

**PLANNING COMMISSION
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Ramsey Planning Commission conducted a regular meeting on Thursday, February 24, 2022, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Randy Bauer
 Commissioner Bruce Anderson
 Commissioner Cheri Gengler
 Commissioner Eric Peters
 Commissioner Gary VanScoy
 Commissioner Brian Walker

Members Absent: None

Also Present: City Planner Brian McCann
 Senior Planner Chris Anderson
 Community Development Dir/Deputy City Admin Brian Hagen
 City Council Liaison Matt Woestehoff
 City Engineer Bruce Westby

1. CALL TO ORDER

Chairperson Bauer called the regular meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Chairperson Bauer led the group in the Pledge of Allegiance.

3. CITIZEN INPUT

None.

Community Development Director Brian Hagen stated that Commissioner Dunaway has resigned from the Commission as he is moving out of Ramsey.

4. APPROVAL OF AGENDA

Motion by Commissioner Walker, seconded by Commissioner VanScoy, to approve the agenda as presented.

A roll call vote was performed:

Commissioner VanScoy	aye
Chairperson Bauer	aye
Commissioner Gengler	aye
Commissioner Walker	aye
Commissioner Peters	aye
Commissioner Anderson	abstain

Motion Carried.

5. CONSENT AGENDA

5.01: Approve the November 18, 2021 Planning Commission Meeting Minutes

5.02: Approve the January 27, 2022 Planning Commission Meeting Minutes

Motion by Commissioner VanScoy, seconded by Commissioner Gengler, to approve the consent agenda as presented.

A roll call vote was performed:

Commissioner Anderson	abstain
Commissioner VanScoy	aye
Commissioner Gengler	aye
Commissioner Walker	aye
Commissioner Peters	aye
Chairperson Bauer	aye

Motion Carried.

6. PUBLIC HEARINGS/COMMISSION BUSINESS

6.01: Public Hearing: Consider Request for a Variance to Setbacks from the Ordinary High Watermark of the Rum River for the Construction of a Detached Accessory Building at 5280 161st Avenue NW (Project No. 22-103); Case of Mark Rice

Public Hearing

Chairperson Bauer called the public hearing to order at 7:04 p.m.

Presentation

Senior Planner Anderson presented the staff report stating that staff recommends approval of the requested variance.

Chairperson Bauer noted that the written comments will become a part of the public record.

Commissioner VanScoy referenced the sketch plan with the building and asked for clarification on the hatched area.

Senior Planner Anderson replied that indicates a drainage and utility easement that would be vacated. He noted that new drainage and utility easements would be dedicated with final plat. He stated that there should not be any impact to the functionality of the easement.

Commissioner VanScoy asked where the OHW mark is on the drawing.

Senior Planner Anderson identified the dashed line that indicates the OHW mark of the river.

Citizen Input

No comments.

Motion by Commissioner Peters, seconded by Commissioner Walker, to close the public hearing.

A roll call vote was performed:

Commissioner Peters	aye
Commissioner Walker	aye
Commissioner Gengler	aye
Commissioner VanScoy	aye
Commissioner Anderson	aye
Chairperson Bauer	aye

Motion Carried.

Chairperson Bauer closed the public hearing closed at 7:16 p.m.

Commission Business

Motion by Commissioner Peters, seconded by Commissioner VanScoy, to adopt Resolution #22-043 granting a variance to setbacks from the OHW of the Rum River for the construction of a detached accessory building on the subject property.

A roll call vote was performed:

Commissioner Peters	aye
Commissioner Walker	aye
Commissioner Gengler	aye
Commissioner VanScoy	aye
Commissioner Anderson	aye
Chairperson Bauer	aye

Motion Carried.

6.02: Public Hearing: Consider Request for Sketch Plan, Zoning Amendment, and Comprehensive Plan Amendment Related to a Proposed Second School Campus for PACT Charter School on the Property Located at 7633 161st Avenue NW (Project No. 22-107); Case of PACT Charter School

Public Hearing

Chairperson Bauer explained how he and Commissioner VanScoy are involved in the Church of Saint Katharine Drexel, which owns the subject property, and therefore both will be abstaining from this discussion and vote.

Commissioner Gengler called the public hearing to order at 7:19 p.m.

Presentation

Senior Planner Anderson presented the staff report stating that a sketch plan is intended to provide the Planning Commission an opportunity to review a proposal and provide initial feedback to the applicant before development of more detailed engineering plans which can be very costly. No formal action is required on the sketch plan. If the Planning Commission is supportive of PACT establishing a new school campus on the subject property, then it should recommend that the City Council adopt Resolution #22-050 and Ordinance #22-15. The former would approve a Comprehensive Plan Amendment and direct staff to formally submit an application to the Metropolitan Council to reguide the western 18 acres of the subject property to Public/Institutional. The latter would rezone the western 18 acres to Public/Quasi-Public and be subject to the Comprehensive Plan Amendment approval.

Commissioner Walker asked the residential lot sizes along 161st to the north of the subject property.

Senior Planner Anderson replied that those lots range from about one acre to a few acres in size. He stated that east of Variolite Street there are properties roughly one quarter acre in size that are zoned for 80 foot lots with sewer and water. He stated that the lots to the north and south are still larger lots on private septic.

Commissioner Walker stated that he believes 161st is scheduled to be resurfaced in 2023 or 2024. He noted that the road would require upgrades in order to support a school and asked who would be responsible for those costs.

Senior Planner Anderson replied that the developer would be responsible for any road improvements needed to support the development.

Commissioner Walker asked how the existing residents would be buffered from this use and sports activity on the property.

Senior Planner Anderson stated that will come with further plan development, should that step of the process be reached. He noted that there is concern from neighboring property owners related to lighting and noise. He stated that a noise study could be required to determine where a stadium use would fit and inform mitigation strategies.

Commissioner Walker stated that two traffic studies were done related to the Trott Brook development. He asked if there is data on the traffic from the study related to traffic turning from Variolite onto 161st. He noted that would have been an opportunity to complete a more holistic study of the corridor rather than completing studies in small areas.

Senior Planner Anderson replied that when the City initiated its traffic study in relation to residential developments north, there were no formal applications to identify what might come forward for this site. He stated that without a specific proposal, it would have been hard to accurately include the parcel in the study.

Commissioner Walker stated that if this project moves forward, he would like to see a traffic study completed by the consultants that completed the City's Trott Brook study in order to have a detailed traffic report on this whole area.

Councilmember Woestehoff stated that when Trott Brook North was reviewed at the last meeting, it did include the most up to date study and there were comments on a school going northbound, but not at that particular intersection. He agreed that the same consultant should be used to analyze the traffic for this proposal.

Community Development Director Hagen stated that the traffic study is a public document that can be shared with the developer.

Citizen Input

Justin Fincher, representing the applicant, stated that PACT has hired his firm as the Development Manager for the project. He stated that he is present to answer any questions related to the proposed development and sketch plan. He stated that PACT is in its 27th year of operation and is a public charter school with open enrollment to the public. He stated that there are not additional enrollment fees and enrollment is capped based on the size of the facility. He noted that the school has been in Ramsey for 18 years and considers itself an asset to the community. He stated that of the existing student body, over half the students are Ramsey residents and of those students, over 80 percent live within a three-mile radius of the site. He stated that there is demand for enrollment at the school and this proposed expansion would allow more opportunity. He stated that the school wants to continue to expand within Ramsey to cater to the current student body and its wait list. He recognized that this is in a residential area but would also provide for safety of students and the surrounding community. He commented that they are willing to work with the City on a traffic study. He noted that the peak demand hours for a school happen twice per day when the school opens and closes. He stated that both periods are a 15-to-20-minute window. He recognized that there will be off peak extracurricular activities that will occur. He stated that this site is centrally located for PACT, its current student body, and the extensive wait list. He stated that this is already a tax-exempt property, therefore there would not be an impact to the City's tax roll. He commented

that the church has its own plans for development and there have been conversations about a shared parking agreement. He stated that they have facilitated shared parking between charter schools and churches in the past as the peak hours differ for the uses. He provided details on financing for the project, noting that public charter schools are issued through bonds by the State of Minnesota and not the City of Ramsey, although the City would need to approve the bonds. He clarified that the City of Ramsey would not be providing any financing for the project. He hoped that the Commission considered approval of the actions before it tonight so that PACT can continue to meet the needs of the students and families in Ramsey.

Commissioner Peters asked if there would be enough parking for sporting events. He stated that currently when there are games, people are parked on the side of the roads and in many different places.

Mr. Fincher stated that this is a sketch plan and therefore early in the process, therefore a detailed analysis has not been done for parking needs. He stated that there is a benefit to having a shared parking agreement with the future church development as that would provide additional parking for those events.

Commissioner Anderson asked for more information on other schools in residential areas.

Mr. Fincher provided two examples of charter schools recently constructed within residential settings in Brooklyn Park and White Bear Lake. He stated that he could provide additional examples if desired.

Commissioner Anderson commented that he would be interested in seeing the expanded list. He asked how the noise and lights would be mitigated.

Mr. Fincher commented that they would be interested in pursuing the noise and light studies as mentioned by staff as PACT would like to be a good neighbor. He again noted that this is early in the process, and they will look into buffering and site layout as well.

Gayle Graw, 7930 161st Avenue NW, stated that the school has stated that its goal is to address its future waiting list and need for a facility to include more students, yet they are building on every square foot of a lot which would not allow for future expansion. She commented on the traffic implications as well as the problems that will arise from noise and lighting. She stated that this lot would be completely built out from the beginning which would not create opportunity for future expansion.

Danielle Holder, 7826 161st Avenue NW, stated that residents were given seven days to prepare for this meeting. She stated that she has heard that PACT wants to be a good neighbor and needs to expand, but it is a disservice to the school and community to not make it clear what can and will happen here. She stated that if built to capacity she would estimate 600 students. She noted that 161st is already stressed from the activities of Central Park. She stated that people park along their yards and smoke in the boulevard as there is no smoking in the park. She asked how the road would accommodate the park traffic along with school traffic. She stated that when the bus comes down the road to collect children, traffic speeds up to pass the bus. She believed there would be

conflict from student drivers and buses going to PACT. She asked if there would be sidewalks added throughout the neighborhood to provide safety to residents. She stated that there is a beautiful high school proposed but PACT is not thinking about the impact on the neighbors that already live there. She asked if PACT is aware of the limitations that would be put upon them to ensure they would be a good neighbor. She asked that the City provide PACT with the information and regulations that would be put upon PACT to ensure their proposal could fit on the site. She noted that PACT is proposing to fill every square inch of the site which does not leave room for future expansion needs. She stated that if this rezoning is approved, would the eight existing residents also be afforded a rezoning when they can no longer exist with the traffic from the park and school. She stated that when there are games at the park, the noise carries and impacts the homes. She commented that the neighborhood is already unsafe for children because of the traffic on the road and that would apply the same for the students that would be attending PACT. She stated that zoning is meant to provide gentle transition between uses to ensure everyone can enjoy their property. She urged the Commission to take a step back and ensure that PACT is aware of the actual regulations that would be placed upon the property, such as setbacks, and whether the school could be constructed without creating a nuisance to the neighborhood.

Sarah Schmidt, 5435 144th Way NW, commented that she has been a Ramsey resident since 2007 and has three children at PACT. She stated that she would like her kids to stay at PACT and not to have to go to Anoka. She stated that she loves that a residential area was chosen over an industrial area as that provides safety to the children. She stated that there are hundreds of families in the Ramsey area that are interested in PACT. She stated that PACT is a part of the community and has a stake in this.

Leo Eiden, 16068 Uraninite St NW, stated that he is opposed to this request. He commented that traveling northbound on Variolite there is a slope down, therefore having an access road with another intersection at 161st could be an issue. He stated that he is interested in the traffic study as to how that could layout. He stated that he is also concerned that the developer could come to the City to request cost-share funding on the road improvements. He did not believe 161st currently has a storm sewer and instead uses a ditch. He stated that there is a potential that the road reconstruction could be more expensive than people are thinking about, and the residents should be aware if they would be responsible for any portion of the cost. He asked that the Commission deny the rezoning. He noted that he moved to his home five years ago with the knowledge that the land was a park and he did not anticipate having a high school in his backyard. He believed there is much due diligence to be completed and hoped that is done before the ball rolls downhill.

Ryan Heineman, 16931 Helium Street NW, stated that he is a PACT alumni and his children attend PACT. He stated that he attended the informational session prior to this meeting as well. He stated that 161st is scheduled to be repaved and redone as part of the CIP and there would not be a new levy of taxes to pay for the road. He stated that PACT would not be asking for help on the road improvements. He stated that PACT currently has a pollinator garden as its existing location and would have plans to replicate that to some degree at the new location. He commented that there would be a lot of wildlife to the east of the field, which would be a great opportunity to teach students about nature. He stated that PACT is a charter school and therefore the State regulates that a lottery system must be used for enrollment. He noted that there are currently 500 students on the waiting list and the vast majority of those are Ramsey residents. He stated that many of the

students would be using buses to access the school. He stated when older students become of driving age, they often drive younger siblings as well, therefore the two campuses should be somewhat close together. He commented that he grew up off Armstrong and 155th and played sports at Central Park. He understands the want to keep the area the same but noted that the pandemic has impacted churches and schools. He noted that this is a situation where the church needs money for its future plans and the school needs land and has available funds, therefore the uses would work together to benefit both nonprofit organizations that benefit the community. He stated that a traffic study was done for Trott Brook North, and they redid the study during school hours, and it was still deemed to be safe. He stated that if the land does not go through, the other option would be for more homes with 80-foot lots. He stated that Central Park already has games in that location with lights and noise, therefore adding this use would not change the characteristic of the neighborhood as this would place a football field next to a football field. He stated that PACT looked at land within The COR and at another parcel but those would not support the needs of the school and meet the regulations of The COR. He commented that this is a great spot for the school. He stated that PACT expanded 18 years ago, therefore it is unrealistic to say the school would want to expand further in five years. He believed that PACT meets the values of the community and has local control on its Board. He commented that while seven days for residents to get their thoughts in order may not seem like a long time, PACT has been working on this with its development team for a long time and has planned accordingly to meet the regulations of the City.

Robert Buchannan, 6738 153rd Lane NW, stated that he supports a new PACT location as he has four children at the school and a fifth that will also go to the school. He believed that this is a good location because of the proximity to the existing location. He noted that once his oldest can drive, she would be bringing the younger children to school as well. He did not believe that residents were opposed to a school, or PACT, but concerned about the impact.

Ron Lindenberg, 7600 163rd Lane, stated that he believes PACT is a great school with a great reputation but believes this issue is more of placing a square peg in a round hole. He asked if the recently redone sewer for Variolite can support this use. He stated that he has lived on his property for 25 years. He stated that there are six more acres above the land the church would propose to use and what PACT would use and asked what the use would be for that land. He stated that Variolite shrunk a little in its last improvement and was unsure if that road is capable of carrying the capacity for the school and football field. He identified the marsh area, noting that if the hard surface is not controlled, water would flood those homes out if not planned appropriately. He stated that he moved to his property to have acreage for a reason and not to be next to a high school. He stated that the residents in this area have gotten used to the sports activities of the park, but they do not have a stadium with stadium lighting 40 feet from someone's property. He did not believe 40 feet is a realistic buffer from an acreage lot for a school. He stated that his biggest concern is related to traffic. He acknowledged that 161st needs to be redone but this would require the road to have a different capacity. He stated that he has accepted the development that has come over the years but did not believe this high school use would fit into this neighborhood area.

Samuel Mater, 16410 Court Street, stated that from his home he can hear the activity from the park on busy nights. He stated that he moved to his home about 18 months ago, noting that in Fridley he lived about the same distance from the middle school and high school. He noted that the roads

were much wider and designed for the schools to be there, but there were still traffic problems. He stated that while there is already noise from the park, the noise generated from a stadium and other school activities such as band practice would generate more noise. He stated that he moved to get away from that noise pollution from the schools. He asked if there is a better location for the school that would not be as intrusive.

Mr. Lindenberg commented that one mile from this proposed location there is 150 acres, undeveloped and listed for sale.

Commissioner Walker noted that the City Council recently approved a development for that parcel.

Mr. Lindenberg commented on the traffic that will be added from the residential development. He stated that site would have been a great location for a school. He hoped that the City does what is best for the surrounding land uses in its decisions.

Mr. Heineman stated that the traffic study that was completed was to support the 150-acre development and was redone during school hours to account for that use. He stated that there have been a lot of studies in this area prior to this point.

Jeff Lubarski, 7826 161st Avenue, stated that he has lived on his property for over 20 years and 161st has gained in traffic, congestion, and speeding vehicles since that time. He stated that those issues would only increase if a school were added. He stated that 161st needs to have a traffic study completed on it as well. He stated that he has well and septic which are running fine. He stated that when games are happening people are parking in his yard and in areas marked no parking. He commented on the speeding activity down the road and within the park area that already occurs. He stated that the school and its amenities would encompass the entire site which would cause overflow parking going into the park and onto the neighborhood roads without consideration for the people that live there. He asked where buffering would occur to keep people off the residential properties and where the protection would be for the residents that their children that live in that neighborhood. He recognized the growth that has occurred in that area over the past 24 years including the park. He stated that there is not salt, and sand put onto the roads and asked the environmental impact that would have as the school use would require those to be used. He also had questions about drainage and the impact that would have to adjacent lands.

Patrick Surma, 161st Avenue, commented that 161st will deteriorate further before its scheduled improvement. He stated that the park needs to be enhanced to have more parking and a second entrance. He suggested that the City purchase the land to properly expand the park. He stated that he is a supporter of PACT but believes there is a better place for it. He commented that 161st is already a deadly road. He stated that the land could also be used for a church cemetery.

Dave Berg, 16210 Uraninite Street, commented that the church was donated 33 acres of land several years ago. He noted that the church would now be selling a good portion of that donated land. He stated that there would also be an easement from Variolite to the school which would cut through the church property. He stated that the remaining 15 acres for the church would be divided up into two parcels and asked what would be planned for the northeast corner and whether the church would only use 6.5 acres. He asked if the school would eventually swallow up the entire

33 acres from the church. He stated that he visited the PACT website and there are a lot of plans on there for the future. He noted that this proposal would use up the entirety of the proposed site and asked where additional expansion would occur.

Randy Bauer, representing the Church of Saint Katharine Drexel, stated that development fees are based upon the size of the lot developed. He noted that the church only needs 6.5 acres for the future improvements and therefore would propose to split the land in order to avoid payment of development fees on the entire parcel. He stated that the church does not know what the church may wish to do in 50 or 75 years. He stated that the church is in the middle of its capital campaign to move forward with its phase one plan and this land sale would assist in beginning construction in 2023. He noted that even the phase two improvements would fit within the 6.5-acre portion. He stated that the remainder of the land could not be sold, noting that approval has been gained from the archdiocese to sell the 18 acres in discussion tonight. He referenced the suggestion to sell the land to the City, noting that the church was in negotiations with the City for years related to expansion of Central Park and the City decided it did not need additional land. He stated that the church has also looked at selling to a developer, but developers have stated that 80-foot-wide lots would not be economically feasible and smaller lots would be needed to create a successful project. He stated that the church consulted the Council, and it was determined that the City would not support 55-foot-wide lots. He stated that the church never intended to maintain 33 acres and always intended to sell some of the western acreage to support its future needs.

Josh Nyquist, PACT Charter School, thanked the Commission for its time and for the residents that came out to express their views. He stated that PACT is proud to have a waiting list of 500 students, many of which are Ramsey residents. He stated that the school emphasizes academic, character and parent involvement. He stated that parents are welcomed to be involved in classrooms and in the governance of the school. He stated that each year when the lottery is done, there are over 100 kindergarten students that cannot attend, therefore there is a need for expansion. He stated that in their enrollment growth plan they would like to double the attendance over the next four years. He stated that they would want to ensure that they are good neighbors to those that live in Ramsey while serving Ramsey residents. He commented that they viewed multiple sites in their search. He noted that the school is limited in what it can afford because it is not a typical public school and advised that this location also works because of the proximity to the existing campus. He noted that this would allow the school to create the programing and amenities that it would like to provide for its students. He noted that they would be open to the noise, light and traffic studies mentioned.

Jason Patrow, 16209 Sapphire Street, stated that he has nothing against the school but does not believe this is the right area for it because of concerns for the traffic, utilities, and easements. He stated that he is also concerned with drainage to the north side of the property. He stated that wetland runs through his backyard and in the spring the water level creeps close to flooding into his home. He noted that the additional hardcover would cause additional water to flow in that direction as he did not notice a stormwater pond on the site. He stated that he also has concern with traffic flow. He stated that they moved to this area because it is quiet and peaceful with wildlife. He stated that after the Lennar development to the south, traffic has increased dramatically. He noted that the area around the park is extremely congested for events and the game fair and was unsure how that area could handle more traffic. He was extremely concerned

with the impact to the wetland and watershed in that area. He again stated that he supports the school and the need for a school but believes this is the wrong location.

Dean Thiele, 16611 Coquina Street, commented that he believes the City should purchase the property. He noted that the City recently changed the name of the park from Central Park to Delaney Park, noting that the Delaney family donated the park land to the City and therefore believed the City should purchase the additional property. He stated that he notices a football field but asked where other sports would be played. He asked the City to consider purchasing the property to improve the park, noting that the original land was donated. He noted that expansion of the park would ensure adequate parking for the park use.

Mr. Fincher thanked all the residents that have provided input thus far. He commented that this is early in the process, noting that the purpose of tonight is to receive comments and feedback that could be incorporated should this move forward. He stated that there is a development team that would help to evolve the plans, should this move forward. He referenced the concern with traffic, noting that they would work with a traffic engineer and the previous reports to address that concern. He stated that they also have a civil engineer to address drainage and runoff to ensure those are met. He stated that the building footprint size, parking stalls, and needs for track and field, football and soccer were incorporated into this sketch plan. He noted that the water needs would be reviewed by the watershed to gain proper permitting. He stated that the water from this site would be treated and maintained on the site and would not be allowed to pass onto neighboring properties. He stated that they would need to pay fees to connect to storm sewer and sanitary sewer, through both the City and Metropolitan Council. He stated that if this moves forward, they would conduct a photometric plan as required by the City to ensure the regulations within City Code are met for lighting. He stated that the concerns related to noise will need to be worked through and hoped that it could be a collaborative process with residents to ensure the least amount of disruption.

Mr. Patrow (Jason) stated that there is already unsafe drinking water in Ramsey and asked where the water would come from to service the school as the City's water supply and quality is insufficient.

Councilmember Woestehoff commented that the water issue is a priority for the City and a water treatment plant facility has been budgeted for and will break ground this year to address water quality and water pressure issues. He commented on the funding the City has already allocated through water utility funds in order to address the issues. He recognized that Variolite was recently reconstructed and noted that improvement was completed in anticipation of the additional capacity it would serve. He stated that the narrowing was meant to address concerns with speeding. He clarified that the watershed organization is the Lower Rum River Water Management Organization (LRRWMO) and that review process will be extensive. He acknowledged that 161st is one of the worst roads in the community in terms of condition. He stated that the Central Park parking lot is scheduled to be repaired at the same time as the road, noting that \$700,000 has been allocated for those projects within the CIP. He appreciated the comments related to stormwater, which is also a question he had. He stated that generically roads are reconstructed to the same state, meaning that if storm sewer is not in place, it is not added. He recognized that but for the school, there

would not be additional improvements, therefore any additional improvements that are needed for the road/infrastructure would need to be funded by the school.

Mr. Patrow asked about impacts to the wetlands on neighboring properties in addition to the wells and septic systems on adjacent properties.

Councilmember Woestehoff stated that he cannot answer that as he is unsure of well depths.

Mr. Patrow replied that to his knowledge the wells do not go down 300 feet. He asked if the well water would be tested and who would be responsible for negative impacts, should that occur.

Motion by Commissioner Walker, seconded by Commissioner Peters, to close the public hearing.

Further discussion: Ryan Pflager, 16510 Yolite Street, asked if the state has guidelines on the acreage required for high schools. He noted that when looking online he noticed guidelines of 35 to 40 acres minimum. He believed that this parcel is too small for what PACT will need.

Ms. Graw stated that there have been a lot of comments from the school that more details will be forth coming and asked when that would occur. She stated that it is hard to make an informed decision when there is a lot more study to be done before this could continue forward.

Senior Planner Anderson commented that this is a conceptual review noting that there are a number of steps in platting property and provided more explanation. He noted that if this moves forward to Preliminary Plat, all those additional details would be provided for the proposed development. He stated that the water management plans and wetland delineations would also be reviewed by the LRRWMO.

A roll call vote was performed:

Commissioner Peters	aye
Commissioner Walker	aye
Commissioner Anderson	aye
Commissioner Gengler	aye

Motion Carried.

Commissioner Gengler closed the public hearing closed at 9:09 p.m.

Commission Business

Councilmember Woestehoff asked staff to provide more explanation on the requested action tonight. He asked if Public/Quasi-Public would allow for a school or whether that would be a conditional use. He also asked for additional details on the next steps.

Senior Planner Anderson stated that no formal action is necessary for the sketch plan, noting that the intent is to provide feedback for the applicant. He stated that there are two proposed actions

before the Commission tonight, the first would be related to the requested rezoning from R-1/MUSA-80 to Public/Quasi-Public. He stated that a school would be a permitted use within that zoning district. He stated that the second action would be related to the requested Comprehensive Plan amendment. He noted that the site is currently zoned for low density residential, and the request would be to rezone the property to public/institutional, which would allow a school to operate on the property. He stated that a Comprehensive Plan amendment would need to go before the City Council for formal action and then to the Metropolitan Council for consideration and approval. He recognized that the process may seem odd but noted that this is the typical process that is followed for development. He noted that these actions tonight would need to occur before the developer undergoes the expense of developing more detailed plans.

Councilmember Woestehoff asked if the City is under a 60-day review period. He asked if the Commission could take no action tonight.

Senior Planner Anderson stated that no formal action is needed on the sketch plan. He stated that there is a 60-day review period for the formal applications related to rezoning request and the Comprehensive Plan amendment. He stated that if there are additional questions and information desired, the Commission could choose to table consideration with direction for what would need to be brought back. He noted that the City would have the ability to extend the review period once by an additional 60 days but then action would need to be taken after that time or approval would automatically be gained.

Commissioner Gengler asked if the rezoning were not allowed, would the project be unable to move forward.

Senior Planner Anderson replied that the action by the Commission tonight does not determine whether the project can move forward. He noted that the recommendations from the Commission would move forward to the City Council for decision. He stated that if the City Council does not adopt the rezoning and/or Comprehensive Plan amendment, the project would be unable to move forward.

Commissioner Walker commented that the Commission received all the letters and emails sent to the City related to this topic. He stated that the letters in support are from parents with children at PACT while the letters of those opposed are not related to PACT. He stated that those that spoke tonight were split in favor or opposed. He noted that there were no residents that spoke in favor of the project that do not have ties to PACT. He stated that he has concerns related to traffic, a buffer for residents, and a desire for more detailed plans. He stated that he also has a concern with water capacity and whether the site could support a high school per the guidance mentioned by a resident. He stated that he is not opposed to PACT expanding and putting in a building but was not convinced that this is the right location for it. He stated that he sides with residents on almost every issue that comes before the Commission and therefore cannot vote to support a Comprehensive Plan amendment or zoning change for this project.

Commissioner Gengler stated that Commissioner Walker did a great job summarizing the internal debate that she has had as she heard the input from residents tonight. She stated that on paper it does make sense to have the school in this location as there are positives for this use on this site.

She stated that they also have not heard support from the residents in this area for the project. She felt that compromises could be made and improvements that could be made to 161st that would actually benefit the area. She stated that without supporting the project, she would like to see the process move forward to bring forward more detailed plans and specifics. She stated that the school and residents can speak to determine where compromises can be made.

Commissioner Walker asked what would happen if the rezoning and Comprehensive Plan amendment were not approved tonight. He stated that he is not comfortable moving these actions forward, changing what can happen in the area if a resolution cannot be gained for the list of concerns. He noted that PACT could then back out and the door would be open for other uses that may not be desired.

Senior Planner Anderson stated that the recommendation from the Commission would move forward to the Council for consideration. He stated that the actions of the Council could be made contingent upon formal approval of Site Plan and Final Plat so that those actions only move forward if the PACT plans are ultimately approved. He noted that if PACT were unable to gain the necessary approvals, the rezoning and Comprehensive Plan amendment would become null and void. He noted that the Commission could also include that contingency in its motion.

Commissioner Walker asked what would happen if this is passed and PACT brings something forward that makes the residents uncomfortable in the next steps, which causes the Commission to recommend denial of the plans.

Senior Planner Anderson explained that the Commission would need to review the proposal to determine whether it complies with the City Code and all other regulations. He stated that if those standards are met, legally the City should not be denying the project. He stated that if there are elements that are deficient in terms of Code standards, those could be identified in support of a denial.

Commissioner Walker asked if there were anything in the City Code that would allow for the input of residents and their comfort level.

Senior Planner Anderson stated that when the next step is reached, there is the potential to work with the applicant if there are additional protections or modifications that they would like to see in the proposal, perhaps even above and beyond the minimum standards of the Code. He acknowledged that the applicant would need to be a willing partner in that as it would be above what is required.

Commissioner Walker stated that he cannot get to the point of support until he knows that the residents will be okay with the project.

Commissioner Anderson commented that he does see a path forward, adding the contingency onto these recommendations that the Preliminary Plat must be approved in order for these approvals to become valid. He noted that there would be another public hearing at Preliminary Plat and if the developer does not meet the regulations, that request would be denied. He stated that Preliminary Plat would be the opportunity to review the project as a whole including traffic, water management,

etc. He noted a different project that had opposition from residents and stated that input was received, everyone came to agreement, and it moved forward. He stated that although he has reservations about the project, he supports moving to the next step. He stated that the applicant has heard the comments expressed and they will have to meet the goals in order to receive the necessary approvals.

Motion by Commissioner Anderson, seconded by Commissioner Peters, to recommend that City Council adopt Resolution #22-050 and Ordinance #22-15, approving a Comprehensive Plan Amendment regarding a portion of the subject property to Public/Institutional and approving a rezoning of a portion of the subject property to Public/Quasi-Public with the contingency that these approvals would only be gained upon Preliminary Plat approval.

A roll call vote was performed:

Commissioner Peters	aye
Commissioner Walker	nay
Commissioner Anderson	aye
Commissioner Gengler	aye

Motion Carried.

Councilmember Woestehoff commented that he believes the motion failed with a vote of three to three, as two members abstained. He noted that regardless of whether the motion failed or passed, the item will move forward.

Randy Bauer clarified that an abstention is a non-vote and is not counted as a nay.

Senior Planner Anderson confirmed that staff will verify the vote with the City Attorney. He noted that this is tentatively scheduled to move to the City Council on March 8th.

Chairperson Bauer and Commissioner VanScoy rejoined the Commission. He briefly recessed the meeting.

Chairperson Bauer reconvened the meeting.

6.03: Public Hearing: Consider Request to Amend a Home Occupation Permit for Peace Keepers, Inc. at 6025 177th Ln NW; Case of Derek Trout

Public Hearing

Chairperson Bauer called the public hearing to order at 9:42 p.m.

Presentation

Community Development Director Hagen presented the staff report stating that City staff does not have a recommendation based on the regulations identified in City Code.

Commissioner VanScoy asked if the building inspection would include inspection of the safety procedures for the firearms.

Community Development Director Hagen replied that a building inspection would only inspect the building.

Commissioner VanScoy stated that this would expand from online sales to in-person sales and asked if the intention would be to allow both types of sales.

Community Development Director Hagen stated that the permit could outline what is allowed online and what is allowed in person. He stated that the applicant could provide more details on what is intended.

Citizen Input

Derek Trout, applicant, stated that he has been the President and owner of the company since 2018, noting that the company was started in 2016 by a retired police officer. He stated that the business is owned by an army veteran and provided details on the licensing and registration that his business has and maintains annually. He stated that he would continue to primarily online sales with a small amount of in person transfers and sales. He stated that he is not looking to expand greatly noting that the business would transition from a 200 square foot space in the home to a 400 square foot space outside the home. He stated that the building is steel and would meet all regulations for weapons storage. He noted that a member of the Commission inspected the building yesterday.

Community Development Director Hagen confirmed that City Planner McCann conducted a site visit to get a better understanding of the setup.

Mr. Trout provided additional details on the security of the building, noting that the garage and sales portion would be completely separate and noted that he has 24/7 surveillance of the property. He stated that there are no signs posted on the property and many Ramsey residents were unaware that the business was there because that is their intention.

Commissioner VanScoy commented that it sounds like there is a lot of equipment on the site and asked what would happen if power were lost.

Mr. Trout replied that they have battery backup, so they would never lose power and would always have security.

Commissioner VanScoy asked how often the carry training would be done and how many people would be involved.

Mr. Trout replied that most of the training is done offsite but they would like the capability to host onsite at times, estimating a class of up to ten people once a month or every other month. He noted that all shooting is done at Total Defense or at another offsite location.

Commissioner VanScoy asked for details on the steel building and codes that it meets.

Mr. Trout replied that the steel building meets the requirements of the FBI and ATF, noting that there are additional gun safes inside the building.

Commissioner VanScoy stated that he would personally like to see the Chief of Police inspect the building to verify those statements and would like that added as a condition.

Chairperson Bauer asked and received confirmation that the class would have ten people participating at one time.

Kelly Schmidt, 6000 177th Lane, stated that she sent a 60- or 70-page document to the City for review. He stated that this came about because of recent complaints, noting that she made several complaints to the code official for the City that the business was no longer operating in the house and was operating in the pole barn. She stated that in September 2019, the initial Home Occupation Permit was approved, noting that was done administratively between Mr. Trout and the City staff. He noted that she now finds out that this is a running gun shop and noted that not all the sales occur online. She stated that in January of 2022, the letter was sent to Mr. Trout in response to complaints and he then applied for the upgraded Home Occupation Permit. She stated that the staff members previously involved in the permit have since left the City. She noted that the original permit was approved by one staff member with the clause that there be no exterior evidence of the business activity. She stated that as a resident she does not believe there should be a gun shop in the neighborhood. She noted that Total Defense already offers these services nearby in a commercial area. She stated that the residential area should remain residential and not have a visible gun shop. She stated that in February 2019 there were resolutions passed for a riding arena, horse barn and camp within proximity to this location. She noted that her statements are easily proven through Mr. Trout's security footage, own admittance, and social media posts. She noted that the videos have since been removed. She requested that the Home Occupation Permit be denied and that the original permit be revoked because of ongoing violations. She believed the City's vague and inadequate requirements prevented residents from being notified of this business request. She stated that Mr. Trout has been operating out of the pole barn for the past year. She commented that automatic weapons are hanging on the wall with open ammunition and without trigger locks. She acknowledged that the initial level one permit language was so vague that it most likely allowed the applicant to think this activity was okay. She stated that if the business is expanding, it should be moved to a commercial location. She stated that the business is being conducted in the pole barn. She provided a list of complaints and did not believe Mr. Trout resides at the property. She did not believe the conditions in the original Home Occupation Permit have been met and asked that the request be denied along with revocation of the original permit.

Chairperson Bauer asked staff to explain when a home occupational permit can be approved administratively and when a public hearing is required.

Community Development Director Hagen stated that generally an administrative review is for low use that would have little impact to the area. He noted that more intense uses that would still be compatible for the area often include a public hearing and review by the Commission and/or City Council.

Darrin Wong, 14600 Iodine Court NW, stated that his white truck is often in the driveway noting that he has personal property at the location and often assists Mr. Trout. He referenced the mentioned Facebook videos as he runs the Facebook component and confirmed videos were deleted by Facebook. He stated that he did not put a sign up because the neighbor that just spoke verbally complained to them about people parking on the street and they wanted those people to park in the actual spot. He noted that all the licensing is up to date.

Mike Schmidt, 6000 177th Lane, stated that he opposes this request. He commented that this is a residential area and there is plenty of commercial area where a gun shop could be located. He stated that if the business is growing, it should be moved to the appropriate location.

Michael Maas, 5936 177th Lane NW, stated that he also opposes this. He stated that he is a gun owner but lives in a neighborhood. He stated that if he wanted to live by a gun shop, he would have selected a location near a commercial area. He did not believe this business fits within a residential area.

Michael Kemp, 6003 178th Lane, stated that he has nothing against guns, but the property is zoned residential and should remain as such. He stated that the neighborhood is full of empty nesters and young families with one way in and one way out, therefore there should not be commercial activity.

Arnie Cox, 6001 177th Lane, stated that he is an immediate neighbor and has seen the barn be constructed and vehicles coming and going. He commented that the applicant does not care if vehicles block other drivers that live there. He believed that the entire neighborhood should have been notified. He stated that when the original permit was requested, gun sales should have triggered a public hearing. He asked if the Commission members would want this next to their home. He stated that he was only allowed to build a small accessory building and was questioned about his drain field, yet Mr. Trout was allowed to construct a large building with vehicles driving over the drain field. He stated that the City policies should be straightened out as this activity should not be allowed in a residential area. He stated that other businesses are required to operate in commercial areas, as this should be. He stated that people drive in and out of their neighborhood at all times in order to go to this business. He commented that it was outrageous that a permit was obtained to sell guns out of the house and the barn. He asked why the City did not follow up on the permit after issuance.

Chairperson Bauer commented that City staff does not have the capacity to follow up on every permit issued and therefore relies on complaints.

Mr. Cox asked if the type of business is specified on the permit application.

Chairperson Bauer confirmed that the application does include the type of business. He provided additional details on how violations occur and the process that is followed once complaints are received.

Mr. Cox commented that gun sales is much different than a salon or electrical business.

Deb Kemp, 6003 178th Lane NW, stated that she would not have even known about this tonight if a neighbor did not tell her. She stated that this building has had activity for months and months with strange vehicles coming and going. She noted that the development only has 20 homes and therefore seeing strange vehicles makes the residents nervous. She commented that there are not streetlights, sewer and water and there should not be commercial activity. She was disappointed that someone has not paid closer attention to this and that it has been allowed for this length of time. She stated that the business has a website with the residential address listed already. She believed that all the neighbors should have been notified of the request. She stated that this area was intended for residential and should remain as such.

Chairperson Bauer referenced the notice, which was sent to properties within 350 feet, noting that distance is set by State statute.

Ms. Kemp stated that people live outside the 350 feet area and yet they care and are disappointed and angry.

Brian Heigl, 17826 Potassium Street, stated that in the last few years there has been drastic increases in firearms break ins and thefts for gun shops. He noted that most shops are in well-lit commercial areas that are visible. He stated that this is a location on a small side street in a building setback from the driveway with no streetlights, which does not seem like a good location. He stated that there will also be a camp and riding arena using the one entrance to the neighborhood. He noted that this is already off a dangerous part of highway 47 and there should not be a businesses added that increases traffic. He stated that this is not the right location for this type of business.

Sherry Johnson, 17757 Potassium Street, stated that she was not notified, and she only lives one house down from the subject property. She stated that the properties in this area are large, therefore 350 feet does not even cover a yard. She stated that the applicant has been selling out of the pole barn for well over a year, sells ammunition, and holds conceal and carry classes. She stated that this is a quiet neighborhood with one way in and out and the people coming in are the people that live there and should not be gun shop customers. She stated that having a gun shop in the neighborhood makes the neighborhood more susceptible for unwanted activity. She stated that she has no problem with the applicant wanting to make a living selling guns, but this residential setting is not the right place for that business. She stated that everyone in the neighborhood has wondered why the applicant was allowed to build a pole barn of that size when no one else has been allowed to construct something that large.

Mrs. Schmidt stated that the residents that have spoken have stated their names and addresses and asked that there be no retaliation as a result of speaking their opinions.

Eric Renna, 6112 178th Lane, stated that he is opposed to this request. He noted that his backyard overlooks the pole barn. He stated that he moved out to Ramsey to be away from activity because he has two disabled children. He stated that he does not oppose the business itself but does not believe it should be in this area.

Mr. Trout commented that this is not an unregulated, unlicensed business operating out of a backdoor. He stated that they have held licenses with the FBI, ATF, and Chief Local Law Enforcement Officer for about eight years. He stated that everyone has to be up to code and is highly regulated. He stated that his business meets all of the regulations. He stated that while hours of availability are listed, people must schedule an appointment. He stated that neighbors told him they had no idea his business existed until they received the letter. He was unsure how they disrupted the neighborhood when people did not know they existed. He stated that his license is active and is renewed every three years. He stated that the sign was posted to bring people into the house. He commented that there was a bridal shower at the home for his fiancé, who drives the red car Mrs. Schmidt mentioned that comes and goes from the property, as they are getting married in three months. He stated that he also just returned from deployment in Kuwait and therefore people are coming and going to visit because he was gone.

Chairperson Bauer asked if there are trigger locks on the guns and whether ammunition is open.

Mr. Trout stated that photographs are taken on display and the guns are then returned to the safes. He stated that the building is secured and locked and meets all the storage requirements, but they go above that in storing the guns in the locked cabinets/safes. He stated that the City Inspector came to visit the pole barn to verify it met City Code.

Commissioner Walker asked the applicant to reference the claim that there is a bazooka on premise.

Mr. Trout stated that there is a Halloween decoration that is a piece of plastic and another that is fiberglass and are display pieces that are unable to be reloaded or used. He stated that he is a weapons instructor with the Army for the last ten years.

Commissioner Walker referenced a claim that Mrs. Schmidt also made related to automatic weapons and stated that he would assume they are semi-automatic weapons.

Mr. Trout stated that every weapon they carry is legal with full background check. He confirmed that there are no fully automatic weapons. He stated that one member made a post to the Ramsey community Facebook page stating that they could not believe this activity was allowed in Ramsey, which has since been deleted. He stated that post had over 100 comments of support for the business.

Commissioner Gengler stated that the neighbors have stated that activity has been occurring in the pole barn, although the original permit did not allow for that. She asked if the applicant was aware that the business needed to stay within the home.

Mr. Trout stated that the permit was vague, and he was not aware he could not expand to the pole barn. He stated that once the complaint was received, he immediately filed for the new permit. He stated that once he was aware that he was in violation, he took immediate action to correct that.

Commissioner VanScoy stated that the verbiage in the case states that it is okay to run a business in the pole barn. He asked if a residence is considered the property or whether there is a difference between the home and pole barn.

Senior Planner Anderson replied that the City Code regulations would allow for home occupation to occur in a residence and/or accessory building. He stated that the permit itself would look at the proposal and then specify where the home occupation would be conducted on the property. He assumed that the permit was drafted specific to the home because that was how the initial proposal came forward. He noted that since that time an accessory building was added and operations were shifted to that building, which would be in conflict with the previously issued permit.

Mr. Trout referenced the claim that gunshots were heard in the area and noted that did not come from his property. He stated that they have never fired weapons on the property and all testing is done offsite.

Commissioner VanScoy stated that many of the concerns seem to result from excessive parking and asked if that was related to business activity.

Mr. Trout replied that when they first moved to the driveway, they did not have a large driveway and therefore friends visiting their home, unrelated to the business, would park on the road. He stated that they have since received the permit to expand the driveway and if they held a class, vehicles would be parked on the driveway.

Mrs. Schmidt stated that she pulled the original home occupational permit request which included the requirements and conditions. She reviewed the requirements and conditions listed which she believed were violated. She stated that the permit states that he must reside at the property to operate his business, regardless of whether he is away from the home on active duty. She stated that if he is away on active duty, he should not be operating the permit. She stated that she is not complaining about the safety of the building. She noted that now the residents are aware of the business and want to stop the new request and request that the original permit also be revoked.

Chairperson Bauer commented that the applicant had a permit to operate his business under the conditions listed. He stated that the applicant was in violation of that and has since submitted a new application for consideration. He stated that if the permit is denied, the original permit would remain in place and Mr. Trout could operate under those conditions.

Mr. Schmidt stated that he is a witness that weapons have been fired on the applicant's property more than once. He commented that when the incidents occurring there were no other people around and believed the firing of the weapon came from inside the pole barn.

Commissioner Peters asked if the resident called the police.

Mr. Schmidt replied that he did not.

Commissioner Peters asked why the resident did not phone the police.

Mr. Schmidt stated that he is not aware of what the deal is at the property.

Commissioner Peters stated that if it is such a concern, the police should have been called.

Mr. Wong commented that he does not know what Mr. Schmidt is referring to. He noted that he is at the property quite a bit with his children, ages seven and three months, and he would never allow gunshots near his children. He stated that the white truck that was mentioned is his truck. He noted that his boat is stored at the property, and he works on the boat at that location. He noted that if he would have heard gunshots in his neighborhood, he would have called the police. He stated that he can confidently say that there are not gunshots coming from this property.

Ms. Johnson asked why the original permit would be allowed to remain if the conditions were violated.

Chairperson Bauer commented that a permit can be revoked if there are violations, or the permit holder can come into compliance to continue.

Senior Planner Anderson confirmed that is correct. He stated that violations were identified, and notification was provided to the permit holder. The permit holder then has the opportunity to respond to those violations, noting that this request tonight is one path to take. He stated that this request will be reviewed by the City Council as well and if denied, the terms of the original permit would need to be followed or a revocation can be considered that would include a public hearing process.

Ms. Johnson commented that she made the post on the Ramsey community Facebook page and believed that most the comments were made in a joking manner. She confirmed that she deleted the post.

Ms. Kemp asked the clientele that would be attracted with toy bazookas.

Mr. Trout commented that 80 percent of his customers are current military members while another ten percent are active or retired police officers. He stated that the majority of his sales are made to military members that have thorough background checks. He noted that the nonmilitary people that he conducts sales with are people that he knows, like his father or grandpa. He noted that everyone has to pass the required background checks. He stated that the people that come to his property are clean and cannot have a criminal record. He stated that if someone has a drunk driving charge, they are denied a weapon, therefore it is not criminals and drug dealers coming to his property. He stated that no one even knew his business existed outside of people that he trusts. He stated that this is not the only home-based FFL gun seller in Ramsey. He stated that it is approved by the ATF to conduct this business in a home or pole barn. He stated that he is the owner of the home and resides at the property. He commented that he is only away from the home when he is called to active duty. He stated that they screen everyone that attempts to make an appointment as he does not allow someone to come to his home that he does not know.

Motion by Commissioner VanScoy, seconded by Commissioner Peters, to close the public hearing.

A roll call vote was performed:

Commissioner Peters	aye
Commissioner Walker	aye
Commissioner Gengler	aye
Commissioner VanScoy	aye
Commissioner Anderson	aye
Chairperson Bauer	aye

Motion Carried.

Chairperson Bauer closed the public hearing closed at 10:58 p.m.

Commission Business

Chairperson Bauer clarified that the Commission is a recommending body that will make a recommendation to be reviewed by the City Council.

Commissioner Walker asked staff to provide details on the size of the pole barn on the subject property versus what others were allowed to build.

Senior Planner Anderson stated that he did some checking of City Code when those comments were made. He noted that the subject property is roughly 2.2 acres in size which would make it eligible for detached accessory buildings totally 2,400 square feet in size. He commented that based on the dimensions in the building permit, the pole barn would be 2,016 square feet which falls under that allowance. He reviewed the eligibilities for total square footage of detached accessory buildings compared to lot size. He noted that if someone has a property similar in size, they would be allowed a similar square footage of accessory buildings. He noted that if a property has existing detached accessory buildings, that would reduce the footprint for an additional building.

Commissioner Walker asked if staff could check previous building permit applications for that area to review what was denied versus accepted.

Mr. Kemp stated that he has lived on his property for 32 years and provided an example of limitations that were placed upon an accessory buildings. He noted that stick garages were required rather than a pole building.

Commissioner VanScoy stated that he has been on the Planning Commission for many years, and he cannot recall denial of applications of that manner.

Commissioner Walker stated that it would be helpful for staff to research that in order to provide the documentation at the City Council review.

Chairperson Bauer asked that any residents in attendance that were denied a pole barn contact City staff to make that process easier.

Commissioner VanScoy asked if there is a legal definition of residence. He stated that he spent a year in Vietnam and that did not mean he lived there, his residence remained in Minnesota.

Community Development Director Hagen stated that he does not have the definition in front of him. He believed that the situation would be different if a property owner is deployed rather than spending time at a second property they own or rent. He stated that the focus could remain on the number of employees and permit conditions rather than residency.

Chairperson Bauer agreed that residence remains as one's home during deployment.

Senior Planner Anderson noted that he can also gain the opinion of legal counsel prior to the Council meeting.

Community Development Director Hagen stated that if the Commission recommends approval, he would encourage the Commission to list any specific conditions it feels appropriate.

Motion by Commissioner Anderson, seconded by Commissioner Gengler, to recommend that City Council deny an Amended Home Occupation Permit for a firearms business at 6025 177th Lane NW.

Further discussion

Commissioner VanScoy commented that if the Commission recommends denial and the Council overrides that, he would like to see a condition added that the site be inspected by the appropriate authority (Chief of Police) to ensure the safety conditions are met. Senior Planner Anderson suggested that be added as a condition to the Home Occupation Permit, therefore even if the motion to recommend denial is approved, the language would still move forward. Councilmember Woestehoff suggested that the Commission provide input on conditions it would want to see included, should the permit ultimately be approved. Commissioner Walker stated that he would worry that specifying a number of business trips would interfere with friends and family that may be visiting the home as Mr. Trout returned from deployment as the residents in the neighborhood will not be able to distinguish between business visitors and home visitors. He commented that Mr. Trout has a lot of people visiting after a year of deployment. Commissioner Gengler commented that regardless of the type of business a Home Occupation Permit is to allow a small business to exist without generating a lot of trips back and forth. She stated that if more trips are needed, the business should be in a commercial space. Chairperson Bauer asked if the maker and seconder of the motion would be acceptable to amending the motion to include the conditions requiring inspection with a limitation on business trips to four per day with the exception of permit to carry classes to be held once per quarter. Commissioners Anderson and Gengler agreed. Commissioner VanScoy asked if the selling of firearms is allowed as a home business. Community Development Director Hagen confirmed that the sale of firearms is not prohibited. Commissioner Walker received confirmation that the motion before the Commission is to deny the requested permit.

A roll call vote was performed:

Commissioner Peters	nay
Commissioner Walker	nay
Commissioner Gengler	aye
Commissioner VanScoy	aye
Commissioner Anderson	aye
Chairperson Bauer	aye

Motion Carried.

Senior Planner Anderson clarified that the Planning Commission provided a recommendation of denial of the Home Occupation Permit, but the recommendation including adding two conditions to the permit as discussed, should the City Council choose to approve the permit.

Commissioner Walker commented that even though the Commission recommended denial of the permit, he personally would like for the business owner and neighbors to try to work something out.

7. COMMISSION BUSINESS

None.

8. COMMISSION / STAFF INPUT

The Staff Update was noted.

9. ADJOURNMENT

Motion by Commissioner Peters, seconded by Commissioner VanScoy, to adjourn the meeting.

A roll call vote was performed:

Commissioner Peters	aye
Commissioner Walker	aye
Commissioner Gengler	aye
Commissioner VanScoy	aye
Commissioner Anderson	aye
Chairperson Bauer	aye

Motion Carried.


The regular meeting of the Planning Commission adjourned at 11:23 p.m.

Respectfully submitted,



Brian Hagen
Deputy City Administrator/Community Development Director

ATTEST:



Nicole Laubach
Planning Administrative Assistant

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.