



**CITY OF LONG LAKE  
PLANNING COMMISSION MEETING MINUTES  
June 14, 2016**

**CALL TO ORDER**

The meeting was called to order at 6:30 p.m. by Chair Erickson.

Present: Commission Members Adams, Erickson, Hughes, Keating and Jerde; City Administrator Weske; City Planning Consultant Rothstein.

Absent: none.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**APPROVE AGENDA**

*Commissioner Hughes moved to approve the agenda as presented. Commissioner Keating seconded. Ayes: all.*

**CONSENT AGENDA**

**A. Minutes of the May 10, 2016 Planning Commission Meeting**

Chair Erickson requested the following corrections to Page 4: Replace: 'the electronic changeable copy sign used by Holiday Station Store, which contains...' With: 'the type of electronic changeable copy that in the past was used at the Holiday Station Store in Maple Plain, which contained...' Chair Erickson explained that following the last meeting, he learned the Maple Plain Holiday Station Store no longer has the type of sign he found objectionable so he would like this revision to the meeting minutes to reflect the past tense.

*Commissioner Adams moved to approve the May 10, 2016, minute corrections as requested by Chair Erickson and indicated above. Commissioner Jerde seconded. Ayes: all.*

*Commissioner Adams moved to approve the Consent Agenda as revised. Commissioner Keating seconded. Ayes: all.*

**OPEN CORRESPONDENCE**

None.

## **BUSINESS ITEMS**

A. Public Hearing: Planning Case #2016-06 (Lisa Cochran, Jon Weidenbacher)  
Expansion of a Non-Conforming Structure and Conditional Use Permit for an  
Accessory Structure Exceeding 900 SF of Floor Area at 235 Lakeview Avenue

City Planning Consultant Rothstein presented. She noted staff recommends the Planning Commission hold the public hearing and recommend approval of the expansion of a non-conforming structure and Conditional Use Permit (CUP) to the City Council with conditions. Consultant Rothstein provided an overview and background of the request, noting that in 2015, the applicant received approval of a nonconforming structure and CUP for an accessory structure.

Consultant Rothstein stated this is being considered tonight as the dimensions and height have changed from the plans approved in 2015. She explained that when the complete building plans were developed and the applicant applied for the building permit, it was found that the floor area of the proposed garage was 1,664 sq. ft. and the height was 20 feet 3 inches.

Consultant Rothstein stated the request is to increase the height from 18 feet to 20 feet 3 inches and the floor area from 1,248 sq. ft. to 1,664 sq. ft. She explained that by a four-fifths vote, the Council may permit the expansion of a legal non-conforming structure or use if in no case said structure or use prohibited in the zoning district extends beyond the present lot and upon making required findings. Consultant Rothstein displayed pictures of similar detached garages in the neighborhood.

Consultant Rothstein presented the criteria considered to grant a CUP and staff's findings this application is consistent with the Comprehensive Plan, will not impede normal development, will be served adequately by public facilities and services, and fully comply with all requirements of the ordinance.

Chair Erickson opened the public hearing at 6:38 p.m.

Chair Erickson complimented the applicant on the high quality of the exhibits, including a certified survey and professional elevations.

Commissioner Adams stated this seems to be a natural request as the approval was based on conceptual drawings.

Jon Weidenbacher, applicant, stated he has nothing to add and they are ready to start the project.

Chair Erickson closed the public hearing at 6:40 p.m.

*Commissioner Keating moved to recommend the City Council adopt a resolution to approve the expansion of a non-conforming structure at 235 Lakeview Avenue, subject to the following conditions:*

- 1. The garage may not exceed 20'3" as measured by the Long Lake Zoning Ordinance.*
- 2. The garage is constructed consistent with the building plan set dated 6-22-15 and revised 2-11-16, the survey showing the proposed garage dated 7-21-15, all land*

*use application materials submitted, and all information presented in the staff report dated June 14, 2016.*

*And recommend the City Council adopt a resolution to approve a Conditional Use Permit to allow for an accessory structure exceeding 900 square feet of floor area at 235 Lakeview Avenue, subject to the following conditions:*

- 1. The accessory structure may not be lived in or used as a dwelling unit unless a separate Conditional Use Permit is obtained, as outlined in Section 19, Subd. 6, of the Long Lake Zoning Ordinance.*
- 2. Any use of the proposed garage for the purposes of a home occupation shall be consistent with the requirements of a Class I Accessory Home Occupation unless a separate Conditional Use Permit is obtained for a Class II Conditional Use Home Occupation.*
- 3. The garage may not exceed 1,664 sq. ft. of floor area.*
- 4. The Conditional Use Permit approved by Resolution 2015-23 is nullified and is replaced by Resolution No. 2016-21.*

*Commissioner Jerde seconded. Ayes: all.*

B. Public Hearing: Planning Case #2016-04 (City of Long Lake) Proposed Ordinance Amendment to Chapter 8, Article V: Sign Regulations

Consultant Rothstein presented. She noted staff recommends the Planning Commission hold a public hearing and make a motion to recommend the City Council adopt Ordinance No. 2016-05 approving an amendment to Chapter 8, Article V: Sign Regulations.

Consultant Rothstein reviewed the Planning Commission's past discussions related to the City's sign ordinance and revisions made to the draft ordinance based on those discussions. She asked the Commissioners to look at the restrictions by area and determine the extent to which property will be impacted.

Chair Erickson opened the public hearing at 6:47 p.m.

Burt Joseph, co-owner of Birch's on the Lake, stated it may be that this discussion started because of their temporary signs. The sizes have been 4 feet by 8 feet on wood frames, facing west, like billboards to draw in businesses. He stated his understanding their valet parking and lunch sandwich signs are permitted and asked how they can add an electronic copy sign to their monument sign.

City Administrator Weske explained if their monument sign was at the maximum square footage allowed, they would need to apply for a variance to add an electronic sign.

Commissioner Adams recommended obtaining a temporary sign permit for special events. Mr. Joseph explained that having signage is critical to draw people to events.

Commissioner Keating asked why there is a 60-day limit per year for temporary signs, as Birch's on the Lake is open 12 months. Chair Erickson explained that temporary signs are most times not professionally created and can be unattractive. Commissioner Adams compared other City's signage limitations to show there is a reason for some level of regulation.

Mr. Joseph stated he thinks the options presented will work but he wanted to state their case. He hoped all other Long Lake businesses adhere to these regulations, noting signs are all over town and if Birch's on the Lake has to abide by the regulations, all businesses should be required to do the same.

Chair Erickson recounted the Commission's past consideration of a sign permit at the Town Center for a chiropractic business. The Planning Commission recommended approval of a back lit sign; however, the Council negotiated for a more attractive channel-type sign. Chair Erickson stated he would like to explore language to give channel-type signage preference over back lit box signs. He asked whether the Commissioners would support holding that discussion or referring it to a task force. Chair Erickson stated he thinks that aspect should be considered to complete the Planning Commission's review of the sign ordinance.

Consultant Rothstein stated it is not uncommon to require channel lettered signs over box signs in districts with higher design standards. However, there are challenges when a business vacates and leaves behind a box sign, making it is easier for a new tenant to use. She encouraged the City to talk with businesses as this would be a departure and result in stricter regulations. Another option is to up the standards when a variance or CUP is being requested.

Commissioner Jerde asked if the 30 days allowed for a trailer sign can be used at a business. Consultant Rothstein explained a trailer sign is not defined at this time but would be a sign on a trailer. She displayed a picture of such a sign. Commissioner Jerde asked if you can have that sign in conjunction with a temporary sign. Consultant Rothstein answered in the affirmative.

Mr. Joseph asked about a food truck. Consultant Jerde stated that is difficult to regulate because they move all the time and may be used only for a special event.

Commissioner Hughes stated he is not comfortable requiring a business to use channel script versus a box sign but thinks the City's preference could be communicated.

Chair Erickson stated he was suggesting language between those two extremes. He would not suggest setting a timeline of two weeks but indicating that at some point the City may require enhanced channel letter signs. Or, a date in the future could be established several years in the future. Chair Erickson stated if approved, this would apply only to new signs and existing signs would be grandfathered.

Commissioner Adams noted there may be a new sign created that the City prefers over channel letter signs. He stated he understands the desire to improve the City's aesthetics but people own their properties.

Commissioner Keating stated it is difficult to legislate the future as you don't know what's coming down the road. He stated he looks at this as a place to start and now it is time to get this out there and move on.

Chair Erickson suggested an exploratory action to ask the consultants to prepare a list of what other cities are doing in regard to channel-type signs and learn if there is anything that would work for Long Lake.

Chair Erickson closed the public hearing at 7:22 p.m.

*Commissioner Adams moved to recommend the City Council adopt Ordinance No. 2016-05 approving an amendment to Chapter 8, Article V: Sign Regulations. Commissioner Jerde seconded.*

Commissioner Hughes stated he does not support forcing monument-type signs everywhere in the City and thinks the business owner should be able to make that decision. He stated this was considered by the subcommittee but he does not remember it being part of the Commission's previous discussions.

Chair Erickson noted existing signs would be grandfathered and the business owner would have the option of applying for a variance.

Commissioner Adams pointed out that the City has regulated other businesses to require a monument sign. He stated he has talked with business owners who like their free-standing sign and want to keep it.

Consultant Rothstein explained an existing sign would be considered a non-conforming use so if any new or modified sign or six months of vacancy, it could not be reinstated and would be required to comply with the ordinance. She clarified the sign is the lettering, not the frame around the sign. Consultant Rothstein stated a non-conforming sign can be maintained, repaired, and completely replaced but cannot be expanded.

The Commissioners discussed the concern expressed by Commissioner Hughes and reviewed the types of signs used by downtown businesses and where a monument sign could be placed. Commissioner Hughes stated he just wants the business owner to be able to do what they want with their sign.

*Commissioner Adams stated enough questions have been raised that warrant further discussion so he withdraws his motion.*

*Commissioner Hughes moved to recommend the City Council adopt Ordinance No. 2016-05 approving an amendment to Chapter 8, Article V: Sign Regulations, as revised to remove the section relating to Freestanding Signs.*

Commissioner Adams reviewed the districts in which free standing signs would then be permitted.

Chair Erickson stated some businesses were required to construct a monument sign so he does not want to go back on that action. He noted this requirement has been in place for years and he would not want a business like McDonalds to be allowed a freestanding sign. He pointed out that most cities require monument signs and while there are other buildings with freestanding signs, they will be grandfathered.

The Commission reviewed the districts where monument signs have been required and the impact of the revision supported by Commissioner Hughes. It was acknowledged that most downtown business locations do not have adequate space to construct a monument sign.

Commissioner Hughes noted that freestanding signs can also be beautiful but with this ordinance language, it would not even be allowed. Chair Erickson stated he does not think a beautiful freestanding sign exists. Mr. Weske asked Commissioner Hughes if he knows of such a location. Commissioner Hughes supported allowing the market to make that decision and stated he does not think a business owner will construct a free standing sign that is not attractive.

Commissioner Adams noted it is part of the Commission's responsibility to regulate and while he is sympathetic to allowing business owners to make decisions, he finds the Chair's position to be correct that requiring monument signs has been an improvement.

*Motion by Commissioner Hughes died for lack of a second.*

Chair Erickson stated if the Commissioners support recommending approval of the ordinance as drafted, it could also inform the Council that the issue of channel-letter signs was not addressed but the Commission is willing to take on that task if so directed. Consultant Rothstein suggested holding the downtown signage discussion if the City intends to look at enhanced design standards in the downtown area.

*Commissioner Adams moved to recommend the City Council adopt Ordinance No. 2016-05 approving an amendment to Chapter 8, Article V: Sign Regulations, as presented by staff. Commissioner Jerde seconded. Ayes: 4 ayes, 1 nay (Chair Erickson).*

## **OTHER BUSINESS**

**Council Liaison Report** – None.

**Commission Member Business** – None.

**Staff Business** – None.

## **ADJOURN**

*Commissioner Keating moved to adjourn the meeting at 7:51 p.m. Commissioner Adams seconded. Ayes: all.*

Respectfully submitted,

Scott Weske  
City Administrator