

PLANNING COMMISSION MEETING
June 6, 2006

MEMBERS PRESENT: Bob Craggs, Richard Glasgow, Sharon Lee, Joe Paiement, Chris White, Diane Wirth

STAFF PRESENT: Chris Wallberg

OTHERS PRESENT: Al Bergevin, Dave Erickson, John Parotti

[A workshop regarding potential street re-alignment at CSAH 18 & 4th/5th Streets South was held from 6:04 to 7:12 p.m. See separate minutes.]

1. **CALL TO ORDER** by Mayor Bob Craggs at 7:18 p.m.
2. **PLEDGE OF ALLEGIANCE** was said.
3. **MEETING MINUTES** – White had following change - page 1, Agenda Item 4B, "...they will take maintain..." **M/S/P (Craggs/Lee) to approve the May 2, 2006 PC meeting minutes as amended. Motion passed.**

4. **VARIANCE APPLICATION TO SIGN COLOR FOR METRO DENTALCARE**

A. Public Hearing on an Application by Metro Dentalcare/Nordquist Sign for variance to sign color for Metro Dentalcare at 44 St. Croix Trail South/Saint Croix Business Center

- 1) **Call to Order** at 7:19 p.m.
- 2) **Introduction of Application** – Paiement noted Metro Dentalcare acquired John Sweeney's dental practice 12/31/05; offices located in Minneapolis/St. Paul area; concerned ability to have signage on building and outside monument; submitted and obtained building owner approval as part of acquisition; would require variance to color; proposed sign part of Metro Dentalcare logo; location in Stillwater off Highway 36 and Osgood. Wallberg proposed motion include St. Croix Business Center CUP be amended accordingly if sign approved; indicates at present tenant signs above windows showing individual tenant names; plan shows four on building; also indicates sign lettering uniform black style. In answer to hardship, Craggs said in terms of work done in past, they have talked importance of logos to businesses being successful; different than typical variance request for other types land uses. Lee referred fairly clear-cut in regard to Subway where signage very specific to identifying particular operation. Craggs not clear how they characterize hardship, impact same; if not approved, what would applicant do. Paiement said they knew they needed to obtain City approval, go through process. Wallberg advised when this first came through, shrouding on sign neon; they provided compromise; there some neon gas in actual light source itself, but they shrouded lettering differently so that while an electric blue color, you won't be looking at neon sign; issue in proposal pure neon and thinks way to attach to building what building owner had issues with; materials completely different than shown. Paiement clarified sign needs to fit in band running along building; if approved, will actually be mounted on plaque because building owner doesn't want holes drilled into aggregate building,. White asked, because if letters white and painted over there is chance of paint chipping, as far as approval - do they include terminology so they don't end up down the road with half white sign. Wallberg isn't sure any different in this situation than any other sign. Craggs would look at it as approving requested colors; if sign no longer these colors in part or in whole, they would have obligation to come into compliance.
- 3) **Public Comments** – none
- 4) **Written Comments** – none
- 5) **Hearing Closed** at 7:31 p.m.

B. Discussion & Recommendation

Craggs asked if any direct correspondence from Dan Aldridge. Paiement said informally he is in support of application and hoping variance granted. Wallberg confirmed nothing in writing, but he has been asked to send documentation regarding support. Craggs thinks shame if approved and he didn't earlier amend or not aware; not suggesting otherwise, but always good to have that information especially when amending his CUP as result. Paiement knows he supportive of this application after much negotiation with Metro Dentalcare how sign mounted on building; not particularly fond of idea of sign, but once that became part of deal and plan worked out for mounting, comfortable.

M/S/P (Lee/Craggs) to forward the Application by Metro Dentalcare/Nordquist Sign for variance to sign color for Metro Dentalcare at 44 St. Croix Trail South/SCBC to the City Council for approval and that hardship be addressed in regard to corporate signage necessary for business to succeed at location with subsequent change in Saint Croix Business Center CUP amended regarding lettering and location. White asked friendly amendment; even though statement made regarding Dan Aldridge, she would like to include written acceptance regarding sign from business owner. Wallberg will assure process. **Motion passed.**

5. APPLICATION BY GARY & DOTTIE MAU FOR PATIO AT 16777 7TH NORTH

Paiement noted item tabled from last month to allow opportunity to conduct investigation into patio pervious/impervious condition; Glasgow did informal testing; referred to 5/10/06 and 6/01/06 letters from Mau's. Glasgow visited site, spoke with Mau's and found way to do perk test [explained process]; preliminary to meeting with SEH; after testing results, he revisited Mau, told him something went wrong with installation, at which point Mau indicated he needed to step back and see on his own; called contractor and contractor's contractor was on vacation, just returned, and now at Mau's looking at situation; Mau will come back to them saying what he needs to do; thinks Mau trying to make it permeable surface, but right now doesn't know how to deal with it; what they need to do as PC is have determination now or down the road these things are going to be maintained; talked to Dave Simons and he liked idea of this little test; they do this on bigger scale with culverts; very fast and easy and they can monitor pavers down the line year after year very quickly; bottom line is Mau would like another extension of 30 days to come back to PC with his intentions – tear up, not tear up, what he can do; not even near quality of Rivas'; pervious to a point, because it drained after 20 minutes. Lee asked what happened to engineer. Glasgow indicated once he did test and told Mau results, he sees no sense, and Mau agreed, to have engineer there. Lee, not wanting to sound confrontational, asked Glasgow who authorized that; commission authorized engineer to inspect property that didn't happen; doesn't know how they can back up his test and any discussion with Mau's because he has no certification; distressed engineer cancelled; understands he may have been trying to save City money. Glasgow not trying to save City money, but trying to get situation corrected to satisfaction of both City and Mau's. Lee asked if City supposed to correct problem. Glasgow responded they are suppose to have enough knowledge to make an intelligent decision what to do to go forward; they still can have engineer inspect it; engineer would take a look and not knowing what Rivas' test was would say, "20 minutes;" has no basis to say whether good or bad. Craggs made clear from minutes of May meeting stating, 'prior to the June meeting, the City Engineer, along with two appointed members of the Planning Commission will dig up a portion of the Mau's patio to determine if installation was according to manufacturer's suggestions and report back to the PC at the June meeting to consider if it was properly installed and also whether pervious/impervious.'; that didn't happen, so concerned himself. Glasgow said to what point. Craggs continued because engineer should have been involved. Glasgow talked to Dave Simons and explained situation; he agreed that at this point, it would be waste of time to dig up patio; they know it's not installed correctly. Craggs countered they decided as a group that is what they were asking for; didn't ask to dig whole thing up, just paver to look at how installed; they had much discussion and reasonable compromise; applauds his wanting to get better sense of benchmark by carrying it to Rivas', but at same time, they asked for feedback from engineer; need to have that before next CC meeting. Glasgow agrees; asked what happens if Mau comes back tomorrow indicating he will dig it up and redo; have they accomplished their goal. Lee said first of all, they have never investigated particular product he is using; did much research and discussion over Eco Stone; right now absolutely no way for anyone to know how other paver applied; very deep concerns, not only with this product, but with Eco Stone, long term; they approved very specific locations because for one they were going slightly over surface amount; not case at Mau's. Glasgow said Eco Stone and Colonial Eco Square very similar. Paiement believes they all agree they didn't follow process approved from last meeting; question how to move forward; apparently Mau's concede not installed correctly and are going about business whether can be reinstalled and at whose cost; question do they let them do that, amend having it inspected by engineer, or have engineer go out now. Lee not going to approve another delay; this installed year ago and constantly being put off. From Craggs perspective if they go back a couple steps, he thought they wanted to get this test done by an independent party directed by the City so that information could be used to make recommendation to CC; presently in same position unless assume outcome same as Glasgow's test; as liaison to PC from CC, thinks there will be high degree of frustration they haven't brought back recommendation this month; suggested at last meeting to have test done, thinks they should encourage that test still be done before June CC, regardless what action they take, so that information available for CC. Lee also thinks they need to make motion going forward to CC and CC makes final decision. Wallberg made clear several steps in process; if any changes made, it is different than what went through variance process. Craggs suggested in this particular instance asking engineer within next two weeks to do test, White and Glasgow witness test, and at same time convey to Mau it will be agenda item at June CC meeting whereby he can bring any information he has from discussion with contractors. Glasgow asked what happens if Mau's reinstall; if they have engineer go out, and yet Mau's say they are going to rip it up, that's extending wheels; Mau's need to let them know immediately what their intentions are after meeting tonight; found article State of Minnesota has approved this type of stone. Wallberg said DNR, the City's representatives, suggests otherwise. Glasgow

continued also approved by Office of Environmental Assistance. Craggs said they are not regulator, but provide technical background. Consensus made to follow through with Craggs suggestion.

M/S/P (Craggs/Lee) to forward Application by Gary & Dottie Mau for Patio at 16777 7th Street North to City Council without recommendation, with understanding prior to June CC meeting that PC members White and Glasgow will arrange a time with applicant and City Engineer to conduct pervious test of installed pavers. Motion passed.

6. CUP HOLDER FORUM UPDATE

Wirth thought meeting very encouraging; pleased with enthusiasm in business community and participation; thought everyone did outstanding job keeping focus in obtaining feedback; business owners much more positive than expected. Craggs will forward email from Erickson with indication worthwhile. Paiement thinks there interest in carrying forward 'private' Chamber of Commerce idea with businesses meeting once/month; newsletter and/or advertising brochure. Wirth itemized suggestions and thinks next step bringing forward what businesses had to say; CUP compliancy/streamlining. Paiement agreed, especially with portable signage appearing to be number one concern. Additional discussion regarding future meeting agenda/items of process.

7. MEMBER REPORTS

Glasgow reported he attended Design Review Committee for CSAH 18; frontage road was to 'T' at 5th Street, now they are thinking moving through until 5th Street so will connect to 5th Street N.; other change is by Schmig's – right in, right out; State indicates need to provide access, not full access; has some options, and Slagle will meet with them to see if they can connect to Division; new proposal for school is to gate 4th Street during school hours and close 4th at both ends. Wallberg reminded meeting change in July. Wirth brought up Comp Plan; acted on Bob Livingston's recommendation to call Janet Simonson from Lake St. Croix Beach; thinks good to get understanding from other people who have been through process. Intern discussed. Al Bergevin thanked for representing citizens of Lakeland.

8. ADJOURN - M/S/P (Lee/Glasgow) to adjourn meeting at 8:23 p.m. Motion passed.

Joe Paiement, Chair

Kate Piscitello, Recording Secretary