

MINUTES OF THE
AUSTIN CITY PLANNING COMMISSION REGULAR MEETING
TUESDAY, JANUARY 15, 2002

MEMBERS PRESENT: All Members present

MEMBERS ABSENT: None

OTHERS PRESENT: Community Development Director Craig Hoium and Craig Byram of Hoversten Law Office

Commission Chair Brian Johnson called the meeting to order at 5:35 p.m., January 15, 2002, in the Austin City Council Chambers located at 500 4th Ave. N.E., Austin, Minnesota.

Motion to table the approval of the December 11, 2001 minutes was made by Commission Chair Johnson. Motion was seconded by Commission Member Rosenberg. Unanimous Ayes. Motion passed.

Commission Member Mair made the motion to appoint the position of Planning Commission Chair to Brian Johnson. Motion was seconded by Commission Member Rosenberg. Unanimous Ayes. Motion passed. Commission Member Howard made the motion to appoint the position of Planning Commission Vice-Chair to Sue Grove. Motion was seconded by Commission Member Rosenberg. Unanimous Ayes. Motion passed.

At the March 12, 2002 Planning Commission Meeting Commission Member Kuehne clarified his January 2002 quote to "on behalf of the citizens of Austin, I would like to thank the Austin City Council for their ingenuity and fiscal integrity by placing the large low lighted sign at the Sterling State Bank. This sign in total violation of the City of Austin Codes and therefore is totally out of place in relation to the rest of the signage in the area. It is considered an eye sore by many of our citizens. It has been pointed out to me, that if the City Council allows approximately four more of these low lighted signs in the Sterling Mall area, they could save the citizens a great deal of taxes by removing the street lights in that area due to the excess light emitted from the low lighted signs."

- 1.) **OPEN PUBLIC HEARING: To consider a request from Ronald Fagen, 501 West Highway 212, Granite Falls, MN, for the platting of approximately 6.12 acres to be known as Fagen Pulsifer Addition. The proposed plat will include right-of-way extensions of East Oakland Avenue and 22nd St. S.E., Lot 1, Block 1, and Lot 1, Block 2, and Outlot A of said subdivision.**

The request was reviewed by Mr. Hoium. This parcel is located southeast of the intersection of Highway 218 South and East Oakland Avenue. The zoning classification of this area is "I-1" Limited Industrial District. The past year there has been development of this area. Mr. Hoium listed eight staff recommended conditions, which should be included in any action by the Planning Commission.

1. Developer shall provide storm water management plan to meet the approval of the City Engineer.
2. Extensions of water, natural gas, electric, and other including easements shall meet the approval of the Austin Utilities, City Engineer, Charter Communications & other agencies.
3. Plat shall meet the approval of the Mower County Engineer and MnDot- addressing access to Highway 218.
4. Application for preliminary plat shall be signed by all shareholders and owners of subplat.
5. Lots shall be developed in accordance to Austin City Code Chapter 11 in the "I-1" Limited Industrial District portion.
6. Verification shall be made for correct property line location and east boundary of Outlot A in relation to desired land acquisition for the airport expansion.

7. Necessary dedication of East Oakland Avenue public-right-of way shall be reviewed with adjacent landowner.
8. Developer shall enter into a Developer's Agreement with the City of Austin and Austin Utilities.

The east boundary of Outlot A is critical because there is some acquisition necessary for the City of Austin to proceed with the airport expansion project. This needs to be reviewed by Mr. Erichson and the consulting engineer. There are two tracts of land that run through a subdivision that was approved by the City Council the summer of 2001. Mr. Hoium needs to review the East Oakland public right-of-way with the owner. Public hearing notices were mailed to adjacent property owners and Mr. Hoium received no responses for or opposed to the plat.

Commission Member Bergstrom asked if this plat includes the Charter Communications building. Mr. Hoium said it does not currently, but the two tracts that the plat may be expanded to would include the Charter Communication property. There are some issues regarding the legal fees incurred upon acquisition of the property and with the legal description. With a re-platting there will be short descriptions. This will be discussed with Charter Communications. Mr. Hoium said this is being platted to try to accommodate future expansion of Charter Communication facilities.

Commission Member Rosenberg asked if QWest is relative to telephone. Mr. Hoium said yes, this has nothing to do with QWest. Commission Member Kuehne asked about the reference earlier in the conditions regarding QWest. Mr. Hoium said these agencies are always notified of plat development in case they need easements through the development area.

Joe Fuhrman, representing Charter Communications and the owner, said that previously these properties have been sold off in pieces with long description. Now Mr. Hoium has asked this property to be platted to acquire a proper short legal description and they are going through the proper channels.

Commission Member Bergstrom asked if Charter Communications would be building there. Mr. Fuhrman said Charter is planning to put cable satellites and a small building on this site. There will be one more piece for sale.

Motion was made by Commission Member Kuehne to recommend to the City Council the approval of the plat along with the eight conditions noted by Mr. Hoium. Motion was seconded by Commission Member Mair. Unanimous Ayes. Motion passed.

2. **SIGN APPEAL: To consider the appeal from Lance Pogones, 4206 12th Ave. N.W., Austin, MN, for the denial of the issuance of a sign permit to erect a fascia wall sign with the dimensions of 5-foot by 9.6-foot, at the commercial property located at 701 18th Ave. N.W. The proposed sign would be located on the east exterior wall of this building, which does not face a public right-of-way. City Code Section 4.50, Schedule No. IV,1,(b) specifies that such signage erected in a "B-2" District shall face a public right-of-way.**

Mr. Hoium reviewed the request. The surrounding land uses to the south, east, and west are business type developments all located in "B-2" Districts. To the north is a multi-family development located in an "R-2" District.

This sign in question is presently located on the north exterior wall of the building. The petitioner would like to relocate it to the east exterior wall. This is an illuminated sign and just consists of the letters themselves-there is not a board behind it. Just recently a permit was issued to Precision Signs for a canopy to be placed on the front of the Games People Play building with a dimension of 4-foot by 16.3-feet.

Commission Member Mair asked if the building were on a corner with traffic both ways, would it mean that the building could have signs on both sides. Mr. Hoium said yes- if your building encompassed a whole lot

signage would be acceptable on all four sides of the building- signage on the front exterior wall would be limited to 15% and 10% on the side and rear walls.

Commission Member Grove said this is similar to Blockbuster Video- with the building facing the parking lot rather than the right-of-way. Mr. Hoium said the intent of this ordinance is to minimize any type of obstruction, or an infringement on a close neighboring business.

Motion was made by Commission Member Mair to recommend approval of this sign appeal to the City Council. Motion was seconded by Commission Member Howard. Unanimous Ayes. Motion passed.

OTHER BUSINESS

- 1) Mr. Hoium summarized the projects reviewed during 2001.
 - a. 9 different properties requested re-zoning.
 - b. 10 conditional use permits requested.
 - c. 5 plats were reviewed with an approximate future value of \$22,000,000. Total valuation of construction in the City for 2001 was over \$45,500,000. 2001 was a record year with \$44,000,000. Number of permits issued in 2001 was 3278. Owatonna has been considered a construction leader in this area- their total construction value for 2000 was \$35,000,000, and 2001 was \$39,000,000.
- 2) Mr. Hoium gave the Members an updated Future Land Use Map.
- 3) Mr. Hoium scheduled the February Planning Commission Meeting for February 5, 2002.
- 4) New Planning Commission Member Roger Stratton was welcomed.
- 5) Commission Member Grove questioned the massage therapists now advertising for business- don't they have to appear before the Planning Commission and City Council. Mr. Hoium said that if they are located in a residential district they must obtain a conditional use permit. There are city licensing requirements, even if in a business district.
- 6) Commission Member Kuehne said he noticed an excessive amount of fill added to the Whittier development next to the river. Mr. Hoium said to his knowledge the only thing added was topsoil for grass.
- 7) Commission Member Rosenberg asked about the plans for the old church building by the bandshell. Mr. Hoium said approvals were obtained from the DNR and FEMA for the work done. The church previously had a full basement which has now been filled in along with knocking holes into the sides of the building, so that now with a pavilion style, if flood waters come, it will flow around and through and will not affect the structure.
- 8) Mr. Hoium pointed out the memo given to the Planning Commission, which refers to the development of the Blazing Star Trail between Austin and Hayward. Mr. Hoium feels that it is important for us to maximize our chances for getting funding for the trail. Governor Ventura has announced that his budget will not include funding for the Blazing Star Trail, but this does not necessarily mean it will not get approval. Mr. Hoium encouraged the members to help get the word out to others and to let the legislators know of our interest in this project.

ADJOURN

Motion was made to adjourn by Commission Member Kuehne. Motion was seconded by Commission Member Rosenberg. Unanimous Ayes. Motion passed. Meeting adjourned at 6:08 p.m.

