

ZONING AND PLANNING MEETING
Regular Meeting
March 16, 2015

Roll call: Beiser, Stinocher, Cowell, Barbeau

Absent: Olson

Also in attendance: Andy Welti, Pat Merritt

Regular meeting called to order by Paul Beiser at 7:00 p.m.

Agenda – Change to item C. Approval of minutes from November 17, 2014 to December 15, 2014.

Motion by Cowell, seconded by Barbeau to approve the agenda as presented. Carried.

Minutes from the December 15, 2014 regular meeting were read.

Motion by Barbeau, seconded by Cowell to accept the December 15, 2014 regular meeting minutes. Carried.

Election of Officers-Officers for 2015 are:

Paul Beiser-Chairman

Ross Olson-Vice Chairman

Kris Stinocher-Secretary

Motion by Cowell, seconded by Stinocher to approve the election of officers for 2015. Carried.

Chairperson Report from Council Meeting- Beiser attended the council meeting and stated that the comprehensive plan was adopted.

Concerns from General Public- Pat Merritt had a question on whether or not 5th Ave was going to connect to another street during the Scenic Heights projects. Andy Welti answered his question. The Scenic Heights project was only to pave existing streets not connect any new ones.

Old Business- None

New Business-

1. Scenic Heights Streets Project-Cowell made motion to recommend to Council to proceed with Improvement No. 2015-01 as the Planning and Zoning Board has determined it complies with Medford's Comprehensive Plan. Seconded by Barbeau. Carried.

2. Special Meeting to talk about wireless tower ordinance. Motion by Cowell to have a meeting Monday, April 13th at 7 pm about a wireless tower ordinance. Seconded by Barbeau. Carried.

Next regular meeting will Monday, May 18th 2015 at 7:00 PM

Motion by Cowell, seconded by Barbeau to adjourn the regular meeting at 7:15 p.m. Carried.

**Planning & Zoning Board
City of Medford
Public Hearing for Wireless Telecommunications Tower
And Antennas Ordinances
April 13, 2015 – 7:00 PM**

Chairman Paul Beiser opened the hearing at 7:00 PM.

Members present: Paul Beiser, Kris Stinocher, Robert Barbeau, and Ross Olson

Members absent: Ivan Cowell

Others Attending: Pat Merritt, Andy Welti

Introduction:

The purpose of this public hearing is for the citizens of Medford to address any questions or concerns regarding the proposed Wireless Telecommunications Tower and Antennas Ordinances.

Chairman Paul Beiser explained the formal procedure and that everyone will be given the opportunity to participate and ask questions.

1. Staff presentation-Andy Welti presented to the board the background of why the City of Medford should consider adopting an ordinance that addresses the issue of installing wireless telecommunications Towers and Antenna Ordinance.
2. Applicant's presentation-None
3. Statements from the public- Pat Merritt questioned whether or not the towers would be able to be placed in a residential property close to other houses. He was assured that the towers would not be able to be put on top of a residential house.
4. Concluding the public hearing-Chairman Beiser asked for a motion to conclude the public hearing.

Motion by Olson, seconded by Barbeau to conclude the public hearing at 7:15 PM

5. Action-Recommendations made to City Council.

A. Motion by Stinocher, second by Barbeau to make a recommendation to City Council to adopt the ordinance 2015-05 and ordinance 2015-06.

**ZONING AND PLANNING MEETING
Special Meeting
April 13, 2015**

Roll call: Beiser, Stinocher, Olson, Barbeau

Absent: Cowell

Also in attendance: Andy Welti, Pat Merritt

Special meeting called to order by Paul Beiser at 7:15 p.m.

Agenda – None

Motion by Barbeau, seconded by Ross to approve the agenda as presented. Carried.

Minutes from the March 16, 2015 regular meeting were read.

Motion by Stinocher, seconded by Olson to accept the March 16, 2015 regular meeting minutes. Carried.

Chairperson Report from Council Meeting- Beiser attended the council meeting and stated that the council approved the recommendation to Scenic Heights project.

Concerns from General Public- None

Old Business- None

New Business- Next regular meeting will be May 11th 2015 at 7 pm.

Next regular meeting will Monday, May 11th 2015 at 7:00 PM

Motion by Barbeau, seconded by Olson to adjourn the regular meeting at 7:20 p.m. Carried.

**Planning & Zoning Board
City of Medford
Public Hearing for Sign Variance Requests
August 17, 2015 – 7:00 PM**

Chairman Paul Beiser opened the hearing at 7:00 PM.

Members present: Paul Beiser, Kris Stinocher, Robert Barbeau, Ross Olson and Ivan Cowell

Members absent:

Others Attending: Pat Merritt, Andy Welti, John Anhorn, Luke Hartke and Joanne Schuler

Introduction:

The purpose of this public hearing is for the citizens of Medford to address any questions or concerns regarding Casey's sign variance request for the property located at 517 Central Avenue West.

Chairman Paul Beiser explained the formal procedure and that everyone will be given the opportunity to participate and ask questions.

1. Staff presentation-Andy Welti presented to the board the reason for the variance request. Casey's recently submitted its sign plan to be reviewed with the Medford Casey's site plan. Upon reviewing the sign plan, Medford staff determined that two signs did not comply with Medford City Sign Ordinances. After bringing these issues to Casey's attention, Casey's submitted a request for two variances to address the following issues:
 - a) Medford City Code allows a maximum sign area of 64 sq. ft. Casey's is proposing a Channel sign of 64.4 sq. ft. to be located on the front of the building. (The City includes letters or text and background when calculating sign area.)
 - b) Medford City Code allows a maximum sign height of 50 ft. and sign area of 64 sq. ft. Casey's is proposing signs #13 of 315 sq. ft. and #14 of 114 sq. ft., and an interstate pole sign of 80 ft. Andy also made sure we knew that when deciding we needed to answer 3 questions when considering the variance.
 1. Does the property owner proposes to use the property in a reasonable manner?
 2. Does the land owner's problem due to circumstances unique to the property not caused by the landowner?

3. Does granting the variance alter the essential character of the locality?
2. Applicant's presentation-Luke Hartke, a member of the Casey's team, presented the Zoning Board with a little background of Casey's history. He presented the board with pictures of the sign that is proposed and also stated why it is important to have an interstate pole visible to highway traffic. He stated that the site planning for this Casey's had the interstate traffic revenue figured into their plan. An interstate pole sign is essential to their success of luring traffic from I35.
3. Statements from the public-
 - a. Pat Merritt questioned Luke Hartke about the lot size, he wanted to know the dimensions. Mr. Merritt also questioned the location of the sign to the flood plain and gas tank in the flood plain. Mr. Merritt was reminded that this meeting was about a sign variance.
 - b. Joanne Schuler questioned the brightness of the sign, whether it would blink and how late the sign would be lit up. She also shared her concern about the look of the sign within city limits. She thought the sign should be out by the interstate.
 - c. John Anhorn thought that if we let the variance happen that we would be opening the door for other businesses to put up 80 ft. signs all over town and that would ruin the look of Medford. He stated the ordinance is there for a reason. He does not want to see a sign sticking out or hovering above everything else in town. There was also a concern that if the pole would fall, it may hit residential areas. Luke Hartke reassured the audience that it met all the set back requirements.
4. Concluding the public hearing-Chairman Beiser asked for a motion to conclude the public hearing.

Motion by Barbeau, seconded by Cowell to conclude the public hearing at 7:30 PM

5. Action-Recommendations made to City Council.

Before Planning & Zoning made a motion, the Board needed to answer the three questions for the each variance consideration. The first variance consideration would be to allow a variance of .4 sq. ft. to the sign on the front of the building. City ordinance is 64 sq. ft. and the proposed sign is 64.4 sq. ft.

Question 1: Does the property owner propose to use the property in a reasonable manner? Answer is yes the property owner does intend to use the property in a reasonable manner. The variance to City code is .4 sq. ft. different and that is not a large enough amount to cause concern.

Question 2: Is the landowner's problem due to circumstances unique to the property not caused by the landowner? Answer is yes the property owner is requesting a very small sign difference of .4 sq. ft. over the City ordinance.

Question 3: Granting the variance will not alter the essential character of the locality. Answer is No; the variance of the sign of .4 sq. ft. does not alter the essential character of the locality.

These questions being answered:

A. Motion by Olson, second by Barbeau to make a recommendation to City Council to approve the variance requests for Casey's to install a 64.4 sq. ft. sign because the Planning & Zoning Board finds that the property owner proposed to use the property in a reasonable manner, the landowner's problem is due to circumstances unique to the property not caused by the landowner, and granting the variance will not alter the essential character of the locality.

The second variance consideration would be to allow a variance for sign #13 of 315 sq. ft. and #14 of 114 sq. ft., and an interstate pole sign of 80 ft.

Question 1: Does the property owner propose to use the property in a reasonable manner? Answer is Yes; the property will be used in a reasonable manner.

Question 2: Is the landowner's problem due to circumstances unique to the property not caused by the landowner?
Answer is No; the property is not unique compared to other properties in town for such a variance request.

Question 3: Granting the variance will not alter the essential character of the locality. Answer is Yes; granting the variance would alter the essential character of the locality.

The questions being answered:

B. Motion by Barbeau, seconded by Stinocher to make recommendation to City Council to approve the variance requests for Casey's sign height and sq. ft. variance.

-After further discussion Olson moved to amend the motion, but withdrew his motion after seeking clarification.

-2nd motion by Barbeau to approve ordinance variance as requested; then Barbeau withdrew his motion after further discussion

-3rd motion by Cowell, seconded by Olson to make recommendation to City Council to deny the variance requests for Casey's sign #13 of 315 sq. ft. and #14 of 114 sq. ft., and an interstate pole sign of 80 ft. as presented because the Planning & Zoning Board finds that the property owner proposes to use the property in a reasonable manner, but the landowner's problem is not due to circumstances unique to the property not caused by the landowner, and granting the variance will alter the essential character of the locality.

Zoning board voted 3 to 2 in favor of the motion to deny variance request.

Barbeau and Stinocher voted against denying variance

Olson, Cowell and Beiser voted for the denial of the variance.

**Planning & Zoning Board
City of Medford
Public Hearing for Alley Vacation
September 21, 2015 – 7:00 PM**

Chairman Paul Beiser opened the hearing at 7:00 PM.

Members present: Paul Beiser, Kris Stinocher, Robert Barbeau, Ross Olson and Ivan Cowell

Members absent:

Others Attending: Pat Merritt, Andy Welti

Introduction:

The purpose of this public hearing is for the citizens of Medford to address any questions or concerns regarding the vacation of the alley located on Block 16 of Johnson & Company Addition.

Chairman Paul Beiser explained the formal procedure and that everyone will be given the opportunity to participate and ask questions.

1. Staff presentation-Andy Welti presented to the board the reason for the alley vacation. On July 27, 2015, the Medford City Council passed a motion to proceed with the alley vacation of Block 16 of Johnson & Company Addition. Staff recommended proceeding with vacating the alley of Block 16 after examining the alleys of surrounding blocks, the majority of which had been vacated or never contained alleys. Several residents of the Block 16 thought this alley had been vacated decades ago, however, neither the county nor the city has record of the vacation. Vacating the alley would be of benefit to the City in that it would bring uniformity to this area of the City and it would clarify and bring closure for the residents of this block who thought this block had been vacated.

2. Applicant's presentation-None

3. Statements from the public-

a. Pat Merritt wanted to make sure that Andy recommended to the council that there are several alleys in Medford and they all should be vacated.

4. Concluding the public hearing-Chairman Beiser asked for a motion to conclude the public hearing.

Motion by Cowell, seconded by Barbeau to conclude the public hearing at 7:06 PM

5. Action-Recommendations made to City Council.

A. Motion by Cowell, second by Olson to make a recommendation to City Council to approve the alley vacation for Block 16 of Johnson & Company Addition as presented because the Planning & Zoning Board finds that the alley hereby proposed to be vacated is no longer used as an alley; the existence of the alley creates setback problems for adjacent property owners to make better use of their properties; and the City shall reserve for its benefit a drainage and utility easement over, under, and across said alley.

ZONING AND PLANNING MEETING
Regular Meeting
September 21, 2015

Roll call: Beiser, Stinocher, Cowell, Barbeau and Olson

Absent: None

Also in attendance: Andy Welti, Pat Merritt

Regular meeting called to order by Paul Beiser at 7:08 p.m.

Agenda – No changes

Motion by Barbeau, seconded by Cowell to approve the agenda as presented. Carried.

Minutes from the August 17, 2015 regular meeting and public hearing were read.

Motion by Cowell, seconded by Barbeau to accept the August 17, 2015 regular meeting minutes and public hearing minutes. Carried.

Chairperson Report from Council Meeting- Chairman Beiser went to council meeting. Council approved the sign variance requested by Casey's.

Concerns from General Public- No concerns

Old Business- None

New Business- Possible lot splits next meeting possible in the NE corner of Medford.

Next regular meeting will be determined.

Motion by Olson, seconded by Cowell to adjourn the regular meeting at 7:16 p.m. Carried.

**Planning & Zoning Board
City of Medford
Public Hearing for Lot Combination and Variance Requests
November 16, 2015 – 7:00 PM**

Chairman Paul Beiser opened the hearing at 7:00 PM.

Members present: Paul Beiser, Kris Stinocher, Ross Olson

Members absent: Rob Barbeau and Ivan Cowell

Others Attending: Pat Merritt, Andy Welti, Priscilla Parrish, Gail Meinke, Joe Bauer, Judy Bauer, Dave Pike

Introduction:

The purpose of this public hearing is for the citizens of Medford to address any questions or concerns regarding Priscilla Parrish's lot combination request for lots 5, 6 and 7 of Block 28 in Medford located at 3rd St. NE. Chairman Paul Beiser explained the formal procedure and that everyone will be given the opportunity to participate and ask questions.

- A. Staff presentation-Andy Welti presented to the board the reason for the lot combination. Priscilla is interested in selling the lots and has conducted an administrative land survey to create two lots that meet the City's minimum lot size for a buildable residential lot. The land is currently zoned R-1 and the lots are intended to be sold for residential home construction.
- B. Applicant's presentation-Priscilla stated her reason for the lot combination and here wanting to sell the lots.
- C. Statements from the public-None
- D. Concluding the public hearing-Chairman Beiser asked for a motion to conclude the public hearing.

Motion by Olson, seconded by Stinocher to conclude the public hearing at 7:04 PM

Action-Recommendations made to City Council.

Motion by Stinocher, second by Olson to make a recommendation to City Council to approve the lot combination request as presented.

**Planning & Zoning Board
City of Medford
Public Hearing for Lot Combination and Variance Requests
November 16, 2015 – 7:00 PM**

Chairman Paul Beiser opened the hearing at 7:05 PM.

Members present: Paul Beiser, Kris Stinocher, Ross Olson

Members absent: Rob Barbeau and Ivan Cowell

Others Attending: Pat Merritt, Andy Welti, Priscilla Parrish, Gail Meinke, Joe Bauer, Judy Bauer, Dave Pike

Introduction:

The purpose of this public hearing is for the citizens of Medford to address any questions or concerns regarding Jerome Bauer's lot combination and variance requests for the property located at 207 2nd St SW. Chairman Paul Beiser explained the formal procedure and that everyone will be given the opportunity to participate and ask questions.

1. Staff presentation-Andy Welti presented to the board the reason for the lot combination and variance request. Joe Bauer and Ron Bauer are neighbors. Joe Bauer's garage was built prior to him purchasing the property. Joe Bauer had no idea his garage was built on Ron Bauer's property. Ron Bauer contacted City Hall when he was in the process of preparing to sell his property because his property could not be sold until the issue with Joe Bauer's garage was resolved. Steele County GIS maps showed Joe's garage was approximately 6.5 feet over the property line. Joe Bauer came to an agreement with Ron Bauer to purchase 10 feet of Ron's property along the east line to get the garage entirely on Joe's property. Purchasing the property would cause Joe to have 2 parcels. Joe is requesting a lot combination by administrative land survey to combine his current parcel with his new purchased lot. Joe is also requesting a variance for the garage since it will not be compliant with the setback requirements of City Code.

Andy also made sure we knew that when deciding we needed to answer 3 questions when considering the variance.

1. Does the property owner proposes to use the property in a reasonable manner?
2. Does the land owner's problem due to circumstances unique to the property not caused by the landowner?
3. Does granting the variance alter the essential character of the locality?

2. Applicant's presentation-None

3. Statements from the public-None

Concluding the public hearing-Chairman Beiser asked for a motion to conclude the public hearing.

Motion by Stinocher, seconded by Olson to conclude the public hearing.

5. Action-Recommendations made to City Council.

Before we made motion Zoning Board needed to make sure to answer the three questions for the each variance consideration. The variance consideration would be to allow a variance of 6.5 feet to bring Joe Bauer's property into compliance.

Question 1: Does the property owner propose to use the property in a reasonable manner? Answer is yes the property owner does intend to use the property in a reasonable manner.

Question 2: Does the landowner's problem due to circumstances unique to the property not caused by the landowner? Answer is yes the property owner moved into the property after the garage was built.

Question 3: Granting the variance will not alter the essential character of the locality. Answer is No; the variance of the 6.5 ft. does not alter the essential character of the locality.

- A. Motion by Stinocher, second by Olson to make a recommendation to City Council to approve the variance request for Joe Bauer as presented because the Planning & Zoning Board finds that the property owner proposes to use the property in a reasonable manner, the landowner's problem is due to circumstances unique to the property not caused by the landowner, and granting the variance will not alter the essential character of the locality.

Action-Recommendations made to City Council.

Motion by Olson, seconded by Stinocher to make a recommendation to City Council to approve the lot combination request as presented.

**Planning & Zoning Board
City of Medford
Public Hearing for Ordinances 2015-07A,B,C
November 16, 2015 – 7:00 PM**

Chairman Paul Beiser opened the hearing at 7:15 PM.

Members present: Paul Beiser, Kris Stinocher, Ross Olson

Members absent: Rob Barbeau and Ivan Cowell

Others Attending: Pat Merritt, Andy Welti, Priscilla Parrish, Gail Meinke, Joe Bauer, Judy Bauer, Dave Pike

Introduction:

The purpose of this public hearing is for the citizens of Medford to address any questions or concerns regarding Ordinances 2015-07A,B and C addressing private well and septic systems.

Chairman Paul Beiser explained the formal procedure and that everyone will be given the opportunity to participate and ask questions.

1. Staff presentation-Andy Welti presented to the board the reason for the proposed ordinance for private well and septic systems. In the late fall/early winter 2014, a property owner on the edge of Medford City limits requested sewer hook-up because the property's septic system was disturbed during construction. The property contained a private well and septic system and both had been grandfathered because they existed prior to ordinances being passed and/or the property's annexation into the City.

The owner connected to City sewer, but not to City water. Typically a homeowner hooks up to City sewer and water at the time. The City could not require the property owner to connect to City water since the well had been grandfathered. After this incident, staff and the City Attorney recommended writing an ordinance to address the issue.

2. Statements from the public-Pat Merritt stated that all unused septic systems should be capped
3. Concluding the public hearing-Chairman Beiser asked for a motion to conclude the public hearing.

Motion by Olson, seconded by Stinocher to conclude the public hearing.

4. Action-Recommendations made to City Council.

Motion by Stinocher, second by Olson to make a recommendation to City Council to adopt Ordinances 2015-07A,B and C as presented.

ZONING AND PLANNING MEETING
Regular Meeting
November 16, 2015

Roll call: Beiser, Stinocher and Olson

Absent: Cowell and Barbeau

Also in attendance: Andy Welti, Pat Merritt and Gail Meinke

Regular meeting called to order by Paul Beiser at 7:27 p.m.

Agenda – No changes

Motion by Olson, seconded by Stinocher to approve the agenda as presented. Carried.

Minutes from the September 21, 2015 regular meeting and public hearing were read.

Motion by Olson, seconded by Stinocher to accept the September 21, 2015 regular meeting minutes and public hearing minutes. Carried.

Chairperson Report from Council Meeting- Chairman Beiser went to council meeting. No questions regarding our last meeting from council.

Concerns from General Public- No concerns

Old Business- None

New Business- None

Next regular meeting will Monday January 18, 2016 at 7:00 PM

Motion by Olson, seconded by Stinocher to adjourn the regular meeting at 7:31 p.m. Carried.