



Planning Commission

June 21, 2023

7:00 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Call to Order

Chair Hansen called the Planning Commission Meeting to order at 7:00 p.m.

Present

Pete Borman

John Buyse II

Mark Hansen

Aaron Klemz

Terry McClellan

Absent

Mike Heuchert

Ross Meisner

Others Present

Stacy Stromberg, Planning Manager

Rachel Workin, Environmental Planner

Approval of Meeting Minutes

1. Approve April 19, 2023, Planning Commission Minutes

Motion by Commissioner Borman to approve the minutes. Seconded by Commissioner McClellan.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously.

Public Hearing

2. Public Hearing to Consider Special Use Permit, SP #23-01 to Allow a Daycare Use at 6425 Highway 65 N.E.

Motion by Commissioner Buyse to open the public hearing. Seconded by Commissioner Borman.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously and the public hearing was opened at 7:01 p.m.

Stacy Stromberg, Planning Manager, presented a request from Dreamers Daycare for a special use permit to allow a daycare use within the existing building at 6425 Highway 65 NE. The business currently operates at 6304 Highway 65 NW and has been in that location for six years but is looking to expand. If the permit is approved, the business would operate out of both locations. She reviewed details on the site description and history of the property. She also reviewed details about special use permits and related code requirements for this type of use. Staff recommends approval of the request subject to the recommended stipulations.

The Commission asked and received confirmation that there would be adequate space for additional parking. It was also confirmed that this would be the second location and the existing location would continue to operate as well.

A resident requested that the vegetation between the properties remain to provide shade. A representative of the applicant commented that they would like to clean that drainage area up as it was not maintained but would attempt to keep some of the shade the resident spoke of.

Motion by Commissioner Buyse to close the public hearing. Seconded by Commissioner McClellan.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously and the public hearing was closed at 7:11 p.m.

The Commission asked how long the building has been vacant. Ms. Stromberg was unsure but noted that staff has been receiving calls for the past few years. The Commission felt that this would be a good reuse of the building.

Motion by Commissioner McClellan recommending approval of the special use permit SP #23-01, provided certain code requirements are met and subject to stipulations. Seconded by Commissioner Buyse.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously.

3. Public Hearing for TA #23-01 Proposing Updates to City Code Chapters 205-28 Critical Area District, 205-32 Shoreland Overlay District, and 205-30 Telecommunications Towers and Facilities District to Conform with the New Mississippi River Corridor and Critical Area Rules

Motion by Commissioner Buyse to open the public hearing. Seconded by Commissioner Borman.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously and the public hearing was opened at 7:14 p.m.

Rachel Workin, Environmental Planner, presented background information on the Mississippi River Corridor Critical Area (MRCCA) and updates made by the DNR in 2017. She reviewed the input the City received to develop the draft ordinance updates and reviewed the proposed amendments including

definitions, development standards, vegetation management, and optional provisions. She also reviewed the next steps. She explained that any property that would not be in conformance would become legally nonconforming and any new development would need to meet the new standards.

The Commission asked what triggered these changes and whether the overlay boundary had changed. Ms. Workin explained that the State enacted the new regulations therefore the local government entities must update their related ordinances. She clarified that the boundary of the overlay had not changed. The Commission acknowledged that these updates fall under three sections and is a lot of information. It was also acknowledged that the City does not seem to have much power in these changes and would be expected to fall into compliance.

A resident provided input on their plans to improve their property and whether that would be allowed under the new regulations. Ms. Workin replied that work would already require a grading permit, therefore that would not be a change. Residents expressed concern with the changes related to vegetation and the importance of maintaining the vegetation. A resident also spoke about confusion of the residents related to the letter received and whether the changes would impact their property. Ms. Workin provided clarification on the provisions and requirements related to vegetation management. Residents also expressed confusion and frustration with the different levels of regulation for riverfront property owners, a lack of notification for some properties, and with how the notification was addressed. Ms. Workin provided additional clarification on the notification process, the different vegetation management that could occur without a permit, the vegetation management that would require a permit, and the permit process.

The Commission asked when the updated rules are required to be adopted and whether there would be ramifications if that were not done. Ms. Workin stated that the City received a one-year extension as the update was meant to be done by June 30th of 2022. She acknowledged that the City is not on track to meet the June 30, 2023 timeline but stated that the DNR has seen the progress the City is making. She noted that if significant deviation were made, additional permissions would be needed from the state/DNR. She explained that while the original rules focused on primary structures, this has been expanded to address accessory items such as decks, vegetation and other items that could impact the stability of the shoreline and bluffs. She also provided additional details on primary conservation areas and related regulations.

The Commission asked the number of residents that were notified of this meeting. Ms. Workin stated that the intention was to notify all residents along the river with bluffs on their property or that would be impacted by the change. Ms. Stromberg commented that over 200 notices were mailed to residents. She stated that two phone calls and one email were received prior to the meeting.

Motion by Commissioner Borman to close the public hearing. Seconded by Commissioner Klemz.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously and the public hearing was closed at 8:29 p.m.

The Commission asked for details on the cost of the permit. Ms. Stromberg replied that the permit fee is still being determined and would likely be nominal and related to the staff time in processing.

A member of the Commission expressed support for the changes and acknowledged that the majority of the changes were dictated by state statute with some thoughtful additions by staff. Another member of the Commission was torn in their position because of the small number of residents that attended tonight and what appeared to be a rushed timeline. The Commission fully agreed that the river is a valuable asset that should be protected. Ms. Workin provided additional details on the rules update process and the input that the City was able to provide throughout that process. A member of the Commission expressed some concern that this would be overreaching, placing regulations on properties that are not on the river. Ms. Stromberg stated that in addition to the notice that went to the neighbors, staff developed an extensive webpage for residents to view this information. Ms. Workin reviewed the steps that staff would be following to communicate these changes to residents.

Motion by Commissioner Klemz to recommend approval of TA #23-01 Proposing Updates to the City Code Chapters 205-City Code Chapters 205-28 Critical Area District, 205-32 Shoreland Overlay District, and 205-30 Telecommunications Towers and Facilities District to conform with the new Mississippi River Corridor and Critical Area rules. Seconded by Commissioner Borman.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried with a vote of 4 – 1 (Buyse opposed).

Other Business

Ms. Stromberg welcomed Commissioner Klemz, who is the new Chair of the EQEC. She stated that the July Planning Commission meeting has been canceled.

Adjournment

Motion by Commissioner Buyse to adjourn the meeting. Seconded by Commissioner McClellan.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously and the meeting adjourned at 8:53 p.m.

Respectfully submitted,
Amanda Staple, Recording Secretary