

**CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY, MINNESOTA**

**PLANNING COMMISSION MINUTES
November 27, 2007**

The regular meeting of the Mendota Heights Planning Commission was held on Tuesday, November 27, 2007, in the Council Chambers at City Hall, 1101 Victoria Curve at 7:30 P.M.

The following Commissioners were present: Chair Lally, Commissioners McManus, Norton, Povolny, Viksnins, Hennes and Field. Those present were Public Works Director Sue McDermott, Assistant to the City Administrator Jake Sedlacek, and Planner Steve Grittman. Minutes were recorded by Rebecca Shaffer.

Approval of October 23, 2007 Minutes

Commissioner Hennes moved, seconded by Commissioner Viksnins, to approve the minutes of October 23, 2007 as presented.

**AYES 7
NAYES 0**

Hearings

PLANNING CASE #07-43

**Jim Moras for Joseph and Charleen Koppi
975 Delaware Avenue
Variance**

Planner Steve Grittman reviewed a map showing the location of 975 Delaware Avenue, which is single family home, zoned R-1 and guided for low density residential.

Mr. Grittman said the property is occupied by a single family with a detached garage. The applicants are seeking a variance that will allow them to expand the existing home to the rear of the property. The existing setback for the building is 5-ft, and the R-1 zoning ordinance requires a 10-ft setback. The applicants are seeking approval to extend the addition along that same 5-ft setback.

Mr. Grittman reviewed the drawings that were submitted by the applicants. The applicants have indicated that they have investigated a number of alternatives to expanding the home. This is a very small home and the property is quite small as well, below the standard R-1 zoning requirements. The applicants are seeking to expand the first floor area of the home to allow for a reasonable use of their kitchen space, and Mr. Grittman said this is the only practical way of expanding this building. Staff identifies the hardship being due to circumstances unique to the property and not created by the homeowner.

Mr. Jim Moras, High Mark Builders, is the representative for the Koppi's. Mr. Moras explained how the homeowners would like to continue living in this home, but there are some deficiencies in the home and it's crammed between two larger homes on either side. This home is roughly 900 sq. ft. home with a 10x10 kitchen and a very small bathroom on the first floor.

Mr. Moras said in order for the homeowners to live more comfortably in their home as they age, they want to be able to entertain and have grandchildren visit. Mr. Moras explained how the upgrades will bring this home into the characteristics of the neighboring properties.

Mr. Moras said the second floor will not give a full story home, the floor layout being smaller than the first floor. The existing bathroom has a 40-in bathtub, which is not very accommodating in this day and age. The improvements will include a walk in shower and straightening out the stairway.

Mr. Moras said he believes a hardship is the size of the home and the location of where it was built on the lot.

Commissioner Viksnins asked if the neighbors to the north and south have signed off on this. Mr. Moras said that was correct.

Commissioner Povolny asked what the distance is between the house and the garage. Mr. Moras said it was about 24-ft, and the existing covered porch would be about 22-ft from the garage.

Commissioner McManus asked if the improvements that are proposed are all the homeowners wish to have, or are there other items that they would like to have, but will not fit. Mr. Moras said they feel that there is no need to go any larger, and this plan accommodates all the items that the homeowners want incorporated.

Chair Lally thanked the applicant for the materials that were submitted and complimented on the presentation.

Chair Lally opened the public hearing.

Mr. Joseph Koppi, homeowner, spoke of his intent for these improvements. They have lived in this home since 1976 and wish to continue. The improvements will help them enjoy their home with their grown children and their families.

Seeing no one coming forward wishing to speak, Chair Lally asked for a motion to close the public hearing.

Commissioner Hennes moved, seconded by Commissioner Viksnins, to close the public hearing.

AYES 7
NAYES 0

Commissioner Norton moved, seconded by Commissioner Hennes, to recommend approval of the variance application for a side yard setback pursuant to the finding in the Staff Report.

AYES 7
NAYES 0

PLANNING CASE #07-44

Debra Weiss for Cricket Communications, Inc.

2431 Lexington Avenue South

Conditional Use Permit

Planner Steve Grittmann reviewed a map showing the location of 2431 Lexington Avenue South, which is the site of the city's water tower. The applicants are seeking a conditional use permit to locate antennas on the water tower. The water tower is used for the location of other antennas so this will be a co-location. Mr. Grittmann reviewed the site plan that shows where the antennas and ground equipment will be located. The applicant is proposing to plant three spruce trees to the north side to provide adequate screening. Mr. Grittmann said there are number of requirements that are to be addressed, most relating to the contract that the City has signed with the applicants. The primary concern that the City has with these types of applications is with a new tower being proposed. In this case, this is not the situation. Mr. Grittmann said there is a list of conditions that Staff has recommended, but there is no concern as there will be no new tower or facility construction.

Mr. Grittmann said the facility will be closed with chain link fence and barbed wire running along the top. Staff has suggested some aesthetic improvement. Staff is recommending approval with a series of conditions as listed in the Staff Report.

Commissioner Viksnins asked how many cell phone towers and facilities are located in the city. Ms. McDermott said there are antennas located on the water tower, there is a tower in the industrial park which is on city owned land on Highway 55, and last year, the City Council approved an antenna on top of Eagle Ridge Condominiums. Ms. McDermott said there may be some on top of the high school as well.

Commissioner Hennes asked if the barb wire fencing is to keep people out. Mr. Grittmann said this is a security issue and the applicant can better answer this question.

Commissioner Hennes asked what Cricket Communications is paying the city. Mr. Sedlacek said their lease arrangement requires them to pay \$500 per month. Cricket Communications is intending to bring the lease to the City Council meeting as well.

Debra Weiss is the representative for Cricket Communications. Ms. Weiss said there is a correction on the least amount, which is \$660 per month.

Ms. Weiss said they do not wish to use a color slatting in the chain link because it tends to fade over time, and creates more maintenance. Ms. Weiss explained how the ground equipment would be laid out, and where the trees would be planted to provide screening.

Ms. Weiss explained that the barbed wire is a security requirement to protect the equipment cabinets. The cabinets and all mountings on the tower will be color coordinated. Ms. Weiss explained how the antennas will align with the existing ones in order to better blend in.

Commissioner Field asked how many firms are currently using the water tower. Ms. Weiss said it is occupied by Sprint (the initial carrier) and T-Mobile. Commissioner Field said he likes the co-location as it keeps facilities to a minimum.

Commissioner Field asked the applicant if she were aware of and in agreement with all the conditions as listed in the Planners Report. Ms. Weiss said she does and that the most concern is the fact that they are dealing with interference issues and because all these carriers work hand in hand, and the frequencies are set up according to the federal guidelines, everyone is held to that particular frequency band. It's understood through the industry that everyone co-locates together so the interference is pretty much more of what the issue will be. Ms. Weiss said she believes in the lease agreement, they have up to 60 days after installment to present any concerns and issues.

Chair Lally said one of the conditions is the performance bond, which is a standard condition. Ms. Weiss said she is fine with that condition as well.

Commissioner Povolny asked if the applicant could consider a wooden fence with barbed wire around it. Ms. Weiss said they feel the natural screening is better.

Commissioner McManus asked how tall the chain link fence will be. Ms. Weiss said the fence will be 7-ft, and an additional 2½ ft or 3 ft of barbed wire, and this is the standard in the industry.

Commissioner McManus asked if the chain link will be buried in concrete. Ms. Weiss said there will be a concrete pad for the equipment, and the rest will be gravel. The fence will not be into the concrete, but will sit on top of the gravel.

Commissioner McManus asked who the fence will keep out. Ms. Weiss said children and other people that may want to tamper with the equipment, and this is also for safety purposes. Ms. Weiss said there is also some concern about people stealing copper and other materials.

Chair Lally opened the public hearing. Seeing no one coming forward wishing to speak, Chair Lally asked for a motion to close the public hearing.

Commissioner Norton moved, seconded by Commissioner Field, to close the public hearing.

AYES 7
NAYES 0

Commissioner Field moved, seconded by Commissioner Norton, to approve the conditional use permit as presented with the conditions outlined in the Planners Report.

AYES 7
NAYES 0

PLANNING CASE #07-45
Mark Roberts for TTM Operating Corporation, Inc.
1196 Northland Drive
Conditional Use Permit

Planner Steve Gritman reviewed a map showing the location of 1196 Northland Drive, which is a city owned parcel on the intersection of Highway 55 and I-494 (the northwest quadrant).

Mr. Gritman said there is an existing tower there with a series of wireless antennas and the applicant is seeking permission to add an interconnect antenna near the top of the tower. The applicants also, as part of this installation, will be adding a small 4' x 4' concrete pad to house the equipment. The applicants have not provided a landscape plan, but there seems to be adequate screening there now for the relatively smaller equipment that will be there.

Mr. Gritman said there are a series of ordinance requirements listed in the Planners Report. Most of those refer to the concerns of a new tower installation, and this being a co-location on an existing tower; Staff recommends approval of the conditional use permit with these recommendations. Mr. Gritman said there is one request for the applicant, to provide the exact location of the ground equipment as it was not in the packet. Staff believes there will be no issues, but would like to clarify this.

Commissioner Field asked if each and every time a new antenna is added to a structure, it comes before the Planning Commission. Mr. Gritman said that is correct.

Mr. Mark Roberts, Telecom Transport Management, Inc. (TTM) introduced Dan Paschall, his technical advisor. Mr. Paschall explained how they are providing the next generation of high speed digital network services. Mr. Paschall said they are currently doing this in numerous cities around the United States, and this process is customer driven.

Mr. Paschall presented to the Commission, a dish that will be mounted on the tower to allow the Commissions to get a visual on how small this unit is. Mr. Paschall further talked about the technical issues where there is a need to replace some of the 25 year old technology that went over telephones, and are now being replaced with wireless.

Commissioner McManus asked if there will be a very small cabinet on the ground. Mr. Paschall said that was correct and indicated on the map where the cabinet will be located. Commissioner McManus asked if there will be fencing around it. Mr. Paschall said that was not necessary and feels their equipment is safe.

Commissioner Norton asked if these antennas were smaller. Mr. Paschall said the signal is almost microscopic in shooting at their target, and is very high frequency.

Commissioner Povolny asked if this was to be able to get the signals across the river where it's harder to use fiber optic cables. Mr. Paschall said that was correct, and will be shooting in several directions with several different sizes. Mr. Paschall said he will be coming back before the City again as their goal is to have this equipment on every site in town as possible.

Commissioner Viksnins asked if the applicant was aware of and in agreement with all the conditions outlined in the Planners Report. Mr. Paschall said he was.

Chair Lally opened the public hearing. Seeing no one coming forward wishing to speak, Chair Lally asked for a motion to close the public hearing.

Commissioner Viksnins moved, seconded by Commissioner Field, to close the public hearing.

AYES 7
NAYES 0

Commissioner Field moved, seconded by Commissioner Hennes, to recommend approval of Staff's recommendation for the conditional use permit as presented with the conditions as outlined in the Planners Report.

AYES 7
NAYES 0

Verbal Review

Planning Case No. 07-39 Glenn & Diane Stratton Critical Area Permit

- ♦ Approved by the City Council as recommended by the Planning Commission.

Planning Case No. 07-40 Susan Stotts/LCS Corporation Conditional Use Permit

- ♦ Approved by the City Council as recommended by the Planning Commission. There was a question on whether or not they were going to attach the structure, and Ms. Stotts will not be attaching to the existing building.

Planning Case No. 07-41 Simon Abramovich Wetlands Permit

- ♦ Approved by the City Council as recommended by the Planning Commission by a 3-2 vote. The process was frustrating because of the work having been done before the proper permits were obtained.

Planning Case No. 07-42 City of Mendota Heights Wetlands Permit

- ♦ Approved by the City Council as recommended by the Planning Commission.

Discussion of the Bourne Property – the City Council approved the purchase of the land and closed on it. The building will be promptly demolished and the Bourne family was given the street signs.

Discussion of the Acacia Property – the closing is set for mid-December. The Management Plan has been approved by City Council.

Cancellation of December Planning Commission Meeting – traditionally, the December Planning Commission meeting is cancelled and City Council has cancelled this meeting unless the Planning Commission feels very strongly that they need to meet one more time this year. Mr. Sedlacek said there are no pending applications at this time.

Commissioner Norton moved, seconded by Commissioner Hennes, to adjourn the meeting at 8:20 pm

Respectfully submitted,

Rebecca Shaffer, Recording Secretary