

**MINUTES
CITY OF LONSDALE
REGULAR PLANNING & ZONING COMMISSION MEETING
MARCH 19, 2008**

MEMBERS PRESENT:

Skruzacek, Freid, Dols, Duban, Kodada, Vosejka and Furrer

MEMBERS ABSENT:

None

STAFF PRESENT:

City Planner Baker and Building Inspector Filipek

1. CALL TO ORDER

Chairperson Dols called the meeting to order at 6:30 pm in the Council Chambers at 415 Central Street West.

2. AGENDA

Chairperson Dols asked if anyone had any additions or deletions to the agenda.

A motion was made by Duban and seconded by Freid to approve the agenda as presented. Vote for: Skruzacek, Freid, Dols, Duban and Kodada; Against: None (Vote 5-0). Motion carried.

3. APPROVAL OF MINUTES FROM THE FEBRUARY 20, 2008 REGULAR MEETING

A motion was made by Kodada and seconded by Duban to approve the minutes of the February 20, 2008 meeting. Vote for: Skruzacek, Freid, Dols, Duban and Kodada; Against: None (Vote 5-0). Motion carried.

4. PUBLIC HEARING

a. Ordinance 2008-220, Sign Ordinance

Dols read the public hearing notice and opened the public hearing. Baker presented background information and highlighted the major points of the sign ordinance. He said the City Attorney reviewed the proposed ordinance, and staff incorporated her comments and corrections into the draft language. Baker read through Section I which listed findings and purpose/intent for the sign ordinance. He explained the definition of an abandoned sign and reviewed the criteria for permits. Baker listed the five types of signs not required to obtain a sign permit. He explained the process for calculating sign area

and how sign permit fees are established. Baker listed the different types of prohibited signs along with exceptions. He summarized each paragraph in Section 12, General Standards, specifically detailing signs located within the City right-of-way and window signage. Baker summarized the permitted signs and requirements within residential, commercial, and industrial zoning districts. Baker detailed each paragraph listed in Section 15, Temporary and Portable Signs, and he explained the regulations for temporary real estate, open house, and development signs. Dols invited the public to express their comments regarding the proposed sign ordinance.

Edward Bastyr, 315 3rd Avenue NE, said he would like to see a “no-solicitation sign” placed along Hwy 19 at the entrances to the City. He said he doesn’t want to be disturbed by door-to-door salespersons. He expressed concern with solicitors who do not check in with City Hall first. Dols said staff would check into the issue.

Dols asked if anyone had any other comments off the floor regarding the sign ordinance. Beside Bastyr, the audience consisted of a reprehensive from Brandl Anderson Homes, Aaron Bakken from Bakken Homes, and Bruce and Lisa Skluzacek, Remax Real Estate, but no one had any additional comments.

A motion was made by Duban and seconded by Kodada to close the public hearing. Vote for: Skluzacek, Freid, Dols, Duban and Kodada; Against: None (Vote 5-0). Motion carried. The public hearing closed at 7:01 pm.

5. OLD BUSINESS

None

6. NEW BUSINESS

a. Consider Approval of Ordinance 2008-220, Sign Ordinance

Baker said that there are two main issues that the Commission should consider taking action on: (1) Ordinance 2008-220 and (2) the temporary directional development sign issue. Baker said that over the past couple of meetings, the Planning & Zoning Commission had discussed the need to clean up off-premise temporary sign clutter along Hwy 19, specifically at the intersections of 8th Avenue NE and 15th Avenue SE. He said the Commission did agree that such signs do attract attention from visitors and prospective buyers traveling along Hwy 19, but they also recognize the sign clutter as an eyesore. Therefore, instead of eliminating all off-premise directional development signs at these locations, the Commission designed an 8’ x 10’ off-premise directional sign that would host up to four 4’ x 4’ individual panels for builders and developers to advertise. Baker said that the 8’ x 10’ sign would replace the need for the currently erected temporary directional development signs, and therefore solving the sign clutter problem.

Dols asked the Commission if the City should front the money for the two 8' x 10' signs or ask developers/builders to fund the signs. Aaron Bakken said he currently has two temporary signs at the intersection of Hwy 19 and 15th Avenue SE. He explained that both signs were on his property: one sign advertising his residential development and the other advertising his commercial property. He said although paying for the sign would have been a lot easier a few years ago, he was willing to take his residential sign down and pay for a spot on the proposed 8' x 10' sign. However, he also stated that cost-sharing between the City and developers/builders would be better than making the developers/builders pay entirely for the new sign. Kodada stated that the two locations for the signs were fine, but he would rather see the developers pay for the signs. Edward Bastyr said that business owners should pay for their own advertising. Dols stated that development has helped the City, and he asked if it would be too much for the City pay for the signs. Kodada and Furrer asked what would happen to the proposed signs if they were damaged, and they also asked who would be responsible for sign maintenance. The Commission agreed that the City should buy the two signs, and once erected, the builders/developers would be responsible for all sign maintenance issues. The local representative from Brandl Anderson Homes stated that it was a good idea. Furrer said this will definitely help clean up the area around Hwy 19 and 8th Avenue NE.

A motion was made by Kodada and seconded by Freid to approve the locations and design for two 8' x 10' temporary development directional signs to be funded by the City. Vote for: Skluzacek, Freid, Dols, Duban and Kodada; Against: None (Vote 5-0). Motion carried.

Dols asked the Commission if they had any comments or questions regarding Ordinance 2008-220, Sign Ordinance. Duban asked staff to clarify the definition of "multi-tenant site" as commercial and industrial sites. He also suggested taking out the word "rocks" in Section 11, Prohibited Signs. Skluzacek suggested deleting the word "vehicles" from Section 6, Sign Area Calculations. Freid said that the City of Northfield was working on a related issue regarding signage on parked train cars.

A motion was made by Duban and seconded by Kodada to recommend approval of Ordinance 2008-220, Sign Ordinance, with the stated corrections. Vote for: Skluzacek, Freid, Dols, Duban and Kodada; Against: None (Vote 5-0). Motion carried.

b. Building Inspector's Report

Jim Filipeck, Building Inspector, presented information related to the recent change to flat fee permits, recent changes in the building code, and proposed changes to building, electrical, and plumbing regulations. Filipeck stated that the State of Minnesota has been

pushing for Lonsdale to switch to flat fee permits for the past two years. He said that the flat fee permits were adopted by ordinance at the first City Council meeting in January. Filipek said compared to the previous method (fees based off of the project's valuation), applicants will now pay less for flat fee permits. He admitted that it may be hard to enforce with limited resources. He said people will probably continue to complete projects like water heater change outs, furnace change outs, and basement finishes without securing a permit first. Filipek told a story about a property owner that got caught after completing a basement without a permit. He said, if caught, unpermitted projects may have to pay a double permit fee and they may require the removal of finished work for proper inspection.

Filipek explained changes to the plumbing and electrical regulations and referred to the handouts provided in the Planning and Zoning Commission packet. Filipek gave examples of different situations where a property owner could do work and when licensed contractors, plumbers, or electricians are needed. He said that future regulations are headed towards the requirement of a licensed person for most projects, large or small. He said sometimes it takes 4 – 6 years for proposed regulations to be officially adopted because of all the comments received from product manufacturers, contractors, and concerned citizens. Harold Vosejka stated that he didn't agree that inspections were needed for projects like furnace change outs. Filipek said anyone can make a mistake, and that is why building inspectors operate as a backup for residents and contractors. He said the building code is all about safety. He stated that plan review and inspections provided by building inspectors help save lives and promote quality workmanship. Skluzacek asked who is liable if something goes wrong. Filipek said that there isn't a clear cut answer to who may be liable. He said if something goes wrong, every aspect of the process will be investigated including engineering, product manufacturing, installation, and inspections. Dols thanked Building Inspector Filipeck for explaining flat fees and code regulations to the Commission.

7. OTHER BUSINESS

Edward Bastyr expressed his concern with drainage running onto his property from the north. He also asked the City to move the fire hydrant located near the northeast side of his property.

8. ADJOURNMENT

A motion was made by Duban and seconded by Freid to adjourn the meeting. Vote for: Skluzacek, Freid, Dols, Duban and Kodada; Against: None (Vote 5-0). Motion carried. The meeting ended at 8:30 pm.

Respectfully Submitted:

Benjamin Baker, City Planner