

**CITY OF SANDSTONE
PLANNING COMMISSION
October 10, 2018**

CALL TO ORDER

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

ROLL CALL

Members present: Steve Palmer, Andrew Spartz, Rene Stadin, Randy Riley, Cassie Gaede
Members absent: Reese Frederickson
Staff present: Administrator Kathy George
Others: Jamie & Beth Pugh, Ailene Croup, Jon Doran, Michael Hedrix

AGENDA – Motion Spartz, second Palmer, to approve the Agenda as presented. Motion passed 5-0.

MINUTES – Motion Palmer, second Gaede, to approve the minutes from the September 12, 2018 Planning Commission Meeting. Motion passed 5-0.

PUBLIC HEARINGS:

- A. Heliport Ordinance - The City received an Application for Zoning District Amendment from Essentia Health Sandstone on September 27, 2017. Essentia would like the City to adopt a Heliport Ordinance. The Planning Commission held a Public Hearing on December 13, 2017; however, the draft ordinance was not provided. The Public Hearing was continued to January 10, 2018. The draft ordinance still was not ready. Therefore, the Planning Commission closed the Public Hearing with no further action on the request at that time.

Due to the 60-day rule, several extension requests were made along the way. The current extension requires the City to take action on the Zoning District Amendment by November 25, 2018, unless another extension is approved.

A DRAFT ordinance has now been provided. The Public Hearing notice was placed in the Pine County Courier and was posted on the City's bulletin board. No comments from the public have been received.

Administrator George explained that earlier versions of the draft stated that the City has exercised extraterritorial zoning authority, pursuant to Minnesota Statutes Section 462.357 and City Code 515.03, which extend the application of the City's zoning regulations into Sandstone Township and that this authority shall apply to the Heliport Ordinance. However, she explained, in further review and discussions with the City Attorney, it was clarified that Sandstone Township does have their own comprehensive zoning ordinance; therefore, the City cannot exercise extraterritorial zoning authority. The draft ordinance was then changed to state that the provisions of the Heliport Ordinance regulate only the real property located within the City's territorial limits. George explained that the affected properties in the City include the lot owned by the Hospital District (where the hospital building is located) and the lot directly north

which is owned by the City's Economic Development Authority. All other properties affected by the various safety zones are located in Sandstone Township.

Motion by Spartz, second by Palmer, to open the Public Hearing. Motion passed 5-0.

Township resident Jamie Pugh asked for clarification regarding what constitutes an Airport Hazard. Administrator George read the definition from Minnesota Statutes 360.013, subd. 40: *Airport Hazard means any structure, object of natural growth, or use of land, which obstructs the air space required for the flight of aircraft in landing or taking off at any airport or restricted landing area or is otherwise hazardous to such landing or taking off.*

Sandstone Town Clerk Ailene Croup stated that there is also language in the draft ordinance about regulating lighting. Administrator George confirmed that Section 525.07, subd. 2(a) addresses interference with operations of radio or electronic facilities, lights, glare, visibility, etc.

Croup then questioned whether or not Sandstone Township would be held to the requirements of the proposed Heliport Ordinance. It was explained that the proposed ordinance only applies to property located within the City of Sandstone. Croup stated concern because the Township has not been approached and did not know anything about the proposed ordinance. It was noted that it was only recently clarified that the City does not have extraterritorial zoning authority in Sandstone Township and that this information has been provided to Essentia personnel who were advised to contact Sandstone Town Chair Keith Carlson. It was further noted that neither the City nor the Township are required to adopt a Heliport Ordinance. The City is considering the ordinance at the request of Essentia. Essentia's interest is in protecting the heliport from obstructions that may block their Approach/Departure Surfaces and Transitional Surfaces.

Mr. and Mrs. Pugh expressed concern with the restrictions because they live in the housing development that is located behind Quality Home and Sport. It was explained that their housing development is located in the Township and, therefore, the City's Heliport Ordinance would not affect their property. It was also noted that the Arrival/Departure Surface increases from the ground at the heliport on an 8:1 slope, 8 feet horizontal to 1 foot vertical. By the time the surface reaches the Interstate, it is already over 80 feet in the air.

Township Supervisor Jon Doran questioned the flight patterns that are depicted on the map that was provided with the draft ordinance. Essentia Health Sandstone Administrator Michael Hedrix stated that the architects drafted the plans to Federal Aviation Administration (FAA) standards. He noted that helicopters come in from all different directions due to weather factors. Commissioner Spartz stated that the flight pattern is intended to define a corridor, rather than a radius.

With no further comments offered, **motion by Spartz, second by Gaede, to close the Public Hearing. Motion passed 5-0.**

Commissioners discussed whose responsibility it would be to keep the designated safety zones clear from trees, etc. It was explained that it would be the landowner's responsibility to remove obstructions in order to come into compliance with the ordinance. The City would be responsible for enforcing the ordinance. Again, it was noted, the ordinance will only apply to properties located within the Sandstone City limits.

Motion by Palmer, second by Gaede, to recommend the City Council adopt the proposed Heliport Ordinance as presented. Motion passed 5-0.

OLD & CONTINUING BUSINESS:

- A. Zoning Ordinance Update – The Planning Commission discussed the Prospective Interchange Development District, which is explained in the Comprehensive Plan as follows:

This district is located at the I-35 and MN Highway 23 intersection which is the principle gateway to the community. Currently the district contains vacant parcels that are visible and easily accessible from I-35. Appropriate uses in this district will allow for businesses that cater to the traveling public. Examples of appropriate uses include restaurants, gas stations, general dry goods, larger department stores, grocery, pharmacy and drug stores, hotels or motels or other uses that have a need for a larger square footage, more parking or outdoor storage and display than the downtown commercial area.

Any new development should be harmonious with surrounding land uses, including the medical and business park. As a community entry point with high visibility from the freeway, design standards for new development will promote an appealing aesthetic appropriate for a gateway area. Design standards will address appropriate look and scale of signage, paving, landscaping requirements, and building architectural standards that ensure quality of materials and expectations for highly visible facades. Given the potential for high traffic in this area and its proximity to the medical and business park campus, development in this district should plan for interconnectivity and safety for all modes of transportation, including motorized vehicles, bicycles and pedestrians.

When development occurs in this district, it should be designed with a character that is unique to Sandstone and different from other interchanges along the I-35 corridor. Development in this district should, through welcoming and appealing design, encourage visitors to come further into the community.

This District takes the place of the Interchange Business District (B-5) in the current City Code:

515.20. Interchange business district (B-5). Subdivision 1. Purpose. This district is established to manage development of the I-35/Highway 23 Freeway Interchange. This area is unique within the city, and demands management specific to the problems and opportunities that are present. Uses within this district are intended to serve the traveling public, the city and region entering this district by using all

forms of transit on roads and trails through this Interchange.

Subd. 2. Permitted uses.

- a) On and off sale liquor establishments.
- b) Eating establishments including restaurants, cafes, supper clubs.
- c) General retail space with a minimum square footage of 10,000 square feet.
Commissioners questioned the minimum of 10,000 square feet. They thought this could be too large. They acknowledged the desire to guide businesses with smaller footprints to either the Historic Downtown District or the Highway Mixed Use District. However, they asked staff to do some research and bring this item back for discussion.
- d) Professional office space with a minimum square footage of 10,000 square feet.
- e) **Gas Station and/or convenience stores was added by the Commission**

Subd. 3. Interim uses. The following uses may be permitted upon the issuance of an interim use permit.

- a) Seasonal produce stands.
- b) Entertainment/recreational facilities including go-kart tracks, water parks, miniature golf courses, amusement parks and concert facilities. In addition to those conditions and submissions required by the zoning code for interim uses, applicants for this type of use are required to submit the following information for approval by the city:
 - i) An annual calendar of events for the facility (must be submitted and approved on an annual basis).
 - ii) A schedule of days and hours of operation of the facility (must be submitted for approval upon initial application and upon making any changes).
 - iii) Curfew limitations and exceptions to the curfew limitation.
 - iv) An operations plan which addresses security, sanitation, trash removal, noise, crowd control and traffic. The operations plan must include a cost breakdown of all operations as well as an explanation of how these items will be financed.
 - v) Plans for any special events (must be submitted for approval at least thirty (30) days prior to the special event).
 - vi) Landscaping and screening plans.
 - vii) Mitigation plans for noise and parking.
 - viii) ~~Proof of insurance (must be submitted upon initial application and upon making any changes).~~ **This provision was eliminated by the Commission.**
 - viii) A listing of specific other activities that would be allowed in conjunction with the entertainment or recreational activity, including but not limited to special rules for on-site RV and tent camping, fireworks, etc.

- c) ~~Adult establishments as defined, permitted and regulated by Section 1165.03 of the city code. This use was eliminated as Adult Establishments are allowed in the Highway Mixed Use District.~~

Subd. 4. Conditional uses. The following uses may be permitted upon the issuance of a conditional use permit.

- a) Recreational vehicle and equipment sales.
- b) Motorcycle sales and repair.
- c) New and used car sales.
- d) Hotels and motels.
- e) **RV Park added by the Commission**
- f) **Cold Storage Facilities added by the Commission**
- g) **Truck Stop added by Commission**
- h) Essential services.

Subd. 5. Performance standards. (Amended Ord. 2011-04)

- a) Minimum lot size: With the exception of a lot that is being exclusively used for essential services, a lot in the **B-5 Prospective Interchange Development** district must have a width of not less than 100 feet, and must contain an area of not less than 15,000 square feet.
- b) ~~**Front yard requirement: With the exception of a lot that is being exclusively used for essential services, a conditional use must have a front yard having a depth of not less than thirty five (35) feet. Eliminated by Commission.**~~
- c) Other setback requirements: With the exception of structures on a lot that is being exclusively used for essential services, structures must be a minimum ten (10) feet distance from any side yard, rear yard, or alley. ~~**Corner lots must have two (2) front yards (with the exception of lots being used exclusively for essential services). Eliminated by Commission.**~~
- d) Lot Access. With the exception of a lot that is being exclusively used for essential services, access to a lot must be from an approved frontage or secondary street.
- e) Minimum transitional yard requirements: With the exception of a lot that is being exclusively used for essential services, ~~**for each front, side or rear yard in any B-5 district abutting, or abutting except for an intervening alley, a residential district, there must be provided a front, side or rear yard equal in size to the minimum front, side or rear yard required in the residential district.**~~

Replaced with the following language: for each front, side or rear yard in any Prospective Interchange Development District abutting, or abutting except for an intervening alley, a residential district, there must be provided heavily landscaped screening of 80%. Percentages shall be determined by amount of structure that can be seen during leaf-on conditions.

- f) ~~**Maximum ground coverage: With the exception of a lot that is being exclusively used for essential services, the sum total of the ground area covered by all structures in any B-5 district including accessory structures, constituting a permitted or conditional use shall not exceed 75% of the lot. Eliminated by**~~

Commission with the intent of ensuring that stormwater issues are addressed.

- g) **Stormwater / Drainage:** A Stormwater Management Plan must be presented and approved in accordance with City Code Section 430. *Added by Commission.*
- h) **Other requirements:** Prior to issuance of any building permit or other approvals for property in the **B-5 Prospective Interchange Development** district, the applicant shall submit to the city: **1) evidence of ownership of the property or purchase agreement or enforceable option on the property; 2)** a preliminary building and site development plan; and **3)** a written impact analysis that evaluates the following factors:
 - i) The proposed use will not create an excessive burden on existing parks, schools, streets and other public facilities that serve or are proposed to serve the area;
 - ii) The proposed use will be sufficiently compatible or separated by distance or screened from adjacent residentially zoned or used land so that existing residences will not depreciate in value and development of vacant residential land will not be deterred;
 - iii) The proposed structure and the site will have an overall appearance that will not have an adverse effect upon adjacent residential properties;
 - iv) The proposed use will be consistent with the purposes of the city's zoning code and the purposes of the zoning district in which the applicant intends to locate the proposed use;
 - v) The proposed use will not conflict with the comprehensive plan;
 - vi) The proposed use will not cause traffic hazards or congestion;
 - vii) Adequate utilities, access roads, drainage, and necessary facilities for the proposed use are or will be provided; and
 - viii) The height, size and location of all buildings on the site meet the requirements of the building and zoning codes.

Subd. 6. Architectural standards. All new commercial structures in the B-5 district shall conform to the following architectural standards:

- ~~a) The overall architectural character of the structure shall have a consistent architectural expression on all sides of the building that are visible from the highway or other vehicular routes. Buildings shall be visually compatible with their surroundings. "Green" architecture that uses sustainable concepts like recycled materials, pervious pavements, zero VOC paints and other materials, zero utilization of ozone-depleting chemicals, zero PVC based products, energy conserving appliances, day lighting, and renewable energy from wind, solar, biomass and ground water heat pumps is encouraged.~~
- ~~b) Exterior building materials shall be subject to planning commission approval and the following:
 - ~~i) Commercial structures must provide a cohesive architectural appearance reflecting their functional purpose and must be composed primarily of Class I, Class II, or Class III materials and not more than 50% of the exterior of the building shall consist of Class IV materials. Class I, Class II, Class III and Class IV materials are defined as follows:
 - ~~1) Class I materials consist of brick, natural stone (or similar appearing, high quality manufactured stone), glass curtain walls,~~~~~~

~~copper or other comparable or superior materials.~~

- ~~2) Class II materials consist of specialty concrete block such as burnished, textured or rock face, pre-cast textured concrete panels, masonry stucco or other comparable or superior materials.~~
 - ~~3) Class III materials consist of exterior insulation and finish system (EIFS), opaque panels, ornamental metal such as commercial grade metal wall and roof panels (24 gauge or better), natural wood, fiber-cement siding or other comparable or superior materials.~~
 - ~~4) Class IV materials consist of smooth concrete block, scored concrete block, smooth concrete tilt-up panels, glazed block, glass block, or other comparable or superior materials.~~
- ~~ii) Building designs shall provide visual interest, variation in detailing, and eliminate long wall sections without windows.~~
 - ~~iii) Exposed roof materials shall be similar to, or the architectural equivalent of a high quality asphalt shingle (300# or better), wood shingle, standing seam metal roof or better.~~
 - ~~iv) Garish or bright accent colors for awnings, trim, banding, walls, entries or any portion of the building shall be minimized, but in no case shall such coloring exceed 5% of each wall area.~~
 - ~~v) Pre-engineered post frame structures with agricultural grade metal wall and roof panels, commonly called "pole barns" are not allowed in the B-5 district.~~
 - ~~vi) Parking must be pedestrian oriented and relate to the scale and materials of the structures. **Parking will be covered in the separate Parking Code.**~~
 - ~~vii) Parking areas of ten (10) or more spaces shall be designed so as to include adequate tree cover to reinforce the pedestrian scale character of the B-5 district. Refer to appendix A for recommended tree species.~~
 - ~~viii) One free-standing sign identifying the commercial uses of each tenant from the major access road will be permitted. Secondary signage shall be pedestrian scale and oriented toward the parking lots on the site and shall be subject to the requirements and restrictions set forth in section 415, Signs. **Signage will be covered in the separate Sign Code.**~~

Eliminated by Commission.

Subd. 6. Other standards and requirements.

- ~~a) **Landscaping requirements.** All new developments in the B-5 district shall meet the following landscaping requirements. Unless otherwise noted, the landscaping requirements apply to all quadrants, as defined by the zoning map.~~
 - ~~i) **Vegetative buffers of trees, shrubs and herbaceous understory shall be**~~

~~planted or preserved in buffer zones of a sufficient width from the edge of any new commercial development (as determined by the planning commission) so as to mitigate noise and air pollution emitted from the property. Such vegetative buffers, where newly planted, shall consist predominantly of hardy indigenous or native species. Refer to appendix A for recommended species. When feasible, the applicant shall preserve existing large trees on the property. The vegetative buffers shall strive to meet the following goals in the following quadrants in the B-5 district:~~

- ~~1) Quadrant A: Maximize visibility from the freeway of the property with a buffer of shrubs and herbaceous understory. Screen the adjacent industrial and other properties from the property with existing and new trees, shrubs and herbaceous understory.~~
 - ~~2) Quadrant B: Maintain forested appearance within quadrant by maintaining existing trees when feasible. Screen the adjacent properties from the property with existing and new trees, shrubs and herbaceous understory.~~
 - ~~3) Quadrant C: Maximize the property's long distance views toward Skunk Creek with prairie and wetland plantings. Maintain visual break between Skunk Creek and future development to the south with a thick buffer of existing and new trees.~~
 - ~~4) Quadrant D: Maximize visibility from the freeway of the property with prairie plantings. Maintain a visual break between the property and future development to the north and west with a thick buffer of existing and new trees.~~
- b) ~~Drainage: Special care shall be taken in handling storm water from the site in order to protect groundwater.~~
- c) Septic Systems: Individual septic systems for each building are not permitted.
- f) ~~Access: Roads constructed to serve primarily as access to parking areas for the property shall not be shared with adjacent residential neighborhoods.~~

Eliminated by Commission. Septic Systems will fall under Performance Standards.

NEW BUSINESS: None

OTHER: None

ADJOURN: Motion Spartz, second Gaede, to adjourn. Motion passed 5-0. Time 8:25 p.m.

Respectfully Submitted,
Kathy George, City Administrator