

City of East Bethel
Planning Commission Agenda
Planning Commission Regular Meeting
Date: May 23, 2023 at 7 p.m.



Two or more Council Members and/or the Mayor may be in attendance at this meeting.
If two or more Council Members and the Mayor attend the event, there will be a quorum of Council Members.

This meeting may be monitored live via the following means:
Cable Channel 10, MidcoTV Channel 77, or the City of East Bethel YouTube channel
(www.youtube.com/channel/UC8_7ShcME-XG14pN5JrmBGg/live)

1. Call To Order
2. Adopt Agenda
3. Approval of Minutes: April 25, 2023 & May 9th, 2023 (Pg. 1-27)
4. Concept Plan Review: Designing Earth Contracting – 187th Ln NE & Ulysses St NE (Pg. 28-59)
5. Ordinance Amendments (Pg. 60-77)

APPENDIX A – ZONING

SECTION 24 - Exterior storage standards in the B2, B3 and Light Industrial Zoning Districts

SECTION 28 - Architectural standards in the B2, B3 and Light Industrial Zoning Districts

6. Updates
7. Adjourn

1 **DRAFT MINUTES: NOT YET APPROVED**

2
3 EAST BETHEL PLANNING COMMISSION MEETING

4 April 25, 2023

5
6 MEMBERS PRESENT: Chair Tanner Balfany, Glenn Terry, Sherry Allenspach, Sharon Johnson, Gabriel
7 Hanschen, and Randy Plaisance

8
9 MEMBERS ABSENT: None

10
11 ALSO PRESENT: Jack Davis, City Administrator
12 Aaron Berg, Zoning Administrator/City Planner and Interim Community Development
13 Director
14 Tim Harrington, Mayor
15 Kevin Lewis, City Council Liaison

16
17 **1.0 Call to Order**

18 Chair Balfany called the Planning Commission regular meeting to order at 7:00 pm.

19
20 **2.0 Adopt Agenda**

21 **Commissioner Allenspach moved and Commissioner (No second made) seconded to adopt the**
22 **agenda as presented.** Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.**
23 Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

24 **3.0 Approve February 28, 2023 meeting minutes**

25 Terry requested on Page 7, the largest paragraph toward the top, a comma be added after the word “this
26 and the persons” and change the word “remainder” to “remains.” And toward the end of the third
27 sentence, close the parentheses after the word “precedence”.

28 Terry requested on Page 10, under updates, to add the sentence: “After the voting results were
29 announced, the Council Liaison walked out of the meeting.”

30 **Commissioner Johnson moved and Commissioner Balfany seconded to approve the February 28,**
31 **2023 regular meeting minutes as amended.** Balfany asked any discussion?

32 To the motion, all in favor say aye. **Johnson, Terry, Hanschen, Balfany.** Balfany asked any opposed?
33 **Plaisance and Allenspach abstained due to their absence at the meeting.** That motion passes.
34 **Motion passes 4-0-2.**

35 **4.0 Planning Commission Appointment of Chairperson and Vice Chairperson**

36 Johnson stated they are already in April and she asked Balfany if he would be willing to continue to be
37 the Chairperson. Balfany responded he was not opposed to doing it, but he didn’t want to stand in the
38 way of anyone who was interested in it.

39 **Commissioner Johnson moved and Commissioner Terry seconded to recommend Commissioner**
40 **Tanner as Chairperson for 2023.** Balfany asked any discussion? To the motion, all in favor say aye.
41 **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

42 **Commissioner Plaisance moved and Commissioner Allenspach seconded to recommend**
43 **Commissioner Johnson as Vice Chairperson for 2023.** Balfany asked any discussion? To the
44 motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion**
45 **passes unanimously.**

46 **5.0 Candidate Interviews:**

1 Balfany stated before they started this discussion, Terry had requested he be allowed to make a
2 statement to update why the interview process was being continued at this meeting. Berg stated he also
3 had a staff report that referred to that.

4 Terry stated Berg could make any comments after the staff report.

5 Berg reviewed staff's report stating on January 31, 2023, the term of Commissioner Karen Krepis
6 expired. Although the Planning Commission recommended the reappointment of Commissioner Krepis
7 to an additional term, the City Council did not approve the reappointment. This created an open position
8 on the Planning Commission to be filled.

9 Berg stated on February 28, 2023 the Planning Commission conducted interviews and recommended
10 applicant Wanda McLarin to the City Council to fill vacant commission position. On March 13, 2023
11 the City Council did not approve the recommendation again leaving an open commissioner position.

12 Berg indicated the city staff re-advertised the opening and have received two Letters of Interest or
13 Resumes.

14 Berg stated the Commission is requested to interview the applicants and make a recommendation to City
15 Council to fill the vacant seat in which the terms will expire on January 31, 2026.

16 Terry stated the reason Karen Krepis was not approved was stated that she had called then candidate,
17 now Councilmember Smith a liar. He indicated that was not correct and there was apparently someone
18 in the audience of Meet the Candidates forum that said it, but it was not Karen Krepis. He stated when
19 Karen was interviewed by Council after their unanimous recommendation, she was asked if she would
20 apologize and that was tantamount to saying, "When did you stop beating your wife?" "Are you not
21 going to tell us when you stopped beating your wife?" So, when she would not apologize for something
22 she did not do, then the statement was, "Then, that tells me everything I need to know about her," and
23 that was given as a justification for denying the Commission's unanimous recommendation.

24 Terry pointed out that when he brought this up to the Council, also stating his background of being on
25 the P&Z for 25 years, he was told things like, "This isn't a good old boy's club," and "You don't have
26 any privilege to be on here just because you've been on here a long time." Terry stated he did not think
27 on those terms, but rather how can they serve the community by being unbiased, not having an agenda,
28 but listening to people and reacting to what they bring before the Commission and making the best
29 decisions.

30 Terry indicated they are a body of people who are individuals and they don't have an agenda when they
31 come to these meetings. He indicated they often have different perspectives that might not be in
32 agreement, but they are rational and calm and they make some sort of a decision. He noted those are
33 qualities both found in Karen Krepis and in Wanda McLaurin.

34 Terry stated some of this seems like projection to him in retrospect because at first it was out of left field
35 that Karen Krepis would not be approved and again with Wanda McLaurin, but he has been told the City
36 has a 3 to 2 majority, which implies an agenda and also implies not having an open receptivity to what
37 comes before Council.

38 Terry indicated it became apparent when Wanda was not appointed and also when the EDA
39 unanimously recommended somebody and that person was denied and somebody else was appointed,
40 that this was somewhat a farse, especially given that Wanda's justification for not allowing her was that
41 there were only two respondents (only two candidates), but in fact they had three candidates and one of
42 them did not show up even though the Commission had their resume and they had intended to interview
43 them.

1 Terry stated now they find themselves in a situation where they have two candidates – not three – and
2 based on the reasoning for denying Wanda, that seemed either they revisit what they have already twice
3 approved, which would be Karen Krepis and/or Wanda McLaurin, or they table this if the real desire is
4 more candidates.

5 Terry indicated if the desire to appoint somebody that is, after interviewing, discussion, and voting, isn't
6 approved, then it was just a farse.

7 Terry did not think it was fair to Eldon to interview him under the circumstance and he did not think it
8 was right that they reinterview Joe, who they had already interviewed and had made their decision.

9 Terry stated if he had to, he could tell them why he made that decision as he still remembered a lot of
10 the points brought up and the discussion. He stated he did not want to make the Council liable to some
11 claims of misogyny or that strong, independent women are not welcomed because they had unanimously
12 approved two of them. He noted they were both very qualified and intelligent, independent thinkers.

13 Terry recommended the Commission either recommend Karen Krepis and/or Wanda McLaurin or that
14 they table this until they have more candidates if that is the reason they are doing this once again.

15 Balfany thanked Terry for the history and update for everyone as to what has gone on.

16 Balfany stated Terry had made a motion so there would need to be a second for it.

17 Plaisance asked Terry to restate the motion as it appeared it was more of a statement than a motion.

18 Balfany noted toward the end of Terry's statement, he had mentioned this was a motion.

19 Plaisance requested it be rephrased for clarification. Terry stated he wasn't intending to make a motion,
20 but rather to put this for discussion that the Commission should consider a motion based on what they
21 think as unanimously would be the best, which would be to either recommend Karen Krepis once again
22 (who should have an apology issued to her); recommend Wanda McLaurin who was overly qualified
23 and a great candidate; or this gets tabled if neither of those two people were acceptable until they have
24 more interviewees.

25 Balfany asked if the Commission wanted to have a discussion.

26 Plaisance believed they would need a motion, but Terry was talking about suspending the agenda in
27 order to do something else. Balfany stated he wanted to give Terry the opportunity to having a
28 discussion about what he brought up.

29 **Commissioner Balfany moved and Commissioner Hanschen seconded to have a discussion based**
30 **on Terry's comments prior to moving onto this agenda item.** Balfany asked any discussion? To the
31 motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion**
32 **passes unanimously.**

33 Berg requested the motion be clarified for his recording. Balfany repeated the motion.

34 Hanschen asked if the Commission had the ability to re-recommend one or two people who have already
35 been interviewed and turned down by City Council. Balfany responded without going into that
36 question, he knew for him given what he had heard, he did not believe Council would want that. He
37 indicated he respected Terry's comments on that and he believed the Commissioners were in agreement
38 for the most part with Terry's comments as it had been unanimous decisions by the Commissioners.
39 However, he also believed they needed to keep moving things forward, but clarifying everything was
40 important so people understood what had happened.

41 Terry stated it was clear that Karen Krepis was not approved on a personal issue and if they were to
42 recommend her again, he believed the Commission would just be butting heads with that same issue.

1 He indicated for Wanda McLaurin, there was no question about her qualifications, so this was based on
2 the concept that there were not enough interviewees. He stated he saw her as a safe decision in terms of
3 there is nothing staining on her character in terms of perceptions of other. He indicated they are dealing
4 with issues of trust and apparently they are not trusted by some members of the Council, or staff because
5 they have an idea of who should be on the Commission and they want to install somebody that in their
6 collective wisdom, they did not approve of.

7 Johnson asked if Terry was positive that the reason Wanda McLaurin was denied was because they said
8 there was not enough candidates. Terry responded that was a statement made by a Councilmember who
9 made the motion to deny.

10 Johnson stated she has had copies of all of the Council Meeting Minutes and the Planning Commission
11 Minutes for the past two years so if there is any questions about that, they can go through the Minutes.
12 Terry stated he was sure.

13 Balfany stated Ms. McLaurin was offered the opportunity to reapply when they reopened, but she did
14 not reapply and she had not indicated to him that she had an interest in reapplying. He indicated that
15 point of order might be something to be considered.

16 Berg indicated he did not think it would be out of order if the Commissioners wanted to make a
17 recommendation to the Council to leave it open for another extended time in the attempt to get more
18 applicants. He believed that would be a reasonable way to go. He stated another option would be to
19 interview the candidates and if they are not satisfied with either of those, then ultimately make a
20 recommendation based on their level of acceptance or denial of the potential candidates that have
21 applied if they are not to the Commissioner's qualifications or what they would want on the
22 Commission. He noted there were a number of options available to the Commission, but he did not
23 want them to recommend Ms. McLaurin if she hadn't decided that she was interested in doing this
24 again.

25 Terry stated he had spoken to Ms. McLaurin after the meeting and she had said she was frustrated and
26 wasn't going to do this. He indicated he had talked to her and said that it seemed unjust and she should
27 reapply and at the time she indicated she would. He imagined that she probably thought it didn't make
28 sense to reinterview once the Commissioners had already done that and recommended her. He believed
29 this was a lot of wasted "brain space" and time to have to go through all of this. He stated if they were
30 going to take the letter of the law as the reason for not accepting Ms. McLaurin as there not being
31 enough candidates, he believed the best of the options Berg summarized would be to reopen this and
32 solicit more people.

33 Johnson pointed out that if the reason Ms. McLaurin indeed wasn't chosen because there weren't
34 enough applicants, then the other applicant shouldn't have been appointed at that time either because
35 that would disqualify him also.

36 Terry stated it was like a charade to do that at this point and they are wasting people's time.

37 Balfany stated he didn't argue any of that, but they do need to keep moving things forward and get this
38 Commission back to a whole body and if they are in the situation as a result of other actions, they still
39 need to keep moving forward and right now the process is they have had at least one new candidate
40 come forward and it was his opinion they go through the process tonight. He agreed they had
41 interviewed Mr. Reiter already and he believed it would be fair to give Mr. Holmes the opportunity and
42 if they chose to make that recommendation after hearing him as a new candidate in this round, they
43 could put that forward.

1 Berg noted last month's meeting had to be cancelled because they had a lack of quorum and if they
2 would have had that seat filled, they could have potentially held last month's meeting and their agenda
3 might not be as long tonight as it is if they would have been able to hold the meeting.

4 Allenspach stated she had another commitment in May that she is unable to get out of and she will not
5 be at the Planning Commission meeting.

6 Hanschen stated as opposed to doing this back and forth, he could anticipate what the result will be. He
7 recommended they go through the vote now. He asked if they could have a joint meeting with the
8 Council on this. He stated their ability to vote on their nominees is being contested. He asked if they
9 couldn't come together with the Council and sit face-to-face instead of the back and forth every month
10 and maybe try to cut through this.

11 Balfany noted in the past it has been difficult to coordinate everyone's schedule and have special
12 meetings to bring in all parties and have that discussion, but he believed they also needed to respect the
13 process they had and try to keep moving things forward. He stated if this is the back and forth, then that
14 was the way it was, but this is the current process and they need to respect the process to keep it moving
15 forward.

16 Berg stated the City Ordinance prescribes this process to fill the vacancy.

17 Balfany stated the reality is that they are four months plus into this process and hopefully some
18 decisions get made.

19 Hanschen asked if they can add a "recommendation to their recommendation" that if the Council
20 declines that maybe they do suggest having a joint meeting. Balfany indicated if this is not in the
21 current process, they are circumventing it. He stated they need to keep trusting in the process.

22 Terry stated the Commission used to have a lot of work meetings with Council, but they haven't had any
23 in a long time. He indicated there seems to be attitudes formed that are not based on understanding
24 where they come from and what their beliefs are. He stated they would be surprised as to how much
25 actual common ground there is on issues, but there's a lack of trust. He stated from his perspective, this
26 was behavior based of what he was seeing and they have their reasons for their lack of trust in them.

27 Balfany stated in the time they are not in meetings to reach out and have conversations to try and find
28 common ground outside the regular meetings if need be for access, but he still saw this was they needed
29 to keep moving forward with the process.

30 Plaisance stated Balfany had talked about interviewing Mr. Holmes for this position and that they had
31 already heard from Mr. Reiter. He indicated they cannot do that. He noted this was the process they
32 were doing and if they interview one candidate, they have to interview the other candidate, even though
33 that candidate has interviewed before due to a sense of fair play. He noted in the previous meeting there
34 were two members not at that meeting that are at this meeting who might want to give that person
35 another change. Balfany stated he was not arguing that they should or shouldn't.

36 Plaisance stated it sounded to him that Balfany was implying it was an option to interview one and not
37 the other and he wanted to clarify this. Balfany thanked Plaisance for the clarification.

38 Plaisance indicated there is a lot of hurt feelings and a feeling that this is not going the way it should.
39 He believed they also have to consider another option, which is if the Commission really feels this way
40 that City Council does not have trust in what they are doing, they can just not hold any interviews and
41 suggest the Council takes over all of the interviews going forward. He stated if the Commission's
42 recommendations are going to be dismissed, that might be something that is taken out of their hands. He
43 indicated for him personally that was a good option, but he wanted to bring it to the table.

1 Terry disagreed with Plaisance's last point. He stated there was a process and it's fair to have a body
2 that has a volunteer group of citizens make these interviews and decisions for the people they will be
3 serving with and then it is up to Council to agree to disagree and they should be transparent in their
4 reasons. But if they don't hold and conduct the interviews and make their decisions known, then there is
5 that one less level of process and transparency as to what was coming before them. Plaisance stated he
6 did not disagree but he was pointing out that if no matter what they decide was not going to be accepted
7 by the Council, then he believed they are wasting time.

8 Terry stated the Council had the opportunity to do the right thing just as they do and he doesn't want to
9 circumvent that opportunity by taking that out of their hands. Balfany stated he was also not in favor of
10 that suggestion. He wanted to trust the process and work through the process.

11 Johnson agreed they have a process and they should use it. She did agree that if they interview one
12 candidate, they should interview both candidates as that is the process.

13 Balfany apologized to Mr. Reiter and stated it was not his intent to not interview him, but just to point
14 out there were two candidates.

15 Plaisance stated as to the previous candidates, he asked if they were still thinking of going back and
16 recommending one of the previous candidates. He indicated he would not be in favor of doing this
17 without somebody being at the meeting saying they would be willing to accept the nomination. Balfany
18 agreed.

19 Terry stated the last time they interviewed candidates, they had the questions. He indicated he had taken
20 notes the last time and asked why those notes were collected. Berg stated this was the City's policy.

21 Berg noted previously the Council proposed an amendment to the Ordinance regulating Boards,
22 Commissions, Committees, and appointments. He believed the Council passed the advisory body article
23 and he read that article for the Commissioners. He stated whatever decision the Commission made
24 tonight, this was now the procedure that would be followed.

25 Balfany requested Mr. Holmes leave the chamber.

26 **5.0.1 Joe Reiter**

27 Balfany asked Mr. Reiter why he was interested in becoming a Commissioner member for East Bethel.

28 Mr. Reiter thanked the Commission for having him again. He indicated his motivation for seeking a
29 seat on the Commission was to represent the interests of the local community and work towards
30 sustainable development that preserves the unique qualities of the City. He believed that prioritizing the
31 needs of the residents and homeowners they can enhance the quality of life in the community and foster
32 an environment for small business.

33 Mr. Reiter stated one of the biggest challenges faced by the City was finding ways to attract business for
34 development the City needed, such as a grocery store, family restaurants, and boutique retail. He
35 indicated they needed to find ways to address the high sewer and water fees associated with the water
36 treatment facility which has been a major role block in business development. He indicated as a
37 Commission member he would work towards exploring creative solutions to attract business and
38 promote sustainable development while maintaining the rural character and culture of the City.

39 Mr. Reiter believed transparency and fairness was critical to the success of the Commission and he
40 would prioritize these. He noted he would work collaboratively with all of the Commissioners and the
41 Council to ensure all voices are heard and the needs of the community are being met. He clarified what
42 he believed sustainable development was.

1 Johnson asked what strengths and abilities would Mr. Reiter bring to the Commission. Mr. Reiter
2 responded he believed his experience and skills made him a strong candidate for the Commission and as
3 a long-time resident he had a deep understanding of the community's needs, values, and priorities. He
4 indicated his background in business and project management have given him the skills to effectively
5 manage difficult tasks, research complex information and work collaboratively with diverse groups of
6 people.

7 Mr. Reiter stated one of his strengths was to listen and give feedback to others. He believed it was
8 important to consider a variety of perspectives when making decisions and he was committed to
9 ensuring all voices are heard. He noted he had experience in data analysis and research, which he
10 believed would be useful in making informed decisions and supporting evidence-based policies. He
11 stated he also had a strong commitment to sustainability and environmentally responsible development.
12 He indicated he had a track record of leadership and community involvement including volunteering
13 with local organizations and his experience has given him the perspective needed to effectively serve on
14 the Commission.

15 Terry asked as a Planning Commission member, what did Mr. Reiter believe his role is as a
16 representative of the City. Mr. Reiter responded that his role was to take feedback from the community
17 and try to follow through with the vision that the resident's want. He indicated the hardest part of the
18 balance was how did they balance development and pressure from developers to come in and "gobble
19 up" all of the land as fast as possible with the wants of the community. He noted a grocery store, small
20 retail, or a strip mall were all things needed by the community. He stated the City had no open
21 commercial space and all of the land was locked up by landowners and it was not being developed and
22 as the Planning Commission they needed to find ways to free up some of the space to allow small
23 businesses to grow and thrive. He indicated people were working from home and their workshops and
24 they needed to find ways to improve their position to get them to commercial spaces.

25 Hanschen asked what was Mr. Reiter's vision for the Highway 65 corridor. Mr. Reiter responded that
26 his vision for the Highway 65 corridor is to promote sustainable development that meets the needs of the
27 community and preserves the unique character and culture of the City. He believed the current zoning
28 which open up the land within one mile east and west of Highway 65 to nearly unregulated development
29 are excessive and do not reflect the needs or wants of the residents. He proposed a more measured
30 approach that focuses on the quality of life of the community while also promoting economic growth
31 including exploring ways to attract small business that align with the needs of the community (family
32 restaurants, boutique retail, and other services that cater to residents). He stated he would also prioritize
33 working with developers to ensure that any new development aligns with the communities vision and
34 does not negatively impact existing neighborhoods, rural areas, or natural habitats while being mindful
35 of the potential for sewer creep beyond the water district and implementing appropriate zoning
36 regulations that encourage responsible development.

37 Plaisance asked Mr. Reiter if he held any roles that would place him in a position of a conflict of interest
38 as a Planning Commission member (i.e. financial family relationships or groups engaged in community
39 matters). Mr. Reiter responded as of right now there are no local issues that would place him in a
40 conflict-of-interest situation. However, he stated he strongly believed in transparency and accountability
41 in the public sector and he will make it a priority to be aware of potential conflicts of interest that may
42 arise and promptly disclose them to the appropriate parties. He indicated as a Planning Commission
43 member he understood the importance of maintaining impartiality and working in the best interests of
44 the residents. He stated he will strive to maintain an high level of ethical conduct and ensure that any
45 decisions made are fair and objective. He noted if any issues do arise, he was committed to handling
46 them with transparency and integrity and he would recuse himself.

1 Plaisance asked if he could ask a follow up question. Johnson responded as long as Plaisance asked the
2 same question to the next candidate.

3 Plaisance stated he knew of a position Mr. Reiter currently holds which to him might be a conflict of
4 interest and he wondered if Mr. Reiter would be willing to give that up in order to be member of the
5 Planning Commission. Mr. Reiter responded he was not sure what Plaisance was talking about, but if he
6 was talking about his employment at Polaris.

7 Plaisance responded no, it was not Mr. Reiter's employment, but rather he was the moderator of a social
8 media website for the City and he considered that to be a conflict of interest because as a moderator he
9 can control the narrative of what is being talked about in the City. He asked Mr. Reiter would he
10 consider that a conflict of interest. Mr. Reiter responded he did and last month he had stepped down
11 from that position and he was no longer a moderator.

12 Allenspach asked Mr. Reiter if he had any questions for the Commissioners or if he would like to add
13 anything. Mr. Reiter responded as a candidate, he wanted to know how the Commission plans to
14 address the ongoing animosity between the Commission and the Council. He indicated he had heard of
15 some suggestions tonight such as a joint work meeting and he believed that would be a good idea to
16 have heart-to-hearts rather than speaking in official terms which could be misinterpreted, and having a
17 personal relationship and actively reaching out to the people that maybe there is conflicting ideas with.

18 Mr. Reiter asked Commission members what did they intended as a group plan to take for
19 communication and collaboration between the two bodies and how did they proposed to move forward
20 in a way that benefits the community as a whole. Balfany responded they have talked about having
21 those types of meetings as they have had good meetings in the past and they have had some that were
22 not as good of meetings. He responded for him with respect to communication back and forth whether it
23 is during a meeting or outside of a meeting, he believed they have been very clear and respectable of
24 everyone's opinions and when given opportunities to voice their opinions, he used the right avenue to do
25 that in (Open Forum, public hearings, etc.), without grabbing the Council right outside the door or
26 waiting for them. He believed they needed to use the appropriate channels. He indicated the Council
27 liaison was there to inform the Council what happened at the Commission meetings and in the last few
28 years, it was his opinion that what they discussed or what the feelings were was not reiterated back to
29 the Council or it was brushed over. He noted this was a two-way street and he welcomed all
30 conversation and did not think they had ever closed the door to have a discussion. He stated at recent
31 meeting the Council Liaison wasn't available when the Council update was here.

32 Johnson stated she was surprised with the question asking them how they were going to improve
33 communication. She asked if that was correct. Mr. Reiter stated he has been watching all of the
34 statements made and he believed there was a lot of sour attitudes on both sides and he did not feel it was
35 reparable unless people wanted to repair it and holding out and fighting was not serving the best
36 interests of the community. He recognized some of the new people on the City Council might not have
37 the same visions as the Planning Commission, but ultimately he knew they want the best for the
38 residents, but how they want to get there might not be the same way. However, the goal is to serve the
39 residents and with the standoffish attitudes on both sides they need to figure out a way to drop it.

40 Johnson asked if Mr. Reiter felt he was a part of that communication also. Mr. Reiter responded he felt
41 there has been an actualization of attitudes in the City and he was a part of that.

42 Johnson thanked him for acknowledging that as Mr. Reiter has said some things in social media, such as
43 when Mr. Terry came and demanded a new liaison. She stated Mr. Terry did not demand anything, but
44 that was what he posted on social media. She asked him if he thought that was appropriate. Mr. Reiter
45 responded he was well considered in his statements and he watched the meetings over and over again;

1 he read the Minutes also. He felt Mr. Terry came off and he was saying, “this was not going to happen.
2 This was unprecedented,” and the words that were said were words that should not have been said in a
3 professional setting. He indicated the words were too toxic and they were not seeking to find common
4 ground. He stated they need to work for the best interests of the community and they need to put
5 personal politics aside. He noted the election was very passionate, but the election is done and now they
6 have to come together and focus on the future. He stated they can say, “nobody has called Jim Smith a
7 liar,” but it was implied and it was in the Minutes it was implied – they can’t do that to each other. He
8 indicated they didn’t like being called out like that, so they shouldn’t be calling anyone out. He stated
9 people are here to serve the community and he believed they needed to focus on that and needed to get
10 past this. He admitted that he hasn’t always been on the up and up with his communication, but he
11 wasn’t the only one.

12 Johnson stated that didn’t matter. What mattered is what he said, what she said, and what the rest of the
13 Commissioners said also. She stated she has the same world view as Mr. Lewis, Mr. Miller, and
14 probably Mr. Smith, but they have very similar views and maybe some other people here don’t.

15 Mr. Reiter stated his world view is that he is in a very rural residential area and there is a development
16 that was supposed to have 30 homes on it and it got turned into 230 rental units in two months time and
17 there were a lot of residents who were upset by that. He stated that is why he wanted to be on the
18 Commission – to slow things down when they are moving too fast. He noted they lost the Road
19 Commission because they were trying to slow this development down on road surveys.

20 Johnson asked if he believed property owners had rights to build what was within the confines of what is
21 allowed. Mr. Reiter responded to build a development that is so out of place in the community, there is
22 nothing like that and it was a completely different type of zone than anything they have.

23 Balfany stated this is something they have come across over the years and this is why he was an
24 advocate for letting procedures and processes happen because they do have to allow what is legal to go
25 on and a landowner/property owner having the ability to do what is within their rights to do, they do
26 have to allow that. He indicated unfortunately it is not what everyone always wants and sometimes it is
27 still in the best interest of the City and they had to allow for some flexibility to allow for developers. He
28 cautioned everyone to remember that sometimes it is not always what they want in their personal beliefs,
29 but what they need to allow based on what is currently in the Codes. He acknowledged that if things
30 need to be changed, they can’t change what is already happening. He noted the Commission is an
31 advisory committee and they work on the behalf of Council and for the City at large. He did not believe
32 any Commissioner had a personal agenda about wanting something specific somewhere, anywhere. He
33 stated everyone had the intent of just trying to do what is best, right, and legal. He asked him to keep
34 that in mind also.

35 Mr. Reiter stated he did not mean to imply anything in his comments. He thanked the Commission for
36 their time and opportunity for him to share his vision for the City. He believed his commitment to
37 sustainable development and local community involvement will be an asset to the Commission and he
38 was excited to work collaboratively with the Commission and the Council to address the challenges
39 facing the community, including balancing the needs of the property owners and those of the broader
40 community.

41 **5.0.2 Eldon Holmes**

42 Balfany asked if Mr. Reiter should step out. Johnson responded yes.

43 Plaisance indicated he did not think it was necessary because he had already heard the questions, but if
44 the Commission wants to have him leave the room that is fine with him.

1 Mr. Holmes stated it did not bother him.

2 Balfany asked Mr. Holmes why he was interested in becoming a Commissioner member for East Bethel.
3 Mr. Holmes responded it was fairly simple. He indicated he was on the Commission for quite a few
4 years and he missed it. He stated he quit the Commission to help underprivileged children to have a
5 better life, which he thought was more important than what he was doing. He noted he knew most of the
6 Commissioners and they knew him and knew what he was going to be like. He believed he knew what
7 he was doing.

8 Johnson asked what strengths and abilities would Mr. Holmes bring to the Commission. Mr. Holmes
9 responded that his first and main strength was to do what was best for the people of East Bethel. He
10 indicated that was the main goal no matter what happens, whether he is on the Commission or not. He
11 stated his strength is that he's been Chair of the Commission and has been on the Commission in the
12 past for quite a few years and he knows most everyone and he felt he knew what he was doing.

13 Terry asked as a Planning Commission member, what did Mr. Holmes believe his role is as a
14 representative of the City. Mr. Holmes responded to do what was right for the people. He stated that
15 was a lot of work with 11,000 residents.

16 Hanschen asked what was Mr. Holmes vision for the Highway 65 corridor. Mr. Holmes responded he
17 was on the Planning Commission when they first started this and it has changed a lot and what has
18 happened has changed thoughts and everything else. He believed they were going down the right road
19 and hopefully they could get people to come to the City.

20 Plaisance asked Mr. Holmes if he held any roles that would place him in a position of a conflict of
21 interest as a Planning Commission member (i.e. financial family relationships or groups engaged in
22 community matters). Mr. Holmes responded no. He indicated he got along with pretty much everyone
23 most of the time.

24 Balfany asked Mr. Holmes if he is a part of any social media pages or anything. Mr. Holmes responded
25 he was on Facebook and if they go onto his site, they will see what he is about. He stated he doesn't
26 want any conflict and most of his stuff is funny things and jokes. He indicated there was too much
27 garbage on Facebook and he did not know how people can put up with all of the garbage on it.

28 Allenspach asked Mr. Holmes if he had any questions for the Commissioners or if he would like to add
29 anything. Mr. Holmes stated he knew most of them and have been on the Commission with everyone
30 (except Hanschen) and he knew what he is like and they knew he tried to do what was right for the
31 people and they knew they have had their differences, but they still work together and that is the main
32 thing for the City.

33 The Commissioners voted and Berg stated there were five votes for Mr. Holmes and one abstention.

34 **Commissioner Balfany moved and Commissioner Allenspach seconded to recommend to the City**
35 **Council Eldon Homes to the Planning Commission.** Balfany asked any discussion? To the motion,
36 all in favor say aye. **All in favor.** Balfany asked any opposed? **Terry abstained.** That motion passes.
37 **Motion passes 5-0-1.**

38 **6.0A Public Hearing: Variance – Setback for Septic Drainfield Placement – 19141 E. Front Boulevard**

39 Berg stated him as the Interim Community Development Director had reviewed this extensively and
40 pointed out the City in this approval process failed to follow the process. He indicated a various should
41 have been sought prior to construction and therefore, they will go ahead and ask for the variance based
42 on the procedure and the Commission can make a decision based on that and the City will deal with the
43 ramifications if there are any based on that decision.

1 Berg reviewed staff's report stating on May 16, 2022, the city received an application from the owner of
2 19141 E. Front Blvd. NE, to allow the upgrade an existing outhouse to a Type III for a Subsurface
3 Sewage Treatment System (SSTS), to make the cabin a habitable residence. Due to the size of the .17
4 Acre Lot, the proposed system design included the placement of a box mound which encroached on
5 property lines and required city permission or variance for its use. City Staff subsequently approved the
6 permit, and the system was installed in July of 2022. During a final inspection, it was noted the installed
7 septic box mound was within the required setbacks. A variance for a reduction of the side and front yard
8 setbacks should have been sought and approved prior to installation.

9 Berg indicated the applicant applied for a variance, after the fact, for the setback encroachments. City
10 Staff began gathering information in preparation for a variance public hearing. Inconsistencies were
11 discovered in the existing survey (2004) on file and the drawing submitted with the septic system permit
12 application. A site visit was conducted for the purpose of confirming measurements, and City Staff
13 concluded the site didn't match either the 2004 survey or the drawing submitted in the application. City
14 staff contacted the applicant and requested a new certificate of survey be completed. The new survey
15 identified that the new septic box mound was not only encroaching on the front and side yard setbacks,
16 but a portion of it was also in the city right of way. City Staff consulted with the City Attorney to
17 determine the best course of action to address the circumstances. It was the recommendation of the City
18 attorney that in addition to obtaining variance approval, a License and Use Agreement would need to be
19 drafted to authorize the use the portion of the E. Front Blvd. City Right-of-Way.

20 Berg stated the applicant is requesting a variance to reduce the Southern side yard setback standard from
21 10 feet to 0 - 3 feet, the Northern side yard setback from 10 feet to 6 - 7 feet and the Western front
22 property line from 10 feet to -0.6 feet and -1.7 feet for the placement of a septic box mound.

23 Berg noted the system meets setback requirements of neighboring deep wells.

24 Berg stated consideration of a variance requires the following three-factor test for practical difficulties:

25 The first factor, a test of reasonableness, Berg noted means that the landowner would like to use the
26 property in a practical way but cannot do so under the rules of the ordinance.

27 Berg indicated in this case septic systems are required for a home to be considered habitable. The
28 approval of the variance would allow this property to be used as a residential use.

29 The second factor Berg noted is, a test of uniqueness, the issue for the variance is due to circumstances
30 unique to the property and not caused by the landowner. The uniqueness generally relates to the physical
31 characteristics of the particular property.

32 Berg stated in this case the property has limited space for a drain field due to the lot sizes created by this
33 1920's era plat.

34 Berg stated there is an 8-foot change in elevation from the front lot line (E. Front Blvd. NE) to the
35 Ordinary High-Water Level (OHWL) at the shoreline.

36 Berg noted Minn. R. 7080.1500 requires that a SSTS constructed in a Shoreland area must have at least
37 three feet of vertical separation distance between "redox features" (evidence of groundwater) and
38 wastewater saturated soils (distribution medium). This property's redox feature was located at 1.5 feet
39 (18 inches) below the existing grade at its deepest uphill location.

40 Berg stated current setback requirements for wells and structures and DNR lakeshore regulations.

41 Berg indicated the third factor is that a variance would not alter the essential character of the
42 neighborhood. This factor is used to consider whether the resulting structure or improvement will be out

1 of scale, out of place, or otherwise inconsistent with the surrounding area. When applying this test to a
2 setback reduction, the visual impact or use of the building or improvement relative to the surrounding
3 dwellings is the emphasis of assessment. For example, when thinking about the variance for an
4 encroachment into a setback, the focus is how the particular building will look closer to a lot line and if
5 that fits in with the character of the area.

6 Berg stated in this case the Coon Lake Residential District has had a significant number of septic
7 variances issued due to smaller lot sizes and the age of this neighborhood.

8 Berg indicated a neighboring property (4640 E. Front Blvd. NE) was granted a license in April 2012 to
9 use a portion of Sylvan St. for placement of a septic tank, piping and a new deep well, in order to
10 upgrade a failing septic system on the property due to limited lot size. In 2012, setback requirements
11 were narrower than current regulations.

12 Berg recommended the Planning Commission hold a public hearing regarding a variance for the
13 installation of a septic box mound within side yard and front yard setbacks at 19141 E. Front Blvd. NE.

14 Berg also recommended the Planning Commission make a recommendation to the City Council on
15 Resolution 2023-19, granting a variance to the standard allowing for the installation of a septic mound at
16 the southern side yard setback standard from 10 feet to 0 - 3 feet, the northern side yard setback from 10
17 feet to 6 - 7 feet and the western front property line from 10 feet to -0.6 feet; -1.7 feet for the placement
18 of a septic box mound at 19141 E. Front Blvd. NE with the following conditions:

19 A Certificate of Survey must be submitted indicating the septic system location to verify setbacks.

20 A monitor and Mitigation Plan must be submitted and approved.

21 Balfany opened the public hearing at 8:15 p.m.

22 Angela Rogers, 19139 East Front Boulevard, stated she was the one who was directly impacted. She
23 presented a copy of her statement to Berg. She read from a prepared statement and requested her
24 statement be in the Minutes (the statement is attached to the Minutes). She requested the Commission
25 vote no on this variance.

26 Rhonda Paulson, 19138 East Front Boulevard, asked if the Commissioners have seen what this looks
27 like. Allenspach responded she drove by the past as well as today. Plaisance responded he had seen it.
28 The remainder of the Commissioners responded they have not seen it.

29 Ms. Paulson presented pictures and stated he looked at this every day. She indicated she used to have a
30 lake view and now she saw what her pictures represented out her front window. She asked the
31 Commissioners how often they looked out their front window.

32 Ms. Paulson stated she feels badly for Ms. Rogers as she had no say on the encroachment of her
33 property. She indicated this was unacceptable. She stated most common-sense people know if there
34 were a project like this they would need a variance. She asked why was this not stopped. She stated as
35 a neighborhood people would stand out there and ask what was going on there, but it couldn't be
36 answered because nobody was saying anything.

37 Ms. Paulson stated her house is on the corner and she can look out and the property they are talking
38 about on Sylvan Street looked nothing like the picture she had. She indicated there was no comparison.
39 She stated it was an eyesore and everyone who drove by slowed down to look at it.

40 Ms. Paulson stated requesting a variance after the fact (and as was said, the City screwed up), she
41 expected the City to take care of this and as the Planning Commission, she asked them to take it upon
42 themselves to make a change and to do something about this and not just write it off and say it's been

1 done and let it go through. She indicated the Commissioners had the chance to change it. She asked the
2 Commission to please do something.

3 Ms. Paulson stated she has been in the community over 40 years and the neighbors have worked so hard
4 to keep everything up, but this isn't a minor thing to let slip by. She stated if the Commission didn't do
5 something, shame on them for letting it go by because they have the chance to do something and put this
6 neighborhood back together. She noted this does not fit the neighborhood. She stated this was a small
7 neighborhood with a busy street, especially since they put the homes in back of them. She requested this
8 be gone and noted there should be other ways of putting in a holding tank. She believed a holding tank
9 could be put in and still allow someone to live their full-time. She stated this was an eyesore and it
10 needed to be gone.

11 The Commissioners requested Ms. Paulson leave the pictures for them to look at.

12 Steve Voss, 19303 East Front Boulevard, which is about 800 feet north. He stated he and his wife were
13 in attendance tonight in opposition of the variance. He noted how he became involved was they were
14 gone in August and when they came back, this was up. He stated he had no idea what was going on and
15 it wasn't until he contacted staff that he found the details.

16 Mr. Voss stated there were mistakes made on the staff's end and he pointed out in the write-up it said a
17 variance should have been sought and in fact it was sought, but it wasn't caught by City staff. He
18 believed there was a way to do this correctly that will appease the neighbors and meet the requirements.
19 He indicated the thing that is important to understand is when the applicant came in, it states a variance
20 is required so the drawing presented to the inspectors, not only did the inspectors not identify it for
21 themselves that there are setback issues, but the applicant was actually told that variances were needed.
22 He stated to him it was obvious that the City staff missed this. He stated if it wasn't missed, then a
23 variance would have been applied for, this would not have been constructed, and they would have an
24 entirely different situation.

25 Mr. Voss stated from experience on Planning and on Council, these things happen where variances
26 come in after the fact and what he had always done (and for most part the Commissions and Council's
27 had always done) was to try to look at what they would have done had this followed the procedure. He
28 requested the Commissioners to consider the system as if it hadn't been built yet and what would they
29 do.

30 Mr. Voss noted Mr. Berg was new to the staff when this came in, so when he said that the City staff
31 made mistakes, he was not throwing Mr. Berg "under the bus", but in terms of the three tests he
32 disagreed with those.

33 Mr. Voss stated septic systems were required to make the structure habitable he agreed with. With
34 respect to the approval of the variance will allow the property to be used as a residential use, he
35 indicated that could be said as true but it was also used as a residential use for the past 80 years, so this
36 was a change of the residential use. He pointed out there are options other than the septic box at the
37 west end of the property.

38 Mr. Voss stated the second test was the uniqueness and he agreed this was a unique situation, but the
39 uniqueness at what they are looking at right now states that it was not caused by the landowner and
40 while he agreed it wasn't intentional or anything sinister, the reason why they are here right now is
41 because this was constructed without the variance and without the proper setbacks. He disagreed it
42 wasn't caused by the landowners, but he didn't believe it was being done maliciously and this was
43 clearly a City error.

1 Mr. Voss stated the third test was if this was out of place and a change of character. He stated the
2 reference to the 4240 Sylvan Street was a situation where they had to upgrade and they had no room and
3 the only thing they could do was to encroach onto Sylvan Street and it was in the agreement that if the
4 City ever needed that piece of property they would have to move it at their expense. He noted this was a
5 way to work it out for this situation and he was glad they did, but this was different in terms of a license
6 because it's a structure that everyone on the street drives by and saw.

7 Mr. Voss stated the biggest problem with this is that the presence of the septic box on the west end of
8 the property eliminated the ability to have a driveway to the house. He believed there was only 6 or 7
9 feet left. He indicated other than the fact that they are really landlocking this property, the City did have
10 Ordinances that a driveway was required. He asked if the City could even write a variance that put the
11 property in violation of another Ordinance. He indicated the practical aspect of this is that there is no
12 driveway.

13 Mr. Voss indicated five of the City's "streets" were maintained with two being used for stormwater, so
14 there was a purpose for the City to have these and these are all City property. He stated historically this
15 property was lightly used and he believed it was a cabin and not insulated. He believed the cabin had
16 used the City property to get to their cabin and he expected one of the discussions would be to grant the
17 homeowner access to the City property to give them a driveway, which to him the City was not in the
18 business of ensuring that every property gets developed, particularly since it is a public street. He stated
19 if that is the route that is taken to address the driveway issue, he believed there would be a much broader
20 discussion at Council.

21 Mr. Voss noted there was a practical problem with access now the way the septic system had been
22 installed. He stated there are dozens of properties that have holding tanks, many along this street, and so
23 there was that option. He indicated the problem was that because the City made these mistakes, the
24 homeowner put an investment into the system that might not have even gotten approved, and so this was
25 not going to be an easy decision by anyone but there are ways to deal with this. He stated in years past,
26 this is not the first time where a building official has caused undue hardship to a homeowner and the
27 City did compensate in the past. He noted if the septic was required to be removed, he expected the City
28 own up to its mistakes and fix the problem.

29 Mr. Voss stated the easy fix would say use the road so the City doesn't have to spend the money, but
30 that is not right for the neighborhood.

31 Tracy Barrett, 19200 East Front Boulevard, stated she agreed with everyone's statements made. She
32 stated she personally used the access to the lake to go kayaking and at her age to lift her kayak on the top
33 of her car was hard and this was very important to her, especially going into retirement to be able to
34 have some activity on the lake that is easy for her to get to.

35 Ms. Barrett stated she believed there was a better alternative and this did not fit into the neighborhood
36 and she asked the Commission to make the right decision.

37 The applicant, stated their intention was to come and use the property and get to know the people in the
38 neighborhood. He indicated the people they have met in the neighborhood so far are fabulous and they
39 want to enjoy the view and the lake, but they also want to improve the usability of the cabin. He stated
40 they want to improve the safety of it. He noted the system was professionally designed, permitted, and
41 installed as well as being inspected multiple times during the installation by the City as well. He stated
42 one of the points made was the view from the street. However, he pointed out that prior to them living
43 there, there were weeds across the entire section which were taller than the height of wood on the box
44 mount, which he believed was around 24 inches. He stated they did not bypass any process and they
45 used professionals to do this work.

1 Balfany closed the public hearing at 8:48 p.m.

2 Berg stated he did have additional information and can attempt to answer any questions that might come
3 up. He indicated he had joined the City last June 27 – not as a City Planner and/or a Community
4 Development Director, but it was his role at that time to enforce Ordinance violations. He stated after he
5 was promoted to his current position, the Department has made procedural changes to address
6 submission of plans in any manner that the Zoning Department will give final approval to hopefully
7 circumvent any of these from happening in the future.

8 Berg indicated he was out in the neighborhood today and took photographs of some of the properties to
9 address the essential character question. He showed the photographs taken of the structure and the
10 neighborhood.

11 Berg stated one option that might match the character of the neighborhood to install a 4-foot fence that
12 would cover up the 2-foot box, which would match the rest of the neighborhood.

13 Berg noted holding tanks had to be 50 feet from a well and they are required to have a maintenance plan.
14 He indicated in order to have a holding tank, according to City Ordinance, a variance hearing was a
15 requirement. He stated they would be here holding a hearing for a holding tank as well if that had been
16 presented.

17 Berg stated he had done some research into the holding tank as well as the explanation as to why a box
18 mound was a necessity on this property. He noted if they would have put a traditional septic mound on
19 this lot, the mound would have gone onto Coon Street as well as Ms. Roger's lot and therefore, a
20 traditional mound was not acceptable and that was the reason why they went with the box style mound.
21 He noted it wouldn't matter what system they would have been here for a variance for, a variance would
22 have to have been sought and the Commission needed to make their decision on what they would have
23 done if this structure was not there and what is the best solution to provide for the applicant's to use the
24 cabin in the form they want. He stated it was his understanding the applicants were upgrading and
25 adding a small kitchen as well as an actual bathroom to the cabin down the road, but to make it more
26 usable in the meantime, the septic system was a necessity and the addition of a well including the
27 distance to the neighbor's well was a definite consideration. He noted he did not have the depth of the
28 neighbor's well, but he assumed it was a shallow well, so the septic would have to be 100 feet from any
29 septic related items and he assumed the applicant's proposed well would be a deep well and they had to
30 be 50 feet away.

31 Berg indicated the design he was showing did not match the measurements that were on the survey
32 submitted at the same time, nor did they match what the building official and him measured so he had
33 requested the applicants provide him with a "now" version of a survey that properly places everything
34 on the current lot as it sits. He noted the septic box was currently sitting on the property line.

35 Berg noted there are also pumping requirements and he was not certain even if the septic area was not
36 where it was, but moved back deeper on the property, if they would want a septic trunk sitting on East
37 Front running a hose down the hill to pump a tank, but this was a consideration.

38 Berg stated the City does not regulate, permit, or test wells and that was the Minnesota Department of
39 Health's responsibility.

40 Berg indicated he was not with the City when any of this came in, nor was it his area of responsibility or
41 expertise and he was learning on the fly and he was providing all of the research he had done for the
42 Commission to make a decision.

43 Berg noted the State of Minnesota had said holding tanks should be used as a last resort.

1 Johnson asked if a holding tank was put in would that still impede the driveway. Berg responded they
2 would have to find a location that complies with the wells. He noted there were a number of
3 considerations of where this would need to be put into the soil as well.

4 Johnson asked if Berg had looked where the holding tank could go. Berg responded he had not because
5 without a mound, a holding tank had to have a variance hearing regardless.

6 Balfany requested a motion for discussion.

7 **Commissioner Plaisance moved and Commissioner Terry seconded to open up for discussion only**
8 **for this item.** Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.**

9 Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

10 Plaisance stated the way he was looking at this the mound is already built and the holding tank and the
11 lift tank are also installed. Berg responded to his knowledge that was correct.

12 Plaisance asked regardless whether they have to do a variance one way or the other, was it possible to
13 remove the mound system and just use the existing new tanks that have been installed for the mound
14 system in the amount of 2,500 gallons which was good for a small home, which this is. He stated even
15 if they have to do a variance, if they were to do that particular item, the only work that would need to be
16 done was the removal of the mound system. He asked if that was a possibility instead of removing the
17 mound system and the 2 holding tanks and then start the process over and have a variance for a new
18 holding tank. Berg responded hypothetically he thought so, but he was not a septic designer and he did
19 not know what there requirements would be with a holding tank by itself. He did know there was a
20 built-in alarm system that had to work with a maintenance agreement, etc. and he did not want to make
21 an assumption.

22 Plaisance believed that is something the City should consider. He felt this should be tabled to look at
23 other options for a holding tank and not the mound system, but he would let the discussion continue
24 first. He appreciated that there is concerns about the view and he understood this as he had a septic
25 system like this next door to him. However, he had a lot of concerns including he did not like the fact
26 that it is on City property. He did not know if it was possible to make minor alterations to the mound
27 system itself so they could cut off the corner in order to make it smaller. He believed there were a lot of
28 red flags on this item and should be reconsidered. He recognized Mr. Voss believed the City should be
29 on the hook for fixing the issue and he agreed with that. He stated it was not the fault of the homeowner
30 or the designer that put this together. He understood mistakes could be made, but on this one the ball
31 was dropped.

32 Plaisance stated he had concerns about the driveway not being there and so they are going to have to use
33 Coon Street in order to get to their house, which to him was not a good option. He believed if they are
34 going to use that road, which he understood they are currently using, if there was a holding tank, he
35 would have no problem with the truck coming by and using the Coon Street to get close enough to
36 empty the tank.

37 Berg stated with respect to the holding tank, that would not give them access off East Front Boulevard
38 as they would not be allowed to drive over a holding tank in the yard. Plaisance understood that, but to
39 him the holding tank would still be under ground and even though they couldn't drive over it, they could
40 still walk on it.

41 Berg noted they would still have to address that this did not have a driveway access and it did not
42 alleviate the problem. Plaisance asked what did they do then. He asked if they received a license from
43 the City to use Coon Street in order to access their property. Berg responded they could explore
44 licensing for them to use a sliver of Coon Street until they can get beyond the box mound and then

1 obligate them to get back onto their property. He noted right now they have approximately 6 feet
2 between the box and their property line and a typical driveway is 12 feet wide, though it can be
3 narrower, and once they get 20 feet beyond the box they would need to get back onto their property.

4 Plaisance believed there should be plenty of space on the north side of the property to put in a driveway.
5 He noted this would also remove the mound system from public property. He stated they could also
6 vacate Coon Street, but because they have the sewer system in there that drains off into the lake, they
7 couldn't put a mound system or even this box over there either even if it was licensed for them to take
8 over that property, so to him that wasn't an option either.

9 Balfany reminded the Commissioners that tonight they are looking at the variance issue and while it is
10 hard not to give suggestions, the Commissioners are not here to debate the design or come up with
11 alternatives. The Commission is only an advisory Board to the Council and it will be the Council's
12 ultimate decision on this.

13 Balfany stated he lived in front of this property for 10 years and from what he can tell Coon Street has
14 always been the access point for this property. He indicated he had to mow it a few times just to clean
15 up the Boulevard on the right-of-way just to keep it looking decent as it was minimally occupied and
16 when there were vehicles, they were parked on Coon Street which did impede some people from having
17 access to the lake.

18 Balfany stated he agreed he would not want to look at this either, but fresh wood looks cleaner than the
19 stuff that was there in the past though. However, going back to the original intent of the variance, he
20 could not see that this would have been approved had it come before the Commission previously. He
21 believed this was something where they would have had a lengthy discussion and tried to help come up
22 with ideas, but this had a narrow property and they needed driveway access.

23 Balfany stated he would not have approved this, but he respected the City made a mistake and they
24 should stand behind that. But unfortunately, this one needs to go to the Council to decide or find out
25 what the repercussions would be from the City Attorney because although this does affect the
26 neighborhood, this also affected the residents and to what that financial obligation might be did bear
27 weight in this discussion. He stated he could not see approving this variance at this time in the way it
28 was coming forward to them right now.

29 Allenspach stated the first time she drove by this it was covered in snow and she thought what can they
30 do as it was already there. Then once she received the information and saw how close it was to the
31 property line, she thought something different needed to be done. She indicated today when she drove
32 by and knowing about the property line and the marker, she thought this would never have been
33 approved. Then she started thinking of ways to make this look "pretty", but they can't do that and this
34 needs to be fixed and done properly.

35 Balfany noted he was still living on this street, but at the end of the block and knowing that there are
36 multiple holding tanks on this street – some on cabin properties and some on full-time resident's
37 properties, one of which is directly in front of his house – and monthly the holding tank was pumped,
38 which was unsightly and the smell is not preferred, but it is a reality of the situation. He did not believe
39 the variance would have been approved and he can't approve it as it sits currently, but he is not going to
40 recommend how this should be done differently as he is not a sewer expert.

41 Johnson stated in the years she has been on the Commission, she thinks they lean towards giving
42 variances after the fact if it is at all possible, but in this case to her it seems like this needs to be fixed.
43 She was concerned about not having a driveway there and that is a large variance that would need to be
44 asked for also.

1 Terry stated he did not know what the safety concerns are, but if Coon Street got blocked by a falling
2 tree, or if anything made it inaccessible and they needed to get a fire truck or ambulance there, it would
3 not be a good situation. He did not believe a variance would have been approved even though
4 sometimes in those situations variances are granted because of the uniqueness, but they know in this
5 circumstance the neighbors were voicing negative opinions and this was impacting the neighborhood,
6 which was one of the considerations. He noted all of the reasons presented appeared to be sound.

7 Terry stated if they would not approve this without it being built and given the objections, he did not see
8 them giving this a pass and letting it go forward. He believed it needed to be reconsidered and
9 alternatives needed to be looked at.

10 Hanschen agreed with the other Commissioners. He asked Berg hypothetically if they proceeded
11 forward with this and the variance was denied and they had to come up with a solution and somebody
12 had to pay for the solution, he asked if the contractor deviated from the drawing presented and permitted
13 and thereby putting some kind of liability on them for this. Berg explained the two diagrams he used for
14 his comparison and where the system was going to be placed and where it was placed.

15 Hanschen noted where the system was placed was different. Balfany noted it was not up to the
16 Commission who was at fault and there were multiple areas where things could have been caught along
17 the way from a number of entities. He stated at no point was anyone saying the property owners were
18 being devious in this, but what was before them was a variance for the septic system and they are being
19 asked to look at this as if it was just coming before them and the consensus he was feeling from the
20 Commissioners is that it would not have been approved at that time.

21 **Commissioner Johnson moved and Commissioner Terry seconded to recommend to the City**
22 **Council denial of Resolution No. 2023-19, granting a variance to the standard allowing for the**
23 **installation of a septic mound at the southern side yard setback standard from 10 feet to 0-3 feet,**
24 **the northern side yard setback from 10 feet to 6-7 feet and the western front property line from 10**
25 **feet to -.06 feet; -1.7 feet for the placement of a septic box mound at 19141 E. Front Blvd. NE with**
26 **conditions.** Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany
27 asked any opposed? That motion passes. **Motion passes unanimously.**

28 **6.0B Public Hearing: Conditional Use Permit Amendment – Site Expansion: A-Blast, Inc., 21473**
29 **Johnson St NE**

30 Berg presented the staff report indicating Classic Construction, INC., on behalf of R. Family Holding,
31 LLC., has submitted an application for a site plan review as a requirement of the expansion to A-Blast,
32 INC., located at 21473 Johnson St NE. In addition to A-Blast, INC. R. Family Holding, LLC. owns
33 Coriecity Coatings, currently operating in Elk River. The proposal consists of the adding an 80' X 58'8"
34 addition to the existing building.

35 Berg indicated the property is zoned B-3 – Highway Commercial Business, which allows uses
36 associated with general retail shopping. A-Blast, INC. was and is permitted to operate by Conditional
37 Use Permit 2004-0015, approved on November 17th, 2004.

38 Berg stated a site plan review is required prior to issuance of a building permit for new construction or
39 additions to commercial buildings greater than 25 percent of their existing building footprint. The
40 existing building footprint is 5000 square feet and the proposed warehouse addition is approximately
41 4700 square feet.

42 Berg noted the building exterior proposed is consistent with the current structure, which is legally non-
43 conforming. Approval of this site plan would be an expansion of the legally non-conforming status of
44 this structure and building materials.

1 Berg indicated City staff have reviewed the proposed Landscape Plan which in compliance with code
2 requirements. The existing tree cover on the North, South and West side of the property provides natural
3 screening. The proposed landscape plan adds a row of 3-4-foot-tall shrubs along the East property line.

4 Berg stated in the proposed renderings of the addition there is an additional light shown over the main
5 overhead door.

6 Berg noted the existing facility has ten designated parking spaces. The Parking Plan includes the
7 addition of eight new spaces for a total of eighteen. Per Appendix A- Zoning, Section 22-7 an industrial
8 or research establishments require five spaces, plus one for every 1½ employees in the largest working
9 shift, or one for every 350 square feet of usable floor area, or whichever is determined to be the greater.
10 While warehousing, storage, or handling of bulk goods requires one space for each employee on the
11 largest working shift, or one for every 1,700 square feet of usable floor area, whichever is greater, plus
12 one space for each company-owned vehicle (if not stored inside the principal structure). These two
13 designations based on square footage calculations provide for a range of an additional 2.76 to 13.43
14 spaces to accommodate the additional warehouse square footage space.

15 Berg stated in this situation, considering the present use as well as future uses of the property, staff finds
16 the addition of eight (8) parking spaces reasonable for the following reasons:

17 The business at the conclusion of the addition will be expanded to 3 total employees.

18 The existing hours of operation are daytime hours only.

19 Should the warehouse be converted to work floor area there is additional space on the property to
20 accommodate additional parking.

21 Berg recommended the Planning Commission review the site plan and make a recommendation of
22 approval to City Council with the conditions set forth in Resolution 2023-XX and accompanied exhibits.

23 Balfany opened the public hearing at 9:35 p.m.

24 There were no comments made.

25 Balfany closed the public hearing at 9:35 p.m.

26 **Commissioner Terry moved and Commissioner Hanschen seconded for a discussion on this item.**

27 Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any
28 opposed? That motion passes. **Motion passes unanimously.**

29 Terry stated he was not sure why this was a non-conforming use, other than zoning says so. He believed
30 the type of business and where it was located, he did not see why it would not make sense to have it
31 there. He stated the expansion seemed reasonable for the business type and in keeping with the
32 character of the area.

33 Balfany asked from the City staff's point of view, were there any areas of concern. Berg responded that
34 except for the large drainage ditch and utility easement on the east side of the property which the
35 applicant has satisfactorily addressed with the City Engineer, he did not know of any other concerns.

36 Balfany asked based on history have they had any complaints during the tenure of their CUP. Berg
37 responded he had no documentation of the previous owner's CUP history and this owner inherited this
38 CUP based on the use they have not had any complaints with the new owner.

39 Terry asked if this was a change of business. Berg responded he did not want to misspeak, but he
40 believed they are going to relocate their powder coating business from Elk River to East Bethel so they
41 have one site. He indicated they are going to still do sandblasting and powder coating under the same

1 roof at this point. He noted the CUP requirement for storage was significant in this issue because they
2 are not allowed to have exterior storage beyond what is essential for highway commercial business and
3 therefore they are proposing this warehouse space to keep things stored indoors, which would not violate
4 the Ordinance for storage in the business district.

5 Terry asked if staff had received any complaints about this business. Berg responded they had not.

6 Plaisance noted that currently the sandblasting is being done on the property, but now they are going to
7 be doing powder coating on the property also. Berg responded that was his understanding.

8 Plaisance stated they were adding a different type of business. Balfany noted industry wise,
9 sandblasting and painting go hand in hand.

10 Plaisance realized they were related, but this is still an addition to what was currently being done there.
11 Berg responded that was correct.

12 Hanschen asked Plaisance why he was asking those questions. He asked if he was concerned about it.
13 Plaisance responded his only concern was the waste. He stated while this would be a concern of his, he
14 did not think that dealing with the waste from the powder coating was necessarily under the City's
15 prevue and it is his understanding this might be the MPCA. Berg responded the applicant would be
16 required to comply with all environmental concerns within the State.

17 Hanschen asked if this amendment was just about the storage, did Berg believe the applicants would
18 need to make another amendment to combine the two businesses. Berg indicated they were asking the
19 Commission to amend their current CUP to allow for the powder coating and the warehouse expansion.

20 **Commissioner Plaisance moved and Commissioner Terry seconded to recommend to the City**
21 **Council approval of Resolution No. 2023-27, for the amendment to the CUP for 21473 Johnson**
22 **Street, NE, East Bethel, PIN: 08-33-23-34-0006, with conditions.** Balfany asked any discussion? To
23 the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes.
24 **Motion passes unanimously.**

25 Berg presented the staff report stated Classic Construction, INC., on behalf of R. Family Holding, LLC.,
26 has submitted a concept plan application for an expansion to A-Blast, INC., located at 21473 Johnson St
27 NE. In addition to A-Blast, INC. R. Family Holding, LLC. owns Coriecity Coatings, currently operating
28 in Elk River. The proposal consists of the adding an 80' X 58'8" warehouse and storage addition to the
29 existing building. The proposed addition would house interior storage and be staging area for the
30 products either waiting to be powder coated or waiting for pickup.

31 Berg noted the property is zoned B-3 – Highway Commercial Business, which allows uses associated
32 with general retail shopping. A-Blast, INC. was and is permitted to operate by Conditional Use Permit
33 2004-0015, approved on November 17th, 2004.

34 Berg stated the exterior storage is limited to essential business-related material as a condition of the
35 permit.

36 Berg stated an amendment to the original CUP is required for the following reasons:

- 37 1. The business is a legal nonconforming use. This means the business is legal because a CUP was
38 previously approved, however, current city code does not allow for this type of business in the
39 B3 – Highway Commercial Business district; therefore it is nonconforming. City Council has the
40 authority to determine if a legal nonconforming use can be expanded.
- 41 2. When a conditional use expands its footprint, an amendment to the original CUP is required.

1 Berg noted if the CUPA is approved, a site plan review is required prior to issuance of a building
2 permit for new construction or additions to commercial buildings greater than 25 percent of their
3 existing building footprint (Appendix A, Sec. 04, 12. – Site Plan Approval). The existing building
4 footprint is 5000 square feet and the proposed addition of approximately 4700 square feet.

5 Berg requested the Planning Commission hold a public hearing and make a recommendation to the City
6 Council approving the CUPA to the with the conditions set forth in Resolution 2023-XX.

7 **Commissioner Plaisance moved and Commissioner Allenspach seconded to recommend to the**
8 **City Council approval of Resolution No. 2023-28, approving the site plan review for the expansion**
9 **of a legal nonconforming use at 21473 Johnson Street, NE, East Bethel, PIN: 08-33-23-34-0006.**
10 **with conditions.** Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.**
11 Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

12 6.0C Public Hearing: Proposed Ordinance Amendments

13 Berg presented the staff report stating at the April 3, 2023 City Council meeting, Council Members Jim
14 Smith and Tim Miller recommended amendments to various city codes which are contained in the
15 Zoning Code. Council directed staff to route the amendments to the Planning Commission for a Public
16 Hearing and recommendation.

17 Berg recommended the Planning Commission hold a Public Hearing and make recommendations to the
18 City Council on the proposed amendments.

19 Balfany opened the public hearing at 9:47 p.m.

20 There were no comments made.

21 Balfany closed the public hearing at 9:47 p.m.

22 **Commissioner Balfany moved and Commissioner Hanschen seconded to open for discussion.**
23 Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any
24 opposed? That motion passes. **Motion passes unanimously.**

25 The Planning Commission held an in-depth and lengthy discussion regarding the proposed amendments
26 to the Zoning Code. Following discussion and questions from staff, the Planning Commission reached
27 consensus to recommended the following amendments:

28
29 Chapter 74, Section 74-95 - Subsection C: The Planning Commission was concerned this would
30 dissuade owners from applying for any building permits. Therefore, the recommendation was to **strike**
31 **“if a property owner” and replace it with “when a building permit or variance is applied for that**
32 **affects the capacity of a subsurface treatment system”.**

33
34 Appendix A, Section 14 - Subsection 5: Following discussion, the recommendation was to **remove**
35 **Section 5a or just striking out the temporary storage for an agricultural zone.**

36
37 Section 24 and Section 28: **Due to the late hour, the Planning Commission reached no**
38 **recommendation and will consider these two sections at their next meeting.**

40 5.0 Updates

41 Council Liaison Lewis asked if any of the Commissioners had seen last night’s Council meeting. He
42 recommended the Commissioners watch it. He updated the Commission on recent Council actions.
43

1 Berg stated there would be a short Special Planning Commission meeting on May 9 to discuss a zoning
2 request.
3

4 **6.0 Adjournment**

5 **Commissioner Plaisance moved and Commissioner Allenspach seconded to adjourn at 11:02 pm.**

6 Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any
7 opposed? That motion passes. **Motion passes unanimously.**

8 Submitted by:

9 Kathy Altman

10 *TimeSaver Off Site Secretarial, Inc.*
11

INTRODUCTION

Thank you for allowing me the time to share my thoughts. Who am I? I am the neighbor at 19139 which is the bordering property directly to the south of the variance request. I want to start by saying to Jim and Molly that my words today are not directed to them because I presume that following building code is the contractor's responsibility. My words today are directed to the East Bethel system and the keepers of the system. My goal is to get my perspective on the record so that an appropriate resolution can be achieved. I'd prefer to read this statement through to the end before engaging in discussion.

My talking points today are:

1. Property space
2. System breakdown
3. Incomplete Resolution content
4. The desire to make this go away
5. Conclusion

1. PROPERTY SPACE

19139 is a narrow pie-shaped lot that is about 30ft wide near the septic box mound. Just pause for a moment at 30 feet....many of your driveways are wider than 30 feet...the entire LOT width is 30ft in this area. Space on this lot is precious.

Space on EVERY property is precious – that's why East Bethel has systems in place to regulate what is and what is not allowed with spaces. It helps people decide what to do with their space projects. I hope the system is meant for owners to have comfort with their space no matter the lot size, big or small. In my lifetime, East Bethel has been very watchful and very engaged in space projects. Not so much in 2022.

2. SYSTEM BREAKDOWN

There is no debating the system failure in this instance, from planning to approval to construction – no one was minding the store. Many in the neighborhood watched in disbelief last summer. This was not the watchful and engaged East Bethel of the past.

Now the system is asking that I look the other way at these misses; allow the system breakdown to continue by shuffling some papers that disregard what was overlooked; get everyone to agree that everything is fine; move on and never look back. It might work for you on this Council to accept what has happened because it is just paperwork and approvals. Get documentation that everyone is ok and move ahead. However, decisions and execution of projects like this directly impact the property values and livability atmosphere we should be striving to protect in East Bethel, and on Coon Lake.

3. INCOMPLETE RESOLUTION CONTENT

- A. The complete omission of a strategy for the original outhouse on the property since the May 2022 application-approval through today is mystifying. I expect the Committee to modify the Resolution content to add specific and time-based measures to address the proper outhouse removal.
- B. The comparison to the 4640 E. Front Blvd. septic modification is substantially irrelevant because that entire system is underground and invisible. I expect the Committee to modify the Resolution content to add a relevant septic comparison that includes a septic box mound in the neighborhood, preferably on East Front Blvd. If a comparison is not available, there seems to be no basis for the claim "...variance would not alter the essential character of the neighborhood". How is this completely subjective parameter measured, anyway? The septic box mound is an unattractive structure and is clearly causing disruption already.
- C. The Resolution states "...the property has limited space for a compliant drain field.". This argument seems applicable only because the septic box mound is already built. Had this variance been proactively reviewed before construction, alternatives to a drain field OR alternative drain field designs could have been considered.
- D. The Resolution refers to Coon Lake Beach several times, a completely separate neighborhood across the lake. I expect that Coon Lake Beach references are removed for historical accuracy.

- E. Attachment 5 (License and Use Agreement) grants permission for a well and “drinking water service”. Why would the city allow for a well in the right of way? Well and drinking water does not appear at all in the Resolution content. I expect that both documents would match (preferably to remove the well clause) and should be updated accordingly.
- F. Attachment 7 (Titled MPCA Certificate #65) mentions capping of a shallow well. None of today’s documents mention capping the unused shallow well on the property. I expect the Resolution and/or License to be updated to demonstrate either that the shallow well on the property was properly capped previously OR will be capped now OR will be put into service use.
- G. There is no way to properly enter 19141 from the road. How is it possible for the East Bethel systems to allow for the creation of a land locked property? It was not land locked prior to these events. I expect that the Resolution be updated for the addition of a driveway to the property so that it is accessible from the road without the use of Coon St.

THE DESIRE TO MAKE THIS GO AWAY

These are some of the items that are being asked of the neighborhood and me:

- I am being asked to accept complete disregard to the **minimum setback** off my property line and to allow encroachment onto my lot. Normally, variances are for instances where there are no other solutions. For this septic box mound, there isn’t a reason why this system wasn’t proactively designed differently, honoring the property boundaries.
- The neighborhood is being asked to accept complete disregard to the **minimum setback** off the city right of way. Same thing...there isn’t a reason why this system wasn’t proactively designed differently, honoring the right of way boundaries.
- The neighborhood is being asked to accept that there is **no way to properly enter 19141** from the road. Same thing...there isn’t a reason why this system wasn’t proactively designed differently from the beginning to allow for property access. **How is the septic designer being held responsible for their role in all of this? Property access is very elementary, isn’t it?**
- The neighborhood is being asked to accept an **unattractive structure** when other options exist and could have been proactively discussed and optimized prior to its construction.
- Why should the community be asked to accept the East Bethel **system failure**?

CONCLUSION

We all know that variances are supposed to come before construction and not after. We all also know that the simplest solution for East Bethel is to record this variance after the fact, push the paperwork, and be done with it. I am not convinced to accept this “simple” solution. Your next question probably is - what solution would you accept? As an engineer and a problem solver I can come up with several solutions ranging from starting all over again to finding novel solutions to rectify the current violations. I expect city employees and septic designers to engage and generate the novel solutions. This variance situation is not resolved...legal property/land rights are in question, property values are impacted, and as neighborhood group we should understand how this impacts everyone. The Council cannot vote yes to approve the variance.

1 **DRAFT MINUTES: NOT YET APPROVED**

2
3 EAST BETHEL SPECIAL PLANNING COMMISSION MEETING
4 Mary 9, 2023

5
6 MEMBERS PRESENT: Chair Tanner Balfany, Glenn Terry, Sherry Allenspach, Sharon Johnson, Randy
7 Plaisance, and Joe Reiter

8
9 MEMBERS ABSENT: Gabriel Hanschen

10
11 ALSO PRESENT: Jack Davis, City Administrator
12 Aaron Berg, Zoning Administrator/City Planner
13 Tim Harrington, Mayor
14 Kevin Lewis, City Council Liaison

15
16 **1.0 Call to Order**

17 Chair Balfany called the Special Planning Commission meeting to order at 7:30 pm.

18
19 **2.0 Adopt Agenda**

20 **Commissioner Johnson moved and Commissioner Allenspach seconded to adopt the agenda as**
21 **presented.** Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany
22 asked any opposed? That motion passes. **Motion passes unanimously.**

23 **3.0 Oath of Office – Commissioner Joe Reiter**

24 Berg administered the Oath of Office to Joe Reiter.

25 **4.0 Public Hearing: Zoning Map Amendment – 23620 Baltimore St NE**

26 Berg reviewed staff's report stating on July 9th, 2021 River West Homes Inc. purchased (PIN: 32-34-
27 23-12-0022), 23620 Baltimore St NE, from St Andrews Lutheran Church. Although this was originally
28 platted in September of 2001 as Lot 7 of Block 1 of the Birch Meadows 2nd Edition, this parcel was
29 subsequently zoned (P) Public as a result of the previous owner being a church.

30 Berg stated the City received a request for the rezoning from River West Homes Inc. who has
31 constructed a single-family residence on the parcel. The Birch Meadows subdivision is Zoned Single
32 Family (R-1) therefor the rezoning would be consistent with surrounding properties.

33 Berg indicated the rezoning request aligns with the approved 2040 Comprehensive Plan. The single-
34 family residential (R-1) district is intended and designed to provide for certain low-density residential
35 areas now developed with single-family dwellings and areas where similar residential development is
36 likely to occur. No more than one single-family dwelling is permitted per lot. There are no
37 Comprehensive Plan changes required for this rezoning.

38 Berg requested the Planning Commission hold a public hearing and make a recommendation of approval
39 to the City Council for the zoning amendment to the City of East Bethel Official Zoning Map.

40 Balfany opened the public hearing at 7:32 p.m.

41 There were no comments made.

42 Balfany closed the public hearing at 7:32 p.m.

43 **Commissioner Balfany moved and Commissioner Johnson seconded to recommend approval**
44 **Ordinance 2023-08 to City Council for the Zoning Amendment to the City of East Bethel Official**
45 **Zoning Map.** Balfany asked any discussion?

1 Plaisance asked if this was the only parcel, other than the lot owned by the Church, that was currently in
2 the different zoning. Berg responded that was correct and he showed the location on the map. He noted
3 the church no longer owned the lot and there was no reason to keep it zoned public or institutional at his
4 point so it could be put back into the subdivision as a residential parcel as it was originally platted in
5 2001.

6 Reiter asked if it would be possible in the future when the Commissioners get these kinds of changes, if
7 staff would get the lot specified in the language instead of just the map for a clear record of any changes
8 in the future. Plaisance noted normally there is a PIN number attached to the Ordinance. He stated this
9 might be different because it is a zoning change. He stated normally when an Ordinance is changed, it
10 affects more than one property.

11 Balfany stated they were just updating the zoning map to show that this parcel was being changed from
12 public institutional to residential and it was an update to the entire map based on this one parcel.

13 Plaisance asked if Reiter was asking for something more specific in the Ordinance that would identify
14 the property either by the PIN number or the address to identify this change. Berg responded he would
15 research this. He noted the other two experiences he has had working for the City is that this was the
16 template that was used in the last two rezoning Ordinance changes/map amendments so he continued to
17 use that same format. He stated he had no issue researching it further if that was the wish of the
18 Commission.

19 Reiter stated if they don't need to do it, that is fine but he believed it would be clearer for posterity just
20 to have the changed language in the Ordinance as well so when people are looking at this in the future
21 they don't have to review the maps to figure it out. He noted this was a small change on the map that it
22 might be missed as to what the change was, but he had no issue with this request. Berg responded he
23 would look into this further to see what could be done.

24 To the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes.
25 **Motion passes unanimously.**

26 Berg stated last night during the City Council meeting, two of the four Ordinances the Planning
27 Commission reviewed at their prior meeting would be coming back to the Commission for further
28 review and recommendations for something more formal. He stated the City Council also agreed to
29 allow the EDA to review those two Ordinance Amendments as well for more feedback.

30 Balfany asked if the Council was looking for unanimous recommendations. Berg responded the Council
31 was not looking for unanimous recommendations, just a more formal action/recommendation versus one
32 Commissioner thought this, one thought that, etc.

33 Balfany stated the way it was presented to the Commission, he thought the Council was just looking for
34 feedback. Berg agreed, but those two were more involved than just looking for feedback and there
35 probably should have been formal recommendations.

36 Balfany stated if that was what the Council was looking for, they should have indicated that was what
37 they were looking for.

38 Reiter stated he had watched the meeting last night and Councilmember Smith did appreciate the
39 feedback and the language changes from homeowner to when the permit was pulled. Johnson indicated
40 she did not remember hearing that.

41 Balfany stated at the City Council Work Meeting a couple of weeks ago, some of the language in the
42 Council packet was important and he recommended every person on the Commission look at that and
43 see how the City Council feels and depicting the Commissioners and what the Council's intentions are
44 for the Commission/Commissioners.

1 **5.0 Adjournment**

2 **Commissioner Johnson moved and Commissioner Allenspach seconded to adjourn at 7:40 pm.**
3 Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any
4 opposed? That motion passes. **Motion passes unanimously.**

5 Submitted by:
6 Kathy Altman
7 *TimeSaver Off Site Secretarial, Inc.*
8

**City of East Bethel
Planning Commission Regular Meeting
Agenda Item Information**



Date: May 23, 2023

Agenda Item Number: 4.0

Agenda Item: Concept Plan – Designing Earth Contracting, Inc. - 187th Ln NE at Ulysses St NE

Background Information:

Designing Earth Contracting, Inc., an existing East Bethel contractor, has submitted a concept plan application for the construction of a new, 19,000 square foot, office and shop space near the intersection of 187th Ln NE and Ulysses St NE. The new building will consist of 7,500 square foot office, an 11,500 square foot shop and over 80,000 square feet of rear and side yard storage area.

The proposal includes the use of a combination of precast concrete panels, glass and brick.

Property Zoning

The property is zoned (I) – Light Industrial and Appendix A, Sec. 48 (4) permits Construction Service though Conditional Use. Additionally, Exterior Storage in the Light Industrial Zone is also regulated by Conditional Use Permit.

Next Steps

City Staff will provide all informal comments to the applicant in preparation for their submission of Conditional Use Permit and Site Plan Approval Applications.

Recommendation:

Staff recommends the Planning Commission provide comments in addition to an approval of the concept plan.

Attachments:

1. Location Map
2. Aerial Map
3. Concept Plan
4. Applicants Letter
5. Section 48 LIGHT INDUSTRIAL (I) DISTRICT
6. Section 24 (4) I DISTRICT EXTERIOR STORAGE
7. Section 28 (3) LIGHT INDUSTRIAL ARCHITECTURAL STANDARDS

Planning Commission Action:

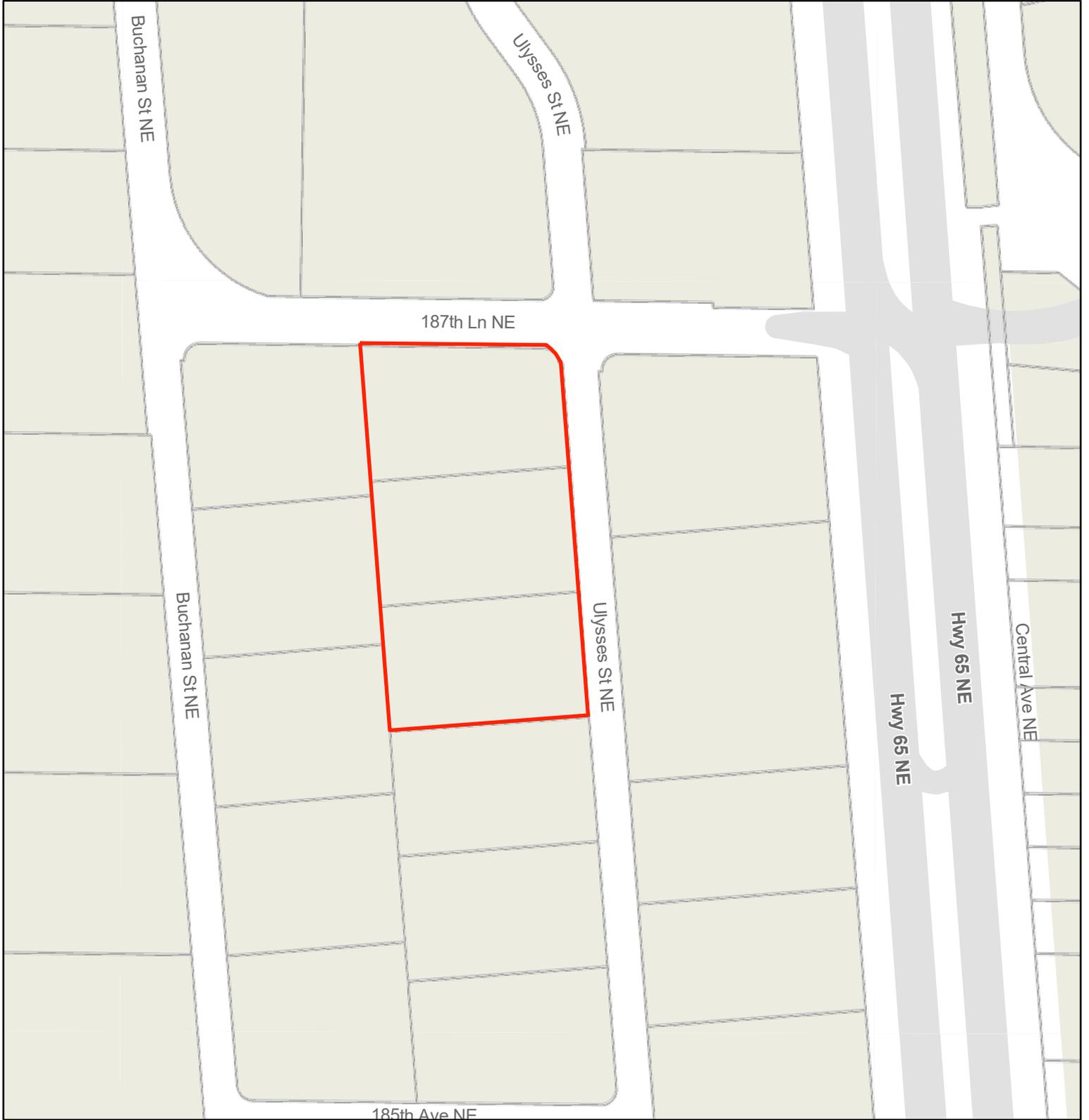
Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

DEC - Location Map



-  Parcels
-  City Mask

1 inch equals 252 feet



187th & Ulysess St NE



Wetlands

-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland
-  Freshwater Pond

-  Lake
-  Riverine
-  Parcels
-  City Mask

1 inch equals 252 feet





DESIGNING EARTH CONTRACTING – NEW OFFICE

18800 Ulysses St.
East Bethel, MN 55011



IMAGE FOR ILLUSTRATION PURPOSES ONLY- NOT TO BE USED FOR CONSTRUCTION

DEFERRED SUBMITTALS

BY OTHERS

- ENGINEERED TRUSS DIAGRAMS
 1. REVIEW OF SPECIAL INSPECTIONS REPORTS
 2. FIRE SPRINKLER SYSTEM DRAWINGS
 3. DESIGN BUILD MECHANICAL AND ELECTRICAL DRAWINGS.

SHEET INDEX

SHEET NUMBER	SHEET NAME	PRECAST AND STEEL 04/14/2023
GENERAL		
A0.1	TITLE SHEET	●
A0.2	PARTITION TYPES, SYMBOLS, ABBREVIATIONS	●
A0.3	CODE DATA AND CODE FLOOR PLAN	
ARCHITECTURAL		
A8.2	INTERIOR ELEVATIONS	
A2.1	FIRST LEVEL FLOOR PLAN	●
A2.2	SECOND LEVEL FLOOR PLAN	●
A2.3	ENLARGED PLANS	
A3.1	EXTERIOR ELEVATIONS, EXTERIOR MATERIAL FINISH SCHEDULE	●
A4.1	ROOF PLAN	●
A5.1	WALL SECTIONS	●
A5.2	WALL SECTIONS	●
A5.3	WALL SECTIONS	●
A6.1	DETAILS	●
A6.2	DETAILS	●
A7.1	OPENING SCHEDULE, DOOR TYPES, FRAME TYPES	●
A7.2	ALUMINUM FRAME TYPES	●
A8.1	TYPICAL MOUNTING HEIGHTS/ INTERIOR ELEVATIONS	●
A9.1	REFLECTED CEILING PLAN	●
A10.1	INTERIOR MATERIAL IDENTIFICATION & ABBREVIATIONS	●
A10.2	FLOOR FINISH & WALL FINISH PLANS	●
A11.1	FURNITURE PLAN - FOR REFERENCE ONLY	●

PROJECT DIRECTORY

OWNER

Designing Earth Contracting Inc.
 18651 Buchanan Street NE
 East Bethel, MN 55011
 Contact: Jesse Neumann
 Phone: (#763) 238-2618
 jesse@decmn.com

STRUCTURAL

Innovative Structural Solutions, P.A.
 5279 Kyler Ave NE
 Albertville, MN 55301
 Contact: Michael Van De Riet
 Phone: 763) 425-9960
 mvanderiet@isseng.com

ARCHITECT

Pope Design Group
 767 N. Eustis Street, Suite 190
 St. Paul, MN 55114
 Contact: Jon LaCasse
 Phone: (651) 789-1591
 jlacasse@popedesign.com

MECHANICAL

Design Build - TBD

CIVIL

Contour Civil Design
 8195 Vernon Street
 Rockford, MN 55373
 Phone: (612) 730-2265

ELECTRICAL

Design Build - TBD

LANDSCAPE

TBD

GENERAL CONTRACTOR

TBD

LOCATION MAP



SITE LOCATION:
 18800 Ulysses St.
 East Bethel, MN 55011



NOT FOR CONSTRUCTION



POPE DESIGN GROUP
 767 N. EUSTIS STREET, SUITE 190
 ST. PAUL, MINNESOTA 55114
 651.642.9200
 WWW.POPEDESIGN.COM



DESIGNING EARTH CONTRACTING – NEW OFFICE EAST BETHEL, MN

PRICING SET
 4-26-2023

TITLE SHEET

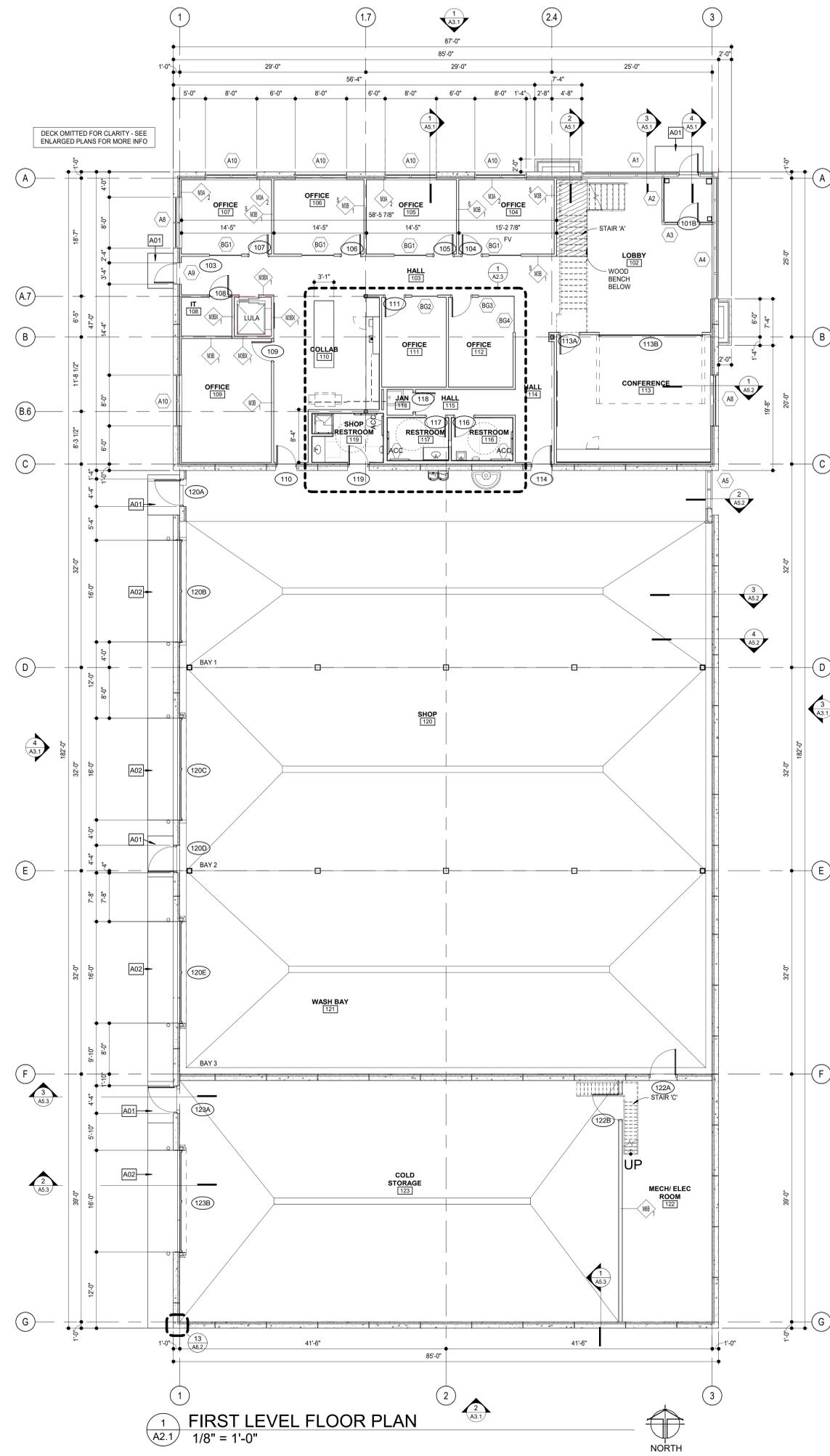
ISSUES & REVISIONS	DATE
PRECAST & STEEL	04/14/23

COMMISSION NO: 22733-23029
 DRAWN BY: RT
 CHECKED BY: JL

SHEET

A0.1

TRUE SHEET SCALE



DECK OMITTED FOR CLARITY - SEE ENLARGED PLANS FOR MORE INFO

FLOOR PLAN GENERAL NOTES

A. DO NOT SCALE DRAWINGS.

B. NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES.

C. IN THE CASE OF AMBIGUITIES, DISCREPANCIES OR IRREGULARITIES IN THE DRAWINGS AND/OR SPECIFICATIONS, THE CONTRACTOR SHALL SUBMIT A WRITTEN REQUEST FOR CLARIFICATION FROM THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

D. IN ALL CONSTRUCTION TYPES, ALL WOOD USED IN THE FOLLOWING LOCATIONS IS TO BE PRESERVATIVE-TREATED:

- WOOD IN CONTACT WITH THE GROUND OR WATER
- WOOD IN EXTERIOR FOUNDATION WALLS.
- WOOD IN CONTACT WITH CONCRETE SLABS-ON-GRADE, OR IN CONTACT WITH CONCRETE OR MASONRY FOUNDATION WALLS.
- WOOD WITHIN A CRAWL SPACE OVER EXPOSED EARTH.
- AT OTHER LOCATIONS NOTED ON THE CONSTRUCTION DOCUMENTS

E. ALL WOOD USED IN BUILDINGS OF TYPE I OR II CONSTRUCTION (SEE CODE DATA SHEET), IS TO BE FIRE-RETARDANT-TREATED, WITH THE FOLLOWING EXCEPTIONS:

- PRESERVATIVE-TREATED WOOD AS NOTED IN GENERAL NOTE "D" ABOVE.
- INTERIOR FLOOR FINISH AND INTERIOR FINISHES, TRIM AND MILLWORK SUCH AS CABINETRY, DOORS, DOOR FRAMES AND WINDOWS.
- BLOCKING FOR HANDRAILS, MILLWORK, CABINETS, AND WINDOW AND DOOR FRAMES.

F. SEE SHEET A0.2 FOR SYMBOLS, INDICATION OF MATERIALS, PARTITION TYPE DETAILS & ABBREVIATIONS.

FLOOR PLAN KEYED NOTES

A01	CONCRETE STOOB-SEE STRUCT.
A02	CONCRETE APRON-SEE STRUCT.
A03	PROVIDE BI-LEVEL ADA COMPLIANT DRINKING FOUNTAIN WITH BOTTLE FILLER. SEE MEP DRAWINGS FOR COMPLETE SCOPE OF WORK.
A04	PROVIDE BRADLEY S2000 54" X 4" STATION, FLOOR MOUNTED, SENSOR ACTIVATED WASH FOUNTAIN. SEE DESIGN BUILD MEP DRAWINGS FOR COMPLETE SCOPE OF WORK.
A05	LULA ELEVATOR, BASIS OF DESIGN 48" X 54" ARROW LIFT LULA. PROVIDE STAINLESS STEEL DOORS, JAMBS, AND CAB.

1 FIRST LEVEL FLOOR PLAN
 A2.1 1/8" = 1'-0"
 NORTH

NOT FOR CONSTRUCTION



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PRICING SET
4-26-2023

FIRST LEVEL FLOOR PLAN

ISSUES & REVISIONS	DATE
PRECAST & STEEL	04/14/23

COMMISSION NO: 22733-23029
 DRAWN BY: RT
 CHECKED BY: JL

SHEET

A2.1

NOT FOR CONSTRUCTION

PRICING SET
4-26-2023

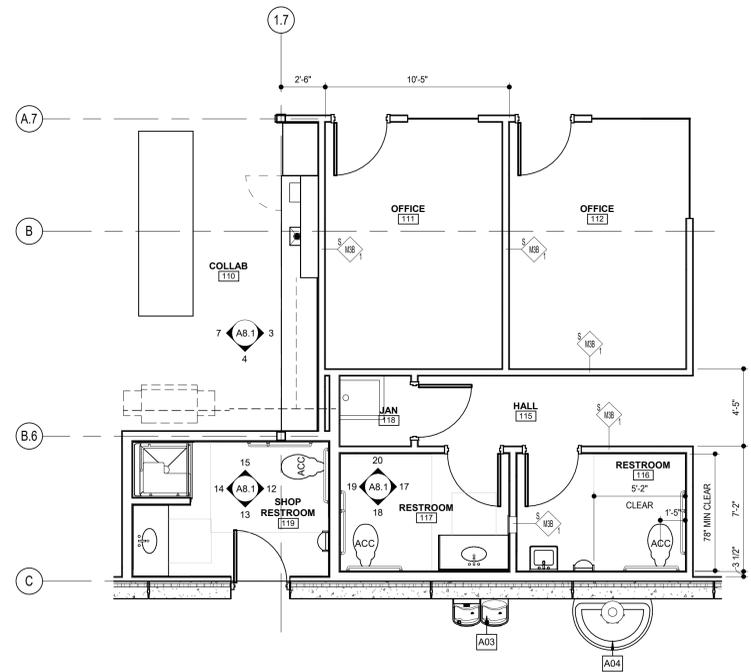
ENLARGED PLANS

ISSUES & REVISIONS	DATE
PRECAST & STEEL	04/14/23

COMMISSION NO:	22733-23029
DRAWN BY:	RT
CHECKED BY:	JL

SHEET

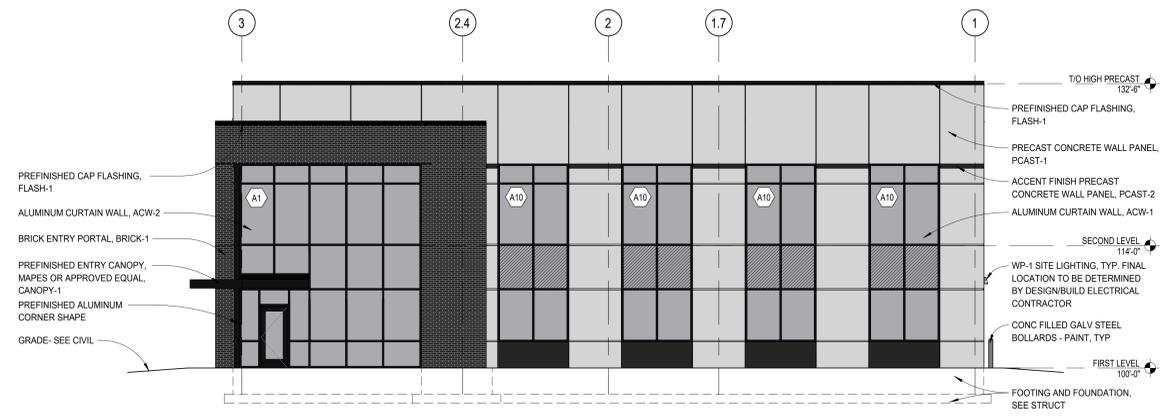
A2.3



1 ENLARGED PLAN - ROOMS 110,111,112, 115, 116, 117, 118, & 119
A2.3 1/4" = 1'-0"

EXTERIOR MATERIAL FINISH SCHEDULE					
MATERIAL ID	MATERIAL	MANUFACTURER	FINISH	COLOR	LOCATION
BRICK-1	FACE BRICK	TBD	TBD	BLACK	NORTH & EAST ELEVATIONS
PCAST-1	PRECAST CONCRETE WALL PANELS	FABCON	FORM FINISH - PAINTED	SW 6203 - SPARE WHITE	ALL ELEVATIONS
PCAST-2	PRECAST CONCRETE WALL PANELS	FABCON	FORM FINISH - PAINTED	SW 6258 - TRICORN BLACK	ALL ELEVATIONS
PCAST-3	PRECAST CONCRETE WALL PANELS	FABCON	FORM FINISH - PAINTED	SW 3554 - BEFORE THE STORM	SOUTH, EAST, & WEST ELEVATIONS
FLASH-1	CAP FLASHING	COATED METALS GROUP	PREFINISHED	DEEP BLACK	ALL ELEVATIONS
ACW-1	ALUM CURTAIN WALL - 2' 1/2" X 6"	OLDCASTLE	PREFINISHED	BLACK ANODIZED	ALL ELEVATIONS
ACW-2	ALUM CURTAIN WALL - 2' 1/2" X 7.5"	OLDCASTLE	PREFINISHED	BLACK ANODIZED	ALL ELEVATIONS
ASF-1	ALUM STOREFRONT - 2' X 4.5"	OLDCASTLE	PREFINISHED	BLACK ANODIZED	ALL ELEVATIONS
ASF-2	ALUM STOREFRONT 2' X 4.5" - CENTER GLAZED	OLDCASTLE	PREFINISHED	BLACK ANODIZED	ALL ELEVATIONS
CANOPY-1	PREFINISHED ALUMINUM	MAPES OR APPROVED EQUAL	PREFINISHED	BLACK ANODIZED, WOODGRAIN FINISH SOFFIT	NORTH & EAST ELEVATIONS

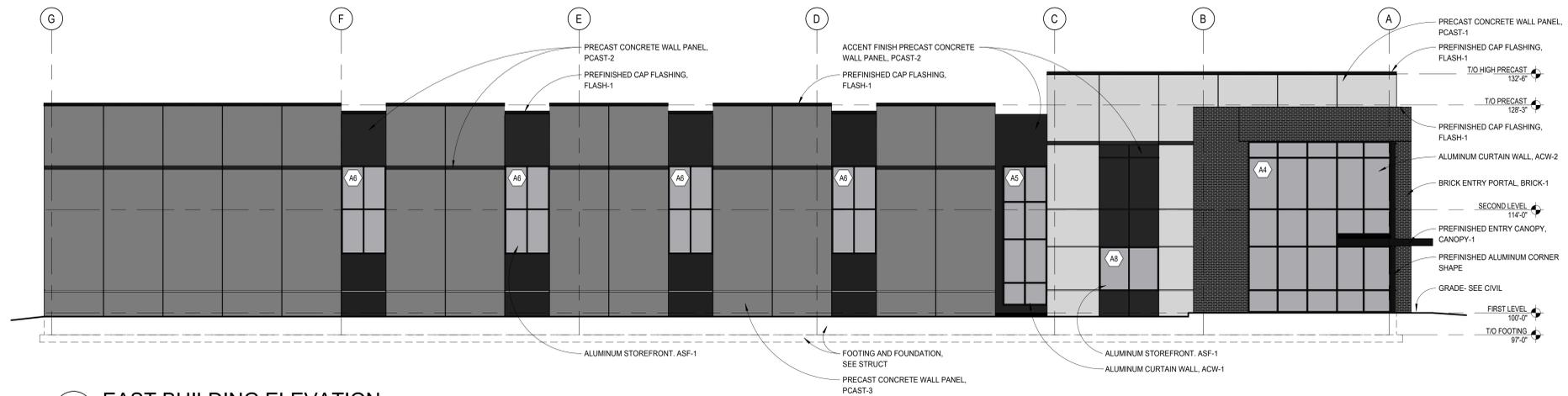
NOTE: THE "BASIS OF DESIGN" MATERIALS FOR THE PROJECT ARE LISTED ON THE SCHEDULE ABOVE. SEE SPECIFICATIONS FOR ADDITIONAL MATERIAL INFORMATION AND OTHER APPROVED SUBSTITUTIONS.



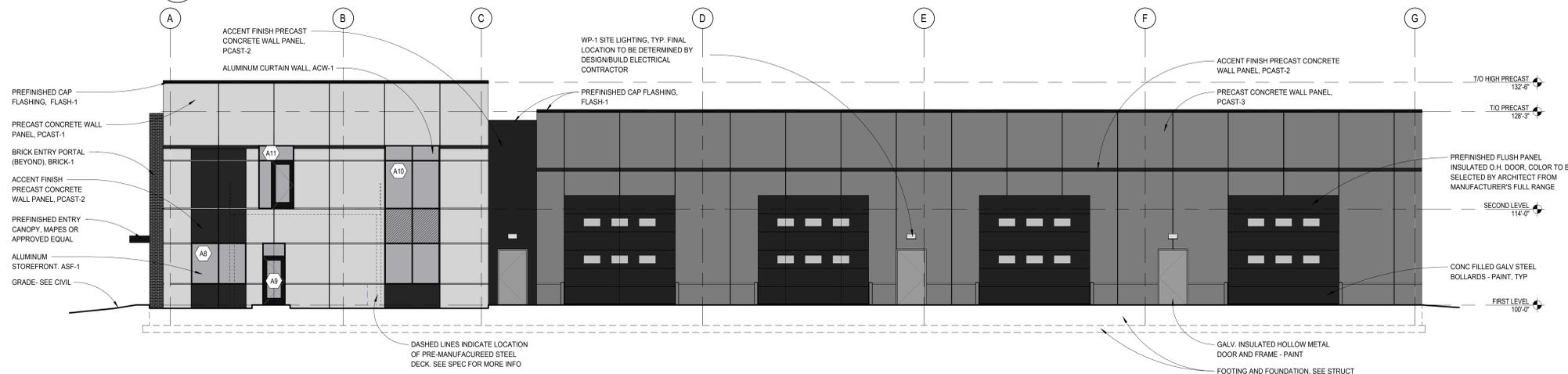
1 NORTH BUILDING ELEVATION
1/8" = 1'-0"



2 SOUTH BUILDING ELEVATION
1/8" = 1'-0"



3 EAST BUILDING ELEVATION
1/8" = 1'-0"



4 WEST BUILDING ELEVATION
1/8" = 1'-0"

NOT FOR CONSTRUCTION

ISSUES & REVISIONS	DATE
PRECAST & STEEL	04/14/23

COMMISSION NO: 22733-23029

DRAWN BY: Author

CHECKED BY: Checker

SHEET

A3.1

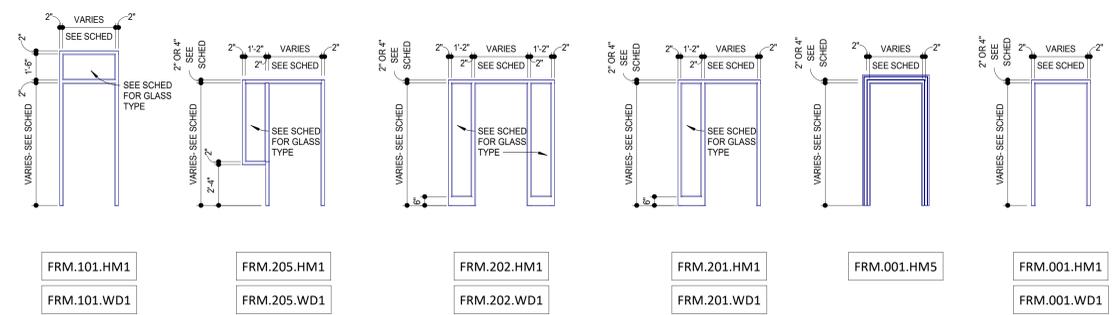
TRUE SHEET SCALE

Revision	Dr. No.	From Room	To Room	Door Panels										Door Frame				Comments		
				Total of Panels		# of Pnl.	Panel 1		Panel 2		Material	Glass Type	Type	Head Height	Material	Glass Type	Jamb Detail		Hard ware	FIRE RATING (MIN)
				Width	Height		Type	Width	Thick	Width										
FIRST LEVEL																				
	101A	VEST	EXTERIOR	3'-0"	7'-0"	1	PNL.FG.AL	3'-0"			1 3/4"	Aluminum - Anodized Black	GL-4T	FRM.001.AL1(CW)	1"	Aluminum - Anodized Black	Aluminum - Anodized Black			
	101B	LOBBY	VEST	3'-0"	7'-0"	1	PNL.FG.AL	3'-0"			1 3/4"	Aluminum - Anodized Black	GL-1T	FRM.NF(CW)	0"	Aluminum - Anodized Black	Aluminum - Anodized Black			
	103		EXTERIOR	3'-0"	7'-0"	1	PNL.FG.AL	3'-0"			1 3/4"	Aluminum - Anodized Black	GL-4T	FRM.NF(CW)	0"	Aluminum - Anodized Black	Aluminum - Anodized Black			
	104	HALL	OFFICE	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	105	HALL	OFFICE	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	106	HALL	OFFICE	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	107	HALL	OFFICE	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	108	IT	HALL	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	109	COLLAB	OFFICE	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	110	SHOP	COLLAB	3'-0"	8'-0"	1	PNL.F.HM	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	111	HALL	OFFICE	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	113	HALL	OFFICE	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	113A	LOBBY	CONFERENCE	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	113B	CONFERENCE	LOBBY	16'-0"	9'-0"	1	PNL.FG1.STL	16'-0"			1"	<By Category>	<By Category>	FRM.1201.STL4	1'-0"	<By Category>	<By Category>			
	114	SHOP	HALL	3'-0"	8'-0"	1	PNL.F.HM	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	116	HALL	RESTROOM	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	117	HALL	RESTROOM	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	118	JAN	HALL	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	119	SHOP	SHOP RESTROOM	3'-0"	8'-0"	1	PNL.F.HM	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	120A	SHOP	EXTERIOR	4'-0"	8'-0"	1	PNL.F.HM	4'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	120B	SHOP	EXTERIOR	16'-0"	16'-0"	1	PNL.OH1.STL	16'-0"			2"	PREFIN - BLACK	PREFIN - BLACK	FRM.1202.STL4	1'-0"	<By Category>	NA			
	120C	SHOP	EXTERIOR	16'-0"	16'-0"	1	PNL.OH1.STL	16'-0"			2"	PREFIN - BLACK	PREFIN - BLACK	FRM.1202.STL4	1'-0"	<By Category>	NA			
	120D	SHOP	EXTERIOR	4'-0"	8'-0"	1	PNL.F.HM	4'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	120E	WASH BAY	EXTERIOR	16'-0"	16'-0"	1	PNL.OH1.STL	16'-0"			2"	PREFIN - BLACK	PREFIN - BLACK	FRM.1202.STL4	1'-0"	<By Category>	NA			
	122A	MECH/ ELEC ROOM	SHOP	4'-0"	8'-0"	1	PNL.F.HM	4'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	122B	MECH/ ELEC ROOM	COLD STORAGE	4'-0"	8'-0"	1	PNL.F.HM	4'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	123A	COLD STORAGE	EXTERIOR	4'-0"	8'-0"	1	PNL.F.HM	4'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	123B	COLD STORAGE	EXTERIOR	16'-0"	16'-0"	1	PNL.OH1.STL	16'-0"			2"	PREFIN - BLACK	PREFIN - BLACK	FRM.1202.STL4	1'-0"	<By Category>	NA			
SECOND LEVEL																				
	205	HALL	GN RESTROOM	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	206	HALL	FITNESS ROOM	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	207	MACHINE ROOM	TRAINING	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			
	208	TRAINING		3'-0"	7'-0"	1	PNL.FG.AL	3'-0"			1 3/4"	Aluminum - Anodized Black	GL-4T	FRM.NF(CW)	0"	Aluminum - Anodized Black	Aluminum - Anodized Black			
	209	TRAINING	STORAGE	3'-0"	8'-0"	1	PNL.F.WD	3'-0"			1 3/4"	HM	NA	FRM.001.HM1	2"	HM	NA			

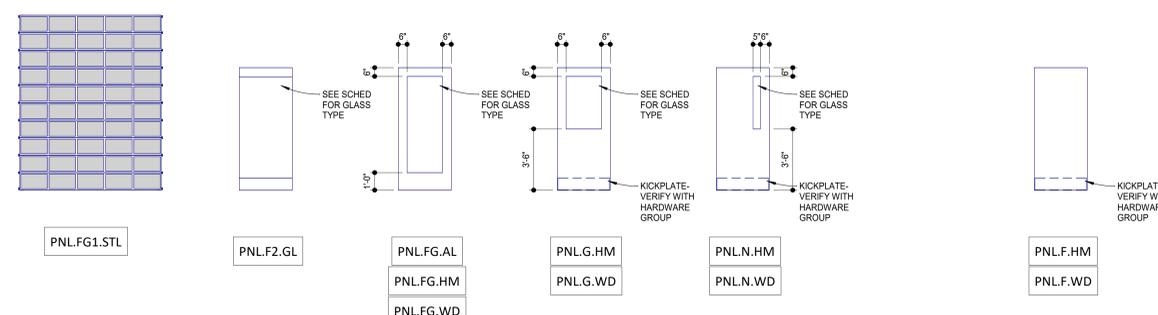
- DOOR SCHEDULE COMMENT NOTES:**
- INSULATED
 - IMPACT
 - IN-USE HARDWARE
 - DECORATIVE HARDWARE
 - APPLIED TRIM - SEE SPEC
 - EXISTING DOOR TO REMAN - VIF

- DOOR SCHEDULE NOTES:**
- IF MOLDED HARDBOARD (HDB) DOOR CAN NOT MEET FIRE RATING, PROVIDE FLAT PANEL WOOD (WD) DOOR WITH APPLIED MOULDING AND FINISH TO MATCH ORIGINAL SCHEDULED FINISHES
 - HARDBOARD (HDB) DOORS WITHIN LIVING UNITS AND RESIDENTIAL STORAGE AREAS TO BE HOLLOW CORE
 - HARDWARE SUPPLIER TO PREPARE HARDWARE SCHEDULE AND GROUPS, TO BE SUBMITTED THROUGH SHOP DRAWINGS
 - IF NO HEAD DETAIL IS LISTED THEN SIMILAR TO JAMB DETAIL

- DOOR CONSTRUCTION ABBREVIATIONS:**
- AL = ALUMINUM
 - FBG = FIBERGLASS
 - GL = ALL GLASS
 - HC = HOLLOW CORE
 - HDB = HARDBOARD
 - HM = HOLLOW METAL
 - IMP = HIGH IMPACT
 - MOF = MEDIUM DENSITY FIBERBOARD
 - STL = STEEL
 - WD = WOOD
- SEE MATERIAL SCHEDULES FOR FINISHES



2 FRAME TYPES
1/4" = 1'-0"



1 DOOR TYPES
1/4" = 1'-0"

NOT FOR CONSTRUCTION



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EAST BETHEL, MN

PRICING SET
4-26-2023

OPENING SCHEDULE, DOOR TYPES, FRAME TYPES

ISSUES & REVISIONS	DATE
PRECAST & STEEL	04/14/23

COMMISSION NO: 22733-23029
DRAWN BY: RT
CHECKED BY: JL

SHEET
A7.1

NOT FOR CONSTRUCTION

PRICING SET
4-26-2023

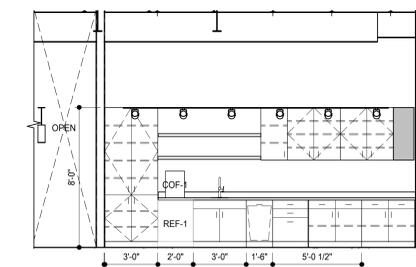
TYPICAL
MOUNTING
HEIGHTS/
INTERIOR
ELEVATIONS

ISSUES & REVISIONS	DATE
PRECAST & STEEL	04/14/23

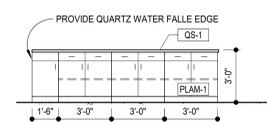
COMMISSION NO:	22733-23029
DRAWN BY:	Author
CHECKED BY:	Checker

SHEET

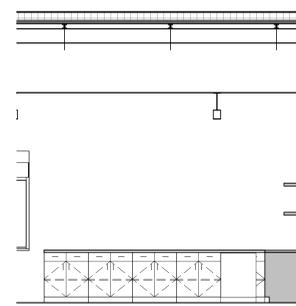
A8.1



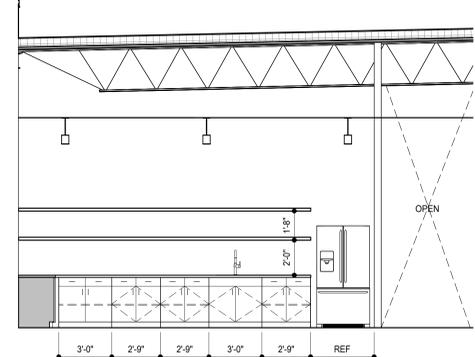
3 **COLLAB 110 EAST**
A8.1 1/4" = 1'-0"



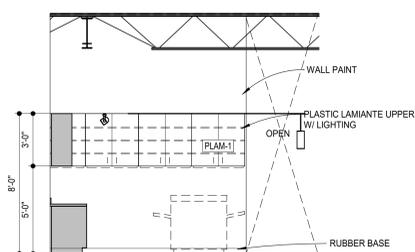
7 **COLLABORATION 110 W**
A8.1 1/4" = 1'-0"



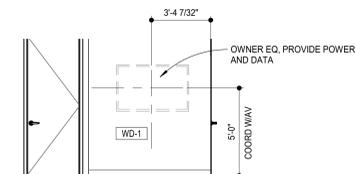
9 **KITCHENETTE 203 SOUTH**
A8.1 1/4" = 1'-0"



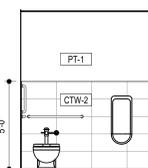
10 **KITCHENETTE 203 WEST**
A8.1 1/4" = 1'-0"



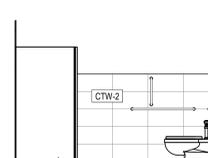
4 **COLLAB 110 S**
A8.1 1/4" = 1'-0"



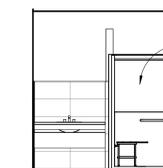
5 **COLLAB 110 WEST**
A8.1 1/4" = 1'-0"



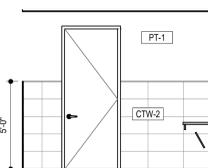
12 **RR 119 EAST**
A8.1 1/4" = 1'-0"



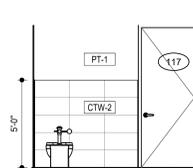
15 **RR 119 NORTH**
A8.1 1/4" = 1'-0"



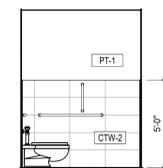
14 **RR 119 WEST**
A8.1 1/4" = 1'-0"



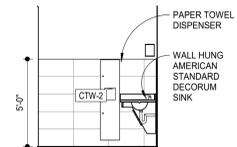
13 **RR 119 SOUTH**
A8.1 1/4" = 1'-0"



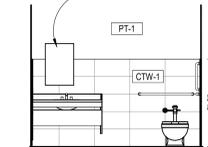
20 **RR 117 NORTH**
A8.1 1/4" = 1'-0"



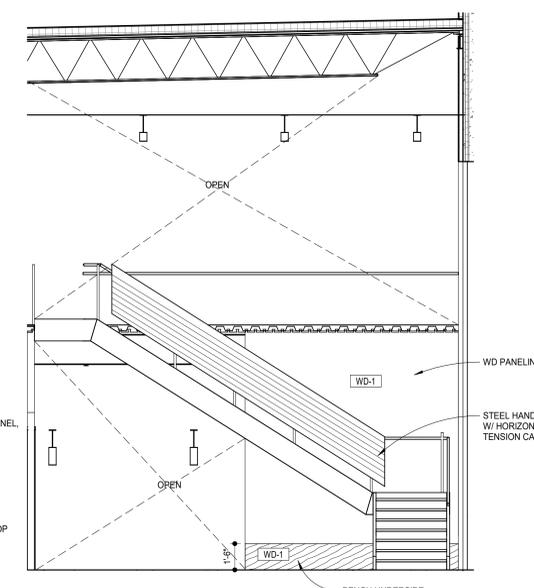
19 **RR 117 WEST**
A8.1 1/4" = 1'-0"



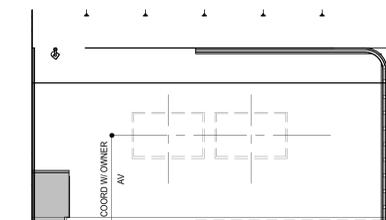
17 **RR 117 EAST**
A8.1 1/4" = 1'-0"



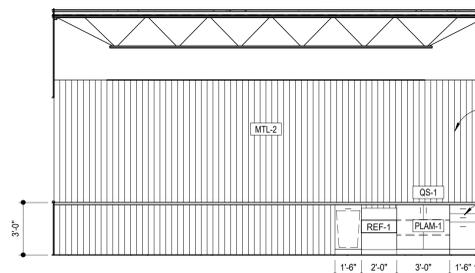
18 **RR 117 SOUTH**
A8.1 1/4" = 1'-0"



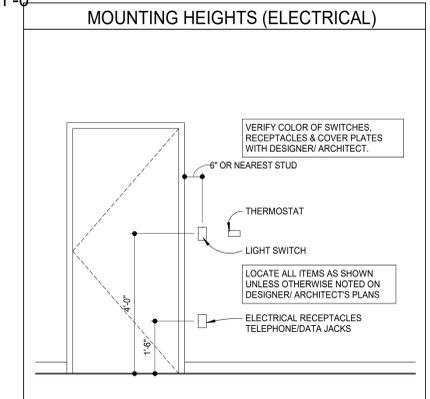
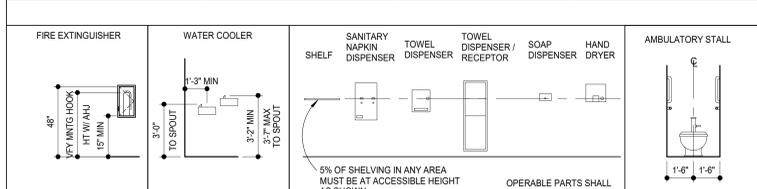
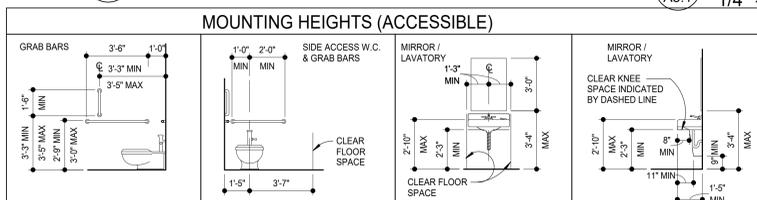
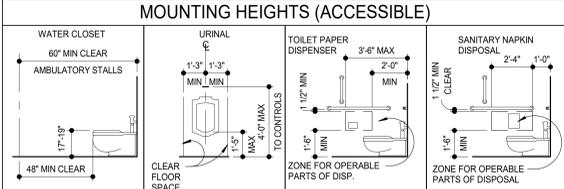
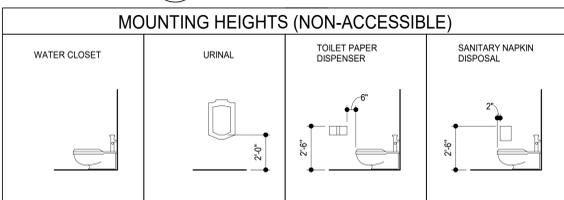
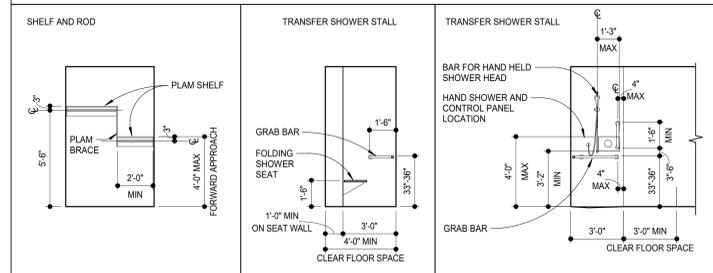
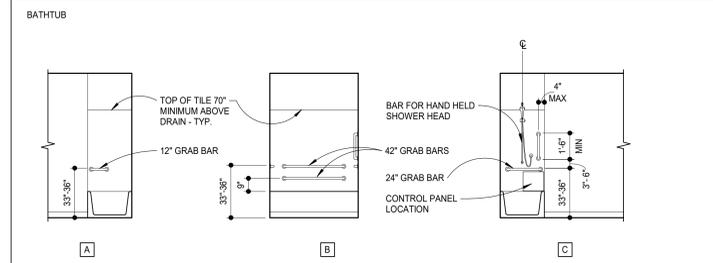
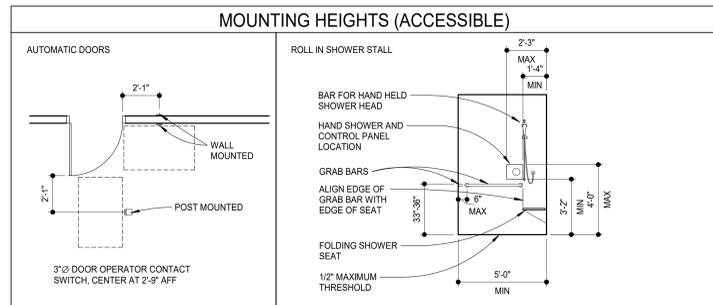
16 **LOBBY 102 WEST**
A8.1 1/4" = 1'-0"



2 **CONFERENCE 113 WEST**
A8.1 1/4" = 1'-0"



1 **CONFERENCE 113 SOUTH**
A8.1 1/4" = 1'-0"



TYPICAL MOUNTING
HEIGHTS FOR ELECTRICAL
1/2" = 1'-0"

INTERIOR MATERIAL IDENTIFICATION & ABBREVIATION							
REV	ABBREV	MANUFACTURER	PRODUCT/STYLE	COLOR	SIZE	COMMENTS	CONTACT
3D WVAE CORRUGATED STEEL PANEL, PAINTED							
	MTL-2	MDC ZINTRA	TBD	TBD	TBD		
ACCENT RUG							
	RUG-1	FLOR	TBD	TBD	50CM X 50CM	PROVIDE \$35/TILE MATERIAL ONLY ALLOWANCE	
ACOUSTIC WALL PANELING							
	AWP-1	MDC ZINTRA	TBD	TBD	TBD		
CARPET TILE							
	CPT-1	TBD	TBD	TBD	TBD	PROVIDE \$35/YD MATERIAL ONLY ALLOWANCE	
	CPT-2	TBD	TBD	TBD	TBD	PROVIDE \$40/YD MATERIAL ONLY ALLOWANCE	
CARPET TILE (WALK OFF)							
	CPT-3	TBD	TBD	TBD	TBD	PROVIDE \$50/YD MATERIAL ONLY ALLOWANCE	
CERAMIC TILE (FLOOR)							
	CTF-1	TBD	TBD	TBD	TBD	PROVIDE \$15/SF MATERIAL ONLY ALLOWANCE	
CERAMIC TILE (WALL)							
	CTW-1	TBD	TBD	TBD	TBD	PROVIDE \$15/SF MATERIAL ONLY ALLOWANCE	
	CTW-2	TBD	TBD	TBD	TBD	PROVIDE \$10/SF MATERIAL ONLY ALLOWANCE	
	CTW-3	TBD	TBD	TBD	TBD	PROVIDE \$20/SF MATERIAL ONLY ALLOWANCE	
FIBERGLASS REINFORCED PANELS							
	FRP-1	-	WHITE, SMOOTH TEXTURE	-	-	CLASS A FIRE RATING	-
METAL COVE BASE							
	MCB-1	SCHLUTER	DILEX-AHKA	AE SATIN ANODIZED ALUMINUM (AE)	-	-	(800) 472-4588
PAINT							
	PT-1	-	-	-	-	EGGSHELL SHEEN (TYPICAL WALL PAINT)	-
PLASTIC LAMINATE							
	PLAM-1	-	-	-	-	-	-
POLISHED CONCRETE							
	PC	-	AGGREGATE EXPOSURE: CLASS B FINE AGGREGATE	NATURAL, NO COLOR	-	FINISH: LEVEL 2 SATIN (HONED)	-
QUARTZ SURFACE							
	QS-1	-	-	-	2CM THICK, U.N.O.	EDGE PROFILE:	-
RESILIENT BASE							
	RB-1	TARKETT	WALL BASE, STRAIGHT PROFILE	TBD	4"	-	KIRSTEN LARSEN (612) 500-2635
	RB-2	TARKETT	WALL BASE, COVED PROFILE	TBD	4"	-	KIRSTEN LARSEN (612) 500-2635
SEALED CONCRETE							
	SC	-	-	-	-	SEE SPEC BOOK	-
WOOD							
	IWD-1	TERRAMAI	SPECIES/CUT: TBD	TBD	TBD	PROVIDE \$20/SF MATERIAL ONLY ALLOWANCE	-
WOOD BASE							
	IWDB-1	-	SPECIES: TBD	TBD	4"	-	-

NOT FOR CONSTRUCTION



POPE DESIGN GROUP
 767 N. EUSTIS STREET, SUITE 190
 ST. PAUL, MINNESOTA 55114
 651.642.9200
 WWW.POPEDESIGN.COM



DESIGNING
 EARTH
 CONTRACTING –
 NEW OFFICE
 EAST BETHEL,
 MN

**PRICING SET
 4-26-2023**

**INTERIOR
 MATERIAL
 IDENTIFICATION &
 ABBREVIATIONS**

ISSUES & REVISIONS DATE
 PRECAST & STEEL 04/14/23

COMMISSION NO: 22733-23029
 DRAWN BY: Author
 CHECKED BY: Checker

SHEET

A10.1

FINISH PLAN GENERAL NOTES

- Remove the following notes for projects WITH a specification manual.
- A. SUBMIT DRAW-DOWNS AND SAMPLES FOR ALL FINISH MATERIALS FOR APPROVAL BY ARCHITECT/DESIGNER PRIOR TO MATERIAL APPLICATION.
 - B. SUBMIT FINISH FLOORING SEAMING DIAGRAMS FOR APPROVAL BY ARCHITECT/DESIGNER PRIOR TO INSTALLATION.
 - C. FLOOR SURFACE PREPARATION: SURFACES TO BE PREPARED IN ACCORDANCE WITH PRODUCT MANUFACTURER'S RECOMMENDATIONS. FILL AND SMOOTH OUT ALL CRACKS, UNEVEN AND/OR ROUGH SURFACES IN SUBSTRATE WHERE NEW FLOOR COVERING IS TO BE INSTALLED. PRIOR TO INSTALLING FLOOR COVERING, REMOVE ANY AND ALL SUBSTANCES FROM SUBSTRATE, WHICH MAY TELEGRAPH THROUGH FINISH FLOORING.
 - D. JOINTS IN VINYL BASE SHALL NOT OCCUR CLOSER THAN 6" FROM CORNER AND SHALL BE BUTTED TIGHTLY TOGETHER.
 - E. PROVIDE REDUCER/TRANSITION STRIP BETWEEN DISSIMILAR FINISH FLOOR MATERIALS AT ALL AREAS. PROVIDE SAMPLE FOR ARCHITECT/DESIGNER APPROVAL.
 - F. COMPLETE LENGTHS OF WALL COVERINGS SHALL BE INSPECTED IMMEDIATELY UPON RECEIPT AND BEFORE INSTALLATION BY THE CONTRACTOR TO MAKE CERTAIN THAT THEY ARE FREE FROM DEFECTS OF ANY KIND AND ARE IN CORRECT QUANTITY WIDTHS, PATTERNS AND COLORS. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY SUPPLIER AND ARCHITECT BY PHONE AND IN WRITING OF ANY DEVIATION NOTED AND SHALL REFRAIN FROM INSTALLING ANY DEFECTIVE MATERIAL. WALL COVERINGS SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE RESPECTIVE MANUFACTURER'S WRITTEN INSTRUCTIONS.
 - G. MILLWORK SURFACE PREPARATION SHALL INCLUDE PUTTYING OF NAIL HOLES, CRACKS, AND BLEMISHES. PUTTY TO MATCH THE FINISH SURFACE.
 - H. WALL AND CEILING SURFACE PREPARATION: SURFACES TO BE PREPARED IN ACCORDANCE WITH THE FINISH MATERIAL MANUFACTURER'S RECOMMENDATION. CONTRACTOR SHALL CONFIRM AND COORDINATE THE REQUIREMENTS. NO TELEGRAPHING OF WALL OR CEILING IRREGULARITIES WILL BE ACCEPTED.
 - I. CONTRACTOR SHALL REMOVE ALL ELECTRICAL SWITCHES AND OUTLET PLATES, SURFACE HARDWARE, GRILLE COVERS ETC., BEFORE PAINTING. PROTECT AND REPLACE SAME, IF IN GOOD CONDITION, WHEN PAINTING IS COMPLETE.
 - J. MISCELLANEOUS ITEMS (GRILES, REGISTER, METAL PANELS, ETC.) ON CEILINGS AND WALLS TO BE PAINTED TO MATCH SURFACE COLORS ON WHICH THEY OCCUR, UNLESS OTHERWISE NOTED.
 - K. CONTRACTOR SHALL FINISH AFFECTED SURFACES TO MATCH THE ADJACENT CONDITIONS. FINISH SURFACES TO THE NEXT LOGICAL JOINT OR WALL/CEILING CORNER UNLESS NOTED OTHERWISE.
 - L. REFER TO THE GENERAL NOTES FOR OTHER APPLICABLE INFORMATION.
- The following notes are to be project specific. Review and revise as required.
- M. THRESHOLDS AT RESTROOMS DOORS TO BE TS-x. TRANSITIONS FROM CPT TO RESILIENT TO BE TS-x.
 - N. ALL INTEGRAL SOLID SURFACE SINKS TO BE SSM-x.
 - O. ALL CLOSET SHELVING TO BE PLAM-x.
 - P. ALL EXTERIOR WINDOWS WITHIN SUITE TO HAVE BUILDING STANDARD HORIZONTAL ALUMINUM MINI BLINDS. REPLACE ANY MISSING OR DAMAGED.
 - Q. SEE FLOOR FINISH PLANS AND/OR WALL FINISH PLANS AT A10.x-A10.x FOR SPECIFIC FINISH INFORMATION.
 - R. ALL WALLS TO BE PT-1 UNO.
 - S. INSTALL ONE (1) COAT HOOK CENTERED ON DOORS AT ROOMS xxx. ALL HOLLOW METAL DOOR & WINDOW FRAMES TO BE PAINTED PT-x.
 - T. EXTEND FLOOR AND WALL FINISHES UNDER AND BEHIND ALL APPLIANCES AND INTO ACCESSIBLE SINK SPACES.

FINISH PLAN SYMBOLS LEGEND

	FLOOR FINISH, BASE FINISH
	BASE FINISH (WHERE VARIES WITH ROOM)
	FLOORING GRAIN DIRECTION
	WALL FINISH
	WALL FINISH (WHERE VARIES WITH ROOM)
	WALL FINISH (ABOVE) REFER TO INTERIOR ELEVATIONS
	WALL PROTECTION (WP-1 UNO.)

FINISH PLAN KEYED NOTES

NOT FOR CONSTRUCTION

**PRICING SET
4-26-2023**

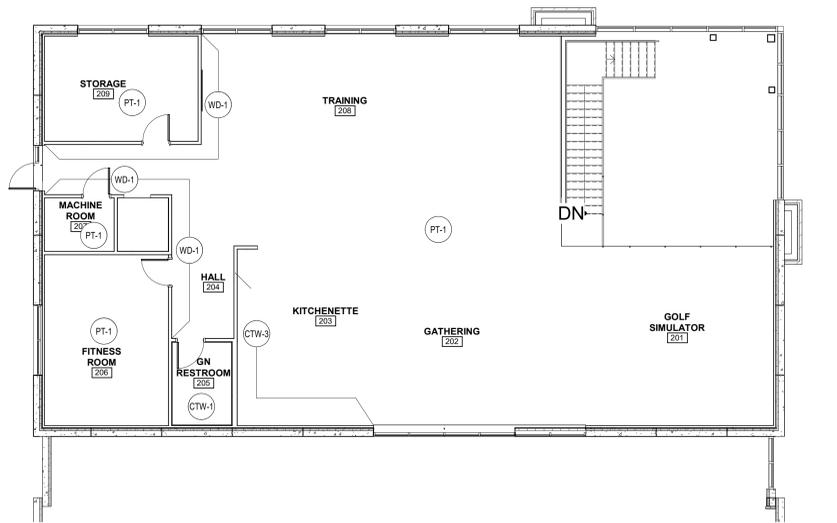
**FLOOR FINISH &
WALL FINISH
PLANS**

ISSUES & REVISIONS	DATE
PRECAST & STEEL	04/14/23

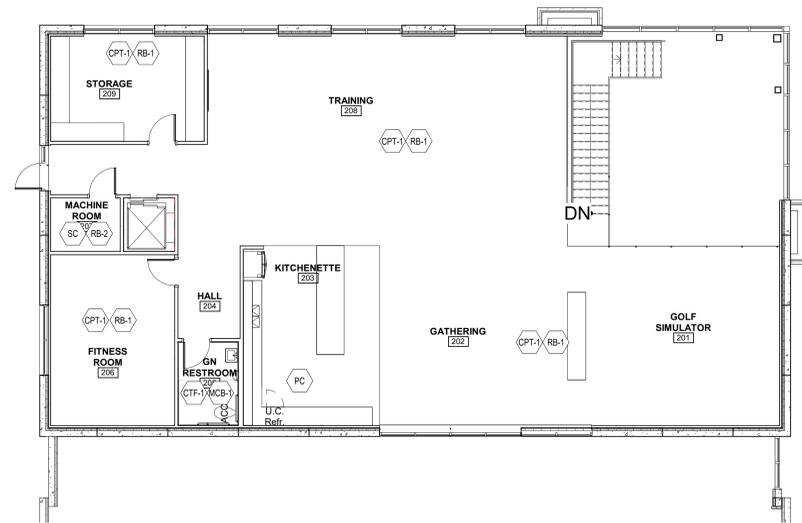
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CHECKED BY:	Checker

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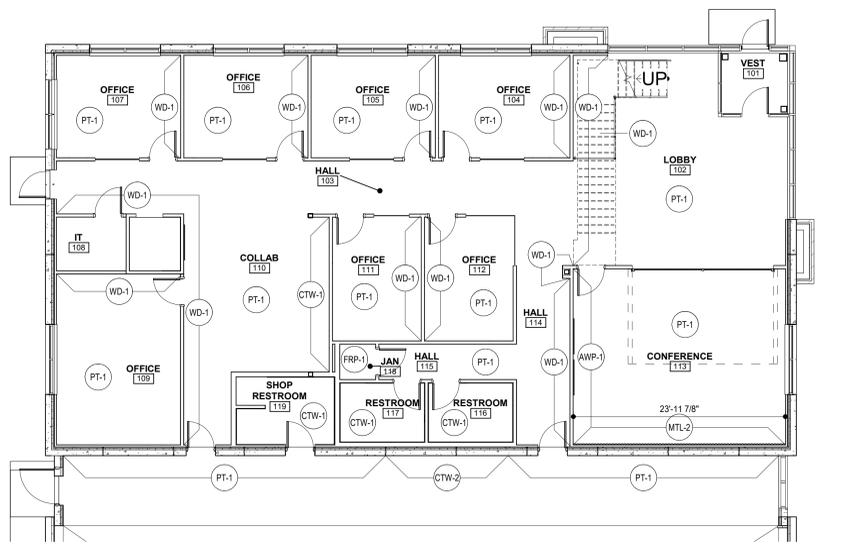
A10.2



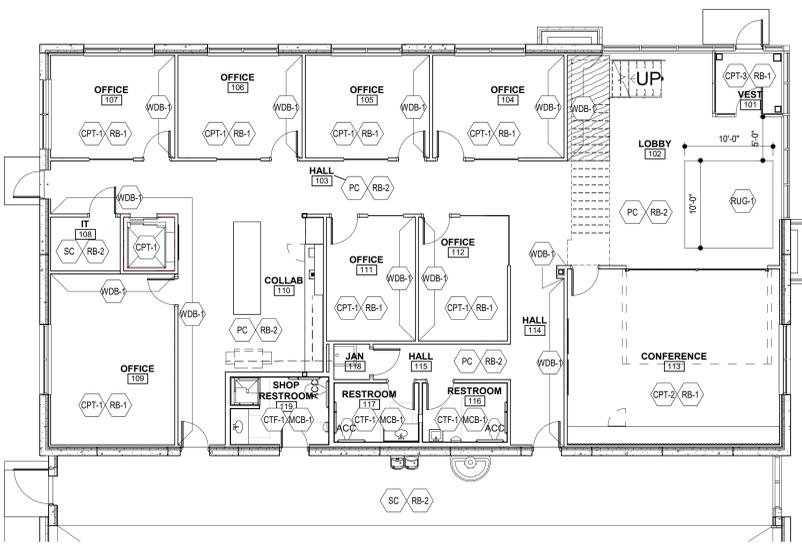
4 SECOND LEVEL WALL FINISH PLAN
A10.2 1/8" = 1'-0"



3 SECOND LEVEL FLOOR FINISH PLAN
A10.2 1/8" = 1'-0"



2 FIRST LEVEL WALL FINISH PLAN
A10.2 1/8" = 1'-0"



1 FIRST LEVEL FLOOR FINISH PLAN
A10.2 1/8" = 1'-0"



NOT FOR CONSTRUCTION

PRICING SET
4-26-2023

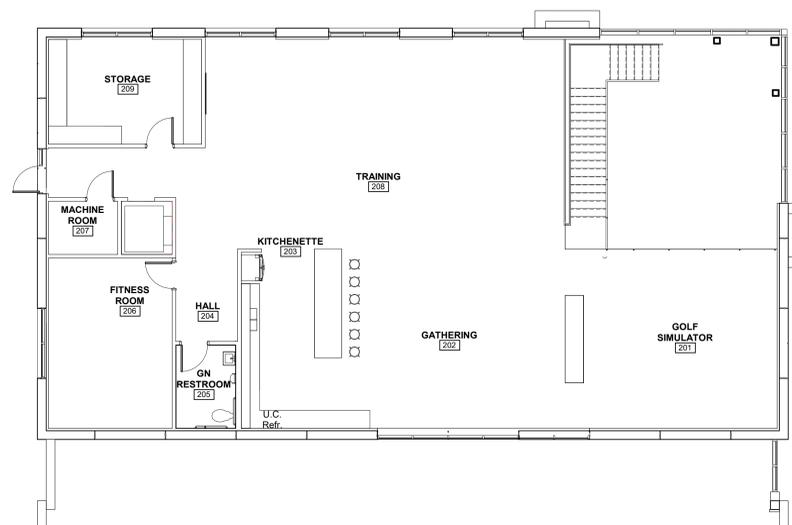
**FURNITURE PLAN -
FOR REFERENCE
ONLY**

ISSUES & REVISIONS	DATE
PRECAST & STEEL	04/14/23

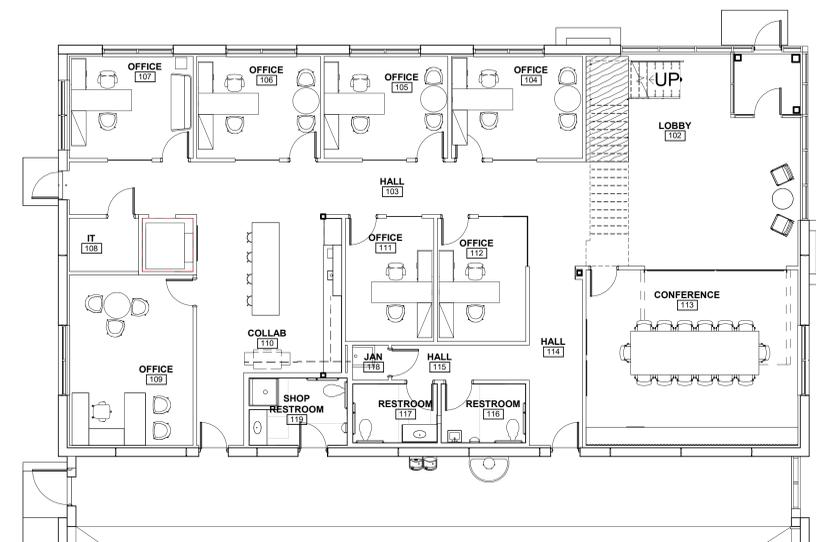
COMMISSION NO:	22733-23029
DRAWN BY:	Author
CHECKED BY:	Checker

SHEET

A11.1

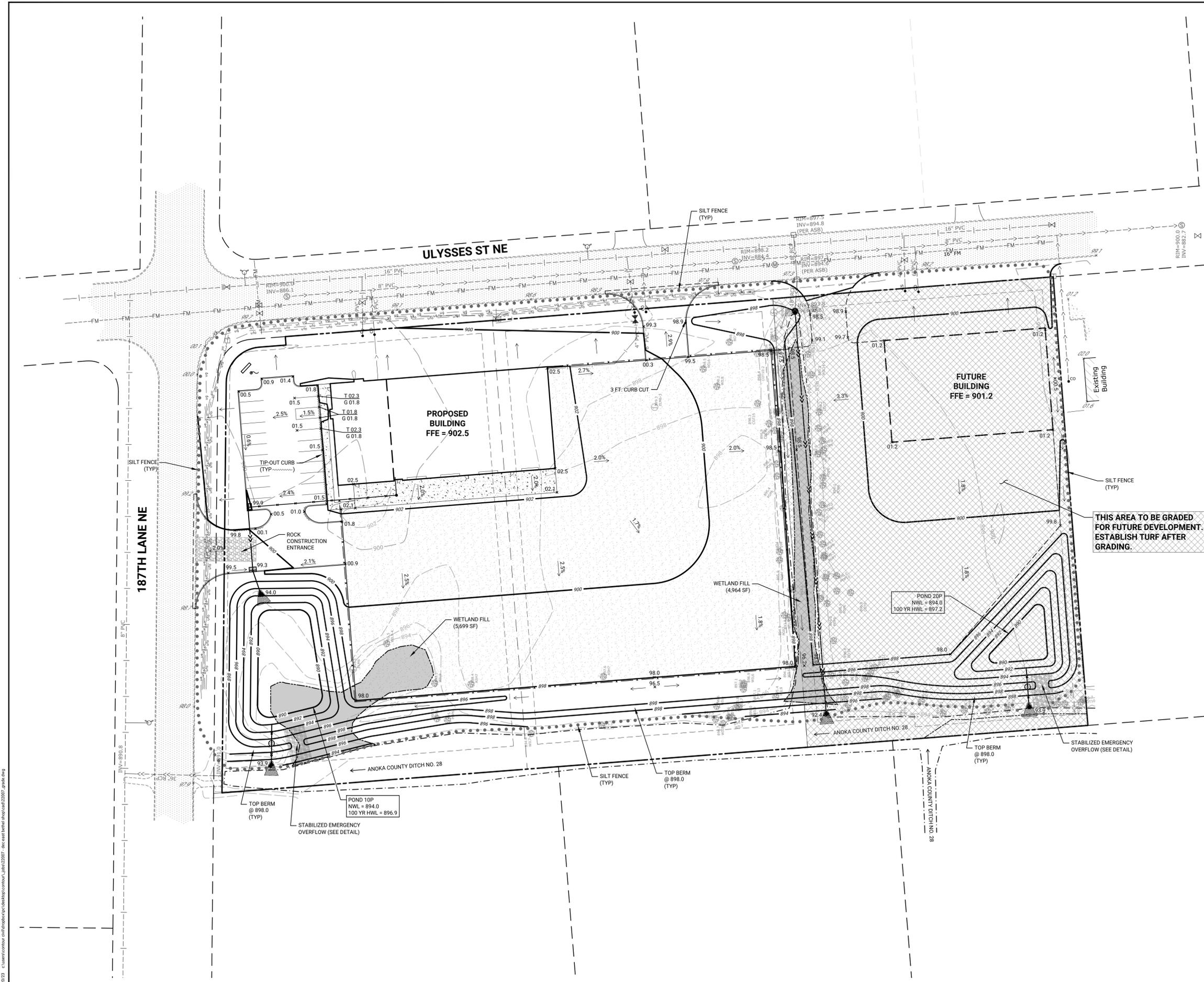


2 SECOND LEVEL
1/8" = 1'-0"



1 FLOOR PLAN
1/8" = 1'-0"





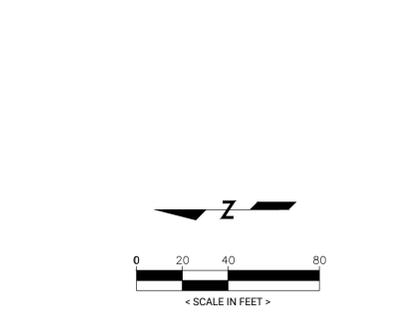
LEGEND		
EXISTING	PROPOSED	
		PROPERTY LINE
		EASEMENT LINE
		BITUMINOUS PAVEMENT
		CONCRETE PAVEMENT
		GRAVEL
		CURB LINE
		STORM SEWER
		SANITARY SEWER
		WATER MAIN
		SANITARY FORCE MAIN
		UNDERGROUND ELECTRIC
		UNDERGROUND GAS
		UNDERGROUND TELEPHONE
		UNDERGROUND FIBER OPTIC
		WETLAND
		EDGE OF WATER
		STORM CATCH BASIN
		STORM MANHOLE
		STORM FLARED END SECTION
		HYDRANT
		GATE VALVE
		OTHER SYMBOLS
		10' CONTOUR
		2' CONTOUR
		SPOT ELEVATION (CURB ELEVATIONS ARE TO GUTTER LINE)
		57.1'
		RIPRAP

BENCHMARK
 MINNESOTA DEPARTMENT OF TRANSPORTATION
 GSID STATION #769 (NAME: DENN MNDT)
 ELEVATION: 899.19 (NAVD 88)

- GOVERNING SPECIFICATIONS**
- THE LATEST EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION 'STANDARD SPECIFICATIONS FOR CONSTRUCTION' AND THE CITY OF EAST BETHEL SPECIFICATIONS.
 - THE LATEST EDITION OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD).
 - THE LATEST EDITION OF THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM) STANDARD SPECIFICATIONS.

- GRADING NOTES**
- VEHICLE TRACKING REDUCTION DEVICE, SILT FENCE, AND EXISTING CATCH BASIN INLET PROTECTION SHALL BE INSTALLED PRIOR TO GRADING CONSTRUCTION, AND SHALL BE MAINTAINED UNTIL THE SITE HAS BEEN STABILIZED.
 - CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES PRIOR TO THE START OF GRADING CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY OF DISCREPANCIES OR VARIATIONS FROM THE PLAN.
 - CONTRACTOR SHALL STRIP, STOCKPILE AND RESPREAD SUFFICIENT TOPSOIL TO PROVIDE A MINIMUM OF 6" OF TOPSOIL OVER ALL DISTURBED AREAS THAT WILL BE SODDED, SEED OR LANDSCAPED.
 - ALL DISTURBED AREAS MUST BE STABILIZED WITHIN 7 CALENDARS DAYS AFTER LAND-DISTURBING WORK HAS TEMPORARILY OR PERMANENTLY CEASED.
 - ALL SLOPES STEEPER THAN 3:1 SHALL HAVE MNDOT CAT. 1 EROSION CONTROL BLANKET AND SEED, OR APPROVED EQUAL.
 - STOCKPILES SHALL BE STABILIZED WITHIN 7 DAYS OF ROUGH GRADING OR INACTIVITY.

WETLAND SUMMARY
 WETLAND IMPACT: 10,663 SF



CALL BEFORE YOU DIG

811

Know what's below.
Call before you dig.

CONTOUR
CIVIL DESIGN

8195 VERNON STREET, ROCKFORD, MN 55973
TEL: 612.730.2265 | WWW.CONTOURCD.COM

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

NAME: JOSEPH T. RAY
 SIGNATURE: _____
 04/07/23 LIC #: 45889

PRELIMINARY

REVISIONS	ISSUE DATE: 04/07/23	BY: JTR
1.		
2.		
3.		
4.		
5.		
6.		
7.		

DESIGNING EARTH CONTRACTING
 18651 BUCHANAN STREET NE
 EAST BETHEL, MN 55011

GRADING AND DRAINAGE PLAN
DESIGNING EARTH CONTRACTING
 NEW OFFICE/SHOP
 EAST BETHEL, MINNESOTA

SHEET NUMBER
C.4.1

04/07/23 c:\users\jtr\appdata\local\temp\conform\161122207_dcc\east bethel design\161122207.dwg

ULYSSES ST NE

1877TH LANE NE

PROPOSED BUILDING
FFE = 902.5

FUTURE BUILDING
FFE = 901.2

3 FT. CURB CUT

WETLAND FILL
(4,964 SF)

WETLAND FILL
(5,699 SF)

POND 20P
NWL = 894.0
100 YR HWL = 897.2

POND 10P
NWL = 894.0
100 YR HWL = 896.9

THIS AREA TO BE GRADED
FOR FUTURE DEVELOPMENT.
ESTABLISH TURF AFTER
GRADING.

TOP BERM
@ 898.0
(TYP)

STABILIZED EMERGENCY
OVERFLOW (SEE DETAIL)

SILT FENCE
(TYP)

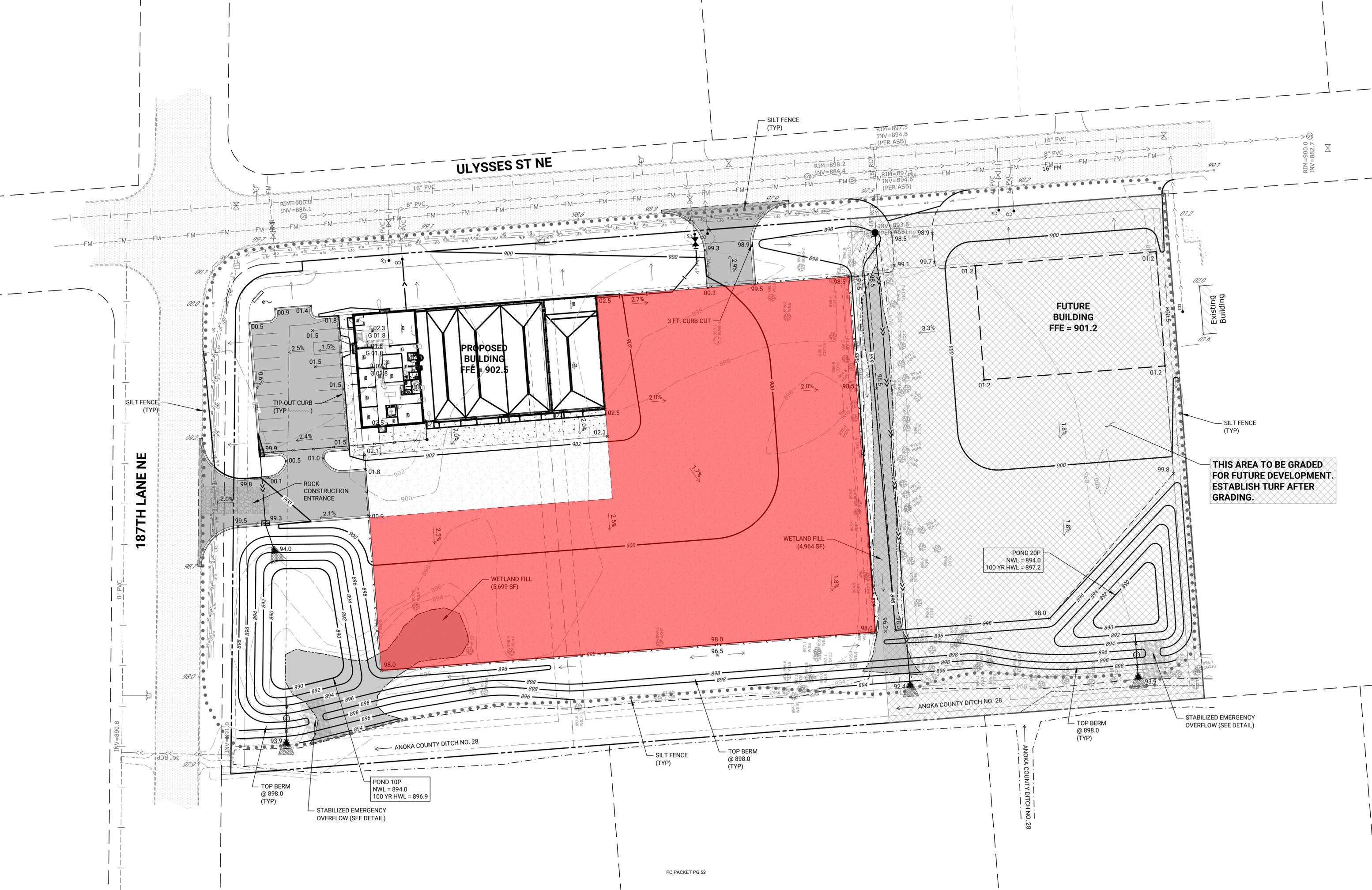
TOP BERM
@ 898.0
(TYP)

TOP BERM
@ 898.0
(TYP)

STABILIZED EMERGENCY
OVERFLOW (SEE DETAIL)

ANOKA COUNTY DITCH NO. 28

ANOKA COUNTY DITCH NO. 28





May 10, 2023

Aaron Berg-City Planner
Members of the City Council & Planning Commission

City of East Bethel
2241 221st Avenue NE
East Bethel, MN 55011

Re: **Designing Earth Contracting, Inc New Office/Shop
Concept Plan and CUP**

Mr. Aaron Berg and Members of City Council/Planning Commission:

Designing Earth Contracting, Inc (DEC) is a contractor that specializes in site grading, excavating & exterior utility services and has operated in Sauter's Commercial Park for the past 16 years. The City of East Bethel has been a convenient location for our business and staff, and we feel the nature of our business complements other businesses located within the commercial park. To accommodate our business growth & staffing needs and allow us to remain located in The City, we are proposing to build a larger headquarters on lots adjacent to our current location. The proposed building is approximately a 19,000 s.f. class A building consisting of 7,500 s.f two story office space and 11,500 sf of shop with ability for future expansion.

The goal of DEC with this project is to provide a building that enhances the aesthetics of the industrial park, and one the ownership, employees, and The City can be proud of. The building we are proposing is a precast structure that will bring a more modern look, much like buildings commonly seen in other highly sought after industrial parks. We believe the building will inspire future projects in the area and increase overall property values.

Other design goals considered during the development of this project were to improve the quality of the workspace for employees, including natural daylighting and incorporation of an outdoor patio space, to meet or exceed the Minnesota energy code and exceed city landscaping requirements to create an elevated curb appeal.

Please feel free to contact me if you have questions regarding this narrative.

Thank you,

Stephanie Neumann

Stephanie Neumann- President
Designing Earth Contracting, Inc.

SECTION 48. LIGHT INDUSTRIAL (I) DISTRICT

1. Purpose.

The light industrial (I) district is intended and designed to provide areas of the city suitable for activities and uses that are commercial and general services related and/or of a light industrial nature. These are areas that have the prerequisites for industrial development, but because of proximity to residential areas or the need to protect certain areas or uses from adverse influences, high development standards will be necessary. The light industrial district is intended and designed to provide areas of the city suitable for activities and uses that are industrial in nature. Industrial uses within this district are limited to those that do not generate noise, odor, vibration, or other discharge discernable from areas outside the parcel on which the use is located. This category is aimed towards industrial uses that are lower in intensity of activity such as offices, warehousing, research laboratories, and light manufacturing.

2. Permitted uses.

- A. Uses allowed in the B-2 and B-3 districts as determined by the planning commission and approved by the city council.
- B. Tavern, bar, brewery and taproom.
- C. Industrial condominium/multi-tenant structure.
- D. Manufacturing, light—excluding those uses that generate any discernable discharge that cannot be maintained on the site and any use that requires any outside manufacturing activities.
- E. Municipal facilities.
- F. Research facilities.
 - G. Research facility.
 - H. Retail sales, incidental to manufacturing, of products manufactured, assembled, or warehoused on the premises, provided no more than 25 percent of the building is used for retail space.
 - I. Warehousing and distribution.
 - J. Other similar uses to those permitted in this section as determined by the planning commission and approved by the city council.
 - K. Brew pub.
 - L. Craft brewery.
 - M. Micro distillery.
 - N. Food truck.

(Ord. No. 28, Third Series, 6-17-2015; Ord. No. 2021-06, 10-11-2021)

3. Accessory uses.

- A. Fuel tanks as regulated by the uniform fire code
- B. Trash enclosure service structure.
- C. Other uses customarily associated with a permitted use as determined by the planning commission and approved by the city council.

4. Conditional uses.

- A. Uses allowed in the B-2 and B-3 Districts as determined by the planning commission and approved by the city council.
- B. Adult uses—as regulated under Appendix A, Zoning, Section 10-5.
- C. Commercial and public radio and television transmission and public utility microwave antenna.
- D. Construction sales and services
- E. Exterior storage as regulated under Appendix A, Zoning, Section 24
- F. Kennel, commercial as regulated under East Bethel Code of Ordinances, Chapter 10
- G. Maintenance and repair facilities directly associated with the primary business and contained inside the principal structure or other buildings on the site.
- G. Telecommunication facilities as regulated under Appendix A, Zoning, Section 16.
- H. Two or more buildings on same lot provided such buildings relate to the permitted use and meeting the requirements of the Minnesota State Building Code.
- I. Other similar uses to those permitted in this section as determined by the planning commission and approved by the city council.

5. Interim uses.

- A. Temporary/seasonal sales as permitted in Section 10. General Development Regulations.
- B. Other uses similar to those permitted in this section as determined by the planning commission and approved by the city council.

6. Prohibited uses.

- A. Trucking and motor freight terminals.
- B. Slaughterhouses.
- C. Recycling centers and drop off facilities.
- D. Auto reduction yards.
- E. Impound lots.
- F. Motor vehicle sales.

7. Development regulations.

A. Minimum lot requirements:

1)	Lot area:		
	a)	Without sewer and water	10 acres
	b)	With sewer and water	1 acre
2)	Lot width		150 feet
3)	Minimum buildable area		23,000 square feet

B. Setbacks:

1)	Front yard:		
	a)	Local/collector street	40 feet
	b)	Arterial street	50 feet
	c)	State/county street	100 feet
2)	Side yard		10 feet, except 60 feet if abutting a residential district
3)	Rear yard		25 feet, except 60 feet if abutting a residential district

C. Building:

1)	Maximum building height	50 feet from ground level
2)	Minimum building size	5,000 square feet
3)	Maximum lot coverage	80 percent

D. All uses shall comply with all other sections of the East Bethel City Code and be consistent with the city comprehensive plan.

(Ord. No. 19, Second Series, 5-5-2010; Ord. No. 28, Second Series, 12-1-2010; Ord. No. 48, Fourth Series, 9-21-2016)

4. I district.

- A. Exterior storage is permitted in I-1 districts as a conditional use permit and subject to the following conditions:
1. Exterior storage shall be limited to the rear yard and shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.
 2. Maximum amount of exterior storage cannot exceed the square footage of the Principal building.
 3. Exterior storage cannot exceed 12 feet in height

Construction yards are exempt from exterior storage requirements as outlined in Section 24, 4-A, provided they are located in the rear yard behind the principal building and cannot exceed the square footage of the Principal building and shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.

- B. Screening of the exterior storage shall be installed and maintained along all property lines. The screening shall not be less than six feet in height and shall preclude vision through the barrier.
1. Screening to be achieved through a combination of masonry walls, fencing, berming, and landscaping.
 2. All screening shall meet the regulations in Section 23. Screening Requirements [Regulations].
 3. All equipment and materials within the storage area shall be arranged in a neat and orderly manner.

C. Exterior display in I-1 districts.

1. The area occupied by exterior display shall not exceed 30 percent of the gross floor area of the principal building on the property.
2. Exterior display and sale of merchandise shall not occur within 50 percent of the setback nearest a street.
3. Additional parking spaces shall be provided based upon the exterior display and sale area.

D. Prohibited storage

1. Accessory storage containers, as defined in Section 01. General Provisions of Administration, shall not be permitted.
2. E. Parking up to three commercial vehicles, such as delivery and service trucks up to 20,000 GVWR, may be parked without screening if the vehicles relate to the principal use. Vehicles over 20,000 GVWR, construction equipment, and trailers shall require screening.
3. Semi-trucks and trailers shall not be considered part of outside storage if they are used in the normal business commerce and do not exceed the number of docks and or bay doors.

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3. Light industrial (I).

- A. *Building design.* Building design shall exhibit architectural control which seeks to be creative and utilize building lines, shapes, and angles to maximize architectural integrity.
- B. *[Agricultural standards.]* Industrial properties which are located within 1,320 feet of the centerline of the right-of-way of Highway 65 shall meet the following architectural standards. Where only a portion of the parcel lies within 1,320 feet of the Highway 65 centerline, the standards shall apply to the entire parcel:
- 1) Unadorned pre-stressed upright concrete panels, unfinished concrete block, galvanized or unfinished steel, galvalum or unfinished aluminum buildings (wall or roofs), and pole-type building materials are not permitted as primary exterior building materials.
 - 2) Building exterior wall finishes shall be comprised of any combination of at least two of the following materials:
 - a) Brick.
 - b) Natural stone.
 - c) Glass.
 - d) Masonry stucco.
 - e) Other comparable or superior material approved by city council.
 - 3) Accent materials shall be used for cornices, sills, bases, lintels, banding, and decorative accent trims. Accent materials shall consist of materials comparable in grade and quality to the primary exterior materials.
 - 4) A minimum of 20 percent of the facade facing the public right-of-way shall be glass.
 - 5) Any new building shall be constructed so that all exterior sides shall be surfaced equivalent to the front of the building
- C. *[Architectural standards.]* Industrial properties which are not located within 1,350 feet of the centerline of the right-of-way of Highway 65 shall meet the following architectural standards:
- 1) Exterior wall surfaces of all buildings shall be faced with brick, stone, architecturally enhanced pre-cast and cast-in-place panel, architectural concrete in combination with other permitted materials or glass.
 - 2) Accent materials shall be used for cornices, sills, bases, lintels, banding, and decorative accent trims. Accent materials shall consist of materials comparable in grade and quality to the primary exterior materials.
 - 3) A minimum of 20 percent of the facade facing the public-right-of way shall be glass.
 - 4) Any new building shall be constructed so that all exterior sides shall be surfaced equivalent to the front of the building.

**City of East Bethel
Planning Commission Regular Meeting
Agenda Item Information**



Date: May 23, 2023

Agenda Item Number: 5.0

Agenda Item: Zoning Code Amendments

Background Information:

At the April 3, 2023 City Council meeting, Council Members Jim Smith and Tim Miller recommended amendments to various city codes which are contained in the Zoning code. Council directed staff to route the amendments to the Planning Commission for a Public Hearing and recommendation. At the April 25th, 2023 meeting the Planning Commission discussed these after holding a public hearing.

Due to the mixed levels of support and limited amount of time for discussion of the proposed revisions staff thought it was in the best interest to bring two of the Zoning Codes amendments back for further discussion and formal recommendation.

The East Bethel Economic Development Authority also review the proposed amendments and have provided a review (Attachment 3).

Recommendation:

Staff recommends the Planning Commission conduct further review and discussion of the proposed amendments and make a formal recommendation to the City Council.

Attachments:

1. Zoning, Sec. 24 – Exterior Storage, Light Industrial, B2 and B-3 Districts – Red Line Version
2. Zoning, Sec. 28 – Architectural Standards – Red Line Version
3. Economic Development Authority Review
4. Revision proposed on April 3rd, 2023.

SECTION 24. EXTERIOR STORAGE

1. Exemptions.

All products, materials, and equipment, except as specifically described in this ordinance, shall be stored within permitted structures or completely screened from view of adjoining properties and the public right-of-way except for the following:

- A. Off-street parking of licensed passenger automobiles and personal or commercial vehicles of less than 12,000 pounds gross vehicle weight rating (GVWR) in designated driveway or parking area.
- B. Off-street parking of vehicles and recreational vehicles that are permitted according to the provisions of this ordinance and any other city ordinance.
- C. Clothes lines, antennae, air conditioners in working condition, outdoor grills, play equipment, ornaments and monuments.
- D. Landscaping materials and equipment may be stored on a lot if these are used on the lot within a period of three months.

2. Inoperable vehicles and refuse materials.

- A. Passenger automobiles and trucks not currently licensed by the state, or which are incapable of movement under their own power due to mechanical deficiency, which are parked or stored outside for a period in excess of 96 hours, and all materials stored outside in violation of the city ordinances, are considered refuse or junk and shall be disposed of according to city regulations.
- B. Any accumulation of refuse not stored in containers that comply with city ordinances, or any accumulation of refuse including car parts which has remained on a property for more than one week, is hereby declared to be a nuisance and may be abated by order of the zoning administrator or building official. The cost of removal shall be recovered in accordance with the city ordinances and state law.
- C. Repairable vehicles shall be stored in a designated storage area and not be visible from the public right-of-way or adjacent properties.

3. Residential districts.

- A. All personal property shall be stored within a building or be fully screened so as not to be visible from adjoining properties and public streets, except for the following:
 1. Play and recreational equipment.
 2. Stacked firewood for the burning supply of the property resident shall be stored in the side yard or the rear yard at a minimum of five feet from the property line.
 3. Agricultural equipment and materials, if these are used or intended for use on the premises within a period of 12 months.
- B. Agriculture (A), Rural Residential (RR), Single Family Residential (R-1), Single Family and Townhome Residential (R-2) districts, and Coon Lake Residential (CL) districts.

-
1. Motor vehicles stored outside must be parked on a designated driveway.
 2. A maximum of five of the following vehicles must be parked on a designated driveway, or outdoor storage area located in a side or rear yard:
 - a. Recreational vehicles,
 - b. Boat/trailer combinations,
 - c. Snowmobile/trailer combinations,
 - d. Items of lawn equipment,
 - e. Items of construction equipment with a weight limit of 20,000 GVWR, or
 - f. Other equipment or trailers, or any combination thereof.
 3. The outdoor storage area must be completely screened from the public right-of-way and adjacent properties.
- C. Up to two automobiles or other motor vehicles or two snowmobiles or all-terrain vehicles may be located or displayed on any property for the purpose of sale, but such a vehicle, snowmobile, or all-terrain vehicle may not be so located or displayed more than on three separate occasions during any calendar year. The location or display to public view of an automobile or other motor vehicle or snowmobile or an all-terrain vehicle with a telephone number, an address, or the words "For Sale" affixed on the vehicle shall be evidence that the motor vehicle is located or displayed for the purpose of sale.

(Ord. No. 2021-06, 10-11-2021)

4. I district, and B-3.

- A. Exterior storage is permitted in I-1 districts as a conditional use permit and subject to the following conditions:
1. Exterior storage shall be limited to the rear yard and shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.
 - ~~2. Maximum amount of exterior storage cannot exceed the square footage of the Principal building.~~
 - ~~3. Exterior storage cannot exceed 12 feet in height~~

Construction yards are exempt from exterior storage requirements as outlined in Section 24, 4-A, provided they are located in the rear yard behind the principal building and cannot exceed the square footage of the Principal building and shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.

- B. Screening of the exterior storage shall be installed and maintained along all property lines. The screening shall not be less than six feet in height and shall preclude vision through the barrier.
1. Screening to be achieved through a combination of masonry walls, fencing, berming, and landscaping.
 2. All screening shall meet the regulations in Section 23. Screening Requirements [Regulations].
 3. All equipment and materials within the storage area shall be arranged in a neat and orderly manner.
- C. Exterior display in I-1 districts.
1. The area occupied by exterior display shall not exceed 30 percent of the gross floor area of the principal building on the property.

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2. Exterior display and sale of merchandise shall not occur within 50 percent of the setback nearest a street.
 3. Additional parking spaces shall be provided based upon the exterior display and sale area.
- D. Prohibited storage
1. Accessory storage containers, as defined in Section 01. General Provisions of Administration, shall not be permitted.
 2. E. Parking up to three commercial vehicles, such as delivery and service trucks up to 20,000 GVWR, may be parked without screening if the vehicles relate to the principal use. Vehicles over 20,000 GVWR, construction equipment, and trailers shall require screening.
 3. Semi-trucks and trailers shall not be considered part of outside storage if they are used in the normal business commerce and do not exceed the number of docks and or bay doors.

5. ~~B-3 district.~~

- ~~A. Exterior storage is permitted in B-3 districts as a Conditional Use permit and subject to the following conditions:~~
- ~~1. Exterior storage shall be limited to the rear yard and shall not be allowed within the required setbacks, public right of way, private access easement, or within the required parking area.~~
 - ~~2. Maximum amount of exterior storage cannot exceed the square footage of the Principal building.~~
 - ~~3. Exterior storage cannot exceed 12 feet in height~~
- ~~B. Screening of the exterior storage shall be installed and maintained along all property lines. The screening shall not be less than six feet in height and shall preclude vision through the barrier. Screening to be achieved through a combination of masonry walls, fencing, berming, and landscaping.~~
- ~~1. All screening shall meet the regulations in Section 23. Screening Requirements [Regulations].~~
 - ~~2. All equipment and materials within the storage area shall be arranged in a neat and orderly manner.~~
- ~~C. Exterior display in B-3 districts.~~
- ~~1. The area occupied by exterior display shall not exceed 30 percent of the gross floor area of the principal building on the property.~~
 - ~~2. Exterior display and sale of merchandise shall not occur within 50 percent of the setback nearest a street.~~
 - ~~3. Additional parking spaces shall be provided based upon the exterior display and sale area.~~
- ~~D. Prohibited storage~~
- ~~1. Accessory storage containers, as defined in Section 01. General Provisions of Administration, shall not be permitted.~~
- ~~E. Parking~~
- ~~1. Semi-trucks and trailers shall not be considered part of outside storage if they are used in the normal business commerce and do not exceed the number of docks and or bay doors.~~

6. 5. B-2 district.

- A. Exterior storage is permitted with a CUP.

~~1. Approved exterior storage shall be limited to an area no more than 100 square feet of the rear yard, and shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.~~

1. Exterior storage shall be limited to the rear yard and shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.

2. Screening of the exterior storage shall be installed and maintained along all property lines. The screening shall not be less than six feet in height and shall preclude vision through the barrier. All screening shall meet the regulations in Section 23. Screening Requirements [Regulations].

3. All equipment and materials within the storage area shall be arranged in a neat and orderly manner.

B. Exterior display in B-2 Districts

1. The area occupied by exterior display shall not exceed ten percent of the gross floor area of the principal building on the property.

2. Exterior display and sale of merchandise shall not occur within 50 percent of the setback nearest a street.

3. Additional parking spaces shall be provided based upon the exterior display and sale area.

C. Prohibited Storage

1. Accessory storage containers, as defined in Section 01. General Provisions of Administration, shall not be permitted.

7. B-1 district.

A. Exterior storage and exterior displays are not permitted.

B. Accessory storage containers, as defined in Section 01. General Provisions of Administration, shall not be permitted.

8. Mixed use districts.

A. Exterior storage is allowed with a conditional use permit.

B. Except for temporary construction trailers and mobile services operated by public service agencies (i.e., bookmobile, bloodmobiles, etc.) as allowed by the city, and trailers parked in a designated and improved loading area, no vehicle may be used for office, business, manufacturing, testing, or storage of items used with or in a business or commercial enterprise unless an interim use permit has been obtained from the city.

C. The city council may order the owner of any property to cease or modify open storage uses, including existing uses, provided it is found that such use constitutes a threat to the public health, safety, convenience, or general welfare.

(Ord. No. 19, Second Series, 5-5-2010; Ord. No. 48, Fourth Series, 9-21-2016; Ord. No. 2021-06, 10-11-2021)

SECTION 28. ARCHITECTURAL STANDARDS

1. Purpose.

The purpose of architectural standards is to ensure the exterior of new construction and additions to existing buildings are well designed, detailed, and crafted to embody high standards of architectural designs.

~~2. Mixed use (MXU), limited business (B-1), central business (B-2), highway business (B-3), and non-residential uses in residential districts.~~

- A. *Building design.* Building design requirements for Mixed use (MXU), Limited Business (B-1), and non residential districts. ~~shall exhibit architectural control which seeks to be creative and which best utilizes building lines, shapes, and angles to maximize architectural integrity.~~
- 1.) Building design shall exhibit architectural control which seeks to be creative and which best utilizes building lines, shapes, and angles to maximize architectural integrity.
 - ~~1) 2.)~~ Unadorned pre-stressed upright concrete panels, unfinished concrete block, galvanized or unfinished steel, galvalum or unfinished aluminum buildings (wall or roofs), and pole-type building materials are not permitted as primary exterior building materials.
 - ~~2) 3.)~~ At least 50 percent of all exterior wall finishes shall be comprised of any combination of at least two of the following materials:
 - a) Brick.
 - b) Natural stone.
 - c) Glass.
 - d) Stucco or stucco-like finishes.
 - e) ~~Other comparable or~~ Architecturally enhanced pre-cast and cast-in-place panel, architectural concrete in combination with other permitted materials, painted steel siding, or other comparable superior material approved by city council.
 - 3) Accent materials shall be used for cornices, sills, bases, lintels, banding, and decorative accent trims. Accent materials shall consist of materials that meet or exceed the quality of the primary exterior materials and shall be consistent with the building design.
 - 4) ~~In the, MXU, B-1, B-2 districts and non-residential uses in residential districts, a~~ minimum of 30 percent of the facade facing the public right-of-way shall be glass.
 - 5) ~~In the B-3 districts, a minimum of 20 percent of the facade facing the public right of way shall be glass.~~ Any new building shall be constructed so that all exterior sides shall be surfaced equivalent to the front of the building, and shall be exempt from the requirements of windows on the sides or back facades.
 - ~~6) — Any new building shall be constructed so that all exterior sides shall be surfaced equivalent to the front of the building.~~

(Ord. No. 2021-06, 10-11-2021)

B.) Building design requirements for Central Business (B-2) and Highway Business (B-3) districts.

- 1) Building design shall exhibit architectural control which seeks to be creative and which best utilizes building lines, shapes, and angles to maximize architectural integrity.
- 2) Unadorned pre-stressed upright concrete panels, unfinished concrete block, galvanized or unfinished steel, galvalum or unfinished aluminum buildings (wall or roofs) are not permitted as primary exterior building materials.
- 3) At least 50 percent of all exterior wall finishes shall be comprised of any combination of at least two of the following materials:
 - a. Brick.
 - b. Natural stone.
 - c. Glass.
 - d. Stucco or stucco-like finishes.
 - e. Architecturally enhanced pre-cast and cast-in-place panel, architectural concrete in combination with other permitted materials, painted steel siding, or other comparable or superior material approved by city council.
- 4) Accent materials shall be used for cornices, sills, bases, lintels, banding, and decorative accent trims. Accent materials shall consist of materials that meet or exceed the quality of the primary exterior materials and shall be consistent with the building design.
- 5) Any new building shall be constructed so that all exterior sides shall be surfaced equivalent to the front of the building, and shall be exempt from the requirement of windows on the side or back facades.

~~3. Light industrial (I).~~

C.) Building design requirements for Light Industrial (I) district.

~~A. 1.) *Building design.* Building design shall exhibit architectural control which seeks to be creative and utilize building lines, shapes, and angles to maximize architectural integrity.~~

~~B. 2.) *[Agricultural standards.]* Industrial properties which are located within 1,320 feet of the centerline of the right-of-way of Highway 65 shall meet the following architectural standards. Where only a portion of the parcel lies within 1,320 feet of the Highway 65 centerline, the standards shall apply to the entire parcel:~~

- ~~1) —~~Unadorned pre-stressed upright concrete panels, unfinished concrete block, galvanized or unfinished steel, galvalum or unfinished aluminum buildings (wall or roofs), ~~and pole-type building materials~~ are not permitted as primary exterior building materials.
- ~~2) 3.)~~ Building exterior wall finishes shall be comprised of any combination of at least two of the following materials:
 - a) Brick.

-
- b) Natural stone.
 - c) Glass.
 - d) Masonry stucco.
 - e) Architecturally enhanced pre-cast and cast-in-place panel, architectural concrete in combination with other permitted materials, painted steel siding, or other comparable or superior material approved by city council.

~~3) 4.)~~ Accent materials shall be used for cornices, sills, bases, lintels, banding, and decorative accent trims. Accent materials shall consist of materials comparable in grade and quality to the primary exterior materials.

~~4) — A minimum of 20 percent of the facade facing the public right-of-way shall be glass.~~

5) Any new building shall be constructed so that all exterior sides shall be surfaced equivalent to the front of the building, and shall be exempt from the requirement of windows on the side or back facades.

~~C. — [Architectural standards.] Industrial properties which are not located within 1,350 feet of the centerline of the right-of-way of Highway 65 shall meet the following architectural standards:~~

~~1) — Exterior wall surfaces of all buildings shall be faced with brick, stone, architecturally enhanced pre-cast and cast-in-place panel, architectural concrete in combination with other permitted materials or glass.~~

~~2) — Accent materials shall be used for cornices, sills, bases, lintels, banding, and decorative accent trims. Accent materials shall consist of materials comparable in grade and quality to the primary exterior materials.~~

~~3) — A minimum of 20 percent of the facade facing the public right-of-way shall be glass.~~

~~4) — Any new building shall be constructed so that all exterior sides shall be surfaced equivalent to the front of the building.~~

4. D.) Two-family and townhome dwellings.

Exterior building finish: The exterior of two-family and townhome dwelling units shall include a variation in building materials which are to be distributed throughout the building facades and coordinated into the architectural design of the structure to create an architecturally balanced appearance. In addition, two-family and townhome dwelling structures shall comply with the following requirements:

~~A-1.)~~ A minimum of 25 percent of the combined area of all building facades of a structure shall have an exterior finish of brick, stucco, and/or natural or artificial stone.

~~B- 2.)~~ Except for brick, stucco, and/or natural or artificial stone, no single building facade shall have more than 75 percent of one type of exterior finish.

~~C- 3.)~~ For the purpose of this section, the area of the building facade shall not include area devoted to windows, entrance doors, garage doors, or roof areas.

~~D- 4.)~~ No more than three buildings within 300 feet of each other shall consist of the same building facade.

5. E.) Exceptions.

~~A- 1.)~~ The proposed building maintains the quality and value intended by this section.

~~B- 2.)~~ The proposed building is compatible and in harmony with other structures designed by standards in this section within the district.

~~C-3.)~~ The design exceeds the intent of the ordinance.

~~D-4.)~~ Any building is subject to denial that does not meet architectural excellence as determined by the planning commission and the city council.

~~6- F.)~~ Site plan review.

A site plan review is required for new construction, additions, and changes to existing buildings according to Section 04. Applications and Procedures. Each building design will be reviewed for at least the following considerations:

- ~~A- 1.)~~ Appropriate location of structures on the site with relationship to other amenities, restrictions, adjacent land usage, etc.
- ~~B- 2.)~~ General massing, roof treatments, proportions and quantity of exterior openings.
- ~~C-3.)~~ Use of exterior materials as they relate to adjacent structures, and their impact on the quality and character of the immediate area.
- ~~D- 4.)~~ Screening of mechanical equipment, tanks, loading decks, refuse handling, ancillary equipment, etc., whether on the roof or on the site.



City of East Bethel Economic Development Authority

Date: May 19, 2023

To: East Bethel Planning Commission

From: East Bethel Economic Development Authority

Subject: Proposed City Ordinance Change; Architectural Standards, Appendix A, Zoning, Section 28; EDA recommendation to the Planning Commission

At the request of EDA member Brian Bezanson and the recommendation of City Council, The East Bethel EDA reviewed City Ordinance, Architectural Standards, Appendix A, Zoning, Section 28 at their May 15, 2023 meeting for the purpose of providing comments to the Planning Commission as to impacts the ordinance amendment could have on economic development and marketing efforts of the City.

The EDA reviewed the summary points of proposed amendment which are:

- Allow painted steel siding as an exterior finish for new construction
- Eliminate the requirement for four sided architecture, particularly on the sides and rear building walls
- Combine the building design requirements for the B-2 and B-3 zoning districts in one section
- Allow architectural enhanced pre-cast and cast in place panels
- Change the standards for the percentage of glass required for the front building wall
- Remove the prohibition of post frame (pole buildings) construction in the B-2, B-3 and Light Industrial
- Create separate sections for MXU, B-1 and non-residential uses in residential districts, B-2 and B-3 districts and Light Industrial.

The focus of the discussion was what should be removed or modified and not details of any draft language or combination/creation of ordinance sections. The discussion attempted to compare the proposal for the change to the existing ordinance and what could be the resulting impacts of an ordinance revision to this section.

While the EDA feels there is a place for post-frame buildings they did have concerns regarding allowing these type of structures in areas served by city utilities. Their issues were:

- The visual impressions these type of buildings would have in areas like the Classic Commercial Park, future development between the 205th and 221st Ave and the 237th to 241st Ave segments of Hwy 65.
- The architectural compatibility needed to preserve property values for existing businesses and investments of new prospects.
- Ensuring the overall attractiveness of these areas to sustain the environment that existing businesses chose for their location and preserve the appeal of these areas for new business sites.

Based on the EDA's experience with business development, the Authority requests that the Planning Commission consider our recommendations regarding changes to City Ordinance, Architectural Standards, Appendix A, Zoning, Section 28. The proposed changes to the ordinance in their entirety would have a negative impact on economic development in the city, as it would alter the original intentions behind the purpose of the architectural standards. These standards were adopted to promote and create attractive and cohesive commercial/industrial zones that protect property values and investments and become locations that are compatible with and complimentary of their business neighbors. Should the proposed changes be approved and include those areas served by city utilities, we anticipate that property values could decrease and new businesses that residents favor would be reluctant to move to the city and invest the capital that would provide more services, broaden the tax base and increase the employment opportunities in these zoning areas.

The EDA recommends that this is a matter that needs further review to prevent any unintended consequences of the ordinance changes. They feel that options to consider could include but not be limited to:

- Ensuring the painted steel siding is further defined and has design elements that provides an acceptable finish feature;
- Where permitted, designate areas outside those served by city utilities with zoning changes or zoning text amendments that would allow this type of building construction;
- Allow of this type of use in areas that are compatible with surrounding properties and similar to the predominate style of construction of this type of building;

- Where permitted, developing Architectural standards for post-frame buildings;
- Continuing discussions to make certain that the secondary effects of this change do not have a negative influence on commercial/light industrial development in the city.

The EDA had no specific recommendations regarding four sided architecture, enhanced pre-cast panels as an exterior finish, percentage of glass for front building walls or the ordinance changes for combination(s) or separation(s) in the code section.

Enhancing Business Security Amendment:

This amendment to the architectural standards ordinance for the city of East Bethel has two primary purposes.

The first purpose is to increase the security of commercial and industrial buildings in rural areas by eliminating the requirement for windows on the side or back of new construction. This change will give business owners greater flexibility to design their buildings to meet their specific needs and enhance security measures.

The second purpose is to create a new section for B-2 and B-3 districts, which will allow the city to be more responsive to the needs of its diverse businesses by tailoring the building design requirements to suit the unique characteristics and requirements of these districts. This change will enable businesses to develop their properties in a way that is more in line with their needs while still maintaining high architectural standards.

Summary of changes:

1. Added a provision to allow painted steel siding as an exterior finish for new construction.
2. Modified the language to ensure that new construction is not required to have windows on the side or back of buildings.
3. Combined the building design requirements for B-2 and B-3 districts into one section.
4. Added Architecturally enhanced pre-cast and cast-in-place panel, architectural concrete in combination with other permitted materials, and other comparable or superior material approved by the city council as acceptable exterior building materials.
5. Modified the percentage of the facade facing the public right-of-way that must be glass for B-2 and B-3 districts.
6. Removed the constraint on pole buildings in B-2, B-3 and Light-industrial.
7. Created separate sections for MXU, B-1, and non-residential uses in residential districts, B-2 and B-3 districts, and Light Industrial district.

SECTION 28. - ARCHITECTURAL STANDARDS

Purpose.

The purpose of architectural standards is to ensure the exterior of new construction and additions to existing buildings are well designed, detailed, and crafted to embody high standards of architectural designs.

1. Building design requirements for Mixed use (MXU), Limited Business (B-1), and non-residential uses in residential districts.
 1. Building design shall exhibit architectural control which seeks to be creative and which best utilizes building lines, shapes, and angles to maximize architectural integrity.
 2. Unadorned pre-stressed upright concrete panels, unfinished concrete block, galvanized or unfinished steel, galvalum or unfinished aluminum buildings (wall or roofs), and pole-type building materials are not permitted as primary exterior building materials.
 3. At least 50 percent of all exterior wall finishes shall be comprised of any combination of at least two of the following materials:
 1. Brick.
 2. Natural stone.
 3. Glass.
 4. Stucco or stucco-like finishes.
 5. Architecturally enhanced pre-cast and cast-in-place panel, architectural concrete in combination with other permitted materials, painted steel siding, or other comparable or superior material approved by city council.
 4. Accent materials shall be used for cornices, sills, bases, lintels, banding, and decorative accent trims. Accent materials shall consist of materials that meet or exceed the quality of the primary exterior materials and shall be consistent with the building design.
 5. A minimum of 30 percent of the facade facing the public right-of-way shall be glass.
 6. Any new building shall be constructed so that all exterior sides shall be surfaced equivalent to the front of the building, and shall be exempt from the requirement of windows on the side or back facades.

2. Building design requirements for Central Business (B-2) and Highway Business (B-3) districts.
 1. Building design shall exhibit architectural control which seeks to be creative and which best utilizes building lines, shapes, and angles to maximize architectural integrity.
 2. Unadorned pre-stressed upright concrete panels, unfinished concrete block, galvanized or unfinished steel, galvalum or unfinished aluminum buildings (wall or roofs), ~~and pole-type building materials~~ are not permitted as primary exterior building materials.
 3. At least 50 percent of all exterior wall finishes shall be comprised of any combination of at least two of the following materials:
 1. Brick.
 2. Natural stone.
 3. Glass.
 4. Stucco or stucco-like finishes.
 5. Architecturally enhanced pre-cast and cast-in-place panel, architectural concrete in combination with other permitted materials, painted steel siding, or other comparable or superior material approved by city council.

4. Accent materials shall be used for cornices, sills, bases, lintels, banding, and decorative accent trims. Accent materials shall consist of materials that meet or exceed the quality of the primary exterior materials and shall be consistent with the building design.
 5. ~~A minimum of 20 percent of the facade facing the public right of way shall be glass.~~
 6. Any new building shall be constructed so that all exterior sides shall be surfaced equivalent to the front of the building, and shall be exempt from the requirement of windows on the side or back facades.
3. Building design requirements for Light Industrial (I) district.
1. Building design shall exhibit architectural control which seeks to be creative and utilize building lines, shapes, and angles to maximize architectural integrity.
 2. Unadorned pre-stressed upright concrete panels, unfinished concrete block, galvanized or unfinished steel, galvalum or unfinished aluminum buildings (wall or roofs), ~~and pole-type building materials~~ are not permitted as primary exterior building materials.
 3. Building exterior wall finishes shall be comprised of any combination of at least two of the following materials:
 1. Brick.
 2. Natural stone.
 3. Glass.
 4. Masonry stucco.
 5. Architecturally enhanced pre-cast and cast-in-place panel, architectural concrete in combination with other permitted materials, painted steel siding, or other comparable or superior material approved by city council.
 4. Accent materials shall be used for cornices, sills, bases, lintels, banding, and decorative accent trims. Accent materials shall consist of materials comparable in grade and quality to the primary exterior materials.
 5. ~~A minimum of 20 percent of the facade facing the public right of way shall be glass.~~
 6. Any new building shall be constructed so that all exterior sides shall be surfaced equivalent to the front of the building, ~~and shall be exempt from the requirement of windows on the side or back facades.~~

Farm Storage Amendment:

The purpose of this amendment is to strike an unenforceable rule.

Summary of changes:

1. Strikes the rule restricting mobile and temporary structures from being used for storage.
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SECTION 14. - DETACHED ACCESSORY STRUCTURES

5. - Exemptions.

Properties within the A zoning district are exempt from architectural and design requirements provided the building is used exclusively for agricultural use and is constructed in accordance with all other zoning ordinance regulations.

Structures of a mobile and temporary or recreational nature provided that:

1. ~~They are not used for storage purposes;~~
2. Do not adversely affect surrounding properties;
3. Are removed or placed more appropriately on the property at the request of the city.
(Ord. No. 19, Second Series, 5-5-2010)

SECTION 24. - EXTERIOR STORAGE

This amendment to the Exterior Storage ordinance for the city of East Bethel has the purpose of allowing businesses to fully use their rear-yards for storage while maintaining the screening requirements in the original language.

Summary of changes:

1. Strikes out the rear-yard storage limitations for businesses operating in the light industrial, B-2 and B-3 zones.
 2. Strikes out limitations on using storage racks for inventory.
 3. Simplifies the code by combining Light Industrial and B-3 storage rules into one section.
-

4. Light Industrial and B-3 district.

A. Exterior storage is permitted in Light Industrial and B-3 districts as a Conditional Use permit and subject to the following conditions:

1. Exterior storage shall be limited to the rear yard and shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.

~~2. Maximum amount of exterior storage cannot exceed the square footage of the Principal building.~~

~~3. Exterior storage cannot exceed 12 feet in height~~

B. Screening of the exterior storage shall be installed and maintained along all property lines. The screening shall not be less than six feet in height and shall preclude vision through the barrier. Screening to be achieved through a combination of masonry walls, fencing, berming, and landscaping.

1. All screening shall meet the regulations in Section 28. Screening Requirements [Regulations].

2. All equipment and materials within the storage area shall be arranged in a neat and orderly manner.

C. Exterior display in Light Industrial and B-3 districts.

1. The area occupied by exterior display shall not exceed 30 percent of the gross floor area of the principal building on the property.

2. Exterior display and sale of merchandise shall not occur within 50 percent of the setback nearest a street.

3. Additional parking spaces shall be provided based upon the exterior display and sale area.

D. Prohibited storage

1. Accessory storage containers, as defined in [Section 01](#). General Provisions of Administration, shall not be permitted.

E. Parking

1. Semi-trucks and trailers shall not be considered part of outside storage if they are used in the normal business commerce and do not exceed the number of docks and or bay doors.

5. - B-2 district.

A. Exterior storage is permitted with a CUP.

~~1. Approved exterior storage shall be limited to an area no more than 100 square feet of the rear yard, and shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.~~

1. Exterior storage shall be limited to the rear yard and shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.

2. Screening of the exterior storage shall be installed and maintained along all property lines. The screening shall not be less than six feet in height and shall preclude vision through the barrier. All screening shall meet the regulations in [Section 23](#). Screening Requirements [Regulations].

3. All equipment and materials within the storage area shall be arranged in a neat and orderly manner.

B. Exterior display in B-2 Districts

1. The area occupied by exterior display shall not exceed ten percent of the gross floor area of the principal building on the property.

2. Exterior display and sale of merchandise shall not occur within 50 percent of the setback nearest a street.

3. Additional parking spaces shall be provided based upon the exterior display and sale area.

C. Prohibited Storage

1. Accessory storage containers, as defined in [Section 01](#). General Provisions of Administration, shall not be permitted.