

- DRAFT -
SUNFISH LAKE PLANNING COMMISSION MEETING – FEBRUARY 19, 2020
7:00 P.M. – ST. ANNE’S EPISCOPAL CHURCH

Attendants:

Chair: Tom Hendrickson

Commissioners: Ginny Beckett, Shannon Nelson, Jeannine Naves and Dominick Driano

City Planner: Ryan Krzos and Peggy Sue Imihy

City Clerk: Cathy Iago

1. CALL TO ORDER: Chair Hendrickson called the meeting to order at 7:00 p.m.
2. ADOPT AGENDA: Chair Hendrickson asked if there were any additions to the agenda and there was no response.

Commissioner Naves moved to adopt the agenda, seconded by Commissioner Nelson and carried (5-0)

3. APPROVE MINUTES DECEMBER 18, 2019: Chair Hendrickson asked if there were any additions or corrections to the December 18, 2019 Planning Commission Minutes and there was no response.

Commissioner Driano moved to approve the December 18, 2019 Planning Commission meeting minutes as presented, seconded by Commissioner Beckett and carried. (5-0)

4. PUBLIC HEARING: A. Sign Ordinance Update – Continued from the December 18, 2019 Meeting: Chair Hendrickson opened the continued public hearing to discuss the proposed sign ordinance update.

Planner Imihy stated that the City Council had selected WSB to provide planning services and that she was hired as the new planner. She explained that she had recently taken a new position with the City of Shakopee and that Ryan Krzos would be serving as the City Planner.

Ryan Krzos explained that he is a Senior Planner at WSB and that he had experience working for a Wisconsin planning agency as well as working with other Minnesota metro area cities.

Planner Imihy explained that staff wished to discuss an additional item at the end of the meeting this evening; she noted that in the future the agenda would provide for discussion of other business items.

Planner Krzos referred to the staff report dated February 19, 2020 and advised that this matter was tabled from the November meeting in part due to the petition from the four (4) churches to allow dynamic display signage and the prevalence of construction related signs and to allow staff additional time to review these items. He noted that the Commission requested more information relating to the minimum display time for the dynamic signs. Staff reviewed the surrounding communities' ordinances and found that the times range from 3 seconds to one minute. He advised that Commissioner Driano suggested that it may be appropriate to include a section relating to the "conversion to a dynamic display sign" based on review of St. Paul's ordinance. However, staff found that the St. Paul ordinance relating to legally nonconforming billboard advertising signs and was different from the intent of the Sunfish Lake ordinance regarding dynamic display signage.

Staff recommends the Commission recommend Council adopt the ordinance which the two (2) changes to the draft ordinance per the requests and comments from the Commission at the November meeting;

1. Dynamic Display Signs. The minimum display time for the dynamic signs was updated to 30 seconds; this places the City's display time near the middle of the neighboring communities' regulations; and,
2. Address, fire and alarm signs number limits. The update to the ordinance eliminates the limit to address, fire and alarm signs on a single property.

Chair Hendrickson asked if there were any comments from the public.

Paul Lindquist, Deacon at South Side Baptist Church, stated he had no concerns with the ordinance as proposed.

Commissioner Naves explained that she had shown the proposed ordinance to a resident who installs signage and that person had no concerns with the ordinance. She noted that Mendota Heights no longer allows installation of the dynamic signs. She further noted that the Exceptions section on "Real Estate" and "Off Premises" signs that "Alarm & Security" signs were not listed.

Planner Imihy explained that this could be remedied by requesting that Alarm and Security signs be added to the "Exception" section of the ordinance.

Commissioner Driano questioned if the setbacks in the new language would make it easy for the petitioners to change their signs without having to move the location.

Planner Krzos stated he was unsure if the new language would prohibit the installation of dynamic displays on existing signage within the City installation.

Planner Imihy noted the concerns related to retrofitting the existing signage and explained that staff could table the matter to determine how the setbacks would impact the existing signage on the church properties. She pointed out that the ordinance was drafted by the former planner and therefore, current staff was unaware how the regulations would impact existing signage on these properties.

After a brief discussion with the Commission, Planner Imihy recommended that this matter be tabled to allow staff time to research the setback requirements.

Mayor O'Leary suggested that the current signage at the churches could be grandfathered in.

Chair Hendrickson stated in his opinion that would not be the preferable method to handle the matter.

Clerk Iago explained that at the November meeting, the Pastor from South Side Baptist Church stated that he reviewed the regulations that were discussed and stated that the new regulations would accommodate the display signage he proposed for the church.

Deacon Lindquist asked if a variance would be allowed if the signage did not meet the new regulations.

Chair Hendrickson explained that a variance could be requested however, the Commission has the opportunity to do the research at this time prior to adopting the ordinance. He supported delaying the proposed changes and allowing staff time to research the matter.

Deacon Lindquist agreed and commented that it would be less costly for the church if a variance was not necessary.

Planner Imihy agreed that it would be easier not to create any hardships for the four church properties and staff would recommend tabling the matter to allow additional research on the setbacks.

Chair Hendrickson asked if there were any further questions or comments from the floor and hearing none, closed the public hearing. He asked for Commission action to table the matter and allow staff to further research the setback requirements.

Commissioner Naves moved to table action on the proposed ordinance and request staff research how the setbacks for the dynamic display signage impacts the existing signage on the church properties, seconded by Commissioner Beckett and carried. (5-0)

5. PUBLIC HEARING: A. Application and Submittal Requirements – Continued from the December 18, 2019 Meeting: Chair Hendrickson opened the public hearing to discuss the proposed ordinance amending the zoning ordinance as it relates to review of site and building plan applications.

Planner Krzos referred to his report dated February 19, 2020 and explained that at the November Planning meeting the

Commission requested that staff discuss the tree inventory issue with the Forester and the septic requirements with the Septic Inspector and that they provide a recommendation regarding the Tree Inventory requirements and the location of septic systems and wells on adjacent properties on site plans. He noted that staff determined it would be appropriate to leave the requirements related to Construction Material Recycling separate at this time.

Planner Krzos explained that the current ordinance requirements a tree inventory of the done property. He noted Commission discussed reducing the defined area for tree inventory and past practice was somewhat inconsistent regarding the area of the property where the tree survey must be done. He explained that there were two (2) building applications last year where the surveys done did not include all the trees on site and the applicants returned with changes to the plans where trees would need to be removed to accommodate improvements. He stated that the City Engineer recommended keeping current requirements in place and that the language be amended to require the applicants survey the entire property "unless approved by the City Engineer" and noted this would provides some flexibility for staff to lessen the number of trees to be inventoried.

The Planner stated that the City Septic Inspector required the current regulations for locating septic systems and wells on adjacent properties from 350 feet from the property line to 100 feet from the property line. He noted the draft ordinance originally stated 50 feet from the property line but the current draft has now been increased to 100 feet.

Planner Krzos stated that the tree inventory and septic and well location changes were included in the draft ordinance presented to the Commission this evening. He advised that the proposed ordinance does not contain any regulations relating to Construction Materials Recycling other than Section 6.B.26 which requests a narrative explaining how construction materials will be recycled when possible.

Staff recommended approval of the ordinance as presented.

Chair Hendrickson asked if there were any comments from the public.

Mayor O'Leary stated he agreed with the City Engineer's recommendation regarding the tree inventory due to the issues related to the two building applications last year.

Chair Hendrickson asked if there were any further comments from the audience and, hearing no response, closed the public hearing. He asked if there were any further comments from the Commissioners and there was no response.

Chair Hendrickson moved to recommend that Council adopt the proposed Ordinance Amending the Zoning Ordinance as it relates to Site and Building Plan Evaluation Criteria as presented by staff this evening, seconded by Commissioner Driano and carried. (5-0)

OTHER/NEW BUSINESS: Discussion Chicken Keeping Permits and Size of Chicken Coops: Planner Krzos explained that the current ordinance allows staff to approve an Administrative Permit for Chicken Keeping on residential properties. However, he pointed out that the zoning code requires a Conditional Use Permit (CUP) to allow a second accessory structure on the property. He stated that the ~~definition of a building in the~~ code identifies a structure housing people or animals to be considered as a building regardless of size. He explained that in reviewing the City files he did not find ~~that consistency for~~ when a CUP was required for a chicken coop. ~~and he found~~ pointed out that there is an exemption for a 200 sq. ft. shed to house pool equipment. He suggested that if the City ~~wished might also~~ consider also exempting a small simple chicken coop on the property under accessory structures.

Chair Hendrickson asked if the 200 sq. ft. building was specifically for pool equipment and noted it would be an exceptionally large chicken coop.

Planner Imihy explained that the ordinance to allow chicken keeping within the City is relatively new and it was her opinion that keeping chickens is a relatively small use to require a CUP. She suggested that Planner Krzos ~~could would~~ review other cities regulations relating to the size of the chicken coops and language for inclusion in the ordinance for the next meeting.

The Commission concurred to direct the Planner to conduct research on the matter and report at the next meeting.

Mayor O'Leary stated that on behalf of the Council he wished to thank the Planning Commissioners for the excellent job they do in reviewing the planning cases and that their diligence is greatly appreciated.

Chair Hendrickson asked if there were any further comments and there was no response.

ADJOURN: Commissioner Beckett moved to adjourn the meeting at 7:36 p.m., seconded by Commissioner Nelson and carried. (5-0)

Respectfully submitted,

Catherine Iago, City Clerk