

March 5, 2013

The Scandia Planning Commission held their regular monthly meeting on the above date. Chair Christine Maefsky called the meeting to order at 7:03 p.m. The following were in attendance: Commissioners Jan Hogle, Steve Philippi, Peter Schwarz and Commission Chair Christine Maefsky. Staff present: City Administrator Kristina Handt, City Planner Sherri Buss, and Treasurer Colleen Firkus.

APPROVAL OF AGENDA, MINUTES

Philippi, seconded by Hogle, moved to approve the agenda as presented. The motion carried 4-0.

Schwarz, seconded by Hogle, moved to approve the February 13, 2013 minutes as presented. The motion carried 4-0.

PUBLIC HEARING: VARIANCE FROM THE REQUIRED ROAD FRONTAGE AND LOT WIDTH TO ALLOW THE CREATION OF TWO LOTS AT 14925 OAKHILL ROAD N. MARY LOUISE SIMONSON, APPLICANT.

The applicant is proposing to subdivide an existing 30.8-acre parcel to create two parcels, 4.95 acres and 25.87 acres each in size at 14925 Oakhill Road. The lots are indentified as Lot 1 and Outlot A. The applicant is requesting a variance from roadway frontage (300 to 208 ft.) for Outlot A. Both lots require a variance for lot width in the Shoreland Overlay District as they border DNR Protected Wetland 82-66W, a Natural Environment Lake.

At the Planner's recommendation, the surveyor, Bill Selb of Landmark Surveying, said they can adjust the lot line to meet the minimum 5.0-acre requirement for Lot 1, which has an existing house and outbuildings that meet all the setbacks. Road frontage would be 450 feet on Lot 1. Between the two lots there is 652 feet of road frontage on Oakhill. The County would like more right-of-way on new developments on County roads, but since this is not a development, they don't feel they can ask for more than the existing 66 feet. However, the Planner suggests a Development Agreement be required that indicates future right-of-way be granted to the County if the property becomes developed.

Outlot A would be about 25 acres and have 1.8 contiguous buildable acres in the back of the lot. There is a ½ acre field bordering Oakhill Road that may or not may not buildable, depending on setbacks and septic suitability. Also, since there are no plans to develop Outlot A, the Development Agreement should require a Park Dedication fee should it become developed.

Lot Width is difficult to meet due the existing structures on Lot 1 and the extensive wetland. Trying to make the lot lines meet lot width would create other code problems with irregular lot lines and losing the buildable area on one lot. Since no new driveways are being added, the spirit of the code is being met on lot width.

Chair Maefsky opened the public hearing.

Bill Selb, Landmark Surveying, Scandia, indicated the minimum lot size could be met on Lot 1 by moving the lot line 6 feet. Outlot A is going to Ms. Simonson's daughter, Laurie Holton.

Commissioner Schwarz asked where the OHW mark was on the survey. Mr. Selb stated it was not on there, but would need to be delineated by the DNR if Outlot A were developed.

Laurie & Chris Holton, Harris, stated they have a home in Harris and have no intention of building on Outlot A.

Ray Richardson, owns the land adjoining the west border of Outlot A and sees no harm in the subdivision and is not opposed to it.

There were no other comments and Chair Maefsky closed the hearing .

Commission Chair Maefsky requested the wording “at this time” be added to #3 under *Further Be Resolved*, on the resolution to make it consistent with the following statements.

Schwarz, seconded by Philippi, moved to recommend the City Council adopt Resolution No. 3-05-13-01 with the discussed amendment. The motion carried 4-0.

APPOINT CHAIR & VICE CHAIR FOR 2013

Schwarz, seconded by Philippi, moved to nominate Maefsky as Chair of the Planning Commission for 2013 and Hogle as Vice Chair. The motion carried 4-0

CONTINUANCE OF VARIANCES FOR BRYAN AND KAREN CRANE

The Cranes reduced the size of the house by 333 sq. ft. and the deck by 500 sq. ft. The impervious surface of the driveway is proposed to be reduced by putting in four cement tracks 8 inches wide. They also took off the entry walk and stairway. All the changes reduce the lot coverage to 2625 sq. ft. which meets the 25% allowed. The setback from the OHW mark from the lake is approximately 37 feet and 28 feet from the road right-of-way of Layton Ave.

The Planner reported that the Watershed District is okay with the driveway strips, but would require a minimum of 4 inches of topsoil planted with grass and a base of 8 inches of sand between the strips. It was suggested to oversize the rain gardens to compensate for any compaction of the driveway strips over time. The Watershed will oversee installation of the driveway. Lot coverage would be 28.8% if the entire driveway were counted. Mr. Crane also pointed out the deck width is 13’ 10” not the 14’ shown on the plan.

Hogle, seconded by Schwarz, moved to recommend the City Council approve Resolution No. 3-05-13-02 approving the variances for Lot Size and Setbacks, but not for Lot Coverage with the amendment of Number 4 to mention the reduced deck size on a revised plan. The motion passed 4-0.

CONTINUANCE OF DISCUSSION OF STEPHAN’S EVENT CENTER

The City Council referred the discussion of changes to the Ordinances and/or Comprehensive Plan back to the Planning Commission instead of creating a committee. Concerned neighbors and citizens were invited to attend the Planning Commission meetings where such discussion would occur. Maefsky expressed her disappointment that the Council did not see the value of a committee as she sees it as a bringing together of the community to study and learn about an issue that could have great impact on the community. Planner Buss suggested the city advertise

to invite participation at Planning Commission meetings where this will be discussed. Commissioner Schwarz said he thought allowing an expanded definition of “AgriTourism” would require an amendment to the Comprehensive Plan and MET Council approval. Schwarz stated the issue is broader than just Mr. Stephen’s request and listed the following items as some concerns that would need discussion by a committee: size of property, dust control & parking, lengths of events and dates allowed, hours of operation, emergency vehicle access, public safety (police presence required?), sanitation & cleanup, amplified sound, vendors, insurance & liability, city permits/licenses – by event or yearly (not a CUP), types of events: weddings, mazes, fairs, and two-three property owners combining for a larger event.

Maefsky noted that Stillwater decided to limit what was allowed. However, Chisago County initially denied a request for cross-country skiing/canoe rentals, but then endorsed “Rural Retail Tourism.” Philippi asked if running a commercial venture on AG land will increase the property taxes. Buss said she would ask the County Assessor. Maefsky questioned if “AgriTourism” would be allowed on non-AG rural land, or non-AG uses on AG land. Buss mentioned that city codes allow some uses with a CUP, but there are no performance standards outlined for those uses. The Planning Commission consensus was that allowing such uses would constitute a major change to the code and Comprehensive Plan. It was agreed to bring the discussion to the next Planning Commission meeting and invite interested parties as well as putting notices on the website and newspapers.

Council members Ness and Lee were present in the audience. Ness volunteered to serve on a committee and bring it back before the Council. Lee said it appears to be a sensitive issue and would need deeper involvement and discussion involving the community. Administrator Handt reminded the Commission that more meetings will have a financial impact in paying the Planner and a recording secretary. However, since there is no formal application from Mr. Stephan, the Commission is under no time constraints and could discuss at regularly scheduled meetings.

Sue and Larry Bies, neighbors to Mr. Stephan, brought up their long standing concerns they have had with Mr. Stephan and are adamantly opposed to increasing traffic on their cul-de-sac. Mr. Bies also asked to add alcohol consumption to the list of concerns raised by Schwarz.

ADJOURNMENT

Schwarz, seconded by Hogle, moved to adjourn the meeting. The motion carried 4-0.

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Colleen Firkus
Treasurer