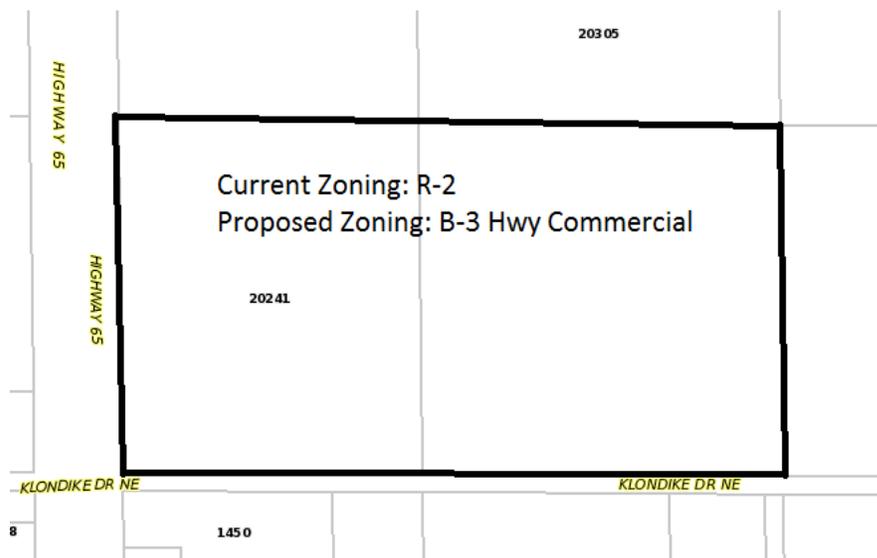
Mundle motioned to adopt the April 22, 2014 agenda. Holmes seconded; all in favor, motion carries unanimously.

Public Hearing/ Comprehensive Plan Amendment – Consider multiple proposed land use changes in the City of East Bethel.

Recommend Approval for the Rezoning of three different, separate parcels of land and noticed as follows:

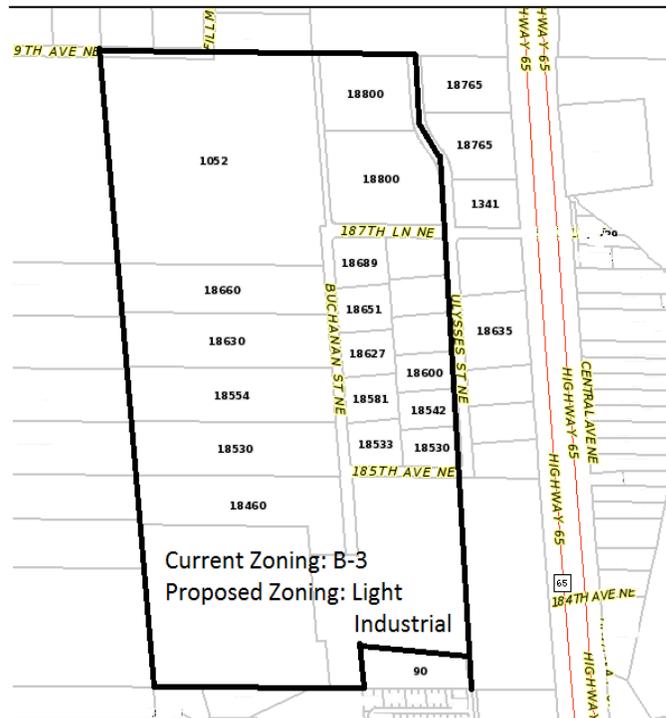
- Parcel of Land east of Highway 65 and North of Klondike Dr NE, Current Zoning R2, proposed change to B3 – Highway Commercial
- Parcel of Land west of Ulysses St NE, South of 189th Avenue NE, Current Zoning B3, proposed change to I – Light Industrial
- Parcel of Land North of Viking Blvd NE, approx. ½ mile east of Hwy. 65, Current Zoning R1 and R2, proposed change to B3, Highway Commercial

Parcel of Land east of Highway 65 and North of Klondike Dr NE, Current Zoning R2, proposed change to B3 – Highway Commercial



The first property is in an area that is currently zoned residential and has a Significant Natural Environment overlay on the east section of it. This property is currently being farmed and the owners have indicated that they will continue to farm it. MN Fresh Farm is currently operating a business at this location. The business is something we discussed at a previous Planning meeting on November 26, 2013. At that time, an Interim Use Permit was given to them with the idea that the zoning in this area would be evaluated and changed to a more appropriate zoning designation, not to serve just their business but also for future development. This property is adjacent to Hwy. 65, the properties to the north and south are zoned central business and part of the property is an environmental area. What MN Fresh Farm is proposing at this site - u pick berries, pumpkin patch, and fall tourism activities – is much more appropriate for this area than high density residential development. If the city were to continue to grow and sewer and water were made available in this area, a business zoning next to Hwy. 65 is appropriate. Residential development would most likely occur in areas away from the highway and outside of any SNEA area. The fact that this area is a high density residential zone is not appropriate.

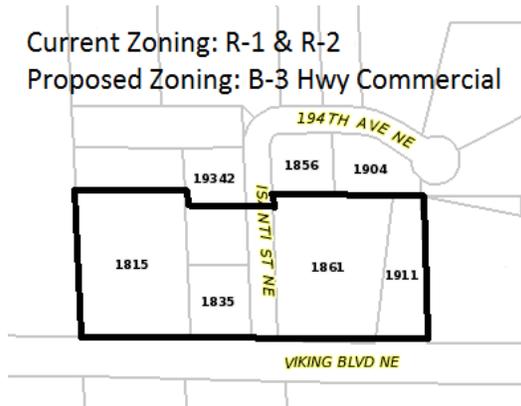
Parcel of Land west of Ulysses St NE, South of 189th Avenue NE, Current Zoning B3, proposed change to I – Light Industrial



The second proposed rezoning area is in the Classic Commercial Park. It is an area that consists of primarily construction trade companies and manufacturing. It is also where the new wastewater treatment facility is located. The EDA has been in discussions to designate this area as a shovel ready site. We have several properties that are for sale and would like to market them for manufacturing,

warehousing and other construction trade related companies. The current zoning does not allow for as much flexibility. If a manufacturing company wants to locate in this area, we do not have the ability to work with them under our current zoning. An argument could be made that a manufacturing facility could go through a conditional use permit but that is a pretty liberal interpretation of the current B3 district. It would be best to rezone this area to allow for most types of industrial uses. The portion of the park that faces Highway 65 would remain B3 to allow for commercial/retail uses.

Parcel of Land North of Viking Blvd NE, approx. 1/2 mile east of Hwy. 65, Current Zoning R1 and R2, proposed change to B3, Highway Commercial



The last zoning area that we would like to take a look at rezoning is on Viking Blvd. Approximately half a mile east of Hwy. 65 and just north of Viking Blvd. Three businesses are currently located in this area and the property immediately to the west is zoned business. At one time this area was zoned business and should go back to that zoning classification as all of these businesses are currently nonconforming uses. The impact to the residential area is minimal and having these businesses be designated as B3 provides better screening standards between the businesses and the residents. The address 1911 should not be included in this map.

There are three pieces we can clean up. It is just one of those things we would like for you to look at. Winter will go through and explain all three parcels then have the public hearing.

The public hearing was opened at 7:08 p.m. Please state your name and address for the record.

Sharon Johnson 20241 Hwy 65 NE - Represent Minnesota Fresh Farm. She doesn't have a lot to add to Winter's presentation. We are making significant progress on the business. We have received a well permit from the DNR. It will be very helpful to our business. We will have a wedding on our site in September. Last year we went to farmers markets. This year we hope to bring people into the City.

Anna 19342 Isanti Street - Where you are zoning you are backing up to our

property. If you turn it into commercial how will it affect our property and taxes? We just moved there less than a year ago. Bringing more commercial into the community, we are not in favor of it.

Winter said it will have no impact on your taxes. You are classified by a property tax classification. So it would not impact yours since your residential. These are not new businesses. These are businesses that are there now. As far as your issues with the businesses. The advantage is when they have to become legal conforming and they have to comply with dust control and exterior storage requirements.

Anna asked how it would be enforced.

The City would enforce it.

Anna said now that we are living there, there is tons of noise. The paint smell next door is coming into our home.

Steve Root, 1923 Viking Boulevard – He is wondering what is proposed there that is different. Why does the zoning have to change?

Winter said we are reverting back to what the zoning was in 2007. They brought it to a high density residential; we want to put it back to what it was.

Root said 1912 that is a residential. That shouldn't be part of it.

Winter said that is a mistake.

Mary Ram, 18660 Buchanan Street – You are proposing to change it from Commercial to Light Industrial.

Winter said retail is allowed now. The industrial would allow for more manufacturing uses. Right now there is not the ability for manufacturing. We feel strongly we need to market for industrial.

Mary said do you think it will increase the values of the properties.

Winter said yes, it may, but it will also give us an advantage point for marketing.

Ram said what about additional access points.

Winter said there is only one access out. We are taking a look at bringing this street bringing it up to Jackson or up to Our Saviors. We are carefully considering another access point. So there wouldn't be another access point off of Hwy 65. We would have a hard time getting it from them. We have talked to them about doing something with this intersection. It was suppose to be a signaled intersection. Whether or not we could convince them to do that, we don't know. 187th would go all the way through Briarwood.

Mary said she lives just south of Soders. It is to the left of Buchanan. There is a house there, and two other houses. Shaw owns all of those. Do you have any idea if he is thinking of doing other development?

Winter said she doesn't know what his plans are.

Closed the public hearing at 7:20 p.m.

Terry wanted to know if the light industrial allows for B3.

Winter said yes, it does include B2 and B3.

Mundle said this would not negatively affect the businesses.

Winter said no it would enhance them.

Mundle said how it would affect the houses.

Winter said they would be legal non-conforming uses. They could make improvements.

Mundle said if they go to sell.

Winter said they can sell as a residential or industrial. They are currently zoned B3, so it would be changing them to light industrial.

Holmes said he had a question on the Viking Boulevard one. There are other businesses down the road and they are not zoned.

Winter said talked about the idea when we do the bigger comp plan, we would look at Viking Boulevard from Hwy 65 to the Fire Department. That would be a more comprehensive discussion.

Holmes said the business next to the fire station is zoned residential. So why don't we incorporate those businesses.

Winter said this was the easiest fix of all. If we incorporated them, it would be a spot zoning. Unless you look at taking Hwy 65 and going straight east.

Holmes said it seems to me, we screwed up when we changed it. Now we are going back. It doesn't make sense that we are hob knobbing.

Winter said we could go through and zone where there are businesses for businesses. We need to look at all of Viking. Do we go back to a business zoning type designation? We did have someone before us last month with concerns.

Cornicelli asked if there has been a problem with paint fumes.

Winter said we would take a look; it would be a matter of visiting with the owners.

Cornicelli said could we do it.

Winter said yes, absolutely.

Holmes motioned to recommend approval to the City Council for Zoning Map Amendments to the Official Map of the City of East Bethel.

- 1. Final approval of the Zoning Map Amendments to the Official Map of the City of East Bethel is contingent of the final approval of the land use amendment to the City of East Bethel's 2030 Comprehensive Plan by the Metropolitan Council. The 2030 Comprehensive Plan Amendment will be submitted to Metropolitan Council for review upon final approval by City Council.**

Bonin seconded; all in favor motion carries unanimously.

They will be going to the City Council and then get the blessing of the Met Council. This will go before the Council the first meeting in May.

Allowing pole buildings on lots of less than 3 acres in size.

Winter reported what is before you tonight is a request actually generated by the Council. It was a request for the planning commission to take a look at pole accessory structures on lots less than 3 acres in size. In your packet, there are two different types of pole building examples

If the city is going to be allow pole buildings on lots of less than 3 acres I would say you need to put in some design criteria.

A request has been made by the City Council to discuss allowing pole accessory structures to be built on lots of less than 2 acres in size. Pole buildings are a

much more cost effective way to construct an accessory structure and they look much better than they did years ago.

Mundle said there are people who want to speak to this. If you have signed in, he will call your name. You may come up and please state your name and address for the record.

Public hearing was opened at 7:25 p.m.

Darrell – I have a real problem hearing. He was wondering about the comprehensive planning.

Brian, 19651 Rochester Street NE - We have missed some of the discussions in the past. We moved up here from the Twin Cities. We are looking at the post frame and pole barn. We think we need to revisit the size when we're told that a lot of people have this desire. When we contacted a company we were told that a lot of people have contact them and they can't because they have less than three acres. We have people on our street that are allowed to build it, and we cannot. We think it is worth looking at because we think it is the desire of the residents. People want to build a post frame building on their lots. We would like to build a pole building. They are cheaper to build. The way they build them now, they aren't like the old pole buildings. You can match the color of the siding to match your house. You can make it look like a stick built building. You can post the post frame building quicker and for less money, and still have it look really nice. The other thing he knows a lot of people have extra campers, motor homes, etc. and right now they can't put up a pole building to store them. They have to do a stick built. First thing you have to do is pour your footings. With a post frame, they could come out and put the building up. They can put them up in 3 to 4 days and you can do the floor later on. If you are using it for storage, they might not do the floor. If they have vehicles they could put up a pole building in a few days. They would be happy and so would the neighbors. That is what we would like to have. We have a little over 2 acres. I am hoping you will take it into consideration. On the square footage, right now if you have 2 acres, it is limited to 960 square feet. In Oak Grove from an acre and a half or bigger and you can up to 1800 square feet, plus two sheds and a garage. It isn't like you are covering the whole back yard with a building. 1800 square foot building on 2 acres is like 2.3% of your lot size. Everyone seems to be buying bigger motor homes and boats. I guess I would like to have a couple of those things looked at. We like living here and we would like having our stuff inside. We would not want to do anything to detract from our neighbors. We feel those goals can be met without affecting our neighbors.

Holmes said you have 2 plus acres. You can have a 1,200 square foot.

Resident said we want larger. Some of the lots are 2 acres and some are 3 acres. Some of the lots are deeper. One of the garages is 1,500 square feet. We are all on the same street. We should all have the same square footage. Our neighboring community is allowing larger also.

Public input was closed at 7:40 p.m.

Bonin said it seems like the standard solution is to decorate anything is to put brick on the front. Brick is not compatible. If you don't have brick on your house, it isn't compatible with your house. She thinks the picture is detracting. It isn't solving the problem. If you look at the garage, there's a nice big shrub, it would be a lot more appealing. The brick doesn't match anything. If you put some greenery around it, it would soften the building.

Terry said he thinks there is a lot of putting a fake stone or brick on the front. It is like a decal stuck. He doesn't think it is a way to improve the building. If he were to put it on it would be a wrap around. Not a flat façade. It then looks like something solid. He is not suggesting that we do that.

Winter said she had those as examples. It was brought before you so you could talk about it.

Terry said he isn't bothered by the pole buildings, especially at a time where it is struggle financial. We shouldn't limit their options.

Cornicelli said it has to be behind the main structure.

Winter said they have to be off to the side. They have to meet the set back.

Cornicelli said a pole building would be behind the main structure.

Mundle said do we have any history on why pole buildings are on 3 acres or more.

Winter said no, he doesn't know.

Holmes said when we first looked at this, in 2007; we took a shot at changing the numbers. We found out that, 89% of the communities in the State of MN have what we have. So we didn't change it. In a community like this, where we are growing, if you build a pole building and someday you want to add it to your house, you can't attach it to your house. If you have footings you can attach it to your house. That is another thing you would have to consider. You build a building that is 8 feet away, if it is 10 feet away. He can't build another building because of the ordinance. If it has the foundation, you can tie them together.

This is sort of a moot point for me. When he came to East Bethel he wanted a pole building too. He was told to build a stick building. He is glad he put a stick building up. Within a half a mile from my house, within the last four years, we have pole buildings, stick building, slab buildings that are non-conforming to our ordinance which have been accepted by our City. The City accepts them. We get yelled at later on. The ordinance said it should be coordinated with the principal structure. The five that are close to my house, they don't match the house. The roofline isn't the right pitch. You can't get that into a pole building. What he is saying is once you get this all coordinated it is the same cost. He has been in construction for 45 years. It is probably cheaper and it isn't going to be that much cheaper. All this stuff, it all adds up. The other thing you should look at is, if there is a plot of six acres, and there is a pole building and someone splits it, and the pole building ends up on the 2 acres, they have to modify that. Color and all this, right of ways, architectural landscape features is carried away. The City of East Bethel has not done a good job of going with our ordinance. Now we want to change it all. Who is going to enforce it?

Winter said we did talk about the design and roof pitch. The roof pitch didn't have to match the house. The new changes haven't been put into Municode.

With accessory structures, you said it doesn't have to match the house.

Holmes said one of these people have a gambrel roof on the shed and a 5/6 on the house.

Winter said we approved that with the last amendment. We know there are different styles of roofs. The people do the gambrel roof for more storage. She can bring back the zoning text amendments the Council approved.

Holmes said we should have that for the discussion. If we are having the discussion and don't have the up to date information, that is a sad deal. As far as the square footage for the lot size is he doesn't think we should change. He understands that people have boats and cars, and mobile homes that are not our problem. He has all that stuff, but he can't leave it all outside. He has to deal with it according to the ordinance.

Terry said are we creating ordinances to match our life style.

Holmes said we can keep changing this, and pretty soon we will have the house that is 4000 square feet. My one neighbor just built a pole shed, and he built it smaller and has a red roof on it. His roof on his house is not red. He doesn't care for the colors. It shouldn't have been accepted with the existing ordinance. We can't enforce what we have.

Bonin said besides having a building inspector, maybe we need a design consultant. So it blends with the other things.

Mundle said they are code enforcers, they are supposed to look at that. It is not complying.

Bonin said we need to check on why these things are happening. If it is not a matter of time, we need more people who are responsible.

Winter said we would take a look at it. We have to make sure we have the most recent data.

Holmes said you have the preliminary plans to go over. He said he doesn't.

Terry said he has been all over the City and he can't think of a place where he has been bothered by a plan. He wouldn't particularly like a red roof. It isn't the most serious crisis we are facing in the City. He hasn't seen anything that he can say how could this happen.

Bonin said she feels the same way. Going by something and living next to it, isn't the same thing. It does create some difference there. If you live next door or across the street, you may be bothered by it. We don't have a lot of neighbors we can see.

Winter said she has noticed in the last year, she has gotten a lot more requests for the pole type structures on their lots. There have been a lot more requests in the last year compared to previous.

Bonin said when they come in they need to be given more information. They give consideration if they want to connect to the house. Give them that kind of information if they have the resources they might change their mind. Making sure they are looking at all the options. So they look at ramifications for the future.

Winter said she is happy to look at that. So the accessory structures are in compliance with the ordinance. Do you want to look at doing a zoning text amendment? Do you want to revisit it and reopen it?

Holmes has a strong opinion. He is just wondering what you would like to do at

this point. If we were looking at pole buildings at other than 3 acres. He would do the research. He would make sure you have the zoning information and the size. He thinks we did change it from 960 to 1200.

Plaisance said have we heard anything from Council. They were talking about pole buildings extensively. When we talked about how much acreage and how high. Do we have any feedback at all from City Council? He could look back at the minutes and see. When they looked at the zoning text amendment Planning Commission sent, they did change the sidewall height to 14 feet. Council member Kollar is here. Maybe it does boil down to design standards and screening. Plaisance said everyone's design standards are different. To each of us we all have our own idea has the rock façade. My house has the brick façade that is only on one side. That would be something we would have to address. It would be something we would have to consider, allowing people to build a pole-building garage on their property. My perspective is whether we are complying with the actual dimensions, which are allowed, rather than it is pole or stick. He appreciates Holmes comment to add it to their house. He would make the choice knowing that he wouldn't be able to connect them. If he knew what was important on building a stick building. To say you are not going to have a pole building because you only have so many acres.

Holmes said in 07 one of the main reasons we kept to three acres and over, versus going down to 2. On two acres of land, it will be relatively close to your house or main structure. We want it to look close. You can put your pole building further away. It doesn't have to look like the house. He doesn't know. He likes what we have. He wishes we did more due diligence. He really doesn't see a change. The only thing he would change is we have a problem. There are some properties that have different set backs to the roads. It does pertain to this action. One of the people wants to build something. That is his concern. He has a different set back. There are reasons it is this way. He doesn't have all the reasons. If you keep changing the ordinances, we won't have stability in enforcing the ordinance.

Plaisance said we have to make ordinances change all the time to keep up with the times. Just like today where we are changing the zoning. We need to go forward with the design changes, and upgrades. Pole barns can look as nice as a stick building. He realizes that is a matter of opinion. You can make them look very nice in a residential neighborhood. As opposed to the pole building 20/30 years ago. If we were to attach to along with the under 2 acres, to match the façade of your house or similar that would go along way to convincing me. He would be ok with a pole type building as long as it was conforming.

Holmes said one company bragged about their pole building, and being able to look at the building like a house.

Winter said we enforce the uniform building code.

Holmes said the less that we have for people to think about. The better off the people are and the City is. We changed the zoning. When you start changing buildings and set backs, it takes lot to remember sometimes. He is just stuck in a pit.

Bonin said two acres is a fairly large piece of property and a large pole building wouldn't be out of place. She is more concerned with a little house and a huge pole building.

Winter said we would need a standard for all the acreage. The square footage got a little bigger and didn't matter based on zoning district. It is interesting you see these little small houses and big buildings. If you decide on square footage, we can regulate.

Mundle said he would like to see what the neighboring communities are doing and the rest of the state. If we do reduce the lot size from 3 to 2, we will have people on 1.9 acres coming in.

Winter said you have to draw a line somewhere.

Mundle said you can have a lot a little over a ½ acre, at what point do we stop.

Winter said pole buildings have come along way. She thinks there needs to be a line drawn somewhere. We don't have a lot of urban subdivisions here. Most of the residents here have 2 – 2 ½ acre lots.

Cornicelli said we should look at areas that are germane to this area and is not offended by the pole buildings. Some of the pole structures look better than the houses in the area.

Staff was asked to look up information and to present that to us at a future meeting.

Boning said she thinks we need to take into consideration the neighborhood. Their neighbors have pole buildings. The distances from houses don't vary much. If the majority of the neighborhood has pole buildings, then they should be allowed.

Plaisance said he lives on a street where the houses are ½ acre. The house across from me is 10 acres. Everyone on that side of the street has a pole building. He wouldn't put a pole building on his ½ acre. It wouldn't work. He still thinks it comes down to square footage, compared to the acreage. We talk about 3 acres/2 acres. He doesn't care if you have 1 acre. How much square footage are you taking away to build on the property? He thinks you should require them to have a house on the property.

**Approval of Meeting
Minutes
- April 22, 2014 –
Regular Meeting**

Terry said, on page seven fourth paragraph – change the second sentence to eliminate the words when you have and replace it with to get a statement from the City saying, you are zoned a dealership, conditions must be met. Winter asked for the sentence to be reread. Terry reread the sentence.

Mundle said, on page four, fourth paragraph, second to last sentence. Currently Mundle said he is not comfortable with plantings, add without knowing what kind of plantings.

Terry motioned to approve the minutes with said changes. Holmes seconded; all in favor motion carries unanimously.

**Other
Business/Council
Reports**

We talked about the pole barn issue. We would allow 14-foot sidewalls. As far as the smaller lots, we were in favor of it and we would rather see a nice building rather than toys covered with tarp. Two (2) acres is a still a good size lot. As long as you meet the setbacks. That is just my opinion, well the majority of our opinions.

The town hall meeting is Thursday evening. Plaisance said it is out on the board. Mundle said there are usually signs out on 237th and Coopers Corners.

Holmes said what is happening with the tear down of the building of 221st and Hwy 65. Winter said they couldn't drive over that property to tear down the property. It is really mudding. You can't get back there to tear them down. The one is way back in the marsh. Holmes said they tore down the Metrodome. Winter said we had some concerns, they did move the stuff we had concerns about. That will be happening this spring.

Winter said the interim use permit would be going before the City Council at their next meeting because it is a renewal.

Mundle said Booster Days buttons are for sale at City Hall and Peoples Banks does have them.

Adjournment

Mundle made a motion to adjourn the meeting at 8:45 p.m. Cornicelli seconded; all in favor, motion carries.

Submitted by:
Jill Anderson, Recording Secretary