

EAST BETHEL PLANNING COMMISSION
Special Meeting with City Council
April 24, 2018

PLANNING COMMISSION MEMBERS PRESENT: Sherry Allenspach, Tanner Balfany, Lorraine Bonin, Lou Cornicelli, Sharon Johnson, Wanda McLaurin

ABSENT: Chair Glenn Terry

CITY COUNCIL MEMBERS PRESENT: Mayor Steve Voss, Tim Harrington, Brian Mundle, Randy Plaisance, Tom Ronning

ALSO PRESENT: Colleen Winter, Community Development Director
Jack Davis, City Administrator

1. Call to Order Vice Chair Balfany called meeting to order at 7:00 pm.
2. Adopt Agenda **Ms. McLaurin moved and Ms. Allenspach seconded to adopt the agenda as presented. Motion carried.**
3. City Council Call to order
Special Meeting Mayor Voss called the special meeting to order at 7:01 pm.

Audience members were reminded that the presentations were not public hearings, so no comments from the audience would be heard.

4. Presentations There will be two presentations this evening. The presentations are for information only and this is not a public hearing. However, this is also a Joint meeting with the City Council and an opportunity for the Planning Commission and Council to ask questions of the presenters.

A. Jeff Bradt, CEO/President - The Hills Youth and Family Services

As many of you are aware, the City of Forest Lake recently turned down a residential mental health care facility for children ages 6-17 years old, known as the Hills project. The City of East Bethel has been in discussions with The Hills Youth and Family services since February about bringing their facility to East Bethel and there are a couple of different sites within the City that have been identified as being desirable and available for the Hills project. It is their strong desire to build a facility in the North metro area. Mr. Jeff Bradt of the Hills Youth and Family services presented information to the Planning Commission and City Council about their facility.

- The Hills currently operates a facility in Duluth, MN at: The Hills Youth and Family Services, 4321 Allendale Avenue, Duluth, MN 55803
www.TheHillsYFS.org
- The Hills has been in business for 46+ years (incorporated on December 30, 1971)
- Population to be served at proposed facility: Boys and girls, ages 6-17, with mood disorders (primarily depression, anxiety and PTSD). Some of the children

may also have neurologic damage such as traumatic brain injury, autism spectrum disorder or fetal alcohol syndrome. To be eligible for admission, all the children must (1) have conditions that will respond to treatment in three to nine months and (2) be able to live safely with others in a congregate setting. The children will be under direct supervision at all times.

- No. of jobs at new location: 150; 120 Hills employees and 30 ISD 916 employees.
- Size of building: 64,000 GSF
- Size of campus: 15-40 acres
- Project investment: \$26.5 million

Depending on the location, there will be additional meetings with the Planning Commission, as well as public hearings.

Mr. Bradt showed a concept drawing of the facility, both exterior and interior.

Who will be served? Boys and girls, ages 6-17, with mood disorders or neurologic damage.

How will they be served? Through all encompassing therapeutic milieu and by providing a safe and secure environment for everyone.

How will this impact East Bethel? Positive economic impact via 150 new jobs at the location, \$8.5 million in compensation/benefits, and it will be a source of community pride.

The local school district has the option of providing the educational services. Independent School District 916 has had preliminary conversations with St. Francis Independent School District 15. When the Hills was in talks with Forest Lake, the local school district there decided to have ISD 916 provide the educational services. If St. Francis Area Schools were to decide that they want to provide the services, they would rent the space from the Hills.

Ms. McLaurin asked where the clients will be coming from and what will be the maximum number of clients. Mr. Bradt said their clients come from sources state-wide i.e., referrals, calls for help, hospitals, local schools, etc. The Hills is licensed for 60 clients. There may be a potential for outpatient services; this is not anticipated, but there will be room allowed if there is a need for this service.

Per the license requirement, staffing will consist of a psychiatrist or psychologist partnered with an MD on the treatment team, registered nurse on site 24/7, and therapy staff and licensed other licensed mental health professionals. There will not be a pharmacy on site, but there will be trained staff to dispense meds.

In his absence, Chair Terry provided written comments: This seems like a good and welcome project for the city, and that the healing properties of East Bethel's rural environment will benefit patients greatly. His concerns with the traffic flow of 150 employees were alleviated by Ms. Winter's assurances, based on an earlier conversation.

Ms. Bonin asked where the Hills is thinking of locating and why type of fit will it be to neighborhoods? The Hills is looking at four or five prospective sites that would be appropriate for this facility.

Ms. McLaurin asked how the costs to maintain and run this facility are obtained. Funding is obtained through private pay (roughly 30%) or Medicaid.

The Hills looked at occupancy rates in the State; they will have 1 bed for every 8,000 children in need. Their facility in Duluth, which is a residential treatment center, runs at 97-98% occupancy.

The MN Department of Human Services issued an RFP in 2015. The Hills was one of three providers selected to provide these services. The Hills is the only provider that is going to build a new facility to provide the type of care they want to provide. Under their contract with the State, the State would like the Hills to open a facility by July 2019. This is about a 12 month build facility, so they may not hit that date, but will strive to get as close to that date as possible.

B. Mark Grundhoefer – MJG Productions

Mr. Grundhoefer (MJG productions) and Mr. Ray Jordan will be discussed their interest in hosting an Outdoor Music festival on August 17th and 18th, specifically requesting overnight camping at Blue Ribbons Pine (BRP) Disc Golf Course where the proposed festival would be held. The festival is titled, “The BIG WU family reunion”. MJG productions has been a festival organizer and promoter for 20 years and focuses on promoting classic, family friendly, small festivals mainly in Minnesota and Wisconsin. BRP is currently zoned Rural Residential. East Bethel’s code does not address overnight camping on private property. In the past, all large events have been required to obtain an Outdoor Entertainment permit if the event will have 500 or more people in attendance. East Bethel’s policy has been to not allow overnight camping. This, however, is a unique request as it is in an area that could accommodate camping.

More specifics are:

- Proposed dates and location - Target dates are Aug 17/18, 2018 at Blue Ribbon Pines Golf course
- No. of bands playing – 8 -15 bands
- Hours that bands will be playing – Noon to Midnight
- Estimated number of people camping – 500 to 700. Primarily primitive camping (tents).
- Estimated number of people at the event – 1,000. Maximum number allowed under Outdoor Entertainment permit is 1,500 people.
- Liquor and Food Sales – BRP currently has a liquor license and will be dealing with the liquor, and MJG Productions will coordinate several licensed and insured food vendors.
- Sanitation facilities provided as contained in the City permit – portable toilets and hand washing stations.

Through the City's Outdoor Entertainment process there are several items that need to be addressed – including but not limited to, security, alcohol sales, hours, background checks, etc. At this point this is just a discussion item in general, specifically addressing overnight camping and whether that should be allowed at BRP for this specific festival this year. Big WU performed at BRP last fall.

Economic impact – While there are no numbers available currently, typical festivals of this size bring a substantial amount of money into the local economy.

Ms. Allenspach asked if the site can handle parking and traffic. There was plenty of space on the Johnson's land last year, 400 cars were parked without any being parked on the road. Professional parking attendants are used.

There will be day tickets available, however, about 80% of the attendees stay for the whole weekend with a small percentage coming just for one night. While there is a fan base of about 800 followers, this festival is open to the public. The intent is to keep this festival small, and family/kid friendly.

This festival was held at Camp Maiden Rock in Morristown, MN for the last five years. Promoters believe it is time for a new venue, due to lack of resources.

In his absence, Chair Terry provided written comments: He has questions about the mitigating impact on the dirt road in August with the traffic. The noise ordinance is effective after 10:00 pm, how are the neighbors going to sleep if the concert goes until midnight for those two days? Perhaps they won't object, but if so, and if approved are there acoustic acts that could be booked for after 10:00 pm to midnight slots.

Mr. Grundhoefer said the goal of the festival is to have good music, not just loud music.

Ms. Winter noted that in the past Outdoor Entertainment permits issued allowed for event activities until midnight. Both the fire department and sheriff's department are aware of this request.

Ray Jordan said disc golf national tournaments have been held at his course. He knows Mark has a good handle on how events work and how to handle the flow of an event. There is plenty of parking to accommodate attendees of the music festival. Beaverbrook has also offered their parking lot if needed. They are going to have a food drive to support the local community and hope to fill a semi-truck with food items.

This event will be a family/kid friendly event. It is not exclusive but is open to the public. Ms. Allenspach likes that it will be family friendly. Ms. Johnson provided full disclosure that she is a neighbor to this site and has been talking about the parking and details for the event and is in full support of the event.

Ms. Winter asked for more guidance with the Outdoor Entertainment permitting for camping. Ms. McLaurin is okay with allowing camping. Mr. Cornicelli said he is good with the camping if it's managed and that the city and city council approve of it and all requirements and conditions are met. Ms. Bonin said she lives where she gets all the noise from the shooting range and that this seems that it won't compare to that noise. Mr. Balfany was also supportive of this event.

City Council had no comments, as it was not acting on this item tonight. This item will be on the City Council agenda as a discussion item.

5. Approval of Minutes **Mr. Balfany moved and Ms. McLaurin seconded to approve the March 27, 2018 minutes with one change on page 9 of 10 in the last paragraph “from the rural *feel* and beauty...” Motion carried.**

6. Public Hearing 2030 Comprehensive Plan Text Amendment Public Hearing to consider Comprehensive Plan Amendments to the 2030 Comprehensive Plan to add the “group residential” and “residential with medical and/or assistive services” as allowed uses within the Low/Medium Density Residential, Medium Density, Mixed Use, and Mixed District land use designations.

Currently, the Metropolitan Council guideline states that they will not accept Comprehensive Plan Amendments to the 2030 Comprehensive Plan after June 30, 2018. Recently the City has had several discussions with various developers for group residential and senior housing projects. In being proactive so that the City can continue discussions with various development groups and not cause a delay in any projects, the City is proposing to make a text amendment change to the 2030 Comprehensive Plan across several different land use categories. That way if a development is ready to go it is not significantly delayed or put on hold altogether if Met Council does put a moratorium in place and does not allow any changes to the 2030 Comprehensive Plan after June 30, 2018. In discussions with Metropolitan Council staff, they provided their guidance on how they measure the density of different types of senior housing (attached). Some types of senior housing that function like an individual apartment, such as independent or assisted living is counted as any other apartment for density. Senior housing where cooking or bathing is done commonly, such as skilled nursing or some forms of memory care, are treated as group quarters and therefore do not count towards a normal density calculation. Because of that conversation, the review of the existing 2030 Comprehensive Plan shows that typical residential units are addressed but that group quarters are not addressed. This Comprehensive Plan Amendment would address that issue. The State Statute calls group quarters “group residential”. There are many definitions for medical service for seniors and they are always changing over time and for that reason staff recommends a general term of “residential with medical and/or assistive services”. That term would not be age exclusive.

The actual proposed text amendment is:

Low/Medium Density Residential: “Low/Medium Density Residential (3-4 DUA) - The land use in this area will consist of detached single-family homes. The minimum density allowed in sewered areas is 3 units per acre. At this time, lot size in this district is determined by the availability of public water and sewer.” This is the existing language in the Comp Plan. The proposed text amendment would be to add the following language: This low/medium density residential allows a mix of single-family detached homes and including group residential and residential with medical and/or assistive services. Densities higher than typical single family residential density will be considered if the group residential and residential with medical and/or assistive services is in in an area that can be served by city sewer and water and located on a major collector street.

Medium Density Residential – Similar to Low/Medium Density that text language would be added to state, “This medium density residential allows a mix of single-family detached homes and townhomes, including group residential and residential with medical and/or assistive services. Densities higher than typical single family residential density will be considered if the group residential and residential with medical and/or assistive services is in in an area that can be served by city sewer and water and located on a major collector street.

The proposed Text Amendment changes under Mixed Use and Mixed District are simply to add group residential and residential with medical and/or assistive services as follows:

Mixed Use: “The MUD has underlying land uses that serve to provide a “mixed use” core area, commercial workplace, neighborhood dwelling units, including group residential and residential with medical and/or assistive services, and parks/open space areas.”

Mixed District - Typical Uses: “Small-lot single family; Townhomes, including single-story attached housing; duplexes; and multiplex buildings; Apartment-style housing; group residential; residential with medical and/or assistive services; Retail, including grocery store; Office buildings or office complex; commercial complex; churches; elementary and secondary schools; public parks and open space; private recreation spaces. Light industrial uses may be deemed appropriate when adjacent to existing industrial or other high intensity businesses or adjacent to planned Light Industrial or Medium Density land uses.”

The proposed changes will not have any impact on any regional systems.

Mr. Balfany opened the public hearing at 7:50 pm; hearing no comments he closed the hearing at 7:50 pm.

Ms. Johnson asked if this affects the Hills Youth project and do they fall under the need for text amendment. Ms. Winter confirmed that they would need to fall under the text amendment. This is not being done just for the Hills Youth

project, but for other types of potential uses; primarily senior housing. All the sites being looked at by the Hills falls under this text amendment.

Ms. McLaurin moved and Ms. Johnson seconded to recommend adding “group residential” and “residential with medical and/or assistive services” to the Low/Medium Density Residential, Medium Density Residential, Mixed Use, and Mixed District land use designations of Chapter 5: Land Use of the 2030 Comprehensive Plan as proposed. Motion carried.

This will go before city council at its next meeting.

7. Torgerson
CUP /Public
Hearing

Property Owner:
TMH, LLC - James Crews of Tin Man
Fabrication
21461 Aberdeen St NE
East Bethel, MN 55011

Applicant:
Art Torgerson
Art Torgerson + Son Well Co.
18579 Highway 65 NE
East Bethel, MN 55011

Parcel:
XXXX Aberdeen St NE
East Bethel, MN 55011
Legal: LOT 1 BLK 2 LINGES EAST BETHEL CENTER SUBJ TO EASE OF
REC
PIN: 08-33-23-43-0008
Zoning: Central Business (B2) District

Background Information:
Art Torgerson + Son Well Co. has been operating at 18579 Highway 65 NE for 42 years. Mr. Torgerson is planning on relocating his business because he is changing the services that they provide. Mr. Torgerson will not be drilling new water wells so they will no longer require storage for the large heavy-duty trucks.

Mr. Torgerson is proposing to build a new 3,000 sq. ft. building and locating his business to XXXX Aberdeen Street NE in an area that is zoned B2 – Central Business District.

Mr. Torgerson’s business office and retail sales are an allowed use in the Central Business District zoning classification – Section 46, Zoning Ordinance, East Bethel code of ordinances. Mr. Torgerson will also have an area that is a warehouse and maintenance facility which requires a Conditional Use Permit. At this time Mr. Torgerson does not have any needs for exterior storage, but if he did in the future it would be stipulated as part of this proposed Conditional Use Permit.

Noise – Noise levels will be minimal. Only starting of the repair trucks and some fork lift noise. Mr. Torgerson currently has neighbors next door to his business and they do not have any issues with noise.

Permitting for waste – Skip Torgerson + Son Co. does not generate hazardous waste.

Hours – Normal business hours will be from 8 am – 6 pm, Monday through Friday, and occasional Saturdays.

Mr. Torgerson is downsizing from his location on Central Ave. because he is not drilling wells anymore and wants to get out of the well drilling business. He is now in the service end of the business. He has purchase offers on his current building on Central Ave. Mr. Torgerson is asking to have exterior storage included in the CUP and gave his assurance that all architectural requirements will be met.

Mr. Balfany opened the public hearing at 7:58 pm; hearing no comments he closed the hearing at 7:58 pm.

Ms. Johnson moved and Ms. McLaurin seconded to recommend the granting of a Conditional Use Permit application to Skip Torgerson (dba Art Torgerson + Son Well Co.) to operate at XXXX Aberdeen St NE, East Bethel MN, Legal: LOT 1 BLK 2 LINGES EAST BETHEL CENTER SUBJ TO EASE OF REC, PIN: 08-33-23-43-0008, Zoning: Central Business (B2) District.

The granting of this Conditional Use Permit is subject to the following conditions and requirements:

- 1. Outside storage of vehicles, materials, or other parts shall be limited to 50% of the rear yard immediately behind the proposed building.**
- 2. Signage to comply with all applicable codes and regulations of the City of East Bethel.**
- 3. Comply with all applicable Building and zoning code requirements, as well as any additional requirements as required by the City Engineer.**
- 4. Enter into a site plan agreement with the City.**

Motion carried.

8. RR Front Yard
Setback Variance
/ Public Hearing

Property Owner/Applicant:
Michelle Orlando
22824 3rd Street NE
East Bethel, MN 55005

PIN: 06-33-23-22-0011
Legal: Lot 3 Block 2 Eagle Ridge
Zoning: RR – Rural Residential District

Applicable Zoning Code Sections:

Rural Residential (RR) District: Appendix A, Zoning, Section 42, 7B, 1C

Mrs. Orlando is wishing to build a 1,200 square foot detached garage for storage of vehicles, boat, etc.

The variance requires the Planning Commission to consider a three-factor test:

1. Reasonableness – Of the available land to build on, it would be reasonable to construct this size accessory structure to the south of the primary home so the 1,200 sq. ft. accessory structure may have driveway access. This size structure would not fit to the north of the primary home due to the septic location and

putting the structure to the west of the home in the backyard would prohibit a driveway, again due to the septic location.

2. Uniqueness – The property does have the constraint of a Drainage and Utility Easement that covers most of the property due to wetlands. If the required 40-foot setback was enforced, then an accessory building this size would encroach into the Drainage and Utility Easement.

3. Essential character – The detached garage request is consistent with the neighborhood. Many homes have detached garages.

Mr. Balfany opened the public hearing at 8:09 pm; hearing no comments he closed the hearing at 8:09 pm.

Ms. Orlando plans to build a new driveway to the accessory building; two driveways are permitted under the Rural Residential zoning.

Ms. Allenspach moved and Ms. Johnson seconded to recommend the City Council approve a 10-foot variance from the normal 40 ft. front yard setback for the applicant to be able to build a detached Accessory structure at 22824 3rd St NE in an area zoned Rural residential. Motion carried.

9. City Council Report City Council Liaison Tom Ronning report: No report.

10. Other Business None

11. Adjourn **Ms. Allenspach moved and Mr. Cornicelli seconded to adjourn at 8:12 pm. Motion carried.**

Council Member Tim Harrington moved and Council Member Brian Mundle seconded to adjourn at 8:12 pm. Motion carried.

Respectfully submitted,

Gail Gessner, Recording Secretary
Submitted 5/5/18