

WAITE PARK CITY COUNCIL SPECIAL MEETING**MAY 20, 2019****1. CALL TO ORDER**

A special meeting of the Waite Park City Council was held at Waite Park City Hall on Monday, May 20, 2019, beginning at 6:30 PM.

MEMBERS PRESENT

Members present were Mayor Miller, Councilmembers Linquist, Schmitt, Schulz and Theisen.

CITY REPRESENTATIVES PRESENT

City Representatives present were City Administrator Johnson, Deputy Clerk-Treasurer Virnig, Chief of Police Benrud, Planning & Community Development Director Noerenberg, Attorney Storm, SEH Engineer Wotzka

OTHERS PRESENT

Keith Franklin, Jerry Zabinski

2. PLEDGE OF ALLEGIANCE**3. OPEN FORUM**

Gary Morgenroth, 1125 Cherrywood Court, Waite Park, stated there is an issue in the area where properties within District 742 that are being sold are coming in with a low value on their appraisals and he ran across this issue when he was in the process of selling his property. He also stated he requested that the public be informed of what of the city's money is being spent on projects.

4. COUNCIL AGENDA

Motion by Member Linquist, second by Member Theisen, to approve the 5/20/19 Council Agenda as presented. The motion carried unanimously.

5. CONSENT AGENDA

Motion by Member Theisen, second by Member Schmitt, to approve the following 5/20/19 Consent Agenda items:

- 5.A. Approved Change Order #2 – Amphitheater Phase 1
- 5.B. Approved Seasonal Hire
- 5.C. Approved Shaunna Johnson Employment Agreement
- 5.D. Approved Summary of Shaunna Johnson Review

The motion carried unanimously.

6.A. ZABINSKI BILLBOARD REZONING, CUP, VARIANCE

This request has been submitted by Jerome (Jerry) Zabinski and Franklin Outdoor Advertising to rezone portion of property from A-1, Agriculture/Rural Residential to BP/C-2, I-94/TH 23 Entrance Corridor Business Park/Commercial, for Conditional Use Permit to allow for three off-premise signs (billboards), and for variance from Waite Park City Ordinance Section 53.20, Subdivision 2 to reduce minimum height of bottom of off-premise signage from 20 feet to 0 feet.

The general request is very similar in nature to a similar request reviewed in 2018 by the Planning Commission for nearby property owned by Jeff and Stacy Blonigen. The Planning Commission recommended approval of that request and it was also ultimately approved by the City Council. Construction of those billboards has commenced.

A portion of the property is proposed to be split and rezoned to BP/C-2 commercial classification, in order to promote the area for long-term growth and business development. The areas to be rezoned is noted in the attached survey drawing. The area is of sufficient size and configuration to allow for future commercial/office/retail development and potential further subdivision. The proposed rezoned area is well in excess of BP/C-2 minimums so a variety of future uses could be accommodated when ready.

6.A. ZABINSKI BILLBOARD REZONING, CUP, VARIANCE (Cont'd.)

The area is not being platted at this time; rather, pending City Council approval, the area would be administratively split from the remainder of the parcel. Platting is not required at this time but would be upon any development activity. The split after proposed rezoning is similar in procedure to what was previously done for the solar facility in this area as well as the previous Blonigen billboard request, as it would be unwise for the owners to commit to the parcel split until the rezoning would be approved.

The proposed BP/C-2 zoning classification is in line with the current land use plan for the area, as well as anticipated future land use plan classifications anticipated with a forthcoming update of the Comprehensive Plan. Staff recommends approval of the rezoning.

The requested Conditional Use Permit would allow for construction of three off-premise signs along the frontage of the Zabinski property adjacent to Interstate 94. The proposed sign locations meet the minimum 1,000 ft. distance between them and from the approved signs on the adjacent Blonigen property to the west. All signs are proposed to be static (non-digital display) and the designs reflect dimensions in line with City requirements. The proposed billboards are of traditional "V-shaped" design and generally typical for the area and utilization along highways.

The variance component is being requested to allow for the bottom of the billboards to be placed lower to grade, rather than the established minimum 20', so they can avoid impeding the overhead Xcel lines. Staff noted the variance request to reduce the height to zero feet in case further design considerations and site work led to a lower height being necessary (without having to request further variance), but the applicants may opt to install a higher height as conditions may deem appropriate as design finalizes.

Staff believes a practical difficulty is present due to the presence of the overhead Xcel lines, over which the applicants have no control and cannot feasibly work around.

Staff was contacted by the adjacent property owner (Blonigens) after they received public hearing notice of the request and they also commented during the public hearing at the Planning Commission meeting. They noted that they are considering adjusting the location of their eastern billboard due to some identified visual aspects with existing MnDOT signage and inquired how the proposed request may impact that. Further review and discussion, including between City Attorney Paul Storm and attorney for Blonigens, occurred after the Planning Commission meeting. Blonigens may opt to pursue separate request to amend their Conditional Use Permit and/or for variance to adjust location of sign but as of 5/15/19 staff has not received any application for them to do so. Regardless, staff does not believe that any changes by the Blonigens should impact this request which was made in good faith by the applicants based on previously approved locations for the Blonigen property.

The Planning Commission recommended approval of the request unanimously, with Bob Zabinski abstaining.

Staff recommends approval of the rezoning as proposed. Staff recommends approval of the Conditional Use Permit with conditions as proposed. Staff recommends approval of the variance as submitted.

Staff recommends approval of the conditional use permit to allow three (2) off-premise signs (billboard) in the BP/C-2 Zoning District and within the Off-Premise Sign Corridor with the following conditions:

1. Signs are approved only in the locations as noted in attached exhibit. Relocation of signs is subject to separate review/approval through amendment process.
2. A permit from the City of Waite Park shall be obtained prior to fabrication or installation of the billboard structure. Permit will not be issued unless valid MnDOT Advertising Device Permit is on file with City of Waite Park.
3. Proposed actual sign face dimensions shall not exceed 400 square feet.
4. Total height of the billboard shall not exceed 36 feet above grade.
5. All signage displays, both static and digital, shall adhere to City Ordinance Section 53.20 as well as any applicable MnDOT or other State of MN regulations.
6. Proposed off-premise sign is subject to annual licensing by City and payment of fee as established in Schedule of Fees and updated from time to time.

Staff recommends approval of the variance as requested – reduction of minimum height above grade from 20 feet to 0 feet.

6.A. ZABINSKI BILLBOARD REZONING, CUP, VARIANCE (Cont'd.)

Discussion was held on setbacks of long-term development in the area. Right now, the proposal is for three billboards with at least 1000 feet in-between each one.

Motion by Member Theisen, second by Member Schulz, to approve the rezoning as presented. The motion carried unanimously.

Motion by Member Schulz, second by Member Theisen, to approve the Conditional Use Permit with the following conditions:

1. Signs are approved only in the locations as noted in attached exhibit. Relocation of signs is subject to separate review/approval through amendment process.
2. A permit from the City of Waite Park shall be obtained prior to fabrication or installation of the billboard structure. Permit will not be issued unless valid MnDOT Advertising Device Permit is on file with City of Waite Park.
3. Proposed actual sign face dimensions shall not exceed 400 square feet.
4. Total height of the billboard shall not exceed 36 feet above grade.
5. All signage displays, both static and digital, shall adhere to City Ordinance Section 53.20 as well as any applicable MnDOT or other State of MN regulations.
6. Proposed off-premise sign is subject to annual licensing by City and payment of fee as established in Schedule of Fees and updated from time to time.

The motion carried unanimously.

Motion by Member Theisen, second by Member Schmitt, to approve the variance as presented.

The motion carried unanimously.

6.B. COUNCIL MEETING GUIDELINES

The City Council discussed at their last work session establishing Council Meeting Guidelines. As part of these guidelines, they discussed moving the public input portion of the meeting to the work session to allow the public an opportunity to discuss items with the City Council in a more informal setting. In addition, the guidelines also provide a process for how items are placed on a work session agenda and a council meeting agenda. A draft of these guidelines was presented for Council review and consideration.

Motion by Member Theisen, second by Member Schmitt, to approve the Council Meeting Guidelines as presented. The motion carried unanimously.

7. COUNCIL/MAYOR

7.A. REVIEW AND APPROVE BILLS

Motion by Member Theisen, second by Member Schulz to approve the 5-1-19 to 5-13-19 bills as presented. The motion carried unanimously.

Mayor Miller stated a letter was received from School District 742 acknowledging receive of the \$5,000 donation from the City to go towards their basketball courts and soccer program at Discovery School.

8. ADMINISTRATOR UPDATE

City Administrator Johnson reviewed the following:

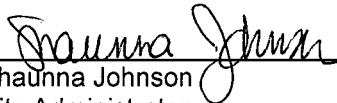
- Mayor Miller received a Distinguished Civic Award from School District 742 for civic involvement with the schools. Mayor Miller stated he feels this award reflects the City of Waite Park. Mayor Miller was congratulated on this award.
- Chief of Police Bentrud stated that Officer Tony Reznicek was recognized at the Partners of Education Event for his involvement with Discovery School. Mayor Miller stated Chief of Police Bentrud was the keynote speaker at this event.
- Staff is in the process of doing Police Officer interviews.
- The next City Council Meeting is proposed for June 17, 2019.

ADJOURNMENT

Mayor Miller declared the meeting adjourned at 6:49 p.m.



Richard E. Miller
Mayor



Shaunna Johnson
City Administrator