

MINUTES
PEQUOT LAKES PLANNING COMMISSION
REGULAR MONTHLY MEETING
MARCH 15, 2012

PRESENT: Tom Adams, Deb Brown, Bill Habein, J. J. Levenske, and Cheri Seils.
ABSENT: Scott Pederson and Scott Snyder.

CITY PLANNER: Justin Burslie, Community Growth Institute

ZONING ADMINISTRATOR: Dawn Bittner

CITY COUNCIL LIAISON: Jerry Akerson and Nancy Adams.

The meeting was called to order by Vice-Chairman Adams at 6:00 p.m.

Planning Discussion, Sign Ordinance:

Vice-Chairman Adams explained the request from the City Council to make a recommendation at this meeting regarding digital gas prices and to begin a thorough review of the Sign Ordinance.

Mr. Burslie presented a short PowerPoint presentation which outlined the following objectives: review existing sign ordinance; review Pequot Lakes examples; review surrounding community examples; review examples in packets and provide feedback to Staff.

Council Member Akerson stated that Pequot Lakes competition lies within our neighbors, Crow Wing County and the State. We need to make our ordinance easy for people to understand.

Planning Commission members offered the following comments:

- Uniform sizes and colors;
- Quaint;
- Be informative;
- Technology changing – look to the future and be more sophisticated;
- Keep signs on equal playing field for all businesses;
- Do not need glitz and glam in Pequot Lakes;
- Could be more progressive

Stakeholders need to be invited to attend future meetings and should include the Economic Development Committee and the Business Groups.

Vice-Chairman Adams opened the Public Hearings:

PUBLIC HEARINGS:

APPLICANT: Pamela Benson and Wayne Fjerstad

Applicant requests a Variance to Encroach SSTS within Sideyard Setback

Mr. Burslie explained the Staff Report. Applicants were not present. The SSTS needs to be 10 feet from the structure; if they move the SSTS over 5 feet closer, it still leaves 15 feet. Staff recommends not approving this request.

Mr. Habein explained that he and Mr. Adams visited the property earlier in the day. He stated there appears to be a bluff and the crest of the bluff is very close to the front of the house. The setback from the bluff is 30 feet. He requested a survey with topo elevations to determine where the bluff is located. He presented photographs of the lot. There were a number of iron posts they assumed was the lot line. If the drainfield were placed close to those posts it would be on a slope. There are also huge trees that would need to be removed. He stated he cannot make a decision without detailed drawings, a survey and elevations.

Vice-Chair Adams recommends denying the variance request and have the applicant submit the needed information. Mr. Habein stated there is very little room left if there is a bluff. Mr. Levenske stated that the applicant needs to provide a certificate of survey with topos.

A motion was made by J. J. Levenske, seconded by Bill Habein, to deny the variance. All members voted “aye”. Motion carried.

Staff was directed to carefully explain to the applicant that we don’t have the data necessary to make a decision in applicant’s favor. They will also need to identify the existing structures.

APPLICANT: Todd Tolifson, Rose City Sign

Applicant requests an Ordinance Amendment to Allow Static Gas Price Display

Vice-Chairman Adams explained the City Council directive. Mr. Burslie explained the Staff Report. This amendment is only for static gas price signs, not other flashing, revolving LED signs. A second sentence was added to the amendment with the suggestion from last month.

Applicant was present and passed out an example of the sign that would replace the existing panels. Theresa, Super America employee, explained how the prices are now changed; it is dangerous, icy and the letters and numbers fall. It would be advantageous to change the sign by pushing a button inside.

Mr. Holland explained the shoe store is a shopping experience that is planned. Super America gets the transient people passing through town.

Mr. Levenske noted the sign as presented is 10 digits per face, not 5 as the amendment reads. Mr. Holland explained that Super America and the sign company created this sign for another location and hoped to use something similar for Pequot Lakes.

Mr. Burslie stated that the draft amendment states 5 digits per face. The existing BP sign is 5 digits.

Mr. Levenske asked if Super American was interested in what was proposed last month – to bring the sign into conformance and be allowed 5 digits. Mr. Holland stated that it was not an option; it is way too expensive.

Vice-Chairman Adams stated that the Planning Commission had been asked to review the sign ordinance and asked to approve a sign that is not in conformance with the current ordinance. He is in a dilemma; at the end of the day the conclusion is that we don't agree that we should not have a digital sign, we approve an exception, something in advance of a study with long term consequences.

Council Member Akerson stated that digital gas price displays have become an icon on the highway. It is a place to get information and gas. They use advanced technology with safety issues as discussed earlier. The sign ordinance could conceivably take 10 months to go through. This little piece of it would get that safety issue out; wind is as dangerous as the cold. For the City to ignore a safety issue is irresponsible.

Mr. Holland asked if there are any other cities that do not allow them. Mr. Burslie stated that he can't name any off hand, but is sure there are some.

Vice-Chairman Adams stated he doesn't like the timing; making decisions without a study is irresponsible.

Mr. Levenske reminded everyone that the red portion of the amendment refers to gas prices only. Approval of this amendment would not include a sign for the school, chamber, etc.

Ms. Brown added that she is also uncomfortable with this coming in before the sign review is completed. She also agrees that there should only be 5 digits with no coffee or diesel pricing. She also asked if it could be turned down at night. Some digital signs are quite bright. The BP sign could be seen almost a mile out of town.

Mr. Burslie reminded everyone that this is an ordinance amendment, not a variance application. If the Planning Commission wants to include making the signs conforming, it will need to be in the ordinance that they be brought into conformance.

Mr. Holland suggested passing an ordinance to make all signs conforming; there are a lot of signs too big.

Mr. Levenske asked rather than addressing this as an ordinance amendment, could the applicant come in for a Conditional Use Permit? Mr. Burslie stated that digital displays of any kind are not allowed.

A motion was made by J. J. Levenske, seconded by Bill Habein, to recommend to the City Council that Section 17-7.1 (5.A) state:

- (8) Static LED displays used for advertising the price of gasoline shall be permitted. A total of five (5) digits per face may be displayed digitally.

Discussion:

The Planning Commission can discuss the size of nonconforming signs when we discuss the ordinance. This gives gas pricing some equity with competitors in town.

Mr. Levenske asked that adequate time be set aside in following meetings to discuss the sign ordinance.

Vice-Chairman Adams stated that size and lumens were not addressed. He asked if we should add that lumens be reduced by 50% from dusk to dawn? The Planning Commission agrees that we don't have enough information on lumens to make that determination. That is why it may be inappropriate to approve this amendment at this time.

ROLL CALL VOTE: Ms. Brown: Nay; Mr. Habein: Aye; Mr. Levenske: Aye; Mrs. Seils: Aye; Mr. Adams: Nay. Aye – 3; Nay – 2. Motion carried.

Mr. Levenske reminded Mr. Holland that only the numbers are digitally lit and that this is only a recommendation to the City Council. The City Council will have the final say.

Vice-Chairman Adams closed the Public Hearings.

ADDITIONS OR DELETIONS TO AGENDA: None.

OPEN FORUM: None.

NEW BUSINESS:

OLD BUSINESS:

a. Building Code Enforcement:

Bittner explained to the Planning Commission that no additional surveys had been received. If no further information received, next month take final action on request.

b. Review of CSAH 11 Memo:

Vice-Chairman Adams explained the email from Luke Wehseler, Crow Wing County Highway Department, on the draft Memo. One item in the email referred to our request for 10-foot driving lanes. We had included that for speed reduction, aesthetics, etc. If we feel strongly about that, we need to explain why. It was agreed to change our request to 11-foot driving lanes.

There were no other additions or corrections to the Memo. The Memo should now be sent to the City Council for approval and then on to the County.

The Planning Commission will need to discuss both the County Road 11/Gateway improvements and the sign ordinance discussions. Mayor Adams suggested breaking into committees.

Sign Ordinance Committee: Deb Brown, J. J. Levenske, and Bill Habein.

CSAH 11 Gateway Committee: Cheri Seils and Tom Adams.

Scott Pederson and Scott Snyder can choose which committee to serve on.

The committees should prioritize a list of what to tackle first, what takes precedent.

Staff will need to post the committee meetings as a Special Meeting as there will be a quorum on one. Committees will meet from 6:00 to 7:00.

APPROVAL OF MINUTES:

A motion was made by Bill Habein, seconded by J. J. Levenske, to approve the February 16, 2012 Minutes, as read. All members voted “aye”. Motion carried.

ZONING ADMINISTRATOR’S REPORT:

Bittner pointed out the 2 permits issued and the 8 letters sent. The following Potential Violations/Enforcement Actions were discussed:

1. Used car lot on State Highway 371: Staff will monitor;
2. Ryanland Cease and Desist letter.

ADJOURNMENT:

A motion was made by Bill Habein, seconded by Cheri Seils, to adjourn the meeting. All members voted “aye”. Motion carried. The meeting was adjourned at 7:27 p.m.

Respectfully submitted,

Dawn Bittner
Zoning Administrator

