



**DRAFT MINUTES
PLANNING COMMISSION
WORK SESSION
ANOKA CITY HALL COMMITTEE ROOM
Tuesday, June 21, 2016
6:00 P.M.**

CALL TO ORDER:

The Work Session of the Anoka Planning Commission was called to order at 6:02 p.m.

ROLL CALL:

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

Commissioners absent: None.

Staff present: Chuck Darnell, Associate Planner, and Doug Borglund, Deputy Community Development Director.

DISCUSSION ITEMS:

1. Discussion – Home Occupations in Accessory Structures

Associate Planner Darnell introduced the topic, reviewing the conversations that took place at the last Planning Commission work session when this topic was originally discussed. Associate Planner Darnell reminded the Commissioners of the various arguments that were made for and against allowing home occupations in accessory structures at the last meeting.

Chair Kjonaas stated that he had been the one that had requested that the item be postponed at the last meeting, as he had thought that the City should consider allowing some types of home occupations to occur in accessory structures. He stated that he had changed his mind, and no longer thinks they should be allowed. He stated that he had concerns about how the use of accessory structures for home occupations would impact surrounding properties.

Commissioners Bonthuis, Brahs, and Rech agreed with Chair Kjonaas, in that they thought that home occupations should not be allowed in accessory structures.

Commissioner Brewer stated that some home owners in her neighborhood provide services

for other neighbors, such as fixing cars and helping with other household improvements. She also stated that she would not want the City Code language to drive people to hide these types of activities.

Commissioner Rech stated that there is a difference between neighbors helping other neighbors with household and small improvements, and someone operating a business in their garage. Commissioner Rech also stated that an actual business would have much more activity, with someone spending much more time conducting the occupation and possibly having customers coming and going.

Commissioner Brewer stated that property owners that have hobbies should not be prevented from conducting them in their accessory structure.

Associate Planner Darnell stated that a home owner with a hobby, such as woodworking or automobile repair, would not be as intense of a use as an actual home occupation would be. A hobby would likely be conducted for small periods of time and would not include frequent deliveries of materials or customers.

Commissioner Cook stated that the City could request a tax identification number from any home owner that is suspected of operating an actual business in their accessory structure, and that the definition of business could be updated to include the tax identification number.

Commissioner Bonthuis stated that if home occupations were allowed in accessory structure, it could lead to home owners renting out garages for other people to conduct occupations in. Associate Planner Darnell stated that staff had encountered that issue in the past, and it would be difficult for staff to enforce those types of situations.

Commissioner Brewer suggested that the code state that home occupations be conducted primarily with the home, instead of stating that they be conducted entirely in the home. Associate Planner Darnell stated that this would also be difficult to enforce.

Chair Kjonaas stated that he didn't have a concern with a home owner's hobby and related activities occurring in a portion of a garage, but that including that language in the code would allow for home occupations to be conducted in an accessory structure and would create a difficult situation for staff to enforce.

Associate Planner Darnell proposed that the code language be changed to not allow home occupations in accessory structures, and the Commissioners directed staff to make proposed changes and bring them forward at a future regular Planning Commission meeting.

2. Update – Walker Plaza Gardens Landscaping

Associate Planner Darnell provided an overview of the Walker Methodist Plaza Gardens project and the construction activities that have occurred. Staff also shared some updated landscaping information that had been provided by the developer, which resulted in some minor changes to the original landscape plan.

Associate Planner Darnell explained that much of the originally proposed landscaping is being preserved, but some changes are being proposed due to the siting of infrastructure that was required for the building and to better utilize the site for patient activities. Also, the City Council, Housing and Redevelopment Authority, another private property owner, and Walker are all working together on a property swap that will result in Walker obtaining the parcel on the southwest corner of their site. This is causing some of the changes to the landscaping plan, as the developer wishes to better integrate this new parcel into the overall development and landscaping of the site.

Associate Planner Darnell shared an updated landscape plan that incorporated the new parcel that Walker will be obtaining, and explained the changes that have occurred or are being proposed to the landscaping on the north, east, and south sides of the building. Staff also explained that the developer is proposing to add 44 additional trees on the south side of the site, which will serve as screening to the adjacent residential properties to the south. 33 of these trees will be 10' coniferous trees, with 21 other coniferous trees ranging in height from 11' to 18'.

Commissioner Brewer stated that she was concerned about visibility and the changes that were proposed on the northeast corner of the site. Staff explained that some of those changes were necessary due to the fact that the alternate drive aisle, which was approved as an alternate to the original site plan, was constructed and impacted the northeast corner of the site. Staff also explained that the City will be putting in boulevard trees around that area as part of the street reconstruction.

Commissioner Bonthuis stated that the parking lot and drive aisles had changed, and therefore she had no concerns with the landscaping changing slightly. Commissioner Bonthuis also stated that the south side of the site will be much improved with the additional trees and lot being added to the site.

Chair Kjonaas stated that the changes that are being proposed make sense, and were necessitated by construction of the building. The changes that are being proposed are not based on financing, and actually the developer is adding a considerable amount of landscaping on the south side of the site to better screen the areas to the south.

Chair Kjonaas also stated that the developer had made some concessions and agreed to other landscaping items requested by the City. Associate Planner Darnell stated that the developer

had agreed to reduce plantings in some areas less so than they had original proposed, to add wildflowers to the natural seeded areas of the site for more variation, and to add planters in areas that will serve as patio space for residents.

The Commissioners discussed that the changes were minimal and the plans still met the original intent of the original landscape plan.

3. Update – Temporary Family Healthcare Dwellings Opt-Out Ordinance

Deputy Community Development Director Borglund introduced the topic and explained the law that created the regulation of temporary family health care dwellings. Staff explained that the state law allows landowners to place mobile residential dwellings on their property to serve as a temporary family health care dwelling up to 300 square feet in size with temporary utility service. People who may call this type of unit home on a temporary basis must be a mentally and/or physically impaired person requiring assistance with two or more instrumental activities of daily living signed by a physician, a physician assistant, or an advanced practice registered nurse licensed to practice in this state.

Staff stated that after consideration, staff will be recommending to the City Council to opt out of those regulations, which is allowed by state statute. Some reasons for the City of Anoka opting out are that there are small lots in the City of Anoka that would cause issues in trying to accommodate additional dwelling units, and that the regulations would be difficult for city staff to enforce.

Commissioner Cook asked for a clarification on the size that would be allowed. Staff stated that the temporary dwellings would be allowed to be up to 300 square feet in size.

Chair Kjonaas stated that he had concerns with allowing the temporary units because it could lead to requests for more permanent types of accessory dwelling units.

Commissioner Brahs asked whether other cities were opting out of the regulations. Deputy Community Development Director Borglund stated that he believes so, and that the League of Minnesota Cities actually prepared a model ordinance for cities to use to opt out.

Chair Kjonaas asked if the opt out would be permanent. Staff stated that it would be permanent.

Commissioner Cook stated that recreational vehicles would be allowed and could be parked in front yards or driveways and be exempt from certain elements of the local zoning regulations if the City did not opt out. Chair Kjonaas agreed that this would be a concern, especially due to the small lots in Anoka.

Commissioner Brewer asked whether people could live in recreational vehicles currently. Staff stated that code only allows for one dwelling unit per lot in the single family residential zoning district. Commissioner Rech stated that often times, a standard is in place to allow for temporary residency in a recreational vehicle to allow for visitors with recreational vehicles to stay for short periods of time. Staff stated that they would investigate this further.

Commissioner Cook stated that he was against these regulations and supported the opt out.

Commissioner Brewer asked what the other options would be for people requiring this type of housing. She also stated that she believed that there were other options that people could pursue, and that there may be a need for some type of temporary housing but the current regulations that have been created may not be the best solution.

Chair Kjonaas stated that if health issues arise with a family member, an accessory building would be a difficult place for them to stay and still allow for other family members to provide care. Commissioner Brewer agreed.

Chair Kjonaas asked the other Commissioners of the general consensus on this topic, and the Commissioners stated that they were supportive of the opt out. Chair Kjonaas directed to staff to include in the recommendation to the Council that the Planning Commission was supportive of staff's decision and recommendation.

Time of adjournment 6:55 p.m.
Submitted by: Chuck Darnell, Associate Planner