

NOT APPROVED
ANOKA PLANNING COMMISSION
REGULAR MEETING
ANOKA CITY HALL
TUESDAY, JULY 18, 2023
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 Borgie Bonthuis, Karna Brewer, Nancy Coleman, Don Kjonaas, Shari Nemec, Peter Rech, and Logan Thompson

Planning Commissioners absent: None.

Staff present: City Planner Clark Palmer

APPROVAL OF MINUTES:

- a. Approval of May 16, 2023 Work Session Minutes

MOTION WAS MADE BY COMMISSIONER NEMEC, SECONDED BY COMMISSIONER COLEMAN, TO APPROVE THE MEETING MINUTES OF MAY 16, 2023, WORK SESSION MEETING.

6 ayes – 0 nays – 1 abstain (Thompson) Motion carried.

- b. Approval of June 6, 2023 Regular Meeting Minutes

Commissioner Brewer noted on page three, it should state, ~~subject to the following conditions.~~” She stated that on the bottom of the page, it should state, Commissioner Brewer stated that ~~he~~ she...”

MOTION WAS MADE BY COMMISSIONER BREWER, SECONDED BY COMMISSIONER THOMPSON, TO APPROVE THE MEETING MINUTES OF JUNE 6, 2023, REGULAR MEETING WITH THE NOTED CORRECTIONS.

7 ayes – 0 nays. Motion carried.

OLD BUSINESS:

None

NEW BUSINESS:

Site Plan/Landscaping Plan Amendment; 911 Lund Boulevard (HOM Furniture)

City Planner Palmer reported that in 2021, HOM Furniture (the applicant) received approval of a site plan review for an approximate 100,000 square-foot building addition and related site improvements. The applicant was required to prepare a comprehensive landscaping plan. The plan showed the elimination of 67 trees, with an additional 65,900 square feet of trees and vegetation removed along the north property line. The extent of tree removal required the maximum tree replacement which requires a maximum of eight trees replaced per acre. The landscaping plan showed the planting of 49 new trees which was 19 trees less than was required. Per City Code, the applicant requested to pay a tree replacement fee of \$350 per tree not replaced for a total tree replacement fee of \$6,650. That amount was paid to the City of Anoka.

City Planner Palmer stated that the reduction of vegetation along the north property line exposed the north elevation of the new building addition to Bunker Lake Boulevard. The curbing for the drive aisle along the north property line is setback only five feet (the minimum), so a row of evergreens was not an option for screening. However, staff emphasized to the applicant the importance of softening the impact of the addition's north elevation through landscaping and/or architectural enhancements. This is because the proposed north elevation, generally speaking, includes an undecorated wall, 30 feet tall and approximately 140 feet long. The applicant stated that reducing the size of the building to provide a greater setback or providing enhancements to the elevation's architecture was not an option for them. In order to soften the impact of the north elevation, the applicant was required to construct an eight-foot-tall maintenance-free privacy fence and plant a row of Garden Glow Dogwood shrubs (94 in total) in front of the fence.

City Planner Palmer stated that the applicant is now proposing elimination of the 94 shrubs along the northern property line due to concerns of snow plowing. The applicant submitted a letter from their landscape contractor, Best Outdoor Services, stating "the amount of snow that is pushed off the Bunker Lake Boulevard eastbound driving lane from MnDOT plows and up against our client's new fence does not allow adequate environment for any type of shrub to survive. While snow cover will typically insulate shrubs from wind and subzero temperatures; the velocity at which snow is thrown from the wakes of the MnDOT plows simply create havoc on these". He also provided input from the contractor on the previously proposed White Spruce and Maple plantings which suggests instead of the 49 trees proposed, they would recommend three Maples and seven White Spruce trees.

Commissioner Rech asked if the 94 shrubs was a requirement of the applicant in 2021 to gain approval of the expansion, along with the trees included in the original landscaping plan. He stated that it is now 2023 and the applicant is proposing elimination of everything to the east of the truck parking area along with the 94 dogwoods along Bunker Lake Boulevard. He stated that would be about 140 trees and shrubs that they do not want to plant that were included in the plan that gained the applicant approval. He stated that in 2021 the applicant paid \$350 for each of the 19 trees that

were not included in the 2021 landscaping plan. He stated that perhaps an option today would be for the applicant to pay \$350 each for the 140 trees and shrubs that are proposed to not be planted.

City Planner Palmer provided additional details on the tree replacement fee which addresses significant trees and noted that shrubs are not included in that policy. He stated that the shrubs were discussed to soften the impact along Bunker Lake Boulevard.

Commissioner Rech commented he has trouble simply excusing the fact that the applicant wants to go away from the requirement now two years later.

City Planner Palmer commented that the original landscape architect did not investigate the feasibility of these shrubs and trees.

Commissioner Rech commented that there are many plants that survive snow conditions. He asked if an effort was made to find a replacement for the dogwoods that may survive the winter conditions. He stated that in comparing the 2021 and 2023 plans, everything to the east was removed that was proposed to be new. He stated that would remove 30 or 40 trees from that east side.

City Planner Palmer replied that there would be a couple new trees on the west side but confirmed that there would be an accurate estimation of the lesser number of trees.

Commissioner Rech stated that if less trees are going to be planted, then the tree replacement fee should come into play, at \$350 per tree.

City Planner Palmer stated that the landscaping plan had a number of existing trees as well which were removed as part of the project. He confirmed that those trees were supposed to remain as part of the original plan.

Commissioner Nemec recalled that there were some discussions about tree planting and snow removal, with a recommendation for landscaping closer to the property line. She asked why vegetation and planting could not be moved closer to the property line which would still allow for snow removal and storage. She stated that the fence that was installed was nice, but it is close to the road. She did not believe any vegetation would do well between the fence and the road.

City Planner Palmer commented that the roadway sits higher, with a slope into the ditch as well.

Commissioner Brewer stated that in reviewing the staff report and supplemental documents, she wondered whether a quick answer might be to approve this as a nonconforming use. She stated that the applicant did not follow the approved landscaping plan. She noted that the plan could be accepted but then labeled as nonconforming.

City Planner Palmer replied that the use and structure are conforming, but perhaps if the landscaping requirements were not met that could be considered nonconforming. He stated that he would not want to consider this to be illegal nonconforming. He asked what that designation would accomplish.

Commissioner Brewer commented that although much of the plan was followed, the landscaping was not. She commented that both parties made concessions and it would seem difficult to find a compromise that everyone agrees with.

City Planner Palmer replied that he was not in the position to make that decision. He commented that it was a great project, and this site is well landscaped for the most part within the industrial park. He stated that the landscaping has not yet been completed and the applicant is requesting an amendment as proposed.

Commissioner Brewer stated that she did not see any reason to add more trees on the south, as that does not benefit the north side. She stated that much of the information is about how to better screen the north end of the building, but recognized there is limited space for trees on that side. She stated that there are plenty of trees on the south and does not see a reason to add more trees in that location.

City Planner Palmer replied that even originally, they recognized that trees would not be successful on the north side which is why the fence was installed along with the recommendation for vegetation. She stated that a lot of trees were removed on the site as well through the construction process and the landscape architect did review where trees could be added.

Commissioner Brewer stated that she understands why trees are proposed but believed that those are being added without a purpose. She understood that it would not be prudent to label the site as nonconforming.

City Planner Palmer stated that the applicant is looking for guidance to close out the project.

Commissioner Rech stated that he accepts that the bushes could not be considered under the tree replacement fee policy. He noted that the plan would still be at least 39 trees short, along with trees that were removed that could have been significant. He believed that the 39 trees should be subject to the \$350 per tree and they could forego the dogwoods along Bunker as those would most likely not be successful. He noted that would allow the applicant to move forward as proposed and the City would receive the fee.

City Planner Palmer replied that the applicant was comfortable paying the fee.

Commissioner Rech commented that he would see that as a compromise, with the applicant paying the tree replacement fee for 39, possibly 49 trees.

Commissioner Thompson stated that he provided photos to staff earlier today and asked staff to display the photo of the fencing. He commented that he believes something should happen in the area between the fence and curb to enhance that area as it is currently just weeds in the ditch.

Chair Bonthuis asked who maintains the ditch.

City Planner Palmer replied that the County maintains that area.

Commissioner Nemec commented that she is fine with the ditch as it is because the fence looks nice.

City Planner Palmer commented that often the City accepts landscaping or a fence, but in this case, they suggested both, which perhaps was not a great idea.

Chair Bonthuis referenced language within the staff report which states that staff emphasized the importance of landscaping or enhanced architecture and the applicant chose to do neither. She commented that the warehouse is not very visible from Thurston or Lund but is completely visible from Bunker. She referenced the Hanson Builders building down the road which uses different colored block to enhance that frontage. She noted the ice arena, which was painted to add architectural differences. She commented that this frontage is ugly and is a large piece of visible building within the industrial park. She stated that the only signage that is visible is employment opportunities for \$20 per hour, but the company is not visible. She commented that the trees on the site are not properly maintained. She noted that the trees on the east side were perhaps not in great shape but did provide screening. She stated that snow storage and removal should have been considered in the plan. She did not want to set the precedent of allowing something that was illegally done. She stated that she would be willing to compromise, but would not accept this as is. She stated that the cost of dogwoods would be \$22 each, which would be over \$2,000.

City Planner Palmer stated that this is the reason development agreements are required for projects. He stated that he was aware that this would be a warehouse/distribution location and suggested a row of evergreens but there was not enough space within the original layout. He stated that they worked through that to allow the applicant to maximize their space and that is how the fence came about. He stated that the applicant's landscape architect suggested the dogwoods, and the City trusted that the plan would be followed.

John Pierce, representing HOM Furniture, stated that the primary concern that he has with the landscaping plan is that the trees would not have a survivable life. He stated that he can follow the landscaping plan but does not see that it would survive long term, and they want their site to look good for the long-term. He commented that 195 employees were added to the facility and their property taxes doubled as a result of the addition. He stated that he is trying to find a compromise that works for the earth and the long-term. He stated that he does not want to plant 94 shrubs that will die within one year. He stated that their snow piles this year were 17 feet in height.

Chair Bonthuis commented that she does not see any beautification through the plan, the trees were simply removed from the plan with additional trees removed during construction.

Mr. Pierce stated that there was a massive amount of snow this year and some landscaping did not survive. He stated that the cost to remove snow from the site is \$1,200 per truckload which would have cost them \$196,000 during this last winter.

Chair Bonthuis stated that she does not know the answer. She asked if anything was considered with the north side of the building to enhance that white wall.

Mr. Pierce stated that they did discuss that during the plan review and the decision of the City was for an eight-foot-tall fence and 94 shrubs. He stated that they brought their concerns at that time because the County takes the buffer and “maintains” it. He commented that the landscaping would not even be seen through the unmaintained area of the County. He stated that the cost for the fence was high in itself, and they did follow that direction.

Chair Bonthuis referenced the point of Thurston and Lund and asked if that is irrigated.

Mr. Pierce confirmed there is irrigation in that area.

Chair Bonthuis referenced a building to the west, along Lund, and asked if that belongs to HOM Furniture.

Mr. Pierce replied that is not part of the HOM Furniture site.

Commissioner Rech commented that in the past buildings have been architecturally enhanced by adding colored strips or other materials. He asked if there could be a condition to architecturally enhance the north facing wall that would improve the look of the building.

City Planner Palmer stated that he would ask the applicant to consider the comments tonight and come back with an updated plan. He stated that the applicant may still choose to come back with the same plan. He stated that staff worked with HOM Furniture throughout this process. He stated that he recognized that there would be a large impact from the north side of the building. He stated that the City was and still is excited about this project. He stated that the fence and dogwoods were a condition of approval, not necessarily enhancing the building.

Mr. Pierce stated that he sits on the architectural review panel for the industrial park and the intent is to have build out with the highest and best use. He stated that they did that on their site. He noted that originally there were 27 employees at that facility, and they now have over 200 employees. He stated that they are bringing jobs and tax base to the City of Anoka. He stated that they could put the landscaping in as approved, but it will not survive.

Chair Bonthuis stated that she does not dispute that.

City Planner Palmer commented that the landscaping plan showed 49 new trees and an option would be to collect the tree replacement fee and plant those trees in other areas of the city. He stated that there is then the issue of landscaping along the north property line. He stated that they could have those planted and see what happens or accept that perhaps was not the greatest idea to begin with.

Commissioner Rech stated that the east side is not visible from any street and therefore landscaping placed in that area will not have an outside impact. He agreed that a tree replacement fee should be accepted in lieu. He recognized that there could be a cost to improving the north side of the building and suggested perhaps the tree replacement fee is not charged and the applicant then architecturally softens the north wall.

City Planner Palmer replied that the applicant has heard the feedback tonight and could be asked to amend the plans, but the path of least resistance may be to just follow the approved plan, acknowledging that may not have the best outcome in the long-term.

Commissioner Nemec asked if the enhancement would be as simple as getting a painter for the north wall.

City Planner Palmer replied that they would need to determine how that look could be softened through paint.

Mr. Pierce stated that he received a few options from an architect for that side and the cheapest plan option was still more expensive than following the landscaping plan. He commented that they are a family-owned business and will do whatever is the cheapest option. He stated that they want to find something that works for both parties and the site.

Chair Bonthuis stated that she agrees that planting the dogwoods, just to have them die this winter, is not the best choice. She stated that some trees could be put on the point at Thurston and Lund. She noted that she did not see an identification sign on that point. She stated that she would like to see something different on the north side. She commented that while enhancing the north side would have a cost, there would have also been a cost of purchasing the landscaping, planting it, and installing the irrigation.

Mr. Pierce stated that they also reached out to MnDOT to determine if they could abstain from pushing snow over the edge in that location, but it was not allowed.

Chair Bonthuis suggested postponing the decision and asking the applicant to come back with an updated plan. She stated that personally she would not support approving this plan as submitted.

Mr. Pierce referenced the east side in the truck court, noting that was contaminated soil and in order to get through that soil they had to go out further than planned. He stated that they worked

with the MPCA, and that agency directed them to go out further to remove that contamination, which required tree removal. He stated that added cost to the project, but the site was improved because those contaminated soils were removed.

MOTION WAS MADE BY COMMISSIONER RECH, SECONDED BY COMMISSIONER KJONAAS, TO POSTPONE ACTION.

Further discussion: Commissioner Brewer asked the additional information that is being sought through postponement.

Commissioner Rech stated that he would ask that the applicant come back with proposals for architecturally improving the north side of the building, in lieu of the dogwoods and tree replacement.

Commissioner Kjonaas agreed.

Commissioner Nemeč asked if paint would be the cheapest option and asked that a paint scheme plan be proposed, along with the cost.

Mr. Pierce confirmed that he could bring the different options for landscaping and painting along with costs. He stated that they constructed the fence as that was considered an architectural improvement.

City Planner Palmer stated that the staff report tells the story of this project. He noted that landscaping or architectural enhancements were recommended but neither were feasible which is why the fence and plantings were chosen. He stated that he would not say the fence and plantings were in lieu of enhancements or landscaping. He stated that the intention of the plantings was to soften the fence as well.

Chair Bonthuis noted that the fence provided in the plan was shown as dark walnut which is not the fence that was used.

Commissioner Nemeč commented that the existing fence is a nice fence.

Mr. Pierce stated that he would have preferred a walnut fence as that would have cost about \$85,000 compared to the cost of over \$200,000 for the maintenance free fence.

City Planner Palmer asked if any changes would be desired to the landscaping plan if the other option is cost prohibitive for the applicant.

Commissioner Coleman asked if the Commission wants the ten additional trees or wants to forego those.

City Planner Palmer commented that he would like the applicant to resubmit a landscaping plan that could be approved.

Commissioner Kjonaas recognized that this is not a regular meeting date, and the next meeting would be in two weeks.

Mr. Pierce confirmed that he would be ready in time for that meeting.

7 ayes – 0 nays. Motion carried.

PUBLIC HEARINGS ON NEW APPLICATIONS:

None.

MISCELLANEOUS:

Next regular meeting will be Tuesday, August 1st at 7:00 p.m. in the Council Chambers.

City Planner Palmer stated that they are looking to hold a public open house in August related to the MRCCA rules update, which could be done in lieu of a worksession.

Chair Bonthuis agreed the open house would be a good idea and confirmed the consensus of the Commission to have the open house in lieu of the worksession.

City Planner Palmer confirmed holding the open house dates on both a Tuesday and Thursday, either the third or fourth week of August. It was confirmed that staff will solidify the dates.

ADJOURNMENT:

MOTION WAS MADE BY COMMISSIONER KJONAAS, SECONDED BY COMMISSIONER COLEMAN, TO ADJOURN THE MEETING.

7 ayes - 0 nays. Motion carried.

Time of adjournment: 8:08 p.m.

Submitted by: Amanda Staple, *TimeSaver Off Site Secretarial, Inc.*