

October 7, 2008

The Scandia Planning Commission held their regular monthly meeting on the above date. The following were in attendance: Chairman Chris Ness, Commissioners Tom Krinke, Christine Maefsky, Susan Rodsjo, Peter Schwarz and Comprehensive Plan Consultant Jean Coleman. Chairman Ness called the meeting to order at 7:30 p.m.

APPROVAL OF AGENDA, MINUTES

Commissioner Krinke, seconded by Commissioner Schwarz, moved to approve the agenda as presented. The motion passed unanimously.

Commissioner Schwarz, seconded by Commissioner Krinke, moved to approve the September 2, 2008 minutes. The motion passed unanimously.

Commissioner Schwarz, seconded by Commissioner Rodsjo, moved to approve the September 18, 2008 minutes. The motion passed unanimously.

PUBLIC HEARING ON PROPOSED COMPREHENSIVE PLAN, CONTINUED FROM SEPTEMBER 18, 2008

Jean Coleman of C.R. Planning presented an overview of the proposed Comprehensive Plan.

Chairman Ness opened the hearing to the public.

Bill Clapp, 19995 Quinnell Avenue, stated that as a representative of the St. Croix Scenic Association and the St. Croix River Association, he was present to provide comments supporting the proposed plan. Mr. Clapp recommended the adoption of the plan as it has been presented. He stated approval of classifying the Trails End corner as residential and sees this plan as supporting small farms.

Kevin Nickelson, 11262 Scandia Trail, stated his opposition to the proposed plan. He sees the plan as complex and highly regulatory, making it difficult to implement at a high cost to the city. Landowners will be giving up development rights, as little is offered to developers of conservation subdivisions. He asked the Commissioners to simplify the plan and maintain the 4/40 density in Ag Core. Mr. Nickelson added that the Trails End site at the corner of Highways 95 and 97 has historically been a commercial node and should remain so.

Don Pennings, 10400 185th Street, sees this as a loss of development rights and a taking of property from landowners. Mr. Pennings questioned how the Planning Commission and Met Council are appointed, and why the Met Council has the power to require cities to adopt plans such as these.

Chairman Ness stated the Planning Commission is appointed by the City Council for five-year terms. Administrator Hurlburt explained that the Met Council is comprised of 16 members, appointed by the governor, each representing a metropolitan district. The Met Council has legal authority to coordinate local planning within regulated plans and policies. Met Council requirements do influence the direction of the comprehensive planning.

Annette Gilbertson, 12791 Oakhill Road, stated she is in agreement with Mr. Nickelson's comments. She questioned how future zoning will affect previously submitted housing plats.

Hurlburt replied that approved plats have a two year period to be recorded, after which they expire.

Mike Caron, Tiller Corporation, commented that the Natural Resources map within the plan should more accurately reflect current aggregate conditions within the city. He would like to see the Zavoral pit, located east of the intersection of Highways 95 and 97, identified as an active mining site. This pit contains stockpiles, although it does not currently operate by an active conditional use permit. As this site lies within the River Corridor overlay, amending the plan to allow future mining would be a difficult step.

Margie Pennings, 10400 185th Street, stated that citizens should have a right to vote on a monumental plan such as this.

Myron Lindgren, 15040 Old Marine Trail, stated that active farms are no longer a way of life in Scandia and the city needs new businesses and residents to support the community. This plan is too restrictive to the development of new commercial businesses and homes.

John Lindell, 11240 218th Street, questioned the theoretical buildout table on page 121 of the draft plan. Coleman explained that this table, along with the table on page 122, is provided to illustrate that the maximum planned average density of 10 acres per unit is met. The Met Council is being more restrictive than they were on the plan that was adopted in 1998. Wetland acres are excluded from the potential buildable acres.

Lisa Schlingerman, 20661 Quint Avenue, stated the importance of preserving the river corridor, and cautioned against overdevelopment.

Jim Simpson, 23393 Nolan Avenue, stated that this is an overly complicated plan with too many levels of restrictions. The plan appears to have five levels of restrictions on property that he owns. He asked the commission to simplify the plan, as it would be costly to implement as it now stands. He also stated that “stealing value” by lowering density in Ag Core is wrong. He believes the plan overlooks other ways of preserving the rural concept, such as adding tree specifications. Mr. Simpson was informed that the current development code contains a tree preservation ordinance.

Coleman clarified that shoreland overlays have been extended by the state and are divided into two categories. Scenic roads/viewsheds are looked at as guides and will be more fully considered in the implementation strategy.

Jeff Fusco, Stillwater, stated that he is the owner of the property at the corner of Highways 95 and 97, formerly the Trails End restaurant site. He is displeased with the proposed plan that removes his site from commercial zoning, and feels the city is taking away his property.

Cliff Guggisberg, 12780 182nd Street, asked how many open acres would be required to develop a commercial business on a 25-acre parcel. Administrator Hurlburt answered that it would be dependent on where this site was located.

Gerald Muller, 23323 Olinda Trail, views this plan as taking away his land value. The former plan was good enough.

Kevin Nickelson reiterated his view that the plan is too regulatory and restrictive. It removes options for people on what they can do with their property.

Ernie Kertzscher, 21350 Olinda Trail, commented that the net effect of this plan appears to be higher per capita property taxes, as less development would be coming in.

Bill Clapp stated that provisions are available through the purchase of development rights or the Transfer of Development Rights program to provide compensation to landowners affected by lowered density. He thought the former Trails End site could be used for a low-profile visitor center.

Annette Gilbertson asked for clarification on the use of Open Space Development as it applies to a 120-acre parcel. Coleman stated that the plan would encourage conservation subdivisions in General Rural and Ag Core areas.

Don Pennings stated his view that the free market has been given away to social planning. There is no fairness in destroying land value.

Ross Brunfelt, 19400 Orwell Avenue, feels this is a plan gone awry. He is disappointed that the Trails End site will be zoned residential. He sees no logic in this as it is a busy corner. He asked for a more clear explanation of the Ag Core area.

Coleman expanded on the definition from the draft plan in which the density is 2 per 40, but a variety of lot sizes are encouraged.

Dan Booren, 11522 Mayberry Trail, stated his agreement with Mike Caron, in that mining, as a valuable resource, should not be cut off. Why is the unrestored Zavoral pit classified as prime ag? It is wishful thinking to stress and promote agricultural use of land in these current times. This plan regulates down to the extreme. He asked the commission to take another look at the plan before making a decision.

Ron Simpson asked if more public involvement will be done before adoption.

Chairman Ness stated that a workshop could address modifications to the plan. The public would be welcome to attend, but it wouldn't be public hearing.

Ernie Kertzscher asked if there is a conflict between this proposed plan and the current development code. Mayor Seefeldt answered that yes, there is conflict and the city must adopt a new code within nine months after the Comprehensive Plan is adopted.

Chairman Ness closed the public hearing at 9:13 p.m.

Councilmember Harnetty relayed comments from resident Howard Hawkinson in which he is opposed to the rezoning of the Trails End site. Mr. Hawkinson also questioned how prior road assessments would be handled once a property is rezoned. That is, if a property was assessed for four parcels and then rezoned to two, will a refund be offered? City Attorney Hebert replied no, assessments are levied based on residential units that are in place for that particular zoning at that time, and are not an open-ended guarantee.

Commissioner Schwarz feels that there are serious points to be considered. A decision should be postponed until the plan can be reviewed in a workshop setting.

Commissioner Rodsjo felt that many good points have been addressed through the two public hearing sessions and should be more thoroughly considered in a workshop.

Commissioner Krinke stated that the intent of the Comprehensive Plan Committee has never been to devalue land or to be against the will of the residents. The plan tries to mitigate lower density through use of Transfer of Development Rights. Throughout the planning process, there were no comments against the change of the Trails End corner from commercial to residential. He would be in favor of reviewing these comments in a workshop.

Commissioner Maefsky proposed that the next step should be to schedule a workshop with the City Council to work through these conflicting issues.

Commissioner Maefsky, seconded by Commissioner Krinke, moved to schedule a workshop involving the Planning Commission and City Council to further discuss the draft Comprehensive Plan. The motion passed unanimously.

A workshop date of October 22, 2008 at 6:00 p.m. was selected. Written comments from the public were encouraged to be submitted by a deadline of October 17 at noon.

Commissioner Maefsky, seconded by Commissioner Schwarz, moved to adjourn.

The meeting adjourned at 9:32 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk