



ST. FRANCIS PLANNING COMMISSION

**ISD #15 DISTRICT OFFICE BUILDING
4115 AMBASSADOR BLVD.
OCTOBER 16, 2013**

7:00 PM

AGENDA

1. Call to Order/Pledge of Allegiance
2. Roll Call
3. Adopt Agenda October 16, 2013
4. Approve Minutes July 24, 2013
5. Public Comment
6. Public Hearing – 24407 Iodine Street NW – Home Extended Business IUP
7. General Discussion by Planning Commissioners
8. Adjournment

There may be a quorum of St. Francis Council Members present at this meeting.

**CITY OF ST. FRANCIS
ST. FRANCIS, MN
PLANNING COMMISSION MINUTES
July 24, 2013**

1. **Call to Order:** The Planning Commission meeting was called to order at 7:00 pm by Chairman Rich Skordahl.
2. **Roll Call:** Present were Rich Skordahl, Ray Steinke, William Murray, Greg Zutz, Joel Olson, Todd Gardner, and Roni Ronyak. Also present was City Planner Nate Sparks.
3. **Adopt Agenda:** MOTION BY ZUTZ, SECOND BY STEINKE TO ADOPT THE JULY 24, 2013 PLANNING COMMISSION AGENDA. MOTION CARRIED 7-0.
4. **Approve Minutes:** MOTION BY OLSON, SECOND BY RONYAK TO APPROVE THE JUNE 19, 2013 PLANNING COMMISSION MINUTES. MOTION CARRIED 7-0.
5. **Public Comment:** None
6. **Public Hearing – Aztec Commercial Park Preliminary Plat with Variance and Site Plan Review**

Sparks stated that O'Reilly Auto Parts has made an application for a two lot subdivision for the Aztec Commercial Park at 233rd Avenue and Highway 47. They have also submitted a Site Plan Review with a setback variance for the northerly of the two lots to develop the site as a commercial retail establishment.

The property lies at the intersection of Highway 47 and 233rd Avenue. There is a planned extension of Aztec Street on the south side of 233rd. The applicant is proposing a right-of-way for this along the eastern portion of the property. They are petitioning the City to construct the road. If the City cannot acquire property for this extension to line up with the Aztec Street on the northern side of 233rd, the road will need to be off-set. If the off-set issue is resolved the unneeded portion of right-of-way may be vacated.

The variance is for the building to be located within the setback to Aztec Street. Sparks stated that the property is currently quite narrow and the dedication of right-of-way further limits buildable area. The applicant is requesting a variance to allow for construction 3 feet from the right-of-way. City Staff recommends no less than 5 feet.

Murray asked if the exit from Aztec will need to be a right turn only. Sparks stated that the Engineer doesn't believe so.

Skordahl opened the public hearing at 7:30 pm.

Mark Wold representing O'Reilly Auto Parts stated they would like to put a temporary access in the right-of-way to allow for construction this year. Sparks stated that would be acceptable provided the access was temporary.

Ken Talle of Theis and Talle owners of the property adjacent to the east stated that he would like the road to be built along the eastern property line. They have a plan to

construct some garages on the rear of their property, however, they do not wish to share in the cost of the road construction.

Skordahl closed the public hearing at 7:40 pm.

Skordahl noted that the site plan and proposed plat were meeting all ordinances as proposed with the exception of the variance.

MOTION BY STEINKE, SECOND BY RONYAK TO RECOMMEND APPROVAL OF THE PRELIMINARY PLAT, VARIANCE, AND SITE PLAN. MOTION CARRIED 7-0.

7. Discussion Item – Rental Housing Ordinance

Sparks stated that currently the City has minimum standards for rental housing and enforcement is done only on a complaint basis. The ordinance proposed would add a licensing component to these standards. Also, the standards were reviewed and are proposed to be updated.

Olson expressed concern that the fees would be too high.

Murray expressed concern that if a renter damages a unit the landlord is put at risk.

Skordahl stated that the fees should be kept as low as possible and that the City should explore if there is a way to protect landlords from a renter damaging the property.

MOTION BY OLSON, SECOND BY STEINKE TO RECOMMEND APPROVAL OF THE RENTAL HOUSING ORDINANCE. MOTION CARRIED 7-0.

8. Adjournment: MOTION BY STEINKE, SECOND BY MURRAY TO ADJOURN MEETING AT 8:05 PM. MOTION CARRIED 7-0

Nate Sparks, City Planner

Date



PLANNING REPORT

TO: St Francis Planning Commission
Matt Hylan, City Administrator

FROM: Nate Sparks

DATE: October 10, 2013

MEETING DATE: October 16, 2013

RE: 24407 Iodine St NW – Home Extended Business IUP

BACKGROUND

Jesse Plocher has made an application for a Home Extended Business Interim Use Permit to operate a concrete business at his residential property located at 24407 Iodine Street NW. This application was made in response to a code enforcement complaint against the property. The site is zoned Marginal Land-Planned Unit Development (ML-PUD) and is located in the Seelye Brook Acres Addition west of Seelye Brook Drive.

BUSINESS PROPOSAL

Jesse Plocher runs a concrete business called “Alpha Concrete” out of his home on 24407 Iodine Street NW. The applicant established the business without first securing the necessary permits. The business has two employees that come to the site in the morning and the employees leave with the business equipment and return in the evening. The business equipment is currently stored outside on the property which is not permitted by City Code. The applicant has made an application for a detached accessory building for the storage of equipment.

HOME EXTENDED BUSINESSES

Home extended businesses are home based businesses that are based in buildings other than the house. Such businesses are only allowed with an Interim Use Permit on properties within the ML-PUD Zoning District. Such IUPs may be approved if meeting the following standards:

General Home Occupation Standards (10-21-4)

- A. No home occupation shall produce light, glare, noise, odor or vibration that will in any way have an objectionable effect upon adjacent or nearby property.
- B. No equipment shall be used in the home occupation which will create electrical interference to surrounding properties.

- C. The home occupation shall be clearly incidental and secondary to the residential use of the premises, shall not change the residential character thereof, and shall not result in an incompatibility or disturbance to surrounding residential uses.
- D. No home occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and State fire and police recommendations.
- E. There shall be no exterior storage of equipment or materials used in the home occupation, except that personal automobiles used in the home occupation may be parked on the site, provided the parking is in conformance with all outdoor storage and parking requirements found in Sections 10-16-15 and 10-19.
- F. The home occupation shall meet all applicable building and fire codes.
- G. No home occupation shall be conducted between the hours of ten o'clock in the evening (10:00 PM) and seven o'clock in the morning (7:00 AM) in a manner where business activity is detectable outside of the residence.
- H. All home occupations shall comply with the provisions of City Nuisance Ordinances, including noise, outdoor storage, parking, and other such standards.

Specific Home Extended Business Standards (10-21-7)

- A. All general home occupation standards shall be satisfied.
- B. No more than two (2) persons other than those who customarily reside on the premises shall be employed.
- C. All activity on the premises associated with the home extended business shall not cause any adverse changes to the residential character of the neighborhood.
- E. Any exterior changes necessary to conduct the home extended business are sufficiently screened, properly designed, or separated by distance so as to be consistent with the existing adjacent residential uses and compatible with the residential occupancy.
- F. Any interior changes necessary to conduct the home extended business shall comply with all building, electrical, mechanical and fire codes governing the use of the use in a residential occupancy.
- G. Traffic generated by the home extended business shall involve vehicles types and volumes that typically associated with single family residences and that such traffic does not constitute a nuisance or safety hazard.

- H. Signs associated with the interim home occupation shall be in accordance with Chapter 42 of this Ordinance.

INTERIM USE PERMIT REVIEW

Currently, the site is out of compliance with Section 10-21-4-E as there is a large amount of outdoor storage on the premises. The applicant is proposing to remedy this condition by constructing a building. If approved, no business or junk storage would be allowed outside of the house and this building.

The site is also currently out of conformance with Section 10-21-7-G as there is a large dump truck on the property. Such large commercial vehicles are not allowed as part of a Home Extended Business and this vehicle would need to be stored off-site. Iodine Street is not built to a standard to allow for the frequent use by heavy trucks. Deterioration of the street will result in a reconstruction project which will require assessments to the neighboring property owners.

The applicant's site plan depicts an employee parking area. This will need to be screened from right-of-ways and neighboring properties. Screening will need to be done to a height of six feet with evergreen trees or a fence.

The applicant's narrative states there are two employees for the business. This is the maximum number of employees allowed for a Home Extended Business. The applicant should note that if there are to be more employees, the business will need to move off-site.

The applicant has presented a site plan showing an access drive around the house to the rear where the proposed building will be located. Currently the applicant has substandard driveways extending to both Iodine Street and Seelye Brook Drive for business related purposes. These drives will need to be removed and restored with grass.

To place the building in the proposed location, the applicant needed to relocate the alternate septic site. City inspections have revealed that the current septic site has been frequently driven over and is being used for parking of vehicles and trailers. The Building Official recommends that the existing septic site be delineated by a physical barrier, fence, or landscaping to prevent vehicles from driving over the area.

The applicant's driveway to the accessory building is proposed to go around the septic site and widen out to a very large area labeled as "Employee Parking". The driveway and parking area will need to be surfaced with gravel, crushed rock, or other similar material and be maintained in such a fashion that it may support an emergency vehicle. The driveway shall be no more than 24 feet in width.

There are only two employees permitted and the parking area should be reduced. A storage yard is not allowed on site. The area labeled as "Employee Parking" should be

scaled back to a no more than what is necessary to allow access to the building and accommodate the parking of two vehicles.

The applicant is required to screen this area from view of neighboring properties. This screening will need to be at least one row of evergreens placed no more than 15 feet from center on the north, west, and eastern sides of the parking area. The trees should be six feet in height unless the ground level is raised. A screening fence may also be acceptable.

The applicant will need to provide financial securities to guarantee the proper construction and plantings.

CODE ENFORCEMENT CASES

This site has generated complaints from the public. In the spring of this year complaints were received regarding the condition of the site and the numerous driveways. The applicant was notified of the violations on May 3, 2013. As of today, the code violations have not been remedied. The Building Official is working with the applicant on these matters.

RECOMMENDED ACTION

City Staff has concerns that this business will continue to remain as a nuisance code violation and is not compatible with a residential neighborhood. If the business were to operate in a complying manner with all City Codes under the terms of the Home Extended Business Ordinance, it may be deemed acceptable. If the Planning Commission were to recommend approval of this request, it should be done with the following conditions:

1. The applicant shall construct the detached accessory building as proposed.
2. The access drive shall be built as proposed on the site plan but shall be no greater than 24 feet in width and surfaced in a manner acceptable to the City Engineer.
3. The parking and outdoor storage area shall be reduced in size to accommodate access to the building and two parking stalls.
4. The septic area shall be delineated from the parking and access area and the drive with a physical barrier, fence, or landscaping.
5. The existing illegal driveways shall be restored to grass.
6. Dump trucks and other commercial vehicles greater than 10,000 lbs in gross vehicle weight are prohibited.
7. No piles of junk, debris, wood, waste, or other such materials shall be placed in the open on the site.
8. The applicant shall enter into a development agreement with the City to place these terms into effect and post securities guaranteeing the construction of facilities to these terms.
9. The applicant shall provide a revised site plan meeting the terms of this approval.

ATTACHMENTS

Applicant's Narrative

Site Plan

Site Photos 10/10/13

DESCRIPTION OF REQUEST: (attach additional information if needed)Project Name: *Alpha Concrete LLC*Nature of Proposed Use: *Have and store business equipment and material on-site in detached garage. Keep company vehicles on property and obtain a Home Occupation Permit.*Reason(s) to Approve Request: *To allow us to continue to leave for work from my home. To have a place to keep my stuff without the added expense of sending somewhere else. The added expense of having to go somewhere else would dramatically impact my family and small business.***PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE:**

(attach additional information if needed)

Project Name:

Date of Application:

Nature of Request:

PROPERTY INFORMATION:

Street Address:

*24407 Iodine St, NW
St. Francis, MN 55070*Property Identification
Number (PIN#):Legal Description
(Attach if necessary):

Lot(s):

3

Block:

1

Subdivision:

*Seelye Brook Acres***OWNER INFORMATION:**

Name:

Jesse Plocher

Business Name:

Alpha Concrete LLC.

Address:

24407 Iodine St, NW

City:

St. Francis

State:

MN

Zip Code:

55070

Telephone:

612-867-0401

Fax:

*763-445-2172*E-mail: *AlphaConcreteLLC@Gmail.com*

Contact:

Jesse Plocher

Title:

*President***APPLICANT INFORMATION:** (if different from owner)

Name:

Business Name:

Address:

City:

State:

Zip Code:

Telephone:

Fax:

E-mail:

Contact:

Title:

NOTE: Applications must be signed by all property owners. Applications only accepted with ALL required support documents and fees. Please request and follow appropriate Development Checklist(s) for desired application.



JESSE PLOCHER

24407 IODINE ST. NW., ST. FRANCIS, MN 55070

cell: 612-86-0401 email: AlphaConcreteLLC@gmail.com

HOME OCCUPATION PERMIT

ABOUT US:

Alpha concrete is a small company that provides concrete and masonry services around the surrounding area. We have been in business since 2010. We are diversified in the types of work that we do, which in turn, requires a lot of different equipment and material (most of which is small). Alpha Concrete has 3 trucks, 3 trailers, a skid steer and a hand full of some smaller equipment (plate compactors, cement mixer, etc.) Alpha has 2 local employees that come to the house each day to load a small amount of things and head out for the day. Most days 2 trucks leave with a trailer in tow. There isn't much traffic at the house during the day at all. Our company doesn't have any regular drop offs or delivery's. All of our business is conducted off the property with the exception of preparing and loading for the next day.

GOAL:

Our goal is to keep our business small. Base the business here in St. Francis, and continue to provide concrete and masonry work in the area.

SOLUTION:

We are in the process now for applying for permit, and constructing a detached garage. This garage would store all of the equipment for the company and eliminate any outside clutter of material. The trucks would also be stored inside. The dump truck would be stored off the property. All vehicle movement would be brought threw the front of the property using the existing driveway. At all times we would keep the property clean from debris and clutter.

PLEASE CONTACT JESSE PLOCHER W/ QUESTIONS: 612-867-0401

THANKS

Jesse Ploch
President 8/30/13

TYPE OF APPLICATION: (Check appropriate box)		BASE APPLICATION AND EXPENSE FEES: (Fees are cumulative)
<input type="checkbox"/>	ANNEXATION	\$250 Fee + \$300 Escrow
<input type="checkbox"/>	COMPREHENSIVE PLAN AMENDMENT	\$450 Fee + \$650 Escrow
<input type="checkbox"/>	CONDITIONAL USE PERMIT, INTERIM USE PERMIT, OR CUP/IUP AMENDMENT	\$350 Fee + \$650 Escrow
<input type="checkbox"/>	DOCK SPECIAL USE PERMIT	\$50 Fee + \$100 Escrow
<input type="checkbox"/>	ENVIRONMENTAL/WETLAND/ENGINEERING REVIEW	\$350 Fee + \$650 Escrow (Fee may be waived by Engineer)
<input type="checkbox"/>	EXCAVATION/FILL/GRADING PERMIT (MAJOR)	\$350 Fee + \$650 Escrow
<input type="checkbox"/>	EXCAVATION/FILL/GRADING PERMIT (ADMIN)	\$100 Fee + \$250 Escrow
<input checked="" type="checkbox"/>	HOME OCCUPATION PERMIT	\$350 Fee + \$650 Escrow
<input type="checkbox"/>	MINOR SUBDIVISION	\$350 Fee + \$400 Escrow
<input type="checkbox"/>	PLANNED UNIT DEVELOPMENT	\$350 Fee + \$650 Escrow
<input type="checkbox"/>	ORDINANCE AMENDMENT	\$350 Fee + \$650 Escrow
<input type="checkbox"/>	REZONING	\$350 Fee + \$650 Escrow
<input type="checkbox"/>	SUBDIVISION (Circle appropriate): -Sketch Plan -Preliminary Plat (Rural) -Preliminary Plat (Urban) -Final Plat -Administrative Subdivision	\$300 Fee + \$500 Escrow \$400 Fee + \$400 + \$125 per lot Escrow \$400 Fee + \$425 + \$175 per unit Escrow \$350 Fee + \$650 Escrow \$200 Fee + \$250 Escrow
<input type="checkbox"/>	SITE & BUILDING PLAN REVIEW	\$350 Fee + \$450 Escrow
<input type="checkbox"/>	SITE & BUILDING PLAN REVIEW EXCAVATION/FILL/GRADING PERMIT (ADMIN)	\$100 Fee + \$250 Escrow
<input type="checkbox"/>	VACATION OF RIGHT OF WAY OR PUBLIC EASEMENT	\$350 Fee + \$650 Escrow
<input type="checkbox"/>	VARIANCE	\$350 Fee + \$650 Escrow
<input type="checkbox"/>	ZONING APPEAL	\$200 Fee + \$250 Escrow
<input type="checkbox"/>	TOTALS	\$ <u>350</u> Fee, \$ <u>650</u> Escrow

CURRENT ZONING DISTRICT: (Check all appropriate boxes)		(Circle appropriate District)
<input type="checkbox"/>	Undesignated Zoning District	TWNSHP
<input type="checkbox"/>	Rural	A1 A2 A3 RR CO
<input type="checkbox"/>	Urban Residential	R1 R2 R3 R4
<input type="checkbox"/>	Commercial	B1 B2 B3
<input type="checkbox"/>	Industrial	I1 I2
<input checked="" type="checkbox"/>	Planned Unit Development	PUD <i>marginal</i>
<input type="checkbox"/>	Rum River Overlay	RRM
<input type="checkbox"/>	Flood Plain Overlay	FP

APPLICATION FEES AND EXPENSES: By signing this application form, I agree that all fees and expenses incurred by the City for the processing of this application, including costs for professional services, are the responsibility of the property owner to be paid immediately upon receipt or the City may approve a special assessment for which the property owner specifically agrees to be assessed for 100 percent per annum and waives any and all appeals under Minnesota Statutes 429.81 as amended. All fees and expenses are due whether the application is approved or denied or withdrawn. Escrow fees may not cover actual expenses; any additional fees will be billed.

I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge. I further understand that this application will be processed in accordance with established City review procedures and Minnesota Statutes 15.99 as amended, at such time as it is determined to be complete. Pursuant to Minnesota Statutes 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application. Failure on my part to supply all necessary information as requested by the City may be cause for denying this application.

Applicant(s): Jesse Plocher - Jesse Plocher Date: 8/30/13

Owner(s): Jesse Plocher - Jesse Plocher Date: 8/30/13

Required Copies

Minor Subdivisions	Please provide (15) Certificates of Survey at 22" by 34", (1) reproducible reduction at 11" by 17", and (1) electronic PDF. File of all information and submit an electronic (Word for Windows) version of the complete legal description of the property(s). ***See below for other required information.
Concept Plans	Please provide (15) large scale copies at 22" by 34", (1) reproducible reduction at 11" by 17", and (1) electronic PDF. File of all information and submit an electronic (Word for Windows) version of the complete legal description of the property(s). ***See below for other required information.*
Preliminary Plat	Please provide (15) large scale copies at 22" by 34", (1) reproducible reduction at 11" by 17", and (1) electronic PDF. File of all information and submit an electronic (Word for Windows) version of the complete legal description of the property(s). ***See below for other required information.
Final Plats	Please provide (15) large scale copies at 22" by 34", (1) reproducible reduction at 11" by 17", and (1) electronic PDF. File of all information and submit an electronic (Word for Windows) version of the complete legal description of the property(s). **See below for other required information.
***	<ol style="list-style-type: none"> 1. If applicable, an additional large scale copy at 22" by 34" shall be provided for each of the following: <ol style="list-style-type: none"> a. (1) If project lies within a DNR Shoreland District or Floodplain b. (1) If project is adjacent to a neighboring City or Township 2. If applicable, an additional small scale copy at 11" by 17" shall be provided for each of the following: <ol style="list-style-type: none"> a. (1) If project increases the number of dwelling units for the Met Council b. (1) If project is adjacent to a County Road or County State Aid Highway c. (1) If project is adjacent to a MN/Dot state highway

For Office Use Only

Project Name:					
Case ID.(s):		Base Fee:		Escrow Fee:	
Received By:					
15 (Business Day) Review:		Incomplete Application Letter Date:		Date Staff Deems Complete:	
60 Day Application Processing (from completion Date):		120 Day Application Processing (from completion Date): :		Extension Letter(s):	
Date Neighborhood Notices Mailed:		Public Hearing Notice Publishing Date(s):		Public Hearing Date:	
Planning Commission Meeting Date & Time:					
City Council Meeting Date & Time:					
Continued Meetings:					



Established in 1962
LOT SURVEYS COMPANY, INC.
 LAND SURVEYORS
 REGISTERED UNDER THE LAWS OF STATE OF MINNESOTA
 7801 73rd Avenue North (763) 580-3093
 Minneapolis, Minnesota 55428 Fax No. 580-3522

INVOICE NO. 66741
 F.B.NO. 966-06
 SCALE: 1" = 40'

Surveyors Certificate

EXCEPTIONAL HOMES

Property located in Section 28, Township 34, Range 25, Anoka County, Minnesota

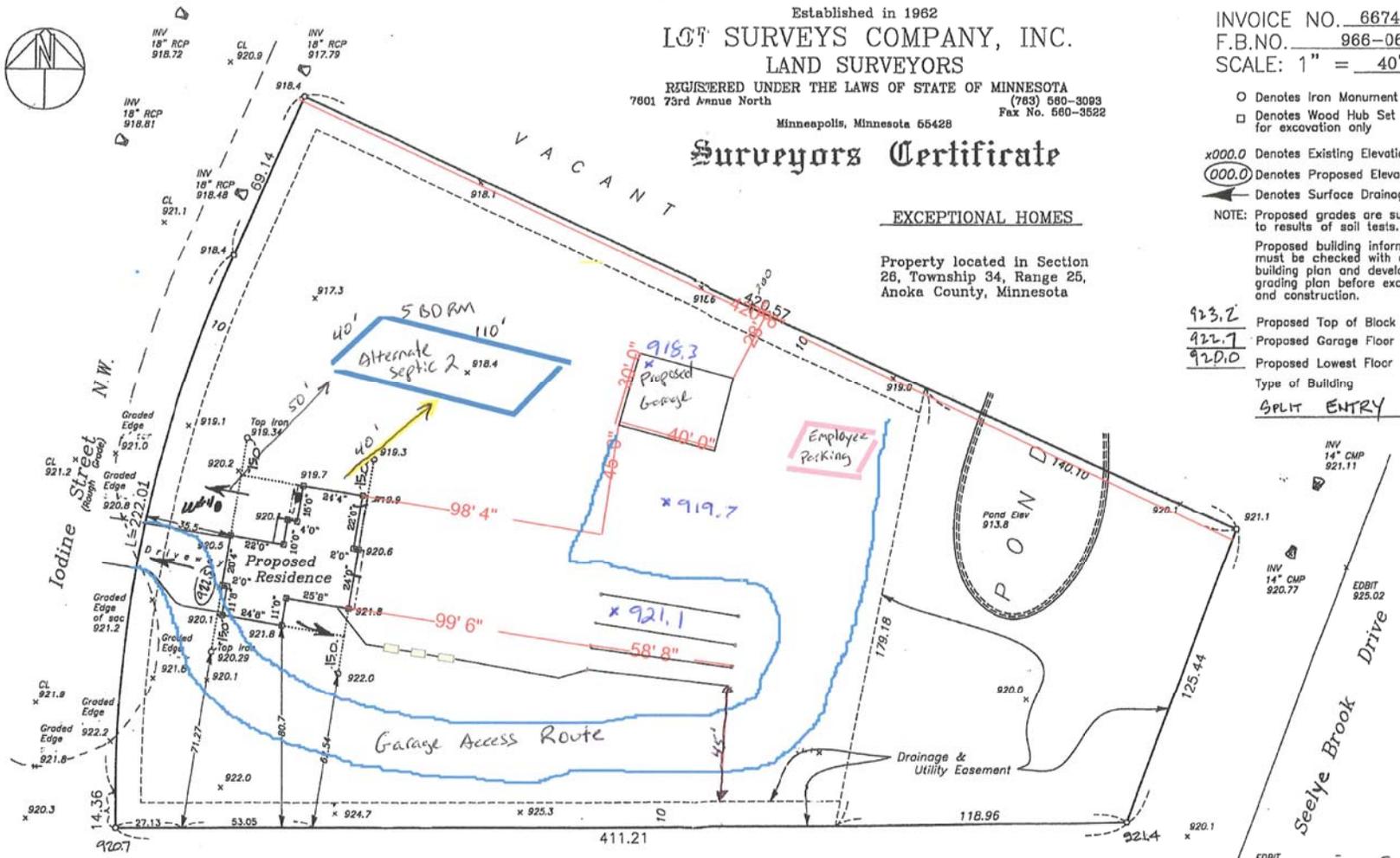
- Denotes Iron Monument
- Denotes Wood Hub Set for excavation only
- x000.0 Denotes Existing Elevation
- (000.0) Denotes Proposed Elevation
- ← Denotes Surface Drainage

NOTE: Proposed grades are subject to results of soil tests.

Proposed building information must be checked with approved building plan and development or grading plan before excavation and construction.

923.2 Proposed Top of Block
 922.7 Proposed Garage Floor
 920.0 Proposed Lowest Floor

Type of Building
SPLIT ENTRY



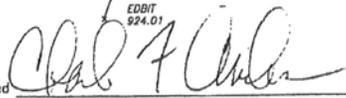
Lot 3, Block 1, SEELYE BROOK ACRES (UNRECORDED)

The only easements shown are from plats of record or information provided by client.

We hereby certify that this is a true and correct representation of a survey of the boundaries of the above described land and the location of all buildings and visible encroachments, if any, from or on said land.

Surveyed by us this 28th day of August 2003.

Drawn By	J. Munson
File Name	sbo-3-11b96606inv66741.dwg

Signed 
 Charles F. Anderson, Minn. Reg. No. 21753 or
 Gregory R. Prosch, Minn. Reg. No. 24992













