



**PLANNING and ZONING COMMISSION
MINUTES
July 14, 2009**

Albertville Council Chamber

7:00 PM

CALL TO ORDER – ROLL CALL

Vice-chair Dorenbush called the Albertville Planning and Zoning Commission meeting to order at 7:02 p.m.

PRESENT: Vice-chair Scott Dorenbush, Commission members Frank Kocon, and Robert Olson, Council liaison Tom Fay, City Planner Al Brixius, Zoning Administrator/Building Official Jon Sutherland, and City Clerk/Recording Secretary Bridget Miller

ABSENT: Chair Sharon Leintz and Commission member Dale Edgren

ADOPT AGENDA

Vice-chair Dorenbush added an item under Discussion Item – Accept Planning and Zoning Commission member Scott Dorenbush’s Resignation on the Planning and Zoning Commission.

Zoning Administrator Jon Sutherland added discussion of an Ordinance Amendment for Vacant Property Registration.

MOTION BY Commission member Olson, seconded by Commission member Kocon to approve the Tuesday, July 14, 2009 agenda as amended, which will be scanned and an electronic copy will be kept on file in the office of the City Clerk. Motion carried unanimously.

MINUTES

Vice-chair Dorenbush asked if there were any changes, additions, or deletions to be made on the Tuesday, May 12, 2009 regular Planning and Zoning Commission minutes.

MOTION BY Commission member Olson, seconded by Commission member Kocon to approve the Tuesday, May 12, 2009 regular Planning and Zoning Commission minutes as presented, which a signed copy will be scanned and an electronic copy will be kept on file in the office of the City Clerk. Motion carried unanimously.

PUBLIC HEARINGS

APPROVE ORDINANCE NO. 2009-0XX ENTITLED AN ORDINANCE AMENDING SECTION 10-7-7 (GENERAL STANDARDS) OF CHAPTER 7 (SIGN REGULATIONS) OF THE ALBERTVILLE BUILDING AND DEVELOPMENT REGULATIONS (TITLE 10) OF THE 2005 ALBERTVILLE MUNICIPAL CITY CODE, RELATING TO THE NUMBER OF TEMPORARY AND PORTABLE SIGNS ALLOWED

Vice-chair Dorenbush opened the public hearing at 7:02 p.m.

City Planner Brixius shared with the Commission that a business owner approached staff inquiring about the possibility of increasing the number of Temporary Signs allowed per year. Staff presented the request to Council, who directed staff to proceed with amending the City Code on a temporary basis to allow up to six (6) Temporary Signs allowed per year. Staff is treating this as an Interim Ordinance as it would expire December 31, 2010.

Vice-chair Dorenbush asked if any Commission members had questions or concerns regarding the proposed ordinance amendment, which is to allow increase the number of temporary signs allowed for the remainder of 2009.

Some Commission members hesitated approving the Ordinance Amendment because of the fact that a majority of business entities are having a difficult time including the newspaper industry. Commission members posed the question as to how many businesses are placing Ads in the newspaper(s). Following the discussion it was recommended by a Commissioner to amend the date to December 31, 2009.

Vice-chair Dorenbush asked if there was anyone in the audience that wanted to share comments or concerns regarding the proposed ordinance amendment that related to the number of temporary signs that are allowed per year.

Resident Natalya Lindberg of 11740 – 54th Street NE was amazed there were no business owners present for the meeting to hear about the Temporary Sign amendment. With the state of the economy you would think more business owners would be present to express their concerns with allowing them to advertise. Ms. Lindberg acknowledged the fact that setting the date of December 31, 2009 doesn't give business owners very much additional time to receive the message regarding to the opportunity to allow two additional signs. Ms. Lindberg agreed with staff to allow the interim to be extended to December 31, 2010, which would be more beneficial to the businesses and possibly the economy.

City Planner Brixius recommended re-visiting the amendment in January 2010; therefore, setting the ending date of January 19, 2010.

Vice-chair Dorenbush closed the public hearing at 7:16 p.m.

The Commission made the following motion:

MOTION BY Commission member Olson, seconded by Commission member Kocon to approve Ordinance No. 2009-013 entitled an Ordinance Amending Section 10-7-7 (General Standards) of Chapter 7 (Sign Regulations) of the Albertville Building and Development Regulations (Title 10) of the 2005 Albertville Municipal City code, Relating to the Number of Temporary and Portable Signs Allowed changing the ending date to January 19, 2010, with staff's recommendations, City Planner's report dated Wednesday, July 8, 2009 and; contingent upon City Council approval at the August 3, 2009 regular City Council meeting or a meeting soon thereafter, at which time the Ordinance Amendment will be presented. Motion carried unanimously.

OTHER BUSINESS

54TH STREET NE TOWNHOMES RE-DEVELOPMENT

City Planner Brixius noted that the City recently received a building permit for an existing townhome located along 54th Street NE, in which the homeowner wanted to construct a front entry-mud room. According to the current zoning, the development is zoned R-8 Mixed Housing and the homes were constructing in the 1970s. The front-yard setback for the development is 35-feet. The homeowner would be encroaching 10-feet into the front-yard setback if the mud room is constructed. The homeowner is asking the City to consider amending the setbacks for R-8 Mixed Housing. Staff prepared an analysis for the Commission to review and consider the residents request to amend the setbacks for the R-8 Zoning District. Brixius agreed that having a 35-foot front-yard setback for single-family, apartment complexes or multiple townhomes is acceptable, but could be reduced for twin homes or duplexes.

Brixius demonstrated the fact that the majority of dwellings in the development are townhomes or twin homes, in which there is no homeowners association to regulate the maintenance or upkeep of the homes in the development. This makes it difficult if one of the homeowners wants to invest in their home, while the neighboring tenant does not want to. Brixius presented photos of twin homes where one tenant had a green garage door and the abutting property owner had a burgundy garage door. In 2008, Albertville experienced a hail storm and one tenant replaced the shingles with the abutting tenant did not feel the shingles needed to be replaced.

Natalya Lindberg stated that the homes in the area are rather small. According to some of the photos, some dwellings only have a single car garage. As you drive along 54th Street NE there are generally cars parked on the street because there is not enough room to park on the driveway.

Brixius was looking for direction from the Commission as to whether to draft an Ordinance Amendment that would amend the front-yard, side-yard, and rear-yard setbacks. Included in the amendment would give guidelines for single-family homes, townhomes, duplexes, twin homes, and apartment complexes.

Commission members agreed to have the City Planner re-evaluate the setbacks for R-8 Mixed Housing Zoning District; to do their best to look at setting guidelines for various styles of housing structures found in Albertville or potential building structures; and, a way to mandate the exterior or structure materials to match to the best ability when dealing with attached homes such as and not limited to twin homes, townhomes, multiple units, and duplexes.

City Planner accepted the consensus of the Commission, which was to draft an Ordinance Amendment with the three (3) areas for a future meeting.

VACANT PROPERTY REGISTRATION ORDINANCE AMENDMENT

City Planner Brixius turned over the podium to Zoning Administrator Sutherland. Sutherland presented a DRAFT of an Ordinance that was prepared by City Attorney Couri for Vacant Property Registration. Sutherland discussed that because of the economy there are a number of foreclosed or vacant properties throughout Albertville. As Sutherland goes out on inspections he had noted properties that are not taken care of as has been noticed in previous years. Sutherland investigates with the Utility Department what the ownership status of the dwelling is. When Sutherland finds out it is in foreclosure or vacant he becomes concerned with whether the water has been turned off to the home; therefore, wondering if there is water in the line that during the winter would freeze causing additional problems.

Sutherland wanted direction or Commission members input whether staff should pursue adopting and implementing a Vacant Property Registration. Adoption of the Vacant Property Registration would let staff know what properties to inspect or monitor for unusual activity. Staff would possibly share the information with the Wright County Sheriff's Department.

Staff is still working on the ordinance, which will be presented to the Council for review and approval later this year.

ACCEPT PLANNING AND ZONING COMMISSION MEMBER SCOTT DORENBUSH'S RESIGNATION

Vice-chair Dorenbusch submitted his resignation from the Planning and Zoning Commission to the City Clerk, which he explained was due to other commitments that have come up.

Commission members Olson and Kocon reluctantly accepted Commission member Scott Dorenbusch's resignation and directed staff to advertise the vacancy on the commission.

ADJOURNMENT

MOTION BY Commission member Kocon, seconded by Commission member Olson to adjourn the July 14, 2009 regular Planning and Zoning Commission meeting at 8:30 p.m. Motion carried unanimously.

Bridget Miller, City Clerk/Secretary