

**CITY OF NOWTHEN
PLANNING & ZONING COMMISSION MEETING
TUESDAY, July 27, 2021**

Present: Dale Ames
Martin Bies
Lars Carlson
Dan Haapala
Harold Jorgensen
Kelly Pearo
Rob Schiller
Jeff Pilon – Council Liaison

Others: Planner Liz Stockman

Approve/Amend tonight's meeting agenda of July 27, 2021. Motion by Pearo to approve; 2nd by Schiller; Motion Carried.

Approve/Amend May 25, 2021 Planning & Zoning Meeting Minutes – Motion by Pearo to approve; 2nd by Schiller; Motion Carried.

- 1. Public Hearing – 8766 Norris Lake Road –** Shawn Thompson has requested approval of an Interim Use Permit to allow storage for a home business, Jump City Inflatables, on this 15.83 acre property (PID 08-33-25-32-0008).

Planner Stockman presented her report. This is storage for an off-site rental business. Inflated jump houses, slides, etc. are delivered to properties off-site; Thompson rents them out, brings them back, cleans them, stores them, and gets them ready for the next user. An IUP is required for the storage of vehicles and equipment. Thompson has plans for a third building at some point in the future. Plenty of room. A corrected site plan was distributed for members to review, as the applicant had pointed out some inaccuracies after the packet had gone out. Currently operating in 58'x60' storage shed nestled within pine trees. Under construction is the 58'x99' where he will be moving the equipment; plans to put up fencing between buildings and provide employee parking behind the trees. Nothing will be visible from the road. Long term would be moving to the 60'x120' structure on the east side of the property with a different access point than Norris Lk Rd, pending county approval. Possibly come back for an IUP for a wedding venue in the 54'x99' structure, but not included in this request.

Stockman said they are looking for specifics regarding what is stored on site, hours of operation, type of screening proposed and all items outlined in Findings of Fact. This is a reasonable proposal, and Mr. Thompson has put much effort into making the site neat; wants to make things not visible from the road.

Applicant had no comments.

Mailings and postings completed.

PZ Comments –

Ames said the property looks very nice. Pearo asked if the hours of operation are what the applicant needs to work the business. Busy days are off site Friday through Monday; Tuesdays & Wednesdays are cleaning days. Discussed inventory, exterior lighting, main busy months are May to October. Thompson and his son are the only full-time employees, all others are part-time. Adjust hours out to 9:00 pm instead of 7:00 pm. Goal is to store everything inside eventually. Discussion about cleaning days, procedures, currently 7 enclosed trailers and allow 3 additional trailers; residential vehicles do not count in the total vehicle count. Applicant said that the house that Planner Stockman mentioned is actually a pole barn.

Notation regarding cleaning area; site plan is part of the official record and gets recorded with IUP. Add cleaning area provision in Findings. Exterior storage for trailers needs to be specified in IUP, Intention is to keep everything hidden from view, including trailers. Designated parking areas added to Findings, no ordinance requirement for concrete.

PUBLIC COMMENTS - None

PUBLIC HEARING CLOSED

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MOTION BY SCHILLER TO APPROVE THE IUP WITH THE FOLLOWING CHANGES:

- 1 – Hours of operation changed to 7:00AM to 9:00PM Monday to Saturday; Sundays 3:00PM to 9:00 PM. Tuesdays & Wednesdays designated as cleaning days; nature-based sanitizer; inflatables set up and torn down;
 - 2 – Designated gravel and/or concrete parking areas on site plan
 - 3 – Permitted equipment list is acceptable to applicant
- Schiller recommended allowing 5 extra trailers instead of just 3; total of 12 trailers.

2nd by HAAPALA. ALL IN FAVOR. MOTION CARRIED.

- 2. Conceptual Development Plan for Koehler Property** – Jay Roos of LGI Homes has requested feedback on this 14-lot subdivision on 80 acres. The property is located east of Baugh Street and will provide connection between 194th Lane and Vicuna Street. (PIDs 30-33-25-41-0001 and 29-33-25-32-0001).

Planner Stockman presented the Concept. Mr. Roos is taking over the parcels that Mr. Roessler had intended on developing. 80 acres with 2 main access points; not looking for access point onto Baugh, but will be looking at a connection between the neighborhoods. Roos met with City Staff, Engineer & Planner, and the only comment made was regarding the extension of a cul-de-sac to the west on those two parcels that front on Baugh St. for potential development. It is a good layout, but a little hiccup with street naming issues – East/West are numbered, North/South are minerals. Alternate street layout presented in report. Numbers not in numerical order for fire and emergency access. Changing the numbers creates a hassle for homeowners, but current designations don't make sense, but does not need to be the focus at this point. Meets density requirements with the overall average of five acres; respecting wetlands. Wetland delineation has been done. Need conversation about park dedication because area is located in a park search area in Comprehensive Plan; no existing trails which require connection; accept money for park dedication fee. Layout of Concept plan makes sense; discussion about street layout, access and names of streets. If the existing farmhouse remains, it and one other parcel would front on Baugh, but the six new parcels would be on a cul-de-sac. Back side of property is all wetland. This was previously DNR property and was purchased by the neighboring landowner; lowland and undevelopable. No formal decision is needed when reviewing Concept Plans. It is a courtesy to the landowner and does not go to Council, and has no timeline involved. Mr. Roos commented that LGI Homes has not begun the engineering that would determine if the property would be able to meet septic requirements, etc. He hopes that the names of the streets will not dictate the street layout and subdivision design, because the existing topography already limits lot designs. The site lays itself out for walk-out lots with two connection points on the north & south, and wetlands on the east. Stockman agreed that Roos shouldn't have to lose a lot just because of a street name. Haapala asked Roos if he was agreeable with the adding the 192nd Circle or Court that was proposed. Roos asked for clarification regarding access to Baugh St. on the lot that is not currently land-locked, and requiring that Circle or Court is not a benefit to LGI Homes. He does understand the need for it. Schiller asked if he would be required to put in the cul-de-sac or just an easement during development. Stockman responded that the temporary cul-de-sac would be required. Haapala said it seems logical to extend Vicuna St up to 194th, even though 3 properties would need to change their addresses, which may eliminate the need for a cul-de-sac. Ames asked if trails would be required, and Stockman said there is not a trail designated besides the streets, so park & trail dedication fees per lot would be requested.

- 3. Conceptual Development Plan for 181st Ave/Baugh St. Property** – Grant Rademacher of Rademacher Companies has requested feedback on this proposed subdivision with 20 single family residential lots and one commercial parcel on 110 acres (PIDs 31-33-25-31-0001, 31-33-25-34-0003, 31-33-25-32-0001).

Planner Stockman said that Mr. Rademacher had to leave town unexpectedly. They attempted to call him to include him in the meeting but were unable to reach him. Rick Nelson, a home builder working with Rademacher, was present at the meeting.

This is a property currently owned by Kent Roessler being purchased by Rademacher, on the west corner of 181st Ave at the City limits. 40-acre parcel, currently a sod farm, is owned by Stovers. The proposal is for the 10 acres on the corner of Baugh and 181st Ave to be a Bill's Convenience Store with G-Will Liquors, and the remaining 100 acres to be 20 single family lots, meeting the five-acre overall density. The triangular area is quite wet, and a power line runs through the site. The concept respects those things and connects two existing streets and Burnside Trails. Stockman did recommend changes. This is currently zoned RRA, guided low density residential. Any change in use would require a Comp Plan Amendment, meaning that we would change it from being guided low density residential to commercial/industrial on the Comprehensive Plan. The City would have to rezone it to allow the convenience store and liquor store. The remaining 100 acres are zoned appropriately. A similar proposal a few years ago did not include the residential development. Stockman believes this proposal is superior to the previous one because it is offering a unified design, amenities like trails, and a buffer zone along Baugh St. to try and control light and other impacts to the residential areas. The street to the north is not necessary, but a cul-de-sac may need to be added for access. Shared private driveways are not allowed by Ordinance, but one or two may be allowed by Flag Lots via Conditional Use Permits. It is a dead end situation. The Cities of Ramsey and Elk River still show Rural Residential adjacent to our borders, which would coincide with Nowthen zoning. A nursery is located on the Ramsey corner. Mr. Rademacher is 100% on board with funding this project to go through it. The Burnside Trails neighborhood will be giving feedback when the public hearing for Comp Plan Amendment and Rezoning of the corner. One thing to note, is that one area is rezoned for the benefit of that owner, it is sometimes referred to as spot zoning. It can be frowned upon, but things to consider are whether or not to include the adjacent parcel in the rezoning or to not allow the rezoning at all. Stockman encouraged members to review the policies in the Comprehensive Plan, included at the end of the packet, which outline what is desired to allow or not allow within our city. She noted that one of the policies is to "provide services which represent the varying needs of the community, and which serve not only local residents but the broader regional market." There are policies both for and against this type of use, and it is common to see a convenience store within neighborhood settings. Tough decision to make, but it is beneficial that it does include all 110 acres this time. City could use this as an advantage to gain some amenities in the City. Wetland delineation has not been completed yet, but it would be required if Rademacher moves this forward. Traffic counts were included in the packet. Elk River has a proposal to bring the 4-lane road to Nowthen border by 2024, as part of County Rd 12 is already four lanes. A nice trail runs along the north side that ends at Cleveland. Road Improvements along Baugh are proposed by Anoka County. Haapala said that Anoka County plans to turn Hwy 22 over the MN DOT all the way across the state by 2030, and he assumed that would become a 4-lane road at that time. Discussion about the inevitable fact regarding development of that corner at some point. Commission agreed it would be a tax benefit to Nowthen to get that development within our city, and they liked the current plan much better than the previous plan from 2017.

Mr. Rademacher called in to join the meeting via phone at this point.

Bies asked how often Spot Zoning had been done within Nowthen, and the response was not often, as the Land Use Plan needs to match the Zoning map. It would require going through Met Council for the change. The 2030 Comprehensive Plan was just approved, and the City Council did not decide to rezone this area. Haapala asked why it was not considered for zoning Commercial at that corner in the 2030 Comp Plan. Pearo said it would be a solo Commercial Zone, as there are no other commercial areas in the area currently. Stockman asked Pilon if he wanted to comment regarding that Council decision. He responded that the residents in the area responded negatively to the plan the last time, and negative press without facts got neighbors excited.

This Concept Plan has a defined user, and Mr. Rademacher keeps his sites neat and would cooperate with the City regarding architectural requirements. He is willing to go through the process, and it doesn't get any better than what is currently being proposed, generally speaking as far as the residents from Burnside Trails looking across Baugh at another residential development. Buffers, limited lighting, etc. can be addressed by the good Ordinances that are already in place. Nowthen Lighting Ordinance requires all down lighting, in accordance with Dark Sky Association recommendations. Current discussion needs to focus on the commercial user and potential change. Ames reiterated that traffic at that corner is tremendous, and if Nowthen does not have

Commercial at that corner, it will absolutely still be there at some point. No matter who makes the first change, the residents will be upset. Discussion that it will be a major thoroughfare by 2030. Carlson was more agreeable with the change if the use was specified, and it is currently zoned residential. Schiller was agreeable to the current proposal, and thinks it would be good to be ahead of the curve and be the first one to zone for commercial there. Haapala was 50/50 agreeable to the convenience store part but thought maybe there would be better use for the neighborhood than a liquor store, like maybe a daycare or something that would provide a service to the neighbors. Bies was agreeable to the proposal and said that it is very much an industrial corner with the greenhouse on one side and an empty corner on the other side. He lives in Burnside Trails, so he will definitely get a consensus from his neighbors. He did not like the previous proposal, but this one is amenable to him. He agreed that this corner definitely will be developed, and he would like to have this within the City of Nowthen. Pearo was agreeable, but asked regarding what kinds of businesses would be more acceptable to the residents there and what Elk River had planned for the future for properties abutting Nowthen in that area. Jorgensen said there are too many things that are not known. The State of MN was surveying way west of Jarvis, and we have not been told what is planned. Ames again stated that regardless of what Nowthen does on that corner, commercial zoning will come there. Majority are in favor of moving forward with this.

Stockman asked if there were a way to involve the surrounding neighborhoods, inform them, and try to appease them with buffer, trees, trails, etc. Resident attendance could go from zero to 100 quickly, and it adds pressure to the Commission. The invitation could include the City Council too, as they can always overturn what the Commission is recommending. Suggestion to have an information board and comment slips available at the Heritage Festival.

Discussed any potential changes to the concept if it moves forward. Reviewed the trails planned – walking trails and potential horse trails; tree-lined boulevard with a buffer zone. Mr. Rademacher is willing to provide trees along Baugh St. Trails may need to be an internal system within the 100 acres. The power line easement lends itself to trails. Mentioned the City Council potentially being resistant to development on this corner as they were in the past. Area identified for park/trails is basically wetland, so the trails would be more along a wildlife preservation area in many ways. Pearo asked about designating some of the area in the back as a community park for the residents in the area. Stockman said that area contains some of the best lots, as far as a view is concerned, for development. Haapala said the lots are overall less than 5 acres, which is too high density for a typical development, and liked the suggestion for a park on the higher ground to improve the area. Stockman replied that the formula is to take the total acreage (100) and divide by 5, which is 20 lots, and the large wetland area is averaged into the formula.

It would cost \$3,000 to apply for a Comp Plan Amendment and Rezoning, so before doing that it makes sense to talk about it a little deeper and get Council's thoughts. Rademacher said he would absolutely make the time to attend a work session to involve the Council and give residents in the area an opportunity to give feedback before moving forward with this Concept. He is very willing to invest whatever it takes to make this work for both Rademacher LTD and the City of Nowthen. Stockman responded that he has been one of the most cooperative landowners to work with. Rademacher said that with 3rd generation owners in this company now, this is not something they take lightly. They take great pride in building a nice neighborhood and community. He apologized for not being able to attend the meeting in person.

Stockman will add this suggestion to the City Council agenda and see if they will agree to have a work session or something to hear Rademacher's proposal and invite residents to hear it as well and ask questions/comment.

- **Motion to adjourn by Schiller; 2nd by Jorgensen. All in favor. Motion Carried. Adjourned at 8:47 PM.**

Respectfully submitted,

Lisa Lorensen, Administrative Assistant

Dale Ames, Chairman

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