

FARIBAULT PLANNING COMMISSION
MINUTES
June 3, 2019

1. CALL TO ORDER

Vice Chairman Chuck Ackman called the meeting to order at 7:00 p.m. Commissioners present: Chuck Ackman, Dave Campbell, Joe Faugstad, Michael Schendel, Steve White and Ann Vohs
Commissioners Absent: Dave Albers
Staff present: Planning Coordinator, Peter Waldock, City Planner, David Wanberg and Administrative Assistant I, Kari Casper.

Public Present: Beverly Eiler, 1209 17th Street, SW, Faribault, MN; Various representatives of Bethlehem Academy, including Bernt Halvorson.

2. APPROVAL OF MINUTES

A motion was made by Commissioner Schendel and seconded by Commissioner Campbell to approve the minutes of the May 20, 2019, regular meeting as presented. Motion carried (6/0).

Ackman stated that Waldock would like to change the order of presentation to allow members of the public to be heard first. We started the meeting off with the Geiger project and Waldock will address the rezoning first and then the preliminary and final plat. The BA Greenhouse will then be presented which is 3D on the agenda and then on to 3C for the EMB text amendment.

3. PUBLIC HEARINGS

- A. P/FP 17-19 Preliminary and Final Plat Application for Geiger Addition to create two residential lots at 1137 17th Street SW (PID # 1812100001).
- B. RZ 18-19 Rezoning Application to change zoning from O Open Space to R-2 Low Density Residential District in order to subdivide the subject property into two residential lots at 1137 17th Street SW (PID # 1812100001).

Duane Geiger has submitted an application for preliminary and final plat approval on behalf of the property owners NKR Properties LLC. The F/FP applications have been combined into a single application in this case. The proposed subdivision will split the parcel into two single family lots with frontage on 17th Street SW. This will create one new buildable lot. The parcel to be divided is a 1 acre farm remnant that has not previously been platted. The site boundary extends to the centerline of 17th Street SW. The property is improved with a single family home which will remain in place after the subdivision is completed. The plat create one new buildable lot. The application also proposes to rezone the site from O Open Space/Agricultural District to R-2 which is a single family district to match adjoining property, to the north, south and west. Waldock stated that the proposed single family dwelling meets all the criteria for this purpose.

Ackman opened the matter up for discussion and questioned how this lot was never platted. Waldock stated that it was probably part of the original farm who was the developer. Ackman then asked, had this been platted; it could have been handled administratively. Waldock responded yes, it

could have been handled a few ways.

Ackman opened the matter up for public hearing and Beverly Eiler, the neighbor to the South approached. Mrs. Eiler's concern was for the drainage since the development behind her was put in, her basement has been flooding. Her sump pump runs constantly and so much that it is not draining directly into 17th Street. She expressed this concern and didn't feel that a house on the proposed lot was a good use due to the drainage issues and also was concerned about the lot size.

Ackman then closed the public hearing and brought the matter back for discussion to the board. Waldock addressed the drainage issue stating that the City is aware of the drainage issues and engineering is also aware of it and it will be a condition of the plans that the matter be addressed when the final plans for building are submitted. He also stated that the lot size is much wider than the rest of the lots on the block.

White moved for approval of the rezoning for Geiger Addition as written, and seconded by Commissioner Campbell. Motion carried (6/0).

On the P/FP White moved to approve the P/FP as written, and seconded by Commissioner Schendel. Motion carried (6/).

D. CUP 19-19 Conditional Use Permit to build a Greenhouse Science Building at Bethlehem Academy High School on a lot addressed as 203 3rd Avenue SW (PID # 1831426032).

Bernt Halverson on behalf of Bethlehem Academy High School, has requested approval of a CUP to construct an educational greenhouse on the south portion of the BA Campus on a lot at 203 3rd Avenue SW. The proposed greenhouse will be up to 24 feet by 48 feet in size depending on funding for the project (the application lists 24' X 36'). The structure will meet required setbacks and building separating in this case, 15 feet from the south lot line and ten feet east of the existing garage on the lot. The greenhouse will have an 8 foot side wall height and gable roof, which will meet the height limits for non-residential accessory structures in the zoning district. DRC stated this is an appropriate use with the CUP.

Ackman opened it up for discussion. No one made comment. Ackman then opened it up for public hearing. Bernt Halvorson came forward to answer any questions. Vohs had a question on screening. Halvorson mentioned about putting up a fence to keep the kids out of the area. Waldock stated that the greenhouse will be screened by the garage. Ackman then brought it back to the commission. Ackman stated that the 4 conditions, 3 and 4 should be combined. Waldock said he would make that switch. A motion was made by Commissioner Vohs to approve CUP 19-19 with the one change and seconded by Commissioner Campbell. Motion carried (6/0).

C. ZTA 20-19 Sign Ordinance Amendment related to Electronic Message Centers to increase the permitted size of electronic message board signs in Commercial and Industrial Districts and in Interstate Highway Oriented Business Districts throughout the City.

The current sign ordinance regulations for electronic message boards in the City were established in 2004 and last updated in 2007. Since then much has changed in the industry with new technology for LED lighting controls and signage sizes for Electronic Message Centers (EMC's). Accordingly consumer demand for larger EMC signs has grown along with public acceptance of such signs.

The current ordinance limits the size of EMC's for commercial and industrial districts to 40 Sq. Ft. which happens to be smaller than that allowed in Residential Districts (currently 50 Sq. Ft.). To address the improved technology, consumer demand for EMC signs and allow greater EMC sign area in commercial and industrial districts, staff has proposed an amendment to the zoning ordinance to include staff found that our regulations could also benefit from updated regulations to provide light sensor requirements, automatic dimmer controls and better regulation light emissions and measurements from EMC signs. Currently City codes do not address inoperable EMC signs or damaged EMC signs that are not operating correctly and are illegible or otherwise unsightly or problematic.

Ackman opened the matter up for discussion and had one question regarding whether electronic billboards were the same. Waldock stated they are two different things. Ackman addressed the distraction component. Waldock stated that we didn't need to add that language and the ordinance is a good one. White spoke of the billboard by KFC and wanted to comment on the billboards along the interstate regarding the size and limitations. Waldock stated that the ordinance is already doing that and this one is dealing with EMBs. Campbell spoke stating the staff did really good work on updating this.

Ackman opened the matter up for public hearing; no one from the public was present. Ackman brought back for discussion stating the technology changes and how this is appropriate. A motion was made by Commissioner White to approve the Ordinance Amendment related to Electronic Message Centers as written and seconded by Commissioner Campbell. Motion carried (6/0).

4. ROUTINE BUSINESS:

None.

5. ADJOURN

Motion was made by Commissioner Campbell to adjourn the meeting and seconded by Commissioner Schendel to adjourn the meeting. The meeting was adjourned at 7:39 p.m. Motion carried (6/0).

Respectfully Submitted,

Kari Casper, Administrative Assistant I

MINUTES APPROVED:

Dave Albers, Chair