

**ANOKA PLANNING COMMISSION
REGULAR MEETING
ANOKA CITY HALL
TUESDAY, February 2, 2016
7:00 P.M.**

CALL TO ORDER:

The regular meeting of the Anoka Planning Commission was called to order at 7:00 p.m.

ROLL CALL:

Planning Commissioners present: Chair Don Kjonaas, Peter Rech, Karna Brewer, Sandy Herrala, Borgie Bonthuis, and James Cook.

Planning Commissioners absent: Manley Brahs

Staff present: Associate Planner Darnell

APPROVAL OF MINUTES:

- a. Approval of January 5, 2016 Work Session Minutes

MOTION WAS MADE BY COMMISSIONER BONTHUIS, SECONDED BY COMMISSIONER RECH, TO APPROVE THE WORK SESSION MINUTES OF JANUARY 5, 2016

6 ayes – 0 nays. Motion carried.

- b. Approval of January 5, 2016 Regular Meeting Minutes

Commissioner Brewer referred to page 3 of the minutes and stated the voters in precinct eight should vote at Wilson School, not Lincoln Elementary School. She also stated these are the same places people will vote at for the special election for District 35 on Tuesday, February 9, 2016.

MOTION WAS MADE BY COMMISSIONER BREWER, SECONDED BY COMMISSIONER BONTHUIS, TO APPROVE THE REGULAR MEETING MINUTES OF JANUARY 5, 2016 AS REVISED

6 ayes – 0 nays. Motion carried.

- c. Approval of January 19, 2016 Work Session Minutes

MOTION WAS MADE BY COMMISSIONER BREWER, TO APPROVE THE WORK SESSION MINUTES OF JANUARY 19, 2016

6 ayes – 0 nays. Motion carried.

NEW BUSINESS:

None.

OLD BUSINESS:

None.

PUBLIC HEARINGS ON NEW APPLICATIONS:

a. A2016-1 Conditional Use Permit, 1030 McKinley Street

Associate Planner Darnell reported the applicant, Peak Physique, owned by Tim Moes, is requesting a conditional use permit to operate a personal training studio at 1030 McKinley Street, Suite 1036. The property is located in the M-1 Light Industrial zoning district. A conditional use permit is required because the proposed use is not specifically listed as a permitted use in the M-1 zoning district. Retail and service establishments providing goods and services that are complimentary to the principal uses in the district are allowed as a conditional use permit in the M-1 zoning district.

Associate Planner Darnell reported the applicant is proposing for the business to operate primarily during the hours of 5:00 a.m. and 9:00 a.m. and 4:00 p.m. and 8:00 p.m., which is outside the normal business hours for most other uses in the immediate area. The personal training services provided by this business could also be utilized by employees in the surrounding area and Staff believes that the proposed personal training studio use would be considered complimentary to the principal uses in the district.

Associate Planner Darnell reported Staff analyzed the general requirements for this conditional use permit and reported on the findings as it relates to this application:

1. There are no proposed changes to the building or parking lots on the property.
2. The property is not abutting a residential use, so no additional landscaping is needed.
3. The applicant will be required to follow all city, county, state and federal laws.

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4. The applicant will be required to abide by the sign regulations in the M-1 Light Industrial zoning district.
5. The building area of Suite 1036 that will be used for gym space is 4,500 square feet, which would require 45 parking spaces. There is also 800 square feet of office space, which would require 3 additional parking spaces for a total of 48 spaces. The existing parking facilities on the property will be used to accommodate this parking. Due to some discussion on the potential split of the lot at 1030 McKinley Street, Staff analyzed the parking facilities located near the eastern building, which is where the personal training studio will be located. With 38 stalls on the north side of the building and an additional 20 stalls along the south property line, it provides a total of 58 spaces.
6. There are no changes needed for the drive aisles and circular patterns on the site.
7. The site is paved and landscaped to control dust and erosion. It has maintained vegetation, as was required in the 1995 site plan approval.
8. The application does not include any outdoor storage, sales, or services areas.
9. The existing lighting on the property will be maintained and the proposed use will not result in any changes to lighting on the property.
10. The property adequately manages storm water runoff. The proposed use will not require any changes.
11. The existing buildings on the site were constructed as they were approved during the site plan approval in 1995. No changes are proposed to the building as part of this application. The proposed use will be utilizing the existing space in the building without make any interior modifications, which would allow for the leasable space to be easily converted back to office and warehouse space in the future.
12. The utilities serving the site are adequate.

Staff recommends approval with the following conditions:

1. The personal training studio will operate in Suite 1036, which is located in the existing building on the east side of the property.
2. Any new signage must comply with the standards of the M-1 Light Industrial District.
3. All parking stalls shall be maintained according to the original approved site plan and standards set forth in the City Code. All vehicles on the lot shall be located in a designated parking stall.
4. If the fourth suite in the eastern building is leased out in the future, the property owners will allow the City to determine whether the proof of parking area will need to be utilized or whether the site can accommodate all of the users through joint parking.

Chair Kjonaas asked if the property is required to have showers and changing rooms since it is referred to as a gym. Associate Planner Darnell said it was not required.

Commissioner Rech asked about the required 48 parking spots and what would happen if one of the other suites got a new tenant that required additional parking spots. Associate Planner Darnell stated this can only be analyzed on what is being proposed and Staff would look at it if it

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came up. The owner of the building is aware of the parking assigned to this proposed applicant and what might be required in the future if new tenants required additional parking spots.

Commissioner Cook asked if this application has been submitted to the Architectural Review Board and if it conforms to the bylaws. Associate Planner Darnell stated it was not submitted to the architectural review board because it was not changing any of the architectural features of the site itself. Commissioner Cook requested Associate Planner Darnell make sure the bylaws are being followed and that the use is allowed in the industrial park.

Commissioner Brewer stated there is a limited amount of space for industrial parks and the businesses that go in there should be supportive of that intended use. A percentage needs to be established for industrial parks that shows what businesses are actually using it for an industrial purpose before other businesses are allowed to be in there.

Commissioner Cook stated if this is allowed there will be more applicants requesting this for things that were never the intent of the industrial park. He suggested taking a look at the covenant to make sure it is included as an intended use.

Chair Kjonaas stated he agrees with Commissioner Brewer and Commissioner Cook, but does not know if they have the right to tell the property owner what he can do with his property if it is done within the guidelines of the City ordinances.

Commissioner Cook requested a statement from the Industrial Park Review Board to make sure this follows all the covenants for the intended use of the industrial park.

Commissioner Rech asked how long the space was empty before the applicant applied for it. Associate Planner Darnell did not know. Commissioner Rech stated the space would no longer be vacant and would bring customers into the area.

Associate Planner Darnell stated the owner was very motivated to get the applicant into the space. In order for the conditional use permit to be approved, it is up to the Planning Commission to determine if the service the applicant is proposing is complimentary to the principle uses in the M-1 zoning district.

Commissioner Herrala asked if there is any concern with the other tenant occasionally using a forklift at the site and if it would be a safety issue with the applicant's potential customers. Associate Planner Darnell stated it could be an issue as they drive along the side of the building.

Commissioner Cook stated the space is a nice small start-up space for a machine shop, has more of an employment base per square foot than a gym would, and would be a good thing for the community. A gym could be put anywhere.

Chair Kjonaas opened the public hearing at 7:26 p.m.

The applicant, Mr. Tim Moes, 1204 Tenth Avenue NE, Sauk Rapids, stated the space does not have a loading dock, and cannot be utilized by heavy machinery and equipment that may be needed in an industrial park. Their gym is continuing to grow and will start with four to five employees.

Commissioner Cook stated the intent of the allowable retail and service establishments providing goods and services complimentary to the principal uses in the district referred to businesses like an industrial supply company.

Commissioner Herrala asked the applicant why he wants this location. Mr. Moes replied they are looking to branch out in the area and it fits their needs very well. They like the location, space, and population they are coming in to.

Commissioner Herrala asked about the number of clients they would have. Mr. Moes replied they average 22 to 23 clients working with them at any given time. It is not a big gym operation; it is personal training studio.

Commissioner Brewer asked if there was a plan to have showers, a changing room, and if there were secure place for people to store belonging. Mr. Moes said there are two bathrooms, but not a locker room with showers. There are cubbies and lockers available for people to store their items.

Commissioner Brewer asked about the hours of operation. Mr. Moes responded the majority of the workouts will be within the times of 5:00 a.m. to 9:00 a.m. and 4:00 p.m. to 8:00 p.m. During the day, the manager and receptionist will be in the facility working.

Commissioner Rech asked about the applicant's business in St. Cloud. Mr. Moes stated it has been going for two and a half years and similar in size. It is in an industrial area and was required to go through the same process of approval.

Chair Kjonaas closed the public hearing at 7:35 p.m.

COMMISSIONER COOK MADE A MOTION TO DENY THE APPLICATION BECAUSE IT DOES NOT MEET THE INTENDED USE OF THE INDUSTRIAL PARK.

Associate Planner Darnell stated Staff could further investigate what the covenant says about the intended use and bring it back to the Planning Commission for consideration at the next meeting.

Chair Kjonaas suggested tabling the application to give the applicant and City Staff time to meet with the board to find out if the intended use is in compliance.

COMMISSIONER COOK WITHDREW HIS MOTION.

MOTION WAS MADE BY COMMISSIONER BONTHUIS, SECONDED BY COMMISSIONER RECH, TO POSTPONE THE APPLICATION A2016-1 CONDITIONAL USE PERMIT, 1030 MCKINLEY STREET, SUBJECT TO MORE INFORMATION FROM THE ARCHITECTURAL REVIEW BOARD OF THE INDUSTRIAL PARK.

Associate Planner Darnell stated Staff will investigate the covenants of the industrial park to determine whether this use is allowed there and determine if the Architectural Review Board requires approval of the use.

Mr. David Bonthuis, 712 River Lane, Anoka, asked who controls the final question and can the City Council over rule what the covenant state. Associate Planner Darnell stated he believes the covenants would be stricter that what City Council can overrule.

Commissioner Bonthuis suggested getting an attorney ruling on it so that it will be known for future applications.

Mr. Moes asked if the owner would know if the intended use was allowed. Commissioner Cook stated he does not know the owner.

6 ayes – 0 nays. Motion carried.

MISCELLANEOUS:

Next work session will be Tuesday, February 16, 2016 at 5:30 p.m.

Next regular meeting will be either be Tuesday, March 1, 2016 or Wednesday, March 2, 2016 at 7:00 p.m. Staff will follow up with final date and time.

Commissioner Brewer reminded voters of the different places to vote:

Voters in precinct one, two, and three: Greenhaven Golf Course Club.

Voters in precinct four: Zion Lutheran Church

Voters in precinct five: Lincoln School

Voters in precinct six: City Hall

Voters in precinct seven: Anoka Covenant Church

Voters in precinct eight: Wilson Elementary School

ADJOURNMENT:

MOTION WAS MADE BY COMMISSIONER COOK, SECONDED BY COMMISSIONER BREWER, TO ADJOURN THE MEETING.

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6 ayes – 0 nays. Motion carried.

Time of adjournment: 7:47 p.m.

Submitted by Chuck Darnell, Associate Planner