

EAST BETHEL PLANNING COMMISSION MEETING
September 27, 2016

The Planning Commission met for a regular meeting at 7:00 pm at East Bethel City Hall.

MEMBERS PRESENT: Randy Plaisance, Chair
Glenn Terry
Lorraine Bonin
Sherry Allenspach, Vice Chair
Tanner Balfany
Lou Cornicelli

ABSENT: Eldon Holmes

ALSO PRESENT: Colleen Winter, Community Development Director
Tim Harrington, City Council Liaison

1. Call to Order Chair Plaisance called the meeting to order at 7:00 pm.
2. Adopt Agenda **Mr. Balfany moved and Mr. Cornicelli seconded to approve the agenda as presented. Motion carried.**
3. Approval of
8/23/16 Minutes **Mr. Balfany moved and Mr. Cornicelli seconded to approve the 8/23/16 minutes as written.**

4. Proposed
Predator
Residency
Restriction
Ordinance/Public
Hearing Repeat predatory offenders present an extreme threat to the public safety of a community as a whole, and especially to children. Some communities have adopted Ordinances limiting where convicted sex offenders can live in an effort to further protect the safety and welfare of community residents. At the last regular Planning Commission meeting there was a discussion regarding this matter and staff was directed to put together an Ordinance that limits where Predatory offenders can reside.

Ms. Winter shared that Jack Davis spoke with the Anoka County Police liaison who said a gentleman from the Anoka Department of Corrections would be willing to speak to the different commissions and City Council if there was an interest. Ms. Winter noted that many surrounding communities have a similar ordinance in place.

Two maps were viewed, one had shading showing where kids convene, i.e. day cares, schools, churches, etc. (Level 3 predators are not allowed within 2,000' of these places) and it had unshaded open areas. The second map had shading corresponding to bus stops; the whole map was solidly shaded.

Chair Plaisance opened the public hearing at 7:07 pm. Hearing no comments, the public hearing was closed at 7:08 pm.

It was asked if this type of ordinance is legal and has it be tested for legality. Ms. Winter said there is a debate on legality between various legal councils. She did not know of any place where it has been tested/questioned. The East Bethel City Attorney has not reviewed nor commented on the ordinance at this time. Mr. Terry said he prefers to go with an ordinance, even if the legality of such an ordinance is questionable, Mr. Balfany agreed.

If a person is a level 3 offender and desiring to move to a specific city, the city is notified of the offender's intent to move there. State statute addresses where

offenders can and cannot reside.

Ms. Allenspach moved and Mr. Terry seconded to recommend approval of the proposed ordinance restricting the residency of predatory offenders to the City Council and asked that the City Attorney review said ordinance. Motion carried.

5. Viking Preserve Final Plat

Final Plat Viking Preserve Planned Unit Development, Zoning R1, R2, and CC.

Developer: Shaw Trucking

Location: Southern Boundary – Viking Blvd NE (CSAH 22), Western Boundary – Jackson St., Northern Boundary - Taylor St./City owned property, Eastern Boundary – private property

Proposal: 48 single family lots in a Planned Unit Development

Zoning: R1 (single family), R2 (one and two family), and CC (City Center)

The Preliminary Plat for Viking Preserve, a single family residential Planned Unit Development was originally approved by the City Council on December 4, 2013. Since that time there have been modifications to the Plat due to comments received from the Army Corps of Engineers regarding wetland modification and other outside agencies. On March 25, 2014, the Planning Commission did review a Revised Preliminary plat and recommended approval to the City Council. The City has met with the Developer several times and the Developer has never formally requested that the Final Plat be approved. The City Council did however approve a Memorandum of Understanding with the Developer on April 1, 2015 and that MOU allowed the Developer to complete grading and lot correction for the eventual Viking Preserve plat. Due to the lag time, a new public hearing and Preliminary Plat was scheduled and held at last month’s Planning Commission meeting. Per the Planning Commission recommendation, the City Council approved the Preliminary Plat at their regular meeting on September 7, 2016. As part of the review process several outside agencies submit their comments and the City works with the Developer to incorporate those changes into the Final Plat and as part of the Developers Agreement. Any permits that are required from outside agencies, such as stormwater permitting, access permits, etc. are the responsibility of the Developer. Based on previous comments, the proposed Plat has been revised as follows:

- This layout provides 48 single family lots. Original project had 60 lots.
- Developer is proposing to stop the street construction for Taylor Street just beyond our intersection with 193rd Lane. This greatly reduces their wetland issue, as we believe we can fall under 1/2 acre of impact. Developer no longer proposing any future homes beyond the proposed Lot 25, so public access will not be necessary.
- There may be space to create a small berm along the south side of Block 1 along Viking Boulevard, otherwise buffer to Viking Boulevard will be 193rd Lane and future plantings.
- Proposed ponding areas are indicated.
- Developer will continue to provide Outlot C as a buffer and recognize the

need to preserve existing trees.

- Developer proposing to dedicate the additional 15 feet of right of way, to satisfy Anoka County Highway Department.
- Sidewalks and trail planned in the development
- Park dedication fee will be required

Ms. Winter stated that there have been no changes from the Preliminary Plat previously reviewed.

Mr. Terry moved and Mr. Balfany seconded to approve the Final Plat Viking Preserve Planned Unit Development. Ms. Winter asked that the four conditions provided be read in the motion. **Mr. Balfany moved and Mr. Cornicelli seconded to amend the previous motion to include the following conditions: 1) City Engineer approval, 2) Anoka County highway department approval, 3) Approval of all requirements as outlined in Chapter 66 – Subdivisions, and 4) Enter into a Developer’s Agreement with Shaw Trucking. Motion carried.**

6. Comprehensive Plan Update

Ms. Winter reported that WSB Consultants have been hired to assist with the Comp Plan and that WSB representatives will be at the next Planning Commission meeting. The Planning Commission will be heavily involved with the writing of the new Comp Plan.

There have been some discrepancies with Met Council numbers for sewer vs. unsewered for the population; the City is working through those numbers.

The application Mysidewalk is a link (that soon will be listed on the City website) where residents can leave comments for the City.

The Comp Plan must be completed by December 31, 2018. The hope is to have it complete by March 2018 to allow plenty of time for the six month review process. A timeline will be available at the next meeting.

7. City Council

City Council liaison, Tim Harrington reported the following:

- November 17 is the Town Hall meeting
- Council approved Resolution 2016-43
- Council set the levy budget for 2017 at 1.7%
- Council approved Viking Preserve Preliminary Plat
- Council approved Prairie Ridge Final Plat
- Council approved Ponds of Hidden Prairie temporary easement agreement
- Council approved the WSB Contract Proposal for the Comprehensive Plan
- Council approved reinstating the employee recognition program for years of service
- Fire Department Open House is Oct. 6 from 5-7:30 pm at Station #1

8. Other Business

October 13 is Sunrise Breakfast meeting
 October 26 is meet the candidates forum at City Hall

9. Adjourn **Mr. Balfany moved and Ms. Bonin seconded to adjourn at 7:28 pm.
Motion carried.**

Respectfully submitted,

Gail Gessner, Recording Secretary
Submitted 9/28/16