

November 5, 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 City Planner Sherri Buss. Chairman Ness called the meeting to order at 7:30 p.m.

APPROVAL OF AGENDA, MINUTES

Commissioner Rodsjo added a discussion of the formation of a design standards committee.

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

Commissioner Schwarz, seconded by Commissioner Rodsjo, moved to approve the October 7, 2008 regular meeting minutes. The motion passed unanimously.

Commissioner Schwarz, seconded by Commissioner Krinke, moved to approve the October 22, 2008 special meeting minutes. The motion passed unanimously.

TOM AND LISA STANEK – VARIANCES FOR NEW CONSTRUCTION, CONTINUED

The public hearing on the application of Tom and Lisa Stanek for variances including lot size and lot setback to construct a new home on a vacant lot located at 19107 Layton Avenue was continued from the September 2nd meeting.

Administrator Hurlburt gave a summary of a meeting held on September 23rd for the purpose of discussing the long-term status of the 201 collector system. The conclusions determined that the sewer system has capacity to serve the proposed new home.

City Planner Buss presented the planner's report which recommended approval of the variances with findings and conditions which were incorporated into a draft resolution.

Commissioner Schwarz asked for clarification that lot coverage does not exceed 25% and the building height is less than 35 feet. Building Official Thorp confirmed that the proposed construction meets the ordinance.

Commissioner Krinke asked for details which lessened the lot coverage from a previous submission. The Applicant's builder explained that the driveway was narrowed, the size of the garage reduced and the permeable paver issue resolved. Lot coverage is under 25%.

Commissioner Maefsky asked if the drainage issue has been considered, as neighboring property owner Brad Bergo felt a structure on this lot would lead to flooding onto his property. Mr. Stanek replied that topographical maps show that natural drainage will not be altered. Installation of rain gardens will enhance the drainage.

Commissioner Schwarz asked for confirmation that the house will be above the OHW, which Stanek's architect confirmed.

Chairman Ness opened the public hearing.

Liz Kramer, 19126 Layton Avenue: Ms. Kramer addressed a comment to Mr. Stanek which Chairman Ness ruled to be out of order.

Brad Bergo, 19123 Layton Avenue: Mr. Bergo asked for an explanation of lot coverage calculations. Planner Buss stated that coverage is determined electronically and does not exceed 25%.

Chairman Ness closed the public hearing.

Commissioner Schwarz moved to approve draft Resolution 11-05-08-04 Approving the Variance Request for 19107 Layton Avenue. For purpose of discussion, Chairman Ness seconded the motion.

Chairman Ness stated that he was opposed to granting the variances for new construction. He felt this would set a precedent for future new construction, and cited that in the past, most variances were granted to lots which already had existing structures.

Commissioner Maefsky also stated opposition, as the applicant was aware of the small lot size when he purchased it, and does not feel that a hardship can be justified. Commissioner Maefsky stated concerns of the questionable capacity of the 201 sewer system, and cited a letter submitted by David Berg which questioned how development can be allowed on a substandard lot.

Commissioner Rodsjo stated opposition due to the potential detrimental effects new construction could have on lake quality, and that the owner was aware of the small lot size when purchased.

Commissioner Krinke, also opposed, felt this was too much house for too little of a lot. The magnitude of the variance request for lot size, near 90%, is not reasonable. This is an example of a large house being shoehorned into a small lot. Protection of lakes and streams should factor into the Commission's decision.

Chairman Ness asked for a vote on Commissioner Schwarz's motion to approve the variance request. Voting yes: Schwarz. Voting no: Rodsjo, Ness, Maefsky, Krinke. Motion failed.

Chairman Ness, seconded by Commissioner Krinke, moved to recommend to the City Council to deny draft Resolution 11-05-08-04 with the following findings: 1) It is a vacant lot with no pre-existing structure; 2) The size of the lot was known when purchased; 3) There is potential negative impact to lake quality; and 4) The size of the house is too large for the small lot. Voting yes: Rodsjo, Ness, Maefsky, Krinke. Voting no: Schwarz. Motion passed.

JIM AND NANCY HERMES – MINOR SUBDIVISION AND VARIANCE IN KIRKHILL ESTATES

City Planner Buss summarized the request submitted by applicants Jim and Nancy Hermes. They have requested a minor subdivision to create two parcels, which also requires a variance to exceed the maximum 4 per 40 density for property located at 22577 Kirk Avenue. The property

was once two separate lots as part of the Kirkhill Estates subdivision (Lots 6 and 7, Block 2) when platted in 1972. The two lots were combined into one 4.6 acre parcel in 1995 by the applicants for tax purposes. The proposed Parcels A and B are each 2.3 acres in size. Zoning regulations have changed since the original subdivision. Planner Buss recommended approval of both the minor subdivision and variance based on findings outlined in a draft resolution.

Chairman Ness opened the public hearing. There were no comments and the hearing was closed.

Commissioner Maefsky asked for clarification of the County's soil reports.

Commissioner Schwarz asked for verification that the request meets the minor subdivision ordinance. City Attorney Hebert stated that the request fits the intent of the ordinance.

Commissioner Maefsky, seconded by Commissioner Rodsjo, moved to recommend to the City Council to adopt Resolution 11-05-08-05 Minor Subdivision and Variance Request for 22577 Kirk Avenue. The motion passed unanimously.

DESIGN STANDARDS COMMITTEE

Commissioner Rodsjo addressed the need for the formation of a Design Standards Committee for commercial buildings within the Village Center, Village Neighborhood and Rural Commercial Nodes. This committee would create a guideline for standards to be incorporated into the updated ordinance following the adoption of the new comprehensive plan. It was proposed to have representation from the Planning Commission and Council and to advertise for volunteers who have expertise in architectural standards. Commissioners Rodsjo and Maefsky expressed interest in serving on this committee. Administrator Hurlburt will prepare a press release asking for volunteer service, to be sent to professional organizations.

WILLOWBROOK COMMUNITY CHURCH – FINAL ACTION ON CUP

The review period for Willowbrook Community Church's application for a Conditional Use Permit for a place of worship on a 40.5 acre site west of 11262 Scandia Trail will expire on November 17, 2008. The applicant has not fulfilled the conditions outlined in Resolution 03-05-08-03 which set criteria for approval of a CUP. A revised site plan was requested, along with screening, landscaping and lighting plans. Willowbrook Church appears to have abandoned their plan to construct a church at this site.

Commissioner Schwarz, seconded by Commissioner Maefsky, moved to recommend to the City Council to adopt Resolution 11-05-08-06 Denying Application by Willowbrook Church for a Conditional Use Permit. The motion passed unanimously.

Commissioner Krinke, seconded by Commissioner Rodsjo, moved to adjourn.
The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk