

July 11, 2017

The Scandia Planning Commission held their regular monthly meeting on the above date.

The following were in attendance: Commissioners Walt Anderson, Jan Hogle, Tom Noyes and Dan Squyres. Absent: Commissioner Travis Loeffler. Staff present: City Administrator Neil Soltis, City Planner Sherri Buss and Deputy Clerk Brenda Eklund. Council member Chris Ness was also in attendance.

Chair Squyres called the meeting to order at 7:00 p.m.

**APPROVAL OF AGENDA, MINUTES**

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

**Hogle, seconded by Noyes, moved to approve the June 6, 2017 meeting minutes as presented. The motion carried 4-0.**

**PUBLIC HEARING: SITE PLAN REVIEW AND VARIANCE VARIANCE FROM REAR YARD SETBACK FOR EXPANSION AND SITE IMPROVEMENTS AT 14351 SCANDIA TRAIL NORTH, SCANDIA ELEMENTARY SCHOOL. MARC DUBOIS, PROJECT ARCHITECT, APPLICANT. (PC RESOLUTION NO. 07-11-17-01)**

Marc Dubois, Project Architect with KOMA, on behalf of Forest Lake Area Schools, has requested a Site Plan Review to allow expansion and renovation of the Scandia Elementary School and the construction of related site and drainage improvements. The proposed expansion requires a Variance to permit replacement of a nonconforming retaining wall within the rear lot line setback.

Planner Buss presented her staff report and explained that the school was constructed in 1970; however the original Conditional Use Permit granted at that time could not be located to determine if an expansion would require a CUP amendment. Since the property is currently zoned VMU B where schools are an allowed use, the City Attorney determined that the proposed project requires a Site Plan Review for a Major Project, rather than a Minor Project, because it requires a Variance and is subject to the Architectural Design Guidelines. The project includes the addition of a new mechanical room on the east side of the building, new windows and exterior wall improvements, and site and drainage improvements including extension of the existing roadway around the building, new storm sewer pipes, and a new biofiltration basin. The variance is needed to replace a failing retaining wall to the south of the building and within the 50-foot rear setback that was removed to prepare for the expansion and will be replaced in the same location

Planner Buss explained the comments from the City Engineer related to requirements for a lighting plan, ADA pedestrian access, and stormwater management. The County Health Department will require the School District to apply for a septic system operating permit. The Carnelian-Marine Watershed District will require a permit for grading and erosion control. Buss explained how the exterior improvements can meet many of the Design Guideline requirements

by being consistent with the materials and design of the original structure built in 1970, and asked the Commissioners to determine if the elements are acceptable with the style of the building, or if they recommend changes in the building design and materials to meet the guidelines.

Planner Buss concluded with findings that determined approval of the project as meeting the goals of the Comprehensive Plan. Replacing the retaining wall in the same location within the rear setback is the least impactful in order to minimize new grading and potential impacts to the trees and screening. A resolution with 18 conditions, many related to the Engineer's review of the project, was prepared.

Chair Squyres opened the public hearing at 7:19 p.m.

*Dave Ledo, 14511 Oakhill Road*, said that he lives adjacent to the school's playground and asked if there will be any issues with drainage from the site going eastward to his property. Administrator Soltis explained that there will be a biofiltration basin constructed east of the ball field to control drainage and then direct any runoff to the west. This will improve drainage on the site and reduce the potential for going towards Ledo's property.

There were no further comments and Chair Squyres closed the hearing at 7:19 p.m.

Commissioner Hogle said that the addition looks consistent with the rest of the building and updating to something different would look odd. Commissioner Anderson asked for an explanation of the metal roofing panels being added to screen the air conditioning equipment, and agreed that the improvements will look fine.

**Noyes, seconded by Anderson, moved to approve PC Resolution No. 07-11-17-01, Approving a Site Plan and Variance for Scandia Elementary School, with the conditions as presented. The motion carried 4-0.**

The recommendation to approve the site plan and variance for Scandia Elementary will be presented to the City Council at their meeting on July 18, 2017.

**PUBLIC HEARING: VARIANCE FROM THE FRONT YARD SETBACK FOR AN ACCESSORY STRUCTURE AT 21203 LOFTON AVENUE. KEVIN AND ANNA GONZALES, APPLICANTS. (PC RESOLUTION NO. 07-11-17-02)**

Kevin and Anna Gonzales have applied for a variance to construct a 40'x 50' accessory structure closer to the road right-of-way than the principal building at 21203 Lofton Avenue, a 34.6 acre parcel which is divided by Lofton Avenue. The building would be constructed 78 feet from the right-of-way, which does not meet the required 200' setback for properties greater than 5 acres when placed closer to the road than the house.

Planner Buss presented the staff report with an analysis of the request. A location that would meet setbacks would impact mature wooded areas and existing wetland areas on the property. Since the parcel is divided by Lofton Avenue, it is not practical to locate the structure on the

west side of Lofton because the parcel could be subdivided in the future leaving an accessory building on a parcel without a primary structure. Buss noted that neither the County nor City Engineer had any objections to the request. There is some existing vegetation to the north and along Lofton Avenue, and Buss asked the Commissioners to determine if additional screening of the building would be necessary based on their observations at the site visit.

Planner Buss presented findings granting approval of the Variance with conditions written into a resolution. Buss explained that the practical difficulties are caused by the location of the existing mature trees and wetlands on the parcel, and is consistent with the Comp Plan goals to maintain rural views.

Commissioner Hogle stated that she lives directly north of the Gonzales' and the existing screening is fine, especially since the building will be below the grade of the roadway.

Chair Squyres opened the public hearing at 7:34 p.m. There were no comments and the hearing was closed.

Commissioner Anderson asked about the color and height of the building. Mr. Gonzales explained that it will be stick built with brown vinyl siding and brown trim. Their house is finished with cedar siding with brown trimmed windows and doors. The sidewalls measure 14' with a finished height of 21'.

Commissioner Squyres said that the woods behind the house, although large pine trees, are not a natural forest of high quality. He asked if it would be acceptable to have the building here even though it would be more costly to prepare the building site, since it would only be disturbing trees of low value. Planner Buss explained that the Comp Plan does not make a distinction of the value or quality of woodlands, only that they are an important part of the landscape being either planted or native. It would be a question of judgement to cut down the trees for the building site; however, they do provide screening for the property to the east. The applicants explained that they did some clearing of trees in the rear and it didn't look good, especially with the climb in elevation here. Squyres agreed that it would not make a great plan to take out so many trees.

Commissioner Anderson said he was concerned about the height of the building and its visibility. The contours of the site were viewed and determined that the building would be approximately 8' below the grade of the house and the road. Commissioner Hogle said that the existing trees provide about 90% screening and the conifers will continue to grow in. She said she had no concerns about visibility, especially as a neighbor to the property.

Although the applicants indicated they will use brown vinyl siding and the code does not require them to match the materials of the cedar-sided house, the Commissioners agreed that a condition be added that the materials used for the accessory structure be complimentary in color to the primary structure.

**Hogle, seconded by Anderson, moved to approve PC Resolution No. 07-11-17-02, Approving a Variance for 21203 Lofton Avenue, as amended with an added condition that**

**the materials used for the accessory structure be complimentary in color to the primary structure. The motion carried 4-0.**

The recommendation to approve the Variance for 21203 Lofton Avenue will be presented to the City Council at their meeting on July 18, 2017.

**PUBLIC HEARING: VARIANCE FROM THE SIDE YARD SETBACKS FOR CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE AT 18526 LANGLEY AVENUE. JEFFREY BIERMAIER, APPLICANT. (PC RESOLUTION NO. 07-11-17-03)**

Jeffrey Biermaier is proposing to build a new home on a 0.21-acre parcel located at 18526 Langley Avenue, within the Shoreland Overlay of Big Marine Lake. A variance from the minimum 10' side yard setback is needed to locate the home 3' from the south parcel boundary and 7' from the northern boundary.

Planner Buss presented her staff report with a review of the request. The City owns the vacant parcel to the south which Mr. Biermaier requested to purchase and combine with his lot to make it conforming, but that is not possible because the lot was conveyed to the City for use as a road via tax forfeiture and, if the use ceases, the land reverts back to the State. Buss explained that the applicants are proposing to build a modest house and meet all other setbacks and lot coverage.

The proposed site plan was viewed. Mr. Biermaier stated he plans to revise the survey to move the house an additional 9' back from the roadway so as not to block the neighbor's view and that with the additional length of the driveway the lot coverage will still be below the 25% maximum.

Commissioner Anderson suggested that the City buy the lot from the State, then sell it to Mr. Biermaier to eliminate the need for a variance. Planner Buss advised that this could be a lengthy process as property transfers are not easy, and the request does meet the criteria for a variance.

Planner Buss concluded with a recommendation of approval with findings and conditions presented in a resolution. A new survey is required to show the revised house location, along with the location of the well and septic tanks.

Chair Squyres opened the public hearing at 8:02 p.m.

*Jeffrey Biermaier, Applicant* explained that he will remove all the existing old buildings on the lot, and the neighbors he spoke with are pleased that there will be a full-time residence here. In addition, the neighbor to the north is agreeable to the revised location of the house.

There were no further comments and Chair Squyres closed the hearing at 8:04 p.m.

**Noyes, seconded by Anderson, moved to approve PC Resolution No. 07-11-17-03, Approving a Variance for 18526 Langley Avenue, as amended with language that the road right-of-way setback of 49' is shown on the survey. The motion carried 4-0.**

The recommendation to approve the Variance for 18526 Langley Avenue will be presented to the City Council at their meeting on July 18, 2017.

**PUBLIC HEARING: VARIANCE FROM THE FRONT YARD SETBACK FOR A SOLAR ARRAY AT 15610 PILAR ROAD NORTH. JEFF AND PAULA SANDSTROM, APPLICANTS. (PC RESOLUTION NO. 07-11-17-04)**

Jeff and Paula Sandstrom have applied for a variance to locate a solar array closer to the road right-of-way than the principal building at their residence of 15610 Pilar Road North, a 25.98-acre parcel located in the General Rural zoning district. The solar array will be an accessory use to the residential building on the property and needs to comply with the standards for accessory structures in the Development Code.

Planner Buss presented her staff report with a review of the request. The property is heavily wooded and the only reasonable site is the meadow area near the road so that the solar panels can receive adequate sunlight for operation. The roof structure of the house does not permit a rooftop system. The site plan shows the solar array located approximately 60 feet from the centerline of Pilar Road. Since no dedicated right-of-way exists along Pilar Road, the City Engineer recommended a condition that 33' of right-of-way from the center line of Pilar Road and a 10' drainage and utility easement be dedicated to the City and that the panels and related equipment must be placed at least 73' from the centerline to meet the 40' setback for primary structures. Planner Buss explained that additional screening could be required if the Commissioners recommend so based on their site visit.

Planner Buss concluded with a recommendation of approval as the request meets the criteria for a variance and is a reasonable use. A resolution with findings and conditions of approval was prepared.

Jeff Sandstrom stated that a more accurate site plan was prepared to show the panels and equipment sited 110' from the centerline, and plans show the height of the solar panels to be under 10'. He will forward the new plan to staff.

Chair Squyres opened the public hearing at 8:16 p.m.

*Scott Graven, 22811 Perkins Avenue*, said that he has no concerns about the solar panel installation as the Sandstroms have a very well kept property and do things first class.

*Jeff Sandstrom, Applicant*, said that he is transplanting small trees to screen from the roadway, and will continue to do this once construction of the array is completed. Meters and equipment will be at the solar racks or underground and not in the easement.

There were no further comments and Chair Squyres closed the hearing at 8:20 p.m.

Commissioner Noyes said this is a good spot for the panels and the existing and future screening will be good. Commissioner Anderson recommended language be added to condition #4 for added screening to fill in the existing vegetation.

**Noyes, seconded by Hogle, moved to approve Resolution No. 07-11-17-04, Approving a Variance for 15610 Pilar Road, with amended language for added screening. The motion carried 4-0.**

The recommendation to approve the Variance for 15610 Pilar Road will be presented to the City Council at their meeting on July 18, 2017.

**REVIEW OF DNR MODEL SHORELAND ORDINANCE FOR UPDATE OF ORDINANCE NO. 107**

Planner Buss explained that the DNR has offered newer guidance regarding solar gardens within shoreland. The DNR guidelines now allow solar gardens in the shoreland districts around development and recreational lakes based on listed criteria. Solar gardens remain prohibited in the shoreland district of natural environment lakes. Buss stated that as the Commissioners work to update the City's shoreland ordinance, this guidance may be incorporated or they may recommend stricter regulations.

The Commissioners agreed to table discussion of the shoreland ordinance update to a future meeting.

**DISCUSSION ON SIGN STANDARDS**

Chair Squyres requested a discussion of the sign ordinance to determine if the fluttery flag-type signs are allowed for business advertising. Planner Buss stated that they are not; however they are not considered permanent signage noted Administrator Soltis. Squyres said he had concerns that they are not going to be temporary and thought this should be communicated to the businesses. Soltis will provide photos of the signs for future discussion.

**ITEMS FOR FUTURE AGENDAS**

Chair Squyres asked that a Planning Commission Concept Plan Review for large projects be discussed. Planner Buss stated that she will prepare language for an ordinance that addresses concept plan review for commercial, industrial and institutional uses. Commissioners agreed that there is value to the developer to guide their projects as to what the City is looking for early on in the process.

**ADJOURNMENT**

**Squyres, seconded by Anderson, moved to adjourn the meeting. The motion carried 4-0.**

The meeting adjourned at 8:47 p.m.

Respectfully submitted,

Brenda Eklund  
Deputy Clerk