

November 3, 2010

The Scandia Planning Commission held their regular monthly meeting on the above date. The following were in attendance: Vice Chair Christine Maefsky, Commissioners Tom Krinke, Susan Rodsjo, Steve Philippi and Peter Schwarz. Staff present: City Planner Sherri Buss. Vice Chair Maefsky called the meeting to order at 7:30 p.m. The first order of business was to administer the oath of office to newly appointed Planning Commissioner Steve Philippi.

APPROVAL OF AGENDA, MINUTES

Krinke, second by Rodsjo, moved to approve the agenda as presented. The motion carried 5-0.

Rodsjo, second by Krinke, moved to approve the October 5, 2010 minutes as presented. The motion carried 5-0.

PUBLIC HEARING (CONTINUED FROM OCTOBER 5, 2010): DRAFT ORDINANCE NO. 122, AN AMENDMENT TO THE SCANDIA DEVELOPMENT CODE CHAPTER 1 ADMINISTRATION AND CHAPTER 2 – ZONING

On October 5, the Planning Commission opened the public hearing on the proposed ordinance which will update the first two chapters of the Development Code. State law requires that the city's codes and ordinances relating to the development of land be made consistent with the Comprehensive Plan, which was approved for adoption in March 2009.

City Planner Sherri Buss reviewed the changes made based on citizen comments and staff recommendations. The Planning Commission and City Council received a redlined version of the draft ordinance showing the changes and edits which were agreed upon.

Commissioner Maefsky opened the continued public hearing for comments.

Commissioner Maefsky addressed the change made in Chapter 2, Section 2.5 (uses in Agricultural Preserves District). At the last meeting, it was the consensus to remove Commercial Horse Training Facility (10 or fewer horses) as an allowed use because it is not consistent with state law. Maefsky objected to the removal and cited a recent tax law which she felt interpreted a commercial horse operation to be a legitimate use in agricultural preserves land.

City Attorney Hebert countered that the tax law was meant to allow ag property used for the raising of horses not to be taxed as commercial land. Hebert explained that uses in ag preserves must follow the statute, and a commercial horse operation is not permissible.

Commissioner Maefsky moved to return Commercial Horse Training Facility as an allowed use in the Agricultural Preserves District.

Commissioner Krinke commented that this has potential to cause trouble in the future and should be left off the list of allowable uses.

Action on the motion failed for lack of a second.

The next issue addressed was a request from Gary Gillespie, 20290 Olinda Trail, regarding an exception in the current code to the requirement for lot frontage on a public road, Section 3.3 (2) (C). This was proposed to be left out of the updated code as it is in conflict with other standards. Making exceptions to the road frontage standard and allowing what may become permanent private roads seemed to violate some of the basic requirements of the new code. It was originally added to deal with one past instance of a land-locked parcel.

Mr. Gillespie commented that the exception should remain in order to deal with other landlocked parcels such as his. They own a 50-acre parcel that they wish to split into two parcels, and this exception would allow for a shared driveway between the two properties. It would not be financially feasible to require a public street. Mr. Gillespie strongly urged the Commission to reconsider, as there are other properties in Scandia that would benefit from this.

Commissioner Krinke asked for City Attorney Hebert's opinion on what could be done to help Mr. Gillespie with this hardship. Hebert advised that the exception could be included in the code update. A minor subdivision would still be required for the purpose of subdividing the land. A complete application would need to be reviewed before stating that a parcel having no public road frontage is allowed. Certain conditions would need to be met.

The Commissioners suggested that the process should begin with a sketch review and site visit.

Krinke, second by Rodsjo, moved to retain the current code language found in Section 3.3 (2) (C), Minimum Frontage on a Public Road. The motion carried 5-0.

A written comment was received from Joseph Beitler, 13531 Oakhill Road, concerning regulations for home occupations. Planner Buss reviewed language that could be added to the final draft if appropriate.

Mr. Beitler addressed the Commission with a request that standards for home occupations be changed to allow up to one employee, and especially non-family members, to be part of a home occupation. He would also like to allow for screening, either by natural cover or man-made structure, of outdoor storage. Mr. Beitler noted that he works with large pieces of granite that are difficult to store inside.

Commissioner Maefsky asked for any final public comments. There were none, and the hearing was closed.

Commissioners discussed the screening and outdoor storage issue raised by Mr. Beitler. Consensus was that it would be difficult to define a personal storage space area, especially with Scandia's wide variety of lot sizes. Screening is not a guarantee that materials will not be seen. The standards in place for exterior storage should apply to home occupations.

Commissioners then discussed allowing outside employment to a home occupation. Staff revised language to Chapter 2, Section 4.10 (1) to read: "No person other than the residents of the premises and no more than one employee not residing on the premises, shall be engaged in

such home occupation.” Commissioners Maefsky and Rodsjo stated that one additional employee is not unreasonable, and would be in favor of allowing this.

Commissioner Schwarz didn't see the necessity of adding language to the code to allow for an additional employee – one additional helper just happens. An issue is only raised if there is a complaint. To allow for one employee could grow to a point that a business is created, leading to problems. Commissioner Krinke was in agreement with this.

Maefsky, second by Rodsjo, moved to adopt language to Chapter 2, Section 4.10 (1) to read: “No person other than the residents of the premises and no more than one employee not residing on the premises, shall be engaged in such home occupation.”. The motion carried 3-2, with Krinke and Schwarz opposed.

Krinke, second by Schwarz, moved to leave the language in Chapter 2, Section 4.10 (7) as is, prohibiting outdoor storage for home occupations. The motion carried 5-0.

Commissioner Rodsjo noted that cement fiberboard should be added to the list of approved building materials in Section 3.14 (1)(C) 4. Consensus was to include cement fiberboard as an approved building material.

Rodsjo, second by Krinke, moved to recommend to the City Council adoption of Ordinance No. 122, Adopting a New Chapter 1 and Chapter 2 of the Development Code, with amendments. These amendments include approving an exception to minimum road frontage on a public road, allowing one employee of a home occupation, and adding cement fiberboard material as an approved building material. The motion carried 5-0.

PUBLIC HEARING: COMPREHENSIVE PLAN AMENDMENT. CAPITAL IMPROVEMENT PROGRAM UPDATE, 2011-2015

The Capital Improvement Program (CIP) is typically updated annually, before the City Council adopts the budget in December. City Administrator Hurlburt presented a draft CIP as prepared based on input from the Capital Improvements Committee and from direction received from the City Council during their August budget meetings.

A major change recommended is that replacement of the 1997 Ford 8000 Dump Truck with Plow (PW-006) be moved up from 2012 to 2011. Recent mechanical failures have raised concern that the current truck is not reliable. It was determined that a tandem-axle dump truck with plow would be the most advantageous replacement. It would carry almost double the load of sand and gravel, useful in both summer and winter months.

Commissioner Maefsky opened the hearing for public comments. There were no comments and the hearing was closed.

Commissioner Rodsjo suggested that a municipal parking lot in the Village Center should be added to the list of pending projects. The recent additions of new businesses has made public parking difficult.

Council member Ness asked if it would be cost effective to do more in-house road projects. Administrator Hurlburt stated that some projects are just out of the scope of the public works department to take on, but there may be opportunities in the future. Mayor Seefeldt suggested that looking into joint-power agreements with neighboring cities could be a possibility.

Schwarz, second by Krinke, moved to recommend to the Council adoption of Resolution No. 11-03-10-03, Amending the 2008-2030 Scandia Comprehensive Plan to adopt a revised CIP for 2011-2015.

Rodsjo, second by Schwarz, moved to amend the motion to add a municipal parking lot as a pending project. The motion carried 5-0.

A vote was taken on the amended Schwarz/Krinke motion. The motion carried 5-0.

CHAIR AND VICE CHAIR PLANNING COMMISSISON APPOINTMENTS

Rodsjo, second by Krinke, moved to select Maefsky to serve as the Planning Commission Chair for the remainder of former Chair Ness's term, which expires on February 1, 2011. The motion carried 5-0.

Schwarz, second by Rodsjo, moved to select Krinke to serve as the Planning Commission Vice Chair until February 1, 2011. The motion carried 5-0.

Krinke, second by Rodsjo, moved to adjourn the meeting. The motion carried 5-0.

The meeting adjourned at 9:27 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk