

May 3, 2011

The Scandia Planning Commission held their regular monthly meeting on the above date. Commission Chair Maefsky called the meeting to order at 7:00 p.m. Following the Pledge of Allegiance, roll call was taken. The following were in attendance: Commission Chair Christine Maefsky, Commissioners Jan Hogle, Tom Krinke and Peter Schwarz. Steve Philippi joined the meeting at 7:02 p.m. Staff present: City Administrator Anne Hurlburt, City Planner Sherri Buss and Deputy Clerk Brenda Eklund.

APPROVAL OF AGENDA, MINUTES

Schwarz, second by Krinke, moved to approve the agenda as presented. The motion carried 4-0.

Commissioner Krinke offered a correction to the April 5, 2011 minutes regarding the Bolton variance (page 2: change “northeast” to “northwest” corner of the house). **Krinke, second by Schwarz, moved to approve the April 5, 2011 minutes as corrected. The motion carried 4-0.**

CONDITIONAL USE PERMIT FOR A CHIROPRACTIC HEALTHCARE BUSINESS AT 21150 OZARK AVENUE. DR. STEVEN LUGINBILL AND JAN LUGINBILL, DBA CROIX RIDGE CHIROPRACTIC, APPLICANTS.

A public hearing was held for a Conditional Use Permit application for a chiropractic healthcare business within existing office space of the Scandia Plaza, located at 21150 Ozark Avenue.

City Planner Sherri Buss presented the planner’s report which recommended approval of the permit. Medical or dental offices/clinics are an approved use in the Village Mixed Use (VMU B) Zoning District. There will be no lab work or x-ray services that could raise environmental concerns. Adequate parking is provided within the Scandia Plaza development. The draft resolution included a condition that the applicants obtain a sign permit prior to installing a business sign.

Planning Commission Chair Maefsky opened the hearing for public comments.

Dr. Steven Luginbill, applicant: Dr. Luginbill asked about the procedure for applying for a sign permit. Administrator Hurlburt explained that staff can issue an Administrative Permit for the business sign once design plans are submitted and approved.

As there were no other public comments, Chair Maefsky closed the public hearing.

Commissioner Philippi stated that this appears to be an uncontroversial project.

Commissioner Krinke asked for verification of the location of the office as shown on the floor plan of the building.

Krinke, seconded by Philippi, moved to recommend to the City Council approval of the Conditional Use Permit to allow Croix Ridge Chiropractic to operate at the Scandia Plaza, located at 21150 Ozark Avenue, with findings and conditions as incorporated into a draft resolution. The motion carried 5-0.

DRAFT OF CHAPTER 3, SCANDIA DEVELOPMENT CODE – SUBDIVISION REGULATIONS

The City has been required to update its Development Code as a consequence of adoption of the new Comprehensive Plan. The last chapter of the Code to be updated is Chapter 3, Subdivision Regulations.

Administrator Hurlburt presented an overview of subdivisions and introduced a draft of Chapter 3, which provides for the regulations of subdivisions within the City. The Park and Recreation Committee have begun a review of the Park Dedication language contained in Section 2 of the draft. The City Engineer will provide recommendations for engineering standards.

After this initial review, the Planning Commission will schedule time at the June 7 meeting for a more detailed work session of the draft Subdivision Regulations.

SITE VISIT GUIDELINES

The Commission discussed changes to the Site Visit Guidelines at their April 5 meeting. The recommended changes were presented for the Commission's review. **Krinke, seconded by Schwarz, moved to adopt the revised Site Visit Guidelines. The motion carried 5-0.**

REVIEW OF DEVELOPMENT CODE REQUIREMENTS FOR WIRELESS COMMUNICATIONS ANTENNAS AND TOWERS (CHAPTER 2, SECTION 4.30)

The Planning Commission continued to review the draft amendments to the ordinance regulating cell phone towers. Planner Buss reviewed the recommended changes within the draft ordinance as discussed at the April meeting.

The key issue for the ordinance is to determine a maximum tower height. At the last meeting, it was proposed to allow a maximum height of 195 feet, because towers over 200 feet in height must meet FCC/FAA requirements and have lights. Although urban areas have adopted shorter tower heights to encourage placement on existing structures, in rural areas it is common to allow towers to be taller, as there are fewer structures that can host antennas. With towers of 150'-195' feet, it is technically feasible to allow a 2-mile separation distance.

Much discussion centered on the setback requirements as written in Section 9, Performance Standards. To address perception and safety issues, Planner Buss will revise (A)2 to read: *The tower shall be setback from the nearest ~~residential structure~~ property line on another lot at least twice the height of the tower. Exceptions to such setback may be granted if a qualified structural engineer specifies in writing that any collapse of the ~~pole~~ tower will occur within a ~~lesser distance~~ the property boundary under all foreseeable circumstances.*

It was then suggested that Section 9(A) 2 and 9(A)4 be consolidated to avoid redundancy of the language.

Commissioner Philippi recommended that the wording in Section 9(B) would be better addressed as an introduction to the Performance Standards.

It was also recommended that additional wording be added to Section 9(D) regarding screening. Planner Buss will revise the paragraph to allow the City to determine setbacks to minimize visual impacts.

Commission Chair Maefsky recommended that “Council” be eliminated from Section 10(D) to clarify that the Planning Commission would be the first to review any new tower applications. The paragraph will read: *The City Council may, in its discretion, require visual impact demonstrations...*

Commission Chair Maefsky questioned why the City would allow replacement of a nonconforming tower as stated in Section 3, Nonconformity. Administrator Hurlburt explained that state law requires this.

Commissioner Hogle suggested that Section 2(C)1 also contain language that excludes wireless network or wide area network antennas used for commercial or residential purposes from permit requirements. It was agreed that this exception be added. Planner Buss will research the technical language to include in this paragraph.

Commission Chair Maefsky suggested that Section 9(C) be revised by replacing the language “along a designated Scandia scenic byway” with “within a designated Scandia scenic viewshed”. Maefsky also recommended that Condition #4 “Within County and State Highway 97 roadway rights-of way” be removed from the list of preferred locations listed in Section 7(C), when collocation is not feasible.

Planner Buss will revise the draft ordinance with the recommended amendments. The Commission was in agreement that the draft ordinance should be scheduled for a public hearing at the June 7 Planning Commission meeting.

SCENIC VIEW ANALYSIS

Planning Commission Chair Maefsky has offered to chair a committee to work on the issue of prioritizing and preserving scenic views and vistas within the city. Some work on this was started during preparation of the City’s Comprehensive Plan. The first meeting of the Scenic Viewsheds Committee will be held on Wednesday, May 18, 2011 from 7:00 to 9:00 p.m. Commissioner Philippi also offered to be a member of the committee. Staff will issue a press release and website posting to invite community participation in the project.

ADJOURNMENT

Schwarz, seconded by Krinke, moved to adjourn the meeting. The motion carried 5-0.
The meeting adjourned at 9:28 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk