



BELLE PLAINE PLANNING & ZONING COMMISSION  
NOTICE OF REGULAR MEETING AND AGENDA  
CITY HALL, 218 NORTH MERIDIAN STREET  
PLEASE USE THE NORTH ENTRANCE

MONDAY, FEBRUARY 11, 2019  
6:30 P.M.

**PLEDGE OF ALLEGIANCE**

6:30  
P.M.

**1. CALL TO ORDER.**

1.1. Roll Call.

**2. OATH OF OFFICE.**

1. Omni Kiecker

**3. ELECTION OF OFFICERS**

1. Chair
2. Vice Chair
3. Secretary

**4. APPROVAL OF AGENDA.**

**5. APPROVAL OF MINUTES.**

5.1. Regular Session Minutes of January 14, 2019.

6:35  
P.M.

**6. RECOGNITION OF INVOLVED CITIZENS.**

*Persons may make statements to the Planning Commission pertaining to items **not** on the agenda. Maximum of three (3) minutes per speaker. No official action will be taken.*

**7. PUBLIC HEARINGS.** None.

**8. BUSINESS.**

- 8.1. Lot Combination and Vacation of Drainage and Utility Easement on Common Lot Line  
Lots 1-2, Block 2 Belle Plaine School Plat.
- 8.2. Resolution 19-002 – Resolution Recommending Approval of Ordinance 19-02  
Pertaining To Outdoor Sidewalk Cafes.
- 8.3. Discussion: Casey's Sign Package Review
- 8.4. Discussion: Residential Density.

**9. ADMINISTRATIVE REPORTS.**

- 9.1. Commissioner Comments.
- 9.2. Director's Report.
- 9.3. Upcoming Meetings.
  1. Next Regular Meeting, 6:30 p.m., Monday March 11, 2019.

**10. ADJOURNMENT.**

There may be a quorum of the Belle Plaine City Council present at the meeting.



## MEMORANDUM

DATE: February 11, 2019  
TO: Members of the Planning Commission and Administrator Meyer  
FROM: Cynthia Smith Strack, Community Development Director  
RE: Annual Election of Officers

**REQUEST: Annual Election of Officers**

### GENERAL INFORMATION

Under existing Planning Commission enabling language, organization officers are elected at the first meeting following appointments. Expected process is to accept nominations and then close nomination and vote via motion.

Vice Chair Pankonin is to begin the nomination process for Chair. After the Chair is seated the Chair will take the gavel and chair the meeting.

The process should be a MOTION to nominate a candidate, followed by a second. An inquiry for any other nominations. Vote.

The following appointments are requested:

**Chairperson** (last year Carter)

**Vice Chair** (last year Pankonin)

**Secretary** (last year Kiecker)

**BELLE PLAINE PLANNING & ZONING COMMISSION  
REGULAR MEETING  
JANUARY 14, 2019**

**PLEDGE OF ALLEGIANCE**

Vice Chair Pankonin let those present in the Pledge of Allegiance.

**1. CALL TO ORDER. 1.1. Roll Call.**

The Planning and Zoning Commission met in Regular Session on Monday, January 14, 2019 at City Hall, 218 North Meridian Street, Belle Plaine, MN. Vice Chair Ashton Pankonin called the meeting to order at 6:32 PM with Commissioners Ashley Cauley, Ryan Herrmann and Lee Peterson present.

Also present were Community Development Director Smith Strack, City Administrator Meyer and Council Liaison Chard. Present in the audience was applicant Shaun Johnson and his project representative Nate Myhra of Bolton and Menk.

**2. APPROVAL OF AGENDA.**

MOTION by Commissioner Cauley, second by Commissioner Herrmann, to approve the agenda as presented. ALL VOTED AYE. MOTION CARRIED.

**3. APPROVAL OF MINUTES. 3.1. Regular Session Minutes of December 10, 2018.**

MOTION by Commissioner Cauley, second by Commissioner Peterson, to approve the Regular Session Minutes of December 10, 2019. ALL VOTED AYE. MOTION CARRIED.

**4. RECOGNITION OF INVOLVED CITIZENS.**

***Persons may make statements to the Planning Commission pertaining to items not on the agenda. Maximum of three (3) minutes per speaker. No official action will be taken.***

No one stepped forward.

**5. PUBLIC HEARINGS.**

**5.1. Ordinance 19-01, Rooftop Solar Energy Systems. The Planning Commission will hear public comment on proposed Ordinance 19-01, which, if approved, will amend Section 1107.18, Subd. 12(5)(A)(ix) of the City Code Pertaining to Rooftop Solar Energy Systems. If approved the ordinance would allow solar energy systems on flat roofs to exceed maximum building height by six feet and accommodate non-flush mounting provided maximum height limit is not exceeded.**

Community Development Director Smith Strack explained a Public Hearing for Ordinance 19-01 pertaining to Rooftop Solar Energy Systems will be held. Smith Strack explained the City received a Bronze award under the Sol Smart program for more friendly Solar Energy Systems. Smith Strack noted the Public Hearing was published and posted as required by law and cited no comments have been received.

Vice Chair Pankonin opened the public hearing at 6:36 PM and asked for public comment. No public comments for or against Ordinance 19-02, Rooftop Solar Energy Systems were received.

MOTION by Commissioner Pankonin, second by Commissioner Cauley, to close the public hearing at 6:36 PM. ALL VOTED AYE. MOTION CARRIED.

**Resolution PZ 19-001, Recommending Approval of Ordinance 19-01, An Ordinance Amending Section 1107.18, Subd. 12(5)(A)(ix) of the City Code Pertaining to Rooftop Accessory Solar Energy Systems.**

MOTION by Commissioner Cauley, second by Commissioner Peterson, to approve Resolution PZ 19-001, Recommending Approval of Ordinance 19-01, An Ordinance Amending Section 1107.18, Subd. 12(5)(A)(ix) of the City Code Pertaining to Rooftop Accessory Solar Energy Systems. ALL VOTED AYE. MOTION CARRIED.

**6. BUSINESS.**

**6.1. Resolution 19-004 – Recommend Conditional Approval of Concept Plan for Jane Properties.**

Community Development Director Smith Strack explained before the Planning Commission is the concept plan for Jane Properties Subdivision. Smith Strack noted she had a brief power point, notes from the project review team and then the committee will hear from the applicant. Smith Strack explained applicant Shaun Johnson, President of Jane Properties LLC proposes the platting yielding 3 platted lots and two outlots on the property. Smith Strack noted concept plan review has taken place and the plan is broadly consistent with the comprehensive plan which guides the property to mixed commercial or industrial development. Smith Strack explained private financing of the development is proposed. Smith Strack noted the subject parcel contains significant wetlands and woodlands and is subject to a wetland buffer width of 25 feet. Code also prescribes a minimum (new) building setback of 75 feet from the seasonal high water level of all wetlands. Smith Strack explained tree and woodland preservation standards may impact the subdivision and will be addressed during the preliminary platting. Smith Strack explained in 2009 a corridor preservation study was completed for a future principal arterial CSAH connection between existing 64 and 66. Local street network connectivity to the limited access arterial is required under the corridor preservation study and reflected in the City's Comprehensive Plan. Smith Strack noted the concept plat has been submitted to Scott County transportation for concept comment. Initial comments indicate a right turn lane will need to be added to CSAH 64 and adequate right of way dedicated to accommodate the potential establishment of alternative traffic controls. Smith Strack noted a turnaround sufficient to accommodate snow plows and emergency vehicles will be needed at the junction of proposed public streets. Smith Strack explained existing trail and sidewalk are required and applicant is suggesting fee in lieu of park land dedication. Smith Strack also noted an environmental review is not mandatory and will be looked at during the preplat process.

Smith Strack introduced Shaun Johnson president of Jane Properties and Nate Myhra of Bolton and Menk. Johnson approached the podium and explained his frustration with ongoing changes directed by the City and County pertaining to local street connectivity. Johnson requested the Commission come to a compromise as to not halt development agreements he currently has on the table. Myhra of Bolton and Menk noted some adjustments to the design as noted in the packet. Commissioner Pankonin inquired on staff concerns with the intersection. Smith Strack explained the current plan is concept only noting once construction plans are submitted staff concerns may have been addressed. After a lengthy discussion regarding conceptual transportation options Johnson agreed to the time saving compromise of filing of a blanket easement over proposed Outlot B for a local street with a confined width of 80 feet. Johnson noted the current timeline has completion of development in July of 2019.

Commissioner Pankonin inquired what percentage of monetary funds would be needed for the blanket easement. Community Development Director Smith Strack explained no funds are required just securing the blanket easement over Outlot B citing the easement would be filed upon platting or conveyance of the property. Pankonin explained the compromise was consistent with the Planning Commissions role of advocating for development but looking to the future for future development.

MOTION by Commissioner Cauley, second by Commissioner Pederson, to approve Resolution 19-004 – Recommend Conditional Approval of Concept Plan for Jane Properties with inclusion of blanket easement over Outlot B. ALL VOTED AYE. MOTION CARRIED.

**6.2. Resolution 19-002 – Resolution Recommending Approval of Ordinance 19-02 Pertaining To Outdoor Sidewalk Cafes.**

Community Development Director Smith Strack explained Colt Oldenburg has inquired on a sidewalk café in front of the building he proposes to use as a brewpub. Smith Strack noted licensing for sidewalk cafes would be both seasonal, temporary and annual. Public Safety addressed concerns of traffic flow. Design Committee addressed concerns of outdoor separation and EDA addressed concerns regarding parking spaces and burden of regulations. Smith Strack explained Council requested the Planning Commission comment on code language. Smith Strack noted allowance of sidewalk cafes would requires a code amendment to chapter three. Smith Strack reviewed the proposed Ordinance with the Commission noting an annual fee between \$300-500.00.

Commissioner Herrmann expressed concerns on parking and if the outdoor seating “fits” the City. Council Liaison Chard suggested allowing five feet of outdoor seating temporarily. Herrmann suggested keeping pedestrian traffic next to buildings and having dining tables in the parking area. Commissioner Pankonin inquired if seating could be moved out into the parking area. Community Development Director Smith Strack explained only sidewalk is allowed in the parking area not tables. Smith Strack cited the need of a separation between motorized traffic lanes and diners. Concerns regarding liquor licensing requirements and whether the seating area could be allowed to be separate from the building were also mentioned. Commissioner Cauley noted Ordinance language seems to address concerns however she would like to see a \$2,000.00 bond to help cover City costs if the business closes. Cauley also requested investigation into if liquor license would permit separation of the seating and building so as not to impede pedestrian walkway.

It was the consensus of the Commission to bring resolution 19-002 back to the February meeting for discussion.

**6.3. Resolution 19-003 – Resolution Recommending Approval of Ordinance 19-03 Pertaining to Nuisances.**

Community Development Director Smith Strack explained in June of 2018 the Commission looked at the Nuisance code. Smith Strack noted the draft language includes: A definition for a ‘public nuisance’; a list of public nuisances affecting health; a list of public nuisances affecting peace and safety; a list of light nuisances; A list of public nuisances affecting welfare and the visual environment; A process for abatement of nuisances and Enforcement tools. Smith Strack explained City Council has reviewed the draft language in work session and referred the Ordinance to the Planning Commission for recommendation.

MOTION by Commissioner Pankonin, second by Commissioner Cauley, to approve resolution 19-003 Recommending Approval of Ordinance 19-03 Pertaining to Nuisances. ALL VOTED AYE. MOTION CARRIED.

**6.4. Code Enforcement Policy.**

Community Development Director Smith Strack explained the City council reviewed a proposed code enforcement policy at work session on December 17, 2018 and officially adopted the policy at the January 7, 2019 regular meeting. Smith Strack noted prior to approving the 2018 policy, the City had a code enforcement flowchart but not a formal written policy. As a means of clarifying process, roles/responsibilities, and to clearly communicate with residents, a formal enforcement policy was developed. Smith Strack explained the policy continues the reactive approach to enforcement. The policy seeks voluntary compliance as the principal remedy. Smith Strack cited as presented the policy does not include responding to anonymous or unwritten complaints from the public as staff resources are limited. Smith Strack explained it is helpful to have the policy in place.

Commissioner Herrmann inquired what a legitimate reason for compliance deadline extension is. Community Development Director Smith Strack explained the policy is applied to each individual situation and legitimate is determined on a case by case basis with staff discretion exercised.

**6.5. 2018 Annual Report to Council & 2019 Goals.**

Community Development Director Smith Strack explained the 2018 Annual Report will be presented to Council on Tuesday, January 22. Commissioners Carter and Pankonin will attend the meeting to present.

**7. ADMINISTRATIVE REPORTS.**

**7.1. Commissioner Comments.**

No Commissioner comments were made.

**7.2. Director's Report.**

Community Development Director Smith Strack provided highlights of the Director's Report. Smith Strack explained the Commission has the option for concurrent review of the preliminary and final platting of Jane Properties if a motion is made to do so.

MOTION by Commissioner Pankonin, second by Commissioner Cauley to combine preliminary and final platting of Jane Properties. ALL VOTED AYE. MOTION CARRIED.

**7.3. Upcoming Meetings.**

1. Next Regular Meeting, 6:30 p.m., Monday February 11, 2019.

The Commissioners were reminded of the upcoming meetings as listed.

Council Liaison Chard requested the commission talk about density at the next meeting.

**8. ADJOURNMENT.**

MOTION by Commissioner Cauley, second by Commissioner Peterson, to adjourn the meeting at 8:47 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich  
Recording Secretary



## MEMORANDUM

DATE:	February 11, 2019
TO:	Chairperson Carter, Members of the Planning Commission, and Administrator Meyer
FROM:	Cynthia Smith Strack, Community Development Director
RE:	Item 8.1 Vacation of Drainage and Utility Easement & Lot Combination: Lots 1-2, Block 2 Belle Plaine School Plat.

### BACKGROUND

The City owns lots 1 & 2, Block 2 Belle Plaine School Plat. The lots are the subject site of the aquatic center. The City proposes lot combination and vacation of drainage and utility easement on the shared lot line. A certificate of survey illustrating the lot combination and proposed easement vacation is attached.

Vacation of public rights-of-way are regulated by MN Statute §412.851. A public hearing will be held by the City Council on February 19<sup>th</sup>. Notice of proposed vacation has been mailed to property owners within 350 feet of the subject parcels and utility service providers. Xcel Energy and Centerpoint Energy have provided written notice of no objection. No other comment for or against the easement vacation has been received.

Planning Commission review is not required prior to the Council hearing, however, consideration is presumed appropriate.

It is noted a process for combining lots and removing a platted lot line is not provided for within the City Code. The City Attorney has indicated past practice has been for the City Council to approve the lot combination by resolution. The PC could add consideration of processing of lot combinations to its goal list.

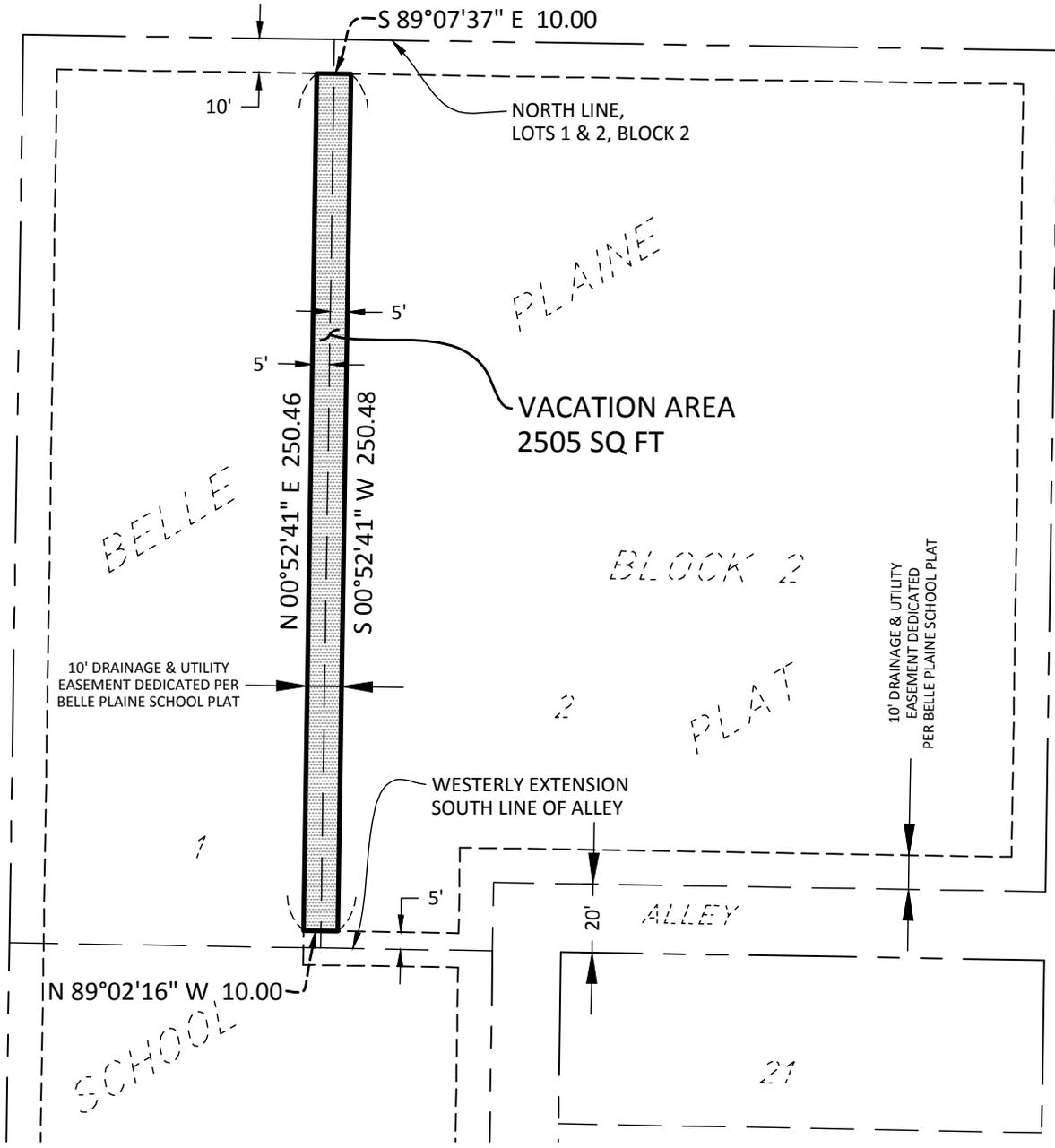
### REQUEST

Brief discussion of the drainage and utility easement vacation and lot combination is requested. A MOTION recommending the City Council approve the requests is in order.

# EXHIBIT A

## SHEET 1 OF 2

WEST PRAIRIE STREET



10' DRAINAGE & UTILITY EASEMENT DEDICATED PER BELLE PLAINE SCHOOL PLAT

10' DRAINAGE & UTILITY EASEMENT DEDICATED PER BELLE PLAINE SCHOOL PLAT

WESTERLY EXTENSION SOUTH LINE OF ALLEY

ALLEY



SCALE IN FEET



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### VACATION DESCRIPTION

CITY OF BELLE PLAINE, MINNESOTA

LOT 2, BLOCK 2 AND PART OF LOT 1, BLOCK 2  
BELLE PLAINE SCHOOL PLAT



1960 PREMIER DRIVE  
MANKATO, MINNESOTA 56001  
(507) 625-4171

FOR: CITY OF BELLE PLAINE, MINNESOTA

JOB NUMBER: M15.032309

FIELD BOOK: N/A

DRAWN BY: DPR

11.1 S1-T113-R25-(41)

EXHIBIT A  
SHEET 2 OF 2

All that part of the 10.00 foot wide drainage and utility easement as dedicated per the recorded plat of Belle Plaine School Plat, Scott County, Minnesota lying along the common exterior boundary line between Lot 1 and Lot 2, Block 2 of said Plat described as follows:

Being bounded on the North by a line lying 10.0 feet South of the North line of said Lots 1 & 2, Block 2;

AND

Being bounded on the South by a line lying 5.0 feet North of the westerly extension of the south line of the East/West alley as dedicated in Block 2 per said Belle Plaine School Plat.

SURVEYOR'S CERTIFICATION

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

*Janele Fowlds*

01/16/2019  
Date

Janele Fowlds  
License Number 26748

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VACATION DESCRIPTION  
CITY OF BELLE PLAINE, MINNESOTA

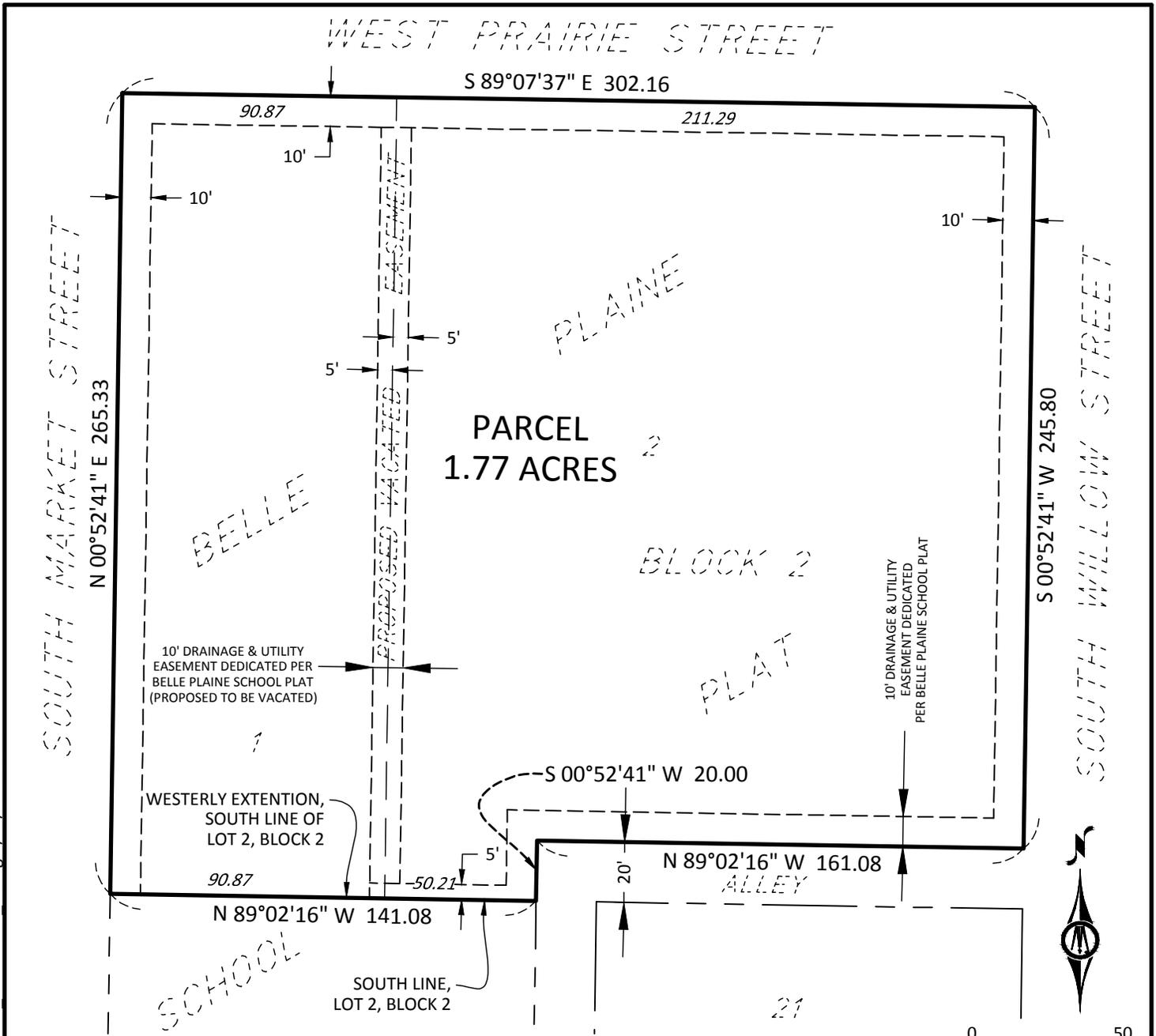
LOT 2, BLOCK 2 AND PART OF LOT 1, BLOCK 2  
BELLE PLAINE SCHOOL PLAT



1960 PREMIER DRIVE  
MANKATO, MINNESOTA 56001  
(507) 625-4171

FOR: CITY OF BELLE PLAINE, MINNESOTA

H:\BELL\M15032309\Swimming Pool\CAD\MISC\_032309\_BNDY-Pool\_1.dwg 1/16/2019 3:08 PM



**PARCEL DESCRIPTION:**

All that part of Lot 1, Block 2, Belle Plaine School Plat, according to the recorded plat thereof, City of Belle Plaine, Scott County, Minnesota, lying north of and adjoining the westerly extension of the south line of Lot 2 of said Block 2, Belle Plaine Plat.

AND

Lot 2, Block 2, of said Belle Plaine School Plat.

**SURVEYOR'S CERTIFICATION**

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

*Janele Fowlds*

Janele Fowlds  
License Number 26748

01/16/2019  
Date

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**CERTIFICATE OF SURVEY  
CITY OF BELLE PLAINE, MINNESOTA**

PART OF LOT 1, BLOCK 2 AND LOT 2 BLOCK 2  
BELLE PLAINE SCHOOL PLAT

FOR: CITY OF BELLE PLAINE, MINNESOTA



1960 PREMIER DRIVE  
MANKATO, MINNESOTA 56001  
(507) 625-4171

## Cynthia Smith-Strack

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**From:** Duncan (Rosenfeld), Trisha A <Trisha.A.Duncan@xcelenergy.com>  
**Sent:** Thursday, January 24, 2019 2:42 PM  
**To:** Cynthia Smith-Strack  
**Subject:** Easement Vacation Request

Hi Cynthia

We received public notice today for the request to vacate a drainage and utility easement between the common exterior boundary line between Lot 1 and Lot 2, Block 2 of Belle Plaine School Plat. I am emailing to indicate we do not have any issues with this easement as we do not have facilities located within the easement.

Should you have questions please let me know.

Regards, Trisha

**Trisha A. (Rosenfeld) Duncan**  
**Xcel Energy | Responsible By Nature**  
**Manager, Community Relations and Economic Development**  
210 Lime Street, Mankato, MN 56001  
**P:** 507.387.9633 **C:** 612.227.8880 **F:** 612.329.2912  
**E:** trisha.a.duncan@xcelenergy.com

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Please consider the environment before printing this email.

**\*\*Please note my new name and email address\*\***



700 West Linden Avenue  
PO Box 1165  
Minneapolis, MN 55440-1165

January 24, 2019

City of Belle Plaine  
218 North Meridian Street  
P.O. Box 129  
Belle Plaine, MN 56011  
Cynthia Smith Strack  
Community Development Director

RE: Vacation of Drainage and Utility Easement between the Common Exterior Boundary line between Lot 1 and Lot 2, Block 2, BELLE PLAINE SCHOOL PLAT.

Dear Ms. Strack:

CenterPoint Energy has no objection or issues related to the Vacation of a Drainage and Utility Easement between the common exterior boundary line between Lot 1 and Lot 2, Block 2, BELLE PLAINE SCHOOL PLAT.

Thank you for the advance notice. If you have any questions, please feel free to call me at 612-321-5381.

Respectfully,  
CENTERPOINT ENERGY

A handwritten signature in blue ink that reads "Chuck Mayers".

Chuck Mayers, **SRWA**  
Right of Way Agent III  
charle.mayers@centerPointenergy.com

pc: Susan Hager, C&M Supervisor, CenterPoint Energy  
Patrick J. Oberle, C&M Advance Foreperson, CenterPoint Energy  
Eric Yang, Area Engineer, CenterPoint Energy  
Andrew Balgobin, Administrative Engineer



## MEMORANDUM

DATE: February 11, 2019  
TO: Chairperson Carter, Members of the Planning Commission, and Administrator Meyer  
FROM: Cynthia Smith Strack, Community Development Director  
RE: Agenda Item 8.2: Ordinance 19-02: Outdoor Sidewalk Cafes

**REQUEST: Recommendation to City Council – Ordinance 19-02 An Ordinance Amending Chapter Three of the City Code by Adding Section 316 Pertaining to Outdoor Sidewalk Cafes.**

### GENERAL INFORMATION

The City Council discussed the concept of outdoor sidewalk cafes at a work session on January 7, 2019. The Council reached consensus to consider a code amendment providing for such cafes in the Downtown. The Council referred the matter to the Planning Commission (legislative capacity) for a recommendation on code language. The Commission took up discussion of draft code language at the January 14<sup>th</sup> meeting and continued the item to the February meeting. Draft code amendment language is attached.

The Commission requested staff seek input from the Police Chief pertaining to the potential to retain a five-foot clear sidewalk in front of buildings by shifting café seating area into parking area of public right of way. The Police Chief prefers to have temporary sidewalk re-routed into parking area to provide further separation between motorists and café seating, noting what is predictable is preventable. Liquor licensing is also problematic if café is separate from structure.

The Commission also requested language requiring a deposit for work/occupation of the public right of way be reviewed. Staff has discussed the concept and recommends inclusion of the requirement in the permit application, similar to the requirement contained applications for work in the right-of-way.

For background, following is discussion context and then recommendations from various committees:

#### Context

- Studies and actual occurrences of sidewalk cafes in other communities demonstrate they can: attract pedestrians and increase lingering, foster a spirit/culture of creativity/art/destination, positively impact the urban landscape and maximize use of space/re-envision space, and encourage walking/activity in the Downtown, and make businesses appear more active
- Discussion of sidewalk cafes has been limited to the Downtown – Central Business District.
- Main Street East and Meridian Street South are under county jurisdiction; therefore, use of paved portion of the right of way is likely not available for sidewalk re-route. Main Street West and Meridian Street North are local roadways.
- Staff has conducted a literature survey of several communities and reached out to other cities in Scott County. Most cities allow sidewalk cafes in some form, none specifically allow re-route of sidewalk into the boulevard but several commented they would consider.
- Hopkins and Wayzata allow re-route of sidewalks into the boulevard but limit occurrences of sidewalk cafes to restaurants and brew pubs in an effort to limit the quantity of cafes. Sample language is attached and potentially applicable standards are highlighted.
- The Design Committee reviewed several images of sidewalk cafes and commented on preferences. Visuals and summary comments are attached.

### Recommendations from other Committees

1. The Public Works Committee found the concept worthy of consideration provided it was seasonal/temporary (e.g. April – Oct) and that the nature of cafes was high quality. A not-insignificant plan/permit fee was thought to have potential to limit numbers of cafes and increase quality of cafes.
2. The Public Safety Committee found the concept worthy of consideration.
3. The EDA provided input on:
  - a. Temporary, seasonal use of parking spaces within the Downtown for reroute of sidewalk or occupation by sidewalk café. The EDA notes parking has been the topic of discussion in the past but ultimately feel the sense of place/interest effects of sidewalk cafes outweigh concerns regarding loss of parking. The EDA recommends permit applicants be required to inform abutting property owners of their planned sidewalk café and that the sidewalk café be limited to the width of the applicable business lot.
  - b. If all businesses should be eligible for a café (fairness issue) or if only certain classes of businesses like restaurants and brewpubs (Hopkins, Wayzata standards) should be eligible for a sidewalk café to limit the potential number of sidewalk cafes. The EDA recommends any business be allowed to apply for a sidewalk café provided the bar for entry was set higher. Use of street/parking is limited for roads under County jurisdiction.
  - c. Burden of new potential regulations on businesses that have in the past put tables/chairs in the sidewalk. The EDA recommends if tables/chairs leave adequate space for pedestrians (e.g. meet ADA code requirement) and the tables/chairs are able to be moved inside when the businesses are closed that they may be allowed without being considered a sidewalk café, but subject to Chapter 605.03 of the code pertaining to obstruction of right of way.
4. The Design Committee commented on potential design requirements as follows:
  - a. Re-route of sidewalk into parking spaces should look appealing to and safe for pedestrian use; meet applicable codes.
  - b. Sidewalk cafes occupying the entire sidewalk should be fenced/contained so as to provide physical separation for diners/pedestrians and increase curiosity what was 'going on'.
  - c. Fencing has to be high quality, sturdy, semi-permanent, and intended for outdoor use, no wood fencing, no solid fencing, no plastic/webbing/rope, no advertising on fence
  - d. Lighting shouldn't be required or prohibited.
  - e. Landscape plantings should be required and attached to fence vs. placed on the ground.
  - f. Canopies/umbrellas for protection from sun/rain shouldn't be required or prohibited. Advertising on umbrellas should not be allowed.
  - g. No signage allowed except for table-top and/or sandwich boards.
  - h. Furniture must be designed for outdoor use, able to withstand high wind/rain/sun, sturdy, higher quality.
  - i. Trash handling is important. Trash receptacles, regular cleaning, and pick up garbage within/around café should be required.

The City Council agreed to consider language providing for outdoor sidewalk cafes at the January 7, 2019 work session. Staff has drafted Ordinance 19-02 for consideration/comment. The Ordinance has been presented to department heads, the City Administrator, and the City Attorney for review.

### The draft language included in Ordinance 19-02:

1. Requires a license for outdoor sidewalk cafes. The license is reviewed/approved administratively unless required conditions are not met.
2. Exempts placement of tables and chairs in the sidewalk providing: a minimum five-foot clear zone is provided for pedestrians; tables/chairs are able to be moved indoors after hours; and, the Public Works Superintendent approves of the placement.

3. Requires a site plan be submitted and that immediately adjacent property owners be notified of the intended sidewalk café.
4. Requires proof of insurance be submitted.
5. Conditions applicable to: (a) the site; (b) café design; and, (c) site/café management apply.
6. Outdoor sidewalk cafes are limited to the Central Business District adjacent to Main & Meridian.

**ACTION:**

The Planning Commission is to make a recommendation on Ordinance 19-02 to the City Council. Attached Resolution 19-002 is provided for consideration.

**CITY OF BELLE PLAINE  
ORDINANCE 19-02**

**AN ORDINANCE AMENDING CHAPTER THREE OF THE CITY CODE BY ADDING SECTION 316  
PERTAINING TO OUTDOOR SIDEWALK CAFES**

THE CITY COUNCIL OF THE CITY OF BELLE PLAINE ORDAINS:

**Section 1. Chapter Three of the City Code pertaining to Business and Licenses is hereby amended as follows:**

SECTION 316.00 OUTDOOR SIDEWALK CAFES.

- 316.01 Findings
- 316.02 License Required
- 316.03 Exemption
- 316.04 Application
- 316.05 Fee
- 316.06 Conditions of Approval
- 316.07 License Revocation
- 316.08 Penalty

316.01 FINDINGS.

The City Council finds outdoor Sidewalk Café seating for businesses provides multiple benefits to the City.

- A. Outdoor seating can attract the attention of pedestrians and increases their stay thereby promoting the adjacent business and increasing other businesses' visibility when customers choose to be seated outside.
- B. Outdoor seating can foster a creative and innovative spirit that furthers the identity of the Downtown as a destination.
- C. Aesthetically pleasing and nontraditional settings of Sidewalk Cafes provide additional options where pedestrians can relax, enjoy, and interact with others.
- D. By repurposing city on-street parking spaces into outdoor seating the urban landscape is renewed in an innovation fashion and viewshed are enhanced.
- E. Outdoor seating encourages more pedestrian activity by livening up the street, creating more things to look at, and making the businesses appear more active.

316.02 LICENSE REQUIRED.

An outdoor Sidewalk Café permit is required to operate an outdoor sidewalk café in the public right-of-way. Licenses issued under this section shall expire on December 31 of each year.

316.03 EXEMPTION. Placement of tables/chairs in a public sidewalk which (a) maintain a clear pedestrian passageway of not less than five (5) feet in width, (b) are capable of being moved indoors each evening, and (c) have been authorized by the Public Works Superintendent are exempt from this standard.

#### 316.04 APPLICATION.

- A. Application Form. An application for a license shall be made with the City Administrator's Office on a form which has been approved by the City.
- B. Insurance Requirement. The Applicant shall submit proof of a public liability insurance policy covering all operations of the applicant under this article, during the full term of the license for the sum of \$300,000 combined single limit coverage. The City shall be named as an additional insured. Such policy shall provide that it may not be cancelled by the insurer except after 30 days written notice to the city, and if such insurance is cancelled and the licensee fails to replace it within another policy that conforms to the provisions of this article, the license shall be automatically suspended until the liability insurance is replaced. All applicants for a license must file with the city a certificate of workers' compensation insurance if such insurance is required by state law.
- C. Site Plan Required. A plan, drawn to scale, which illustrates the locations and dimensions of the proposed sidewalk café, adjoining buildings, sidewalk, proposed landscaping, and all obstructions within the vicinity shall be submitted with the application form.
- D. Notification of Adjacent Property Owners Required. The Applicant shall notify businesses immediately adjacent to the proposed Outdoor Sidewalk Café area. Notifications shall include a site plan for the café and the anticipated duration of the outdoor sidewalk café.
- E. The License application shall be reviewed administratively subject to the conditions of this Chapter. Any significant changes to the conditions will require review and approval by the City Council. The License is subject to any required inspections and final approval shall be by the Public Works Superintendent.

#### 316.05 FEE.

The annual fee for the license shall be set by City Council resolution.

#### 316.06 CONDITIONS OF APPROVAL.

- A. Site Specific Requirements.
  - 1. Sidewalk Cafes may be considered within the Central Business District adjacent to Main and Meridian Streets.
  - 2. Sidewalk Café area shall be limited to the public right of way abutting the frontage of the business to which it is attached.
  - 3. Sidewalk Café must be located at least 20 feet from any fire hydrants.
  - 4. Sidewalk Café must not block sight lines at intersections as determined by the City Engineer and/or Public Works Superintendent.
  - 5. The City maintains the right to review and make final determination as to the location of each Sidewalk Café based on the unique circumstances related to each business.
- B. Design Specifications.
  - 1. If the operating business serves alcoholic beverages, a decorative barrier or railing between 32 and 42 inches in height is required around the sidewalk café area. The barrier shall be comprised of high quality, durable materials suitable for outdoor use such as powder coated

decorative aluminum fencing/railing, be sturdy and weather resistant, and be consistent with the quality of design and color palette of structures in the vicinity of the café.

2. Lighting, if proposed, must be illustrated on the site plan, be directed downward, and be compatible with the surrounding area.
3. Annual/perennial flowers/landscaping attached to a barrier or railing shall be used to enhance the streetscape aesthetics.
4. Canopies/umbrellas may be used for weather protection.
5. Sidewalk Café area must meet ADA (American Disability Act) requirements.
6. Design consideration must include architect and characteristic of area.
7. No commercial signage may be placed on the sidewalk café area, except for on table tops. Sandwich board signs may be allowed provided they are removed from the café each evening.
8. There shall be a minimum clear passage zone for pedestrians of at least five feet shall be maintained at all times.
9. Umbrellas extending into the pedestrian clear passage zone or pedestrian aisle shall have a minimum head clearance of seven feet.
10. If a temporary walkway structure that bumps out into the roadway is used:
  - a. The structure shall be constructed of metal or composite material or other weather resistant, long lasting, high quality material.
  - b. Maximum width shall not exceed eight feet
  - c. Maximum length shall not exceed 40 feet, or the length of the frontage of the business to which it is attached, whichever is smaller.
  - d. Decorative barriers between 36 inches and 42 inches in height are required separating the pedestrian walkway from the roadway.
  - e. Reflective bollards or strips must be located at either end of any portion of the structure located within the roadway.
  - f. Directional signage shall be used to assist pedestrians in utilizing the walkway.
  - g. Surface of structure must be leveled with sidewalk surface up to one fourth (1/4) of an inch clearance.
  - h. No more than a half (1/2) inch gap between the structure and the curb is permitted.
  - i. Structure may not impede water flow and drainage.

C. Management Specifications.

1. The furniture associated with the Sidewalk Café shall be moveable, washable, constructed of metal or composite or other high quality material, and maintained in a safe and sanitary condition.

2. The Sidewalk Café area shall be controlled and monitored continuously during the hours of operation and unruly patrons shall be removed immediately.
3. Patrons shall not leave the premises with a drink nor can drinks be taken onto a public sidewalk that is outside of the Sidewalk Café area.
4. The Sidewalk Café area must be included in the required liquor liability insurance for the premises.
5. Hours of operation of the Sidewalk Café shall be limited to between 10:00 a.m. and 11 p.m. from April 15 thru October 15.
6. Permittee shall not allow smoking within the Sidewalk Café area.
7. Alcoholic beverages may only be brought into the Sidewalk Café area by a server.
8. Permittee shall pick up litter within 50 feet of the Sidewalk Café area on a daily basis. Appropriate receptacles for rubbish, garbage, etc. must be provided.
9. The Sidewalk Café area must be free of debris, litter, and soil surrounding and underneath any structure or platform.
10. No electronically amplified outdoor music, intercom, audio speakers, or other such noise generating devices shall be allowed in the Sidewalk Café area.

**316.07 LICENSE REVOCATION.**

Failure to comply with any provision of this article may result in the revocation of the license by the City Council, following a public hearing. Written notice of the public hearing shall be mailed at least 10 days prior to the hearing to the current holder of the license. Such notice should outline the violation(s) considered by the city to be grounds for revocation and inform the license holder of the opportunity to be heard at the public hearing.

**316.08 PENALTY.**

In addition to the revocation or suspension of the license, any person violating any of the provisions of this Section shall be guilty of a misdemeanor.

**Section 2. This Ordinance shall become effective upon publication in the official newspaper of the City.**

Passed and duly adopted by the City Council of the City of Belle Plaine this \_\_\_\_ day of \_\_\_\_\_, 2019.

BY: \_\_\_\_\_  
Christopher G. Meyer, Mayor

ATTEST:

\_\_\_\_\_  
Dawn Meyer, City Administrator

Published in the Herald on \_\_\_\_\_, 2019.

**BELLE PLAINE PLANNING COMMISSION  
RESOLUTION PZ-19-002**

**RECOMMENDING APPROVAL OF ORDINANCE 19-02, AN ORDINANCE AMENDING  
CHAPTER THREE OF THE CITY CODE BY ADDING SECTION 316 PERTAINING  
TO OUTDOOR SIDEWALK CAFES**

WHEREAS, City staff has drafted and amendment to the City Code pertaining to licensing of outdoor sidewalk cafes pursuant to a request for review and discussion by the Public Works Committee, the Public Safety Committee, the Design Committee, and the Economic Development Authority; and,

WHEREAS, the City Council reviewed the concept of outdoor sidewalk cafes at a work session on January 7, 2019 and referred to matter the Planning Commission for review of a code amendment; and,

WHEREAS, the Planning Commission reviewed and discussed Ordinance 19-02, An Ordinance Amending Chapter Three of the City Code by Adding Section 316 Pertaining to Outdoor Sidewalk Cafes at a regular meeting on January 14, 2019.

NOW, THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF BELLE PLAINE, SCOTT COUNTY, MINNESOTA, THAT: It recommends the City Council approve Ordinance 19-02, An Ordinance Amending Chapter Three of the City Code by Adding Section 316 Pertaining to Outdoor Sidewalk Cafes.

The adoption of the foregoing resolution was duly moved by Commissioner \_\_\_\_\_, and seconded by Commissioner \_\_\_\_\_, and after full discussion thereof and upon a vote being taken thereon, the following Commissioners voted in favor thereof: \_\_\_\_\_.

and the following voted against the same: \_\_\_\_\_.

Whereupon said resolution was declared duly passed and adopted. Dated this 14<sup>th</sup> day of January, 2019.

\_\_\_\_\_  
Ashby Carter  
Chairperson

\_\_\_\_\_  
Cynthia Smith Strack  
Community Development Director



## MEMORANDUM

DATE: February 11, 2019  
TO: Chairperson Carter, Members of the Planning Commission, and Administrator Meyer  
FROM: Cynthia Smith Strack, Community Development Director  
RE: Agenda Item 8.3: Discussion Casey's Sign Package

### **REQUEST: Input on processing of sign package for Casey's General Store**

#### **GENERAL INFORMATION**

Casey's General Store has submitted an initial sign package (attached) for informal consideration. The sign set includes signage for gas and diesel fueling canopies and a "CAT Scale" sign. Such signage is not provided for within the sign code (attached) but is existing at other c-stores in Belle Plaine (attached photos).

Casey's Proposed: gas canopy – three sides; diesel canopy – one side  
Kwik Trip: Gas and diesel canopies – two sides each  
Cenex: Gas canopy – two sides

In addition, a "CAT scale" sign is proposed. The sign functions partly as advertising, partly as directional (enter/no enter), and partially as a guide to centering semi-trucks with attached trailers on a weight scale. Such applications are common in truck/travel stops. The sign code does not specifically provide for such signage.

Staff is referring fueling station canopy signs and the scale sign to the Planning Commission for input and direction. Staff is requesting the Commission determine how to proceed with review with the following potential avenues.

1. Sign Code Amendment to specifically provide for proposed signage.
2. Review under master sign plan – if this option is chosen, specify administrative review or referral to Planning Commission. (Staff preferred alternative, perhaps in conjunction with site plan review).
3. Sign variance – to district standards.
4. Other – specify.

#### **ACTION:**

Discussion is kindly requested.



# SIGN PACKET

**JACOB CLARK** | SIGNAGE PROJECT BUYER

3305 SE Delaware Ave | Ankeny, IA 50021

P: 515-963-3831 | F: 515-289-5606 | E: jacob.clark@caseys.com

## Belle Plaine, MN

### **00 Flat Roof**

- 5' Building Signage
- 4' Gas Canopy Signage
- 4' Diesel Canopy Signage
- 4 Product Pylon (35' OAH w/ CAT and DEF)

01-30-19

### Building & Wall Signs (OO Flat Roof)

Sign #	Sign	Type	Location	Illumination	Dimensions				
					Bottom	Top	Width	Height	Area Ft <sup>2</sup>
1	"CASEY'S"	Surface	Building Front	Internal	12' 8"	17' 8"	21' 3-15/16"	5' 0"	44.15
	House Logo	Surface	Building Front	Internal	12' 8"	17' 8"	7' 2-1/8"	5' 0"	26.74
2	"CASEY'S"	Surface	Building Rear	Internal	12' 8"	17' 8"	21' 3-15/16"	5' 0"	44.15
3	DO NOT INSTALL SNAP FRAMES ON BUILDING								
4	DO NOT INSTALL SNAP FRAMES ON BUILDING								
								<b>Total</b>	<b>115.04</b>

### Gas Canopy

Sign #	Sign	Type	Location	Illumination	Dimensions				
					Bottom	Top	Width	Height	Area Ft <sup>2</sup>
5	House Logo	Surface	Canopy North	Internal	17' 3-1/2"	21' 3-1/2"	5' 8-7/8"	4' 0"	17.49
5	House Logo	Surface	Canopy East	Internal	17' 3-1/2"	21' 3-1/2"	5' 8-7/8"	4' 0"	17.49
5	House Logo	Surface	Canopy South	Internal	17' 3-1/2"	21' 3-1/2"	5' 8-7/8"	4' 0"	17.49
4	Snap Frame	Advertising	Canopy Column	N/A	3' 0"	7' 0-1/2"	2' 4"	3' 8"	8.56
4	Snap Frame	Advertising	Canopy Column	N/A	3' 0"	7' 0-1/2"	2' 4"	3' 8"	8.56
4	Snap Frame	Advertising	Canopy Column	N/A	3' 0"	7' 0-1/2"	2' 4"	3' 8"	8.56
4	Snap Frame	Advertising	Canopy Column	N/A	3' 0"	7' 0-1/2"	2' 4"	3' 8"	8.56
								<b>Total</b>	<b>86.71</b>

### Diesel Canopy

Sign #	Sign	Type	Location	Illumination	Dimensions				
					Bottom	Top	Width	Height	Area Ft <sup>2</sup>
5	House Logo	Surface	Canopy West	Internal	17' 3-1/2"	21' 3-1/2"	5' 8-7/8"	4' 0"	17.49
								<b>Total</b>	<b>17.49</b>

### Pylon Sign (4 Product @ 35' w/ CAT & DEF)

Sign #	Sign	Type	Location	Illumination	Dimensions				
					Bottom	Top	Width	Height	Area Ft <sup>2</sup>
6	House Logo	Freestanding	Street	Internal	25' 7"	33' 0"	11' 4-1/8"	7' 6-3/8"	59.87
7	Price Sign	Freestanding	Street	Internal	21' 11"	24' 11"	10' 7-1/2"	3' 0"	31.86
8	Price Sign	Freestanding	Street	Internal	18' 7-1/2"	21' 4"	3' 3-1/2"	2' 7-1/2"	8.64
9	CAT & DEF	Freestanding	Street	Internal	12' 10-1/2"	18' 8-1/2"	3' 3-1/2"	5' 10"	19.2
10	Weatherwane	Freestanding	Street	N/A	23' 0"	25' 0"	1' 5"	2' 0"	1.5
								<b>Total</b>	<b>121.07</b>

### CAT Scale (Installed by CAT Scale Contractor)

Sign #	Sign	Type	Location	Illumination	Dimensions				
					Bottom	Top	Width	Height	Area Ft <sup>2</sup>
14	"Truck Entrance"	Freestanding	CAT Scale	Internal	16' 0"	21' 4-1/2"	20' 0"	5' 4-1/2"	107.5
								<b>Total</b>	<b>107.5</b>

**NO BUILDING SNAP FRAMES**

**SIGNS 1, 2**

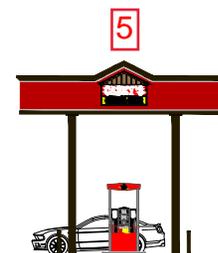
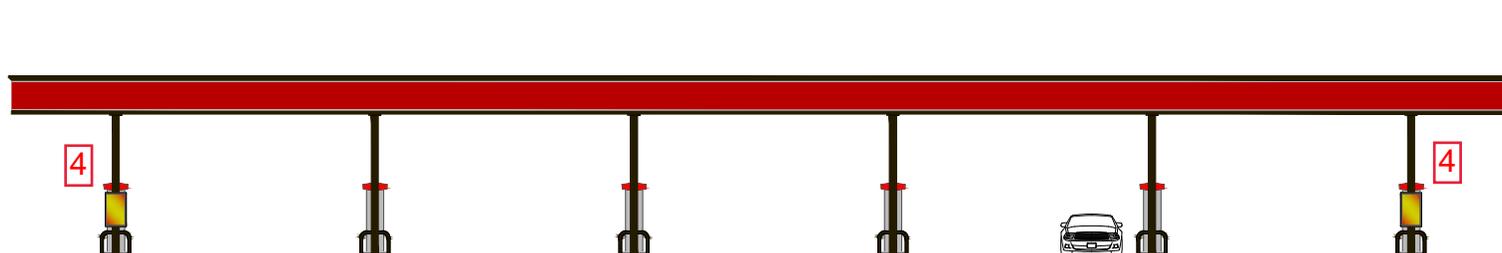
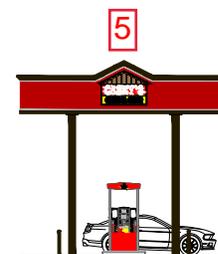
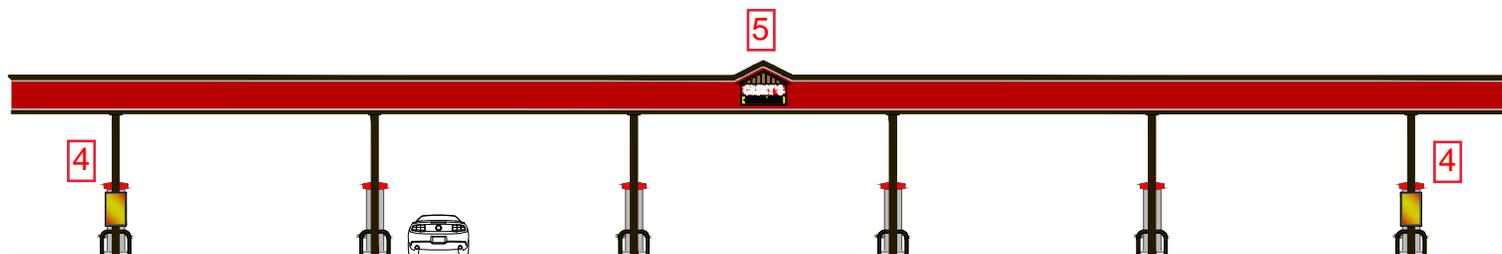


FRONT



REAR

**SIGNS 4, 5**

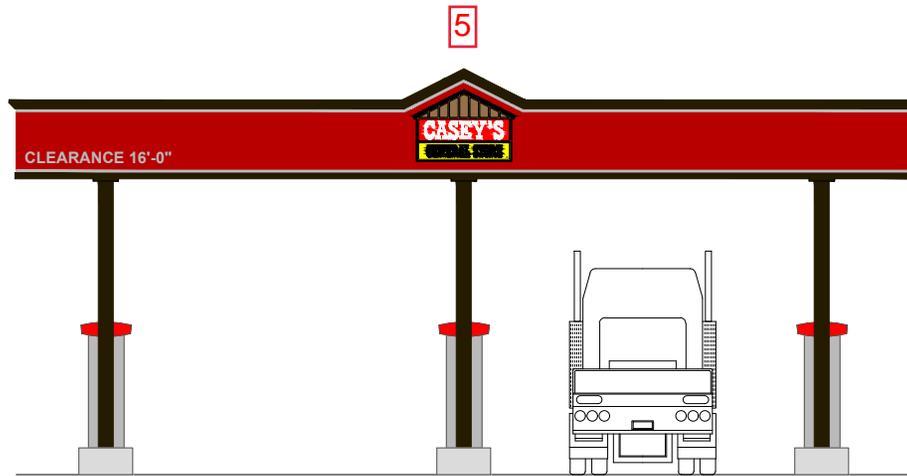


**6 IN-A-ROW  
HEAD-IN**

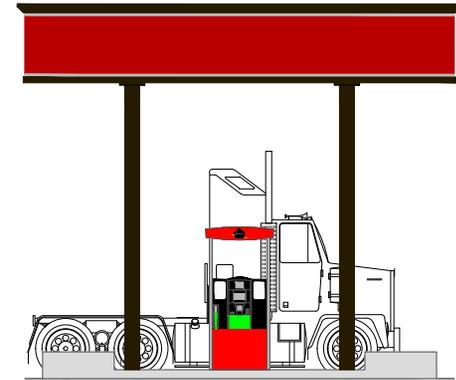
DRAWN BY:  
J. CLARK

DATE:  
06-01-17

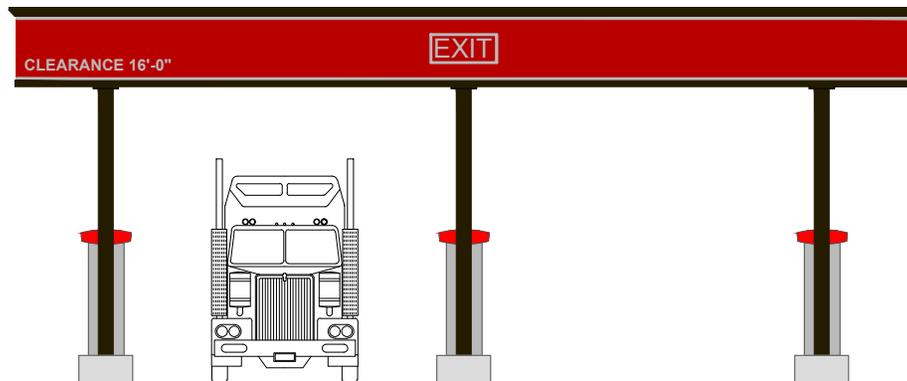
**SIGN 5**



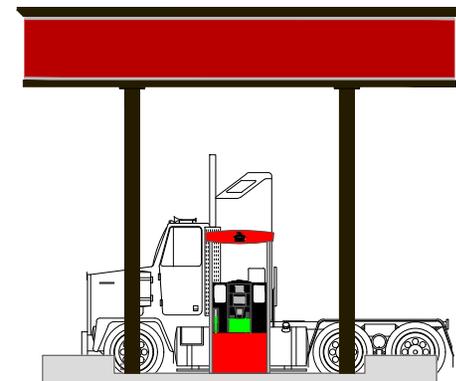
**WEST ELEVATION**



**SOUTH ELEVATION**



**EAST ELEVATION**



**NORTH ELEVATION**



**BELLE PLAIN, MN**

**DIESEL CANOPY**

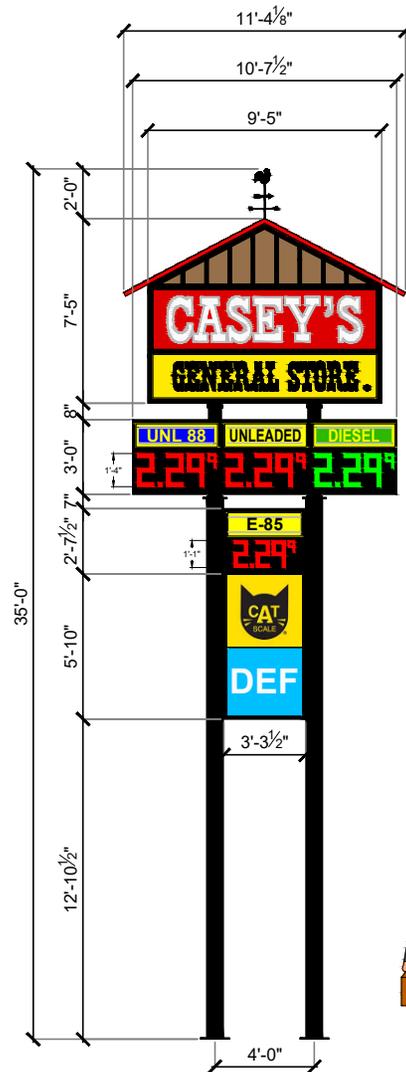
**DRAWN BY:**  
J. CLARK

**DATE:**  
11-06-18

**Pylon Sign (4 Product @ 35' w/ CAT & DEF)**

**SIGNS 6, 7, 8, 9, 10**

Sign #	Sign	Type	Location	Illumination	Dimensions				
					Bottom	Top	Width	Height	Area Ft <sup>2</sup>
6	House Logo	Freestanding	Street	Internal	25' 7"	33' 0"	11' 4-1/8"	7' 6-3/8"	59.87
7	Price Sign	Freestanding	Street	Internal	21' 11"	24' 11"	10' 7-1/2"	3' 0"	31.86
8	Price Sign	Freestanding	Street	Internal	18' 7-1/2"	21' 4"	3' 3-1/2"	2' 7-1/2"	8.64
9	CAT & DEF	Freestanding	Street	Internal	12' 10-1/2"	18' 8-1/2"	3' 3-1/2"	5' 10"	19.2
10	Weathervane	Freestanding	Street	N/A	23' 0"	25' 0"	1' 5"	2' 0"	1.5
								<b>Total</b>	<b>121.07</b>



**PRICER NOTES:**

- 16" RED AND GREEN LED
- ZIP TRACK DIESEL, GREEN LABEL - CLEAR COPY, LABEL INTERCHANGEABLE
- DIESEL ON THE RIGHT, BOTH SIDES
- ZIP TRACK OTHER, YELLOW LABEL - BLACK COPY, LABEL INTERCHANGEABLE

**OTHER NOTES**

- CABINET IS BLACK IN COLOR
- 300' WIRELESS KEYPAD RANGE



**4 PRODUCT PYLON @ 35'**

W/ CAT & DEF

DRAWN BY:  
J. CLARK

DATE:  
11-06-18

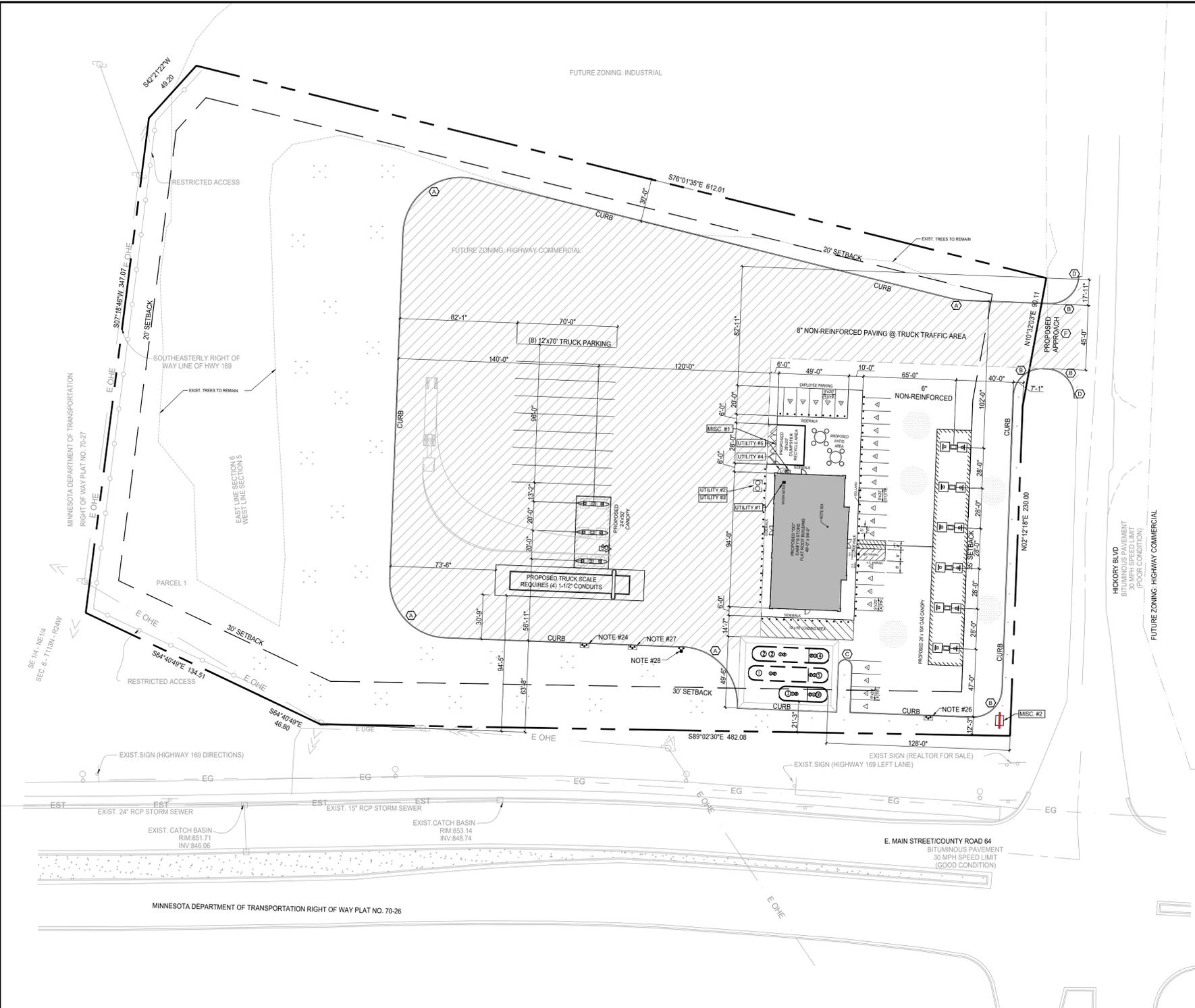


FRONT VIEW

END VIEW

**STD CAT SCALE 5 x 20 D.F. SIGN**

CAT SCALE, VARIOUS LOCATIONS SCALE 1/4" = 1'-0"



### U.G.S.T. Notes

- (F) FILL W/ SPILL CONTAINMENT & OVERFILL PREVENTION (TYP.)
- (1)(2)(3)(4)(5) TURBINE ENCLOSURE TYP. CONTAINS; SUB-PUMP W/ LINE LEAK DETECTION, TANK PROBE FOR FUEL MONITORING, INTERSTITIAL SENSOR AND TANK SUMP SENSOR.
- (V) VENT W/ SPILL CONTAINMENT & EXTRACTOR.  
SUMP SENSOR @ EACH DISPENSER.

### General Notes

1. **RELATED SHEETS:** FOR ADDITIONAL INFORMATION NOT DIRECTLY REFERENCED, SEE CIVIL PLANS DONE BY DESIGN TREE ENGINEERING:

### Utility Notes

- UTILITY NOTE #1: ELECTRICAL (C-STORE); ELECTRICAL SERVICE ENTRANCE. ELECTRIC 3 PHASE, 800 AMP, 208 VOLTS, 4 WIRE. TELEPHONE 20 PAIR, 8 LINES.
- UTILITY NOTE #2: GAS (C-STORE); 1.5" SCHEDULE 40 IRON PIPE GAS SERVICE CONNECTION. CONNECTION LOAD IS 680 BHP. TOTAL CONNECTED LOAD IS 680,000 BTU 618 CUFT. HR. HOUSE PRESSURE IS 7" W.C.
- UTILITY NOTE #3: SANITARY SEWER (C-STORE); 6" SCHEDULE 40 PVC SANITARY SEWER CONNECTION.
- UTILITY NOTE #4: SANITARY SEWER (C-STORE); 1,000 GALLON BELOW GRADE GREASE INTERCEPTOR WITH 2 MANHOLES.
- UTILITY NOTE #5: WATER (C-STORE); 2" CTS, HDPE, SDR9 C5-200 PSI WATER SERVICE CONNECTION.

### Misc. Notes

- Misc. #1: DUMPSTER AREA 6' HEIGHT CHAIN LINK W/VINYL SLATES 4-6' GATES AND 4' SERVICE GATE
- Misc. #2: 4 PRODUCT PYLONE PRICE SIGN - REFER TO SIGN PACKET

### Zoning Information

**CURRENT ZONING:** AGRICULTURE  
**SETBACKS:** FRONT: 35' SIDE: 30' STREET/20' INTERIOR REAR: 20'  
**PARKING:** 4 STALLS REQUIRED PLUS 2 OFF STREET PARKING SPACE FOR EACH SERVICE STALL. 16 REQUIRED 24 PROVIDED

### Legal Description:

Parcel 1: That part of the Southeast Quarter of the Northeast Quarter of Section 6, Township 113, Range 24, Scott County, Minnesota, lying Southeastly of the Southeastly right-of-way line of State Trunk Highway No. 169, Scott County, Minnesota.

EXCEPTING THEREFROM the following described property:  
That part of the Southeast Quarter of the Northeast Quarter of Section 6, Township 113 North Range 24 West, shown as Parcel 315 on Minnesota Department of Transportation Right of Way Plat Numbered 70-27 as the same is on file and of record in the office of the County Recorder in and for Scott County, Minnesota.

Parcel 2: The Southwest Quarter of the Northwest Quarter (SW 1/4 of the NW 1/4) of Section 5, Township 113, Range 24, Scott County, Minnesota, lying South of State Highway No. 169, Scott County, Minnesota.

EXCEPTING THEREFROM the following described property:  
Beginning at the point of intersection of the West line of Section Five (5), Township One Hundred Thirteen (113) North, Range Twenty-four (24) West and the Southerly right-of-way line of U.S. Highway No. 169, said point being 616.5 feet North of the West Quarter corner of said Section Five thence North 58 degrees, 35 minutes East along the Southerly line of said highway a distance of 747.8 feet; thence South 5 degrees, 29 minutes West a distance of 638.9 feet; thence North 70 degrees, 30 minutes West a distance of 612.0 feet to the West line of said Section 5; thence North along the West line of said Section 5 a distance of 41.9 feet to the place of beginning, Scott County, Minnesota.

ALSO EXCEPTING THEREFROM the following property:  
That part of the Southwest Quarter of the Northwest Quarter of Section 5, Township 113 North, Range 24 West, shown as Parcel 315 on Minnesota Department of Transportation Right of Way Plat No. 70-26 as the same is on file and of record in the office of the County Recorder in and for Scott County, Minnesota.

### General Construction Notes

- 1.) 3 - 30,000 GALLON DOUBLE WALL FIBERGLASS TANKS.  
TANK 1 - 22,000 GALLON (B7E)  
TANK 2 - 22,000 GALLON (DIESEL)  
TANK 3 - 10,000 GALLON (B1E)  
TANK 4 - 8,000 GALLON (B1C)  
TANK 5 - 8,000 GALLON (E8S)  
TANK DF - 8,000 GALLON (DEF)
- 2.) TANK SETTING DETAILS PAGE QF-301
- 3.) FILL PIPE AND MANHOLE DETAIL PAGE QF-301
- 4.) CIRCUIT BREAKER PANEL PAGE E-501
- 5.) REFRIGERATION WIRING PAGE QR-602
- 6.) GILBARCO WIRING PAGE QF-601
- 7.) GAS ISLAND SIZE - 3' x 5' W/DUAL GUARD PIPE DIESEL BULLET ISLAND - 3' x 22' W/DUAL GUARD PIPE
- 8.) 6 - GAS GILBARCO 700 S DISPENSERS (BLENDED)  
2 = NG1 4 NOZZLES & 8 METERS EACH  
4 = N4 6 NOZZLES & 8 METERS EACH  
3 - DIESEL GILBARCO 700 S DISPENSERS  
1 = NPA 2 NOZZLE TOTAL & 2 METER  
1 = NPB 3 NOZZLE TOTAL & 2 METER  
1 = NPS 1 NOZZLE TOTAL & 0 METER
- 9.) ISLAND DETAILS PAGE AL-501
- 10.) ISLAND CONDUIT DETAIL PAGE E-602
- 11.) DO NOT PLACE PRODUCT PIPING UNDER ISLAND
- 12.) 18" MIN. FROM TANK PIPING TO FINISH SURFACE
- 13.) SIGN BASE DETAILS PAGE AL-601
- 14.) SIGN DETAILS PAGE AL-601
- 15.) DRIVEWAY JOINTS TO BE PACKED & CAULKED
- 16.) CONCRETE DRIVE TROWELED WITH LIGHT BROOM FINISH
- 17.) CONTROL JOINTS - MIN. 100 sq.ft. - MAX. 125 sq.ft. - 25% DEEP
- 18.) CONSTRUCTION JOINTS - PINNED 4" O.C. 12" EACH WAY WITH 1/2" REBAR #4
- 19.) APPROACHES TO BE 7" NON-REINFORCED OR AS PER STATE/CITY SPEC.
- 20.) SLOPE MAX. 2% FOR BUILDING SIDEWALK, H.C. PARKING 1:50 ALL DIRECTIONS ALL ACCESS ISLE STRIPING AT 45 DEGREE ANGLE BEING MAX. 4' SEPARATION RUN VENT LINES UP SEPARATE CANOPY COLUMN. VERIFY
- 21.) VERIFY ALL UTILITY LOCATIONS AND DIMENSIONS.
- 22.) CANOPY FOOTING: SIZE 6'-3" LENGTH x 6'-3" WIDTH x 3'-0" DEPTH. CONCRETE: MINIMUM COMPRESSIVE STRENGTH OF F'C-3000 p.s.i. CONCRETE REINFORCING: ASTM A-615 GRADE 60. REBAR CAGE: (8) #6 HORIZONTAL TIES LENGTH WISE TOP AND BOTTOM 12" MAXIMUM SPACING
- 24.) ALL FUEL DISPENSERS FALL WITHIN A 100 FOOT RADIUS OF THE EMERGENCY SHUT-OFF SWITCH LOCATED INSIDE AT THE SALES COUNTER FOR THE CONVENIENCE STAFF. A SECONDARY SHUTOFF SHALL BE INSTALLED ON A POST AT THE CURB IF ALL FUEL DISPENSERS **DO NOT** FALL WITHIN A 100 RADIUS.
- 25.) IRRIGATION REQUIRED WITH RAIN SENSOR MOUNTED ON BACK RAILING OF ROOF.
- 26.) AIR COMPRESSOR BOX, MOUNTED TO STEEL POLE, INSTALLED ON 3' x 6' CONCRETE PAD 16" FROM BACK OF CURB. 110 VOLT-60HZ-5.5 AMP. 8 GAUGE MINIMUM RECOMMENDED.
- 27.) TRUCK TYPE AIR COMPRESSOR BOX, MOUNTED TO STEEL POLE, INSTALLED ON 3'x6' CONCRETE PAD 16" FROM BACK OF CURB. 110 VOLT-60HZ-5.5 AMP. 8 GAUGE MINIMUM RECOMMENDED.
- 28.) REMOTE FILL MODEL 515 SERIER AST REMOTE SPILL CONTAINER FOR DEF.

### Keyed Construction Notes

- NOTICE:** ALL WORK IN/ON THE R.O.W. AREA IS SUBJECT TO THE CITY OF BELLE PLAINE 40' RADIUS (A) TIE INTO AND MATCH EXISTING PAVEMENT & FLOW LINE.  
(B) PROPOSED 20' RADIUS (E) TIE INTO AND MATCH EXISTING CURB & FLOW LINE.  
(C) PROPOSED 5' RADIUS (F) 2% MAX. CROSS-SLOPE IN SIDEWALK AREA.  
(G) DETECTABLE SIDEWALK MAT. VERIFY WITH CITY.

### Legend

- (A) MARKED PARKING SPACES (PAINT LINES AS INDICATED)
- (B) CONCRETE PAVING OR SIDEWALKS (131,297 SQ. FT.)
- (C) AREA TO BE SOD
- (D) AREA LIGHTS (0 SHOWN) REFER TO LIGHTING PLAN RL-?-S1 DONE BY RED LEONARD

**NOTE:**  
SYMBOL INDICATES EXISTING UTILITY TO EXISTING STRUCTURE TO BE REMOVED OR DISCONNECTED BY APPROPRIATE CONTRACTOR. VERIFY WITH UTILITY COMPANY REPRESENTATIVE.

**TRUE PLAN**  
NORTH NORTH  
**A1 Site Layout Plan**  
1" = 40'



**VICINITY MAP**  
NTS

**SPECIAL REQUIREMENTS:**  
"BRICK DUMPSTER ENCLOSURE"  
"4-PRODUCT 35' PYLON PRICE SIGN"  
"CAT SCALE"  
"OUTDOOR PATIO"

<b>CASEY'S CONSTRUCTION DIVISION</b> One Convenience Blvd., P.O. Box 3001, Ankeny, IA 50021 515-965-6100	
PROJECT: BELLE PLAINE, MN.	PUBLISHED: 11-09-18 REVISION:
DRAWING INFORMATION: CONSTRUCTION DIVISION	DRAWING INFORMATION: SITE PLAN
DRAWN BY: JIMMING	CHECKED BY:
<b>AL-101</b>	

## SECTION 1107.20 SIGNS.

### 1107.20 SUBD. 1. PURPOSE AND INTENT.

The purpose of this Section is to establish regulations that govern the use, approval, construction, change, replacement, location and design of Signs within the city. This Section is not intended to and does not restrict, limit, or control the content or message displayed on any Sign. The specific purposes of this Section are to:

1. Regulate the number, location, size, type, illumination and other physical characteristics of signs within the City in order to promote the public health, safety and welfare of the community.
2. Maintain, enhance and improve the aesthetic environment of the city by preventing visual clutter that is detrimental to the appearance of the community.
3. Improve the visual appearance of the city while providing for effective means of communication, consistent with constitutional guarantees.
4. Provide for fair and consistent enforcement of the sign regulations set for herein under the zoning authority of the city.

### 1107.20 SUBD. 2. SUBSTITUTION CLAUSE.

The owner of any Sign that is otherwise allowed under this Section may substitute Non-Commercial Speech for any other Commercial or Non-Commercial Speech without any additional approval or permitting, notwithstanding any provision to the contrary.

### 1107.20 SUBD. 3. SEVERABILITY.

If any section, subsection, sentence, clause, or phrase of this Section is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Section. The City Council hereby declares that it would have adopted each section, subsection, sentence, or phrase herein despite any one or more sections, subsections, sentences, clauses, or phrases being declared invalid.

### 1107.20 SUBD. 4. DEFINITIONS.

**AWNING OR CANOPY.** An architectural projection that provides weather protection, identity or decoration and is supported by the building to which it is attached. It is comprised of a rigid structure over which a covering is attached.

**BUILDING FACE.** That portion of any exterior elevation of a structure extending from grade to the top of a wall where it intersects with the roof, and the entire width of that particular structure elevation.

**COMMERCIAL SPEECH.** Speech, often in the form of advertising, which generally relates to a business, profession, commodity, service, or entertainment.

**COMPREHENSIVE SIGN PLAN.** An alternative review process providing limited relief

from strict adherence to performance standards for multiple tenant occupancies and/or commercial planned unit developments within the B-2, B-3, I-C, and I-2 Districts.

**MURAL.** A work of graphic art painted or applied to a wall of a structure which contains no advertising or logos.

**NON-COMMERCIAL SPEECH.** Dissemination of messages not classified as Commercial Speech which include, but are not limited to, messages concerning political, religious, social, ideological, public service, and informational topics.

**NON-CONFORMING SIGN.** A Sign which lawfully existed at the time of its installation or erection, was maintained as a lawful non-conformity prior to the adoption of this Section, and does not conform to the requirements herein.

**PRINCIPAL ARTERIAL.** TH 169 or any roadway identified as such by the official comprehensive plan as adopted and amended. For purposes of calculating allowable square footage, Signs fronting Commerce Drive or Enterprise Drive, adjacent to TH-169 may utilize allowable Principal Arterial dimensional standards.

**SHIELDED LIGHT SOURCE.** A Shielded Light Source shall have the meaning associated with the nature of the light source, as follows: 1) For an artificial light source directing light upon a Sign, Shielded Light Source shall mean a light source diffused or directed so as to eliminate glare and housed to prevent damage or danger. 2) For light source located within a Sign, Shielded Light Source shall mean a light source shielded with a translucent material of sufficient opacity to prevent the visibility of the light source. 3) For a light source designed to directly display a message (e.g. LED and neon lighting), Shielded Light Source means a light source specifically designed by its manufacturer for outdoor use.

**SIGHT TRIANGLE.** A triangle at an intersection, formed by the two roads and straight line drawn between said roads at a distance along each line thirty (30) feet from their point of intersection.

**SIGN.** Any letter, word, symbol, device, poster, picture, statuary, reading matter, scoreboard or representation in the nature of an advertisement, announcement, message or visual communication whether painted, pasted, printed, affixed or constructed which is displayed outdoors for informational or communicative purposes, and is visible to members of the public who are not on the premises on which it is located.

**SIGN SETBACK.** The required minimum horizontal distance between any part of a Sign and the related front, side or rear property lines.

**SIGN, ADDRESS.** A Sign for postal identification numbers only, whether written or in number form, communicating the street address and/or name of the occupant of the property.

**SIGN, AWNING.** A Sign permanently affixed to an awning providing a shelter or cover over the approach to any building entrance or shading a window area.

**SIGN, BANNERS AND PENNANTS.** Any attention-getting devices that are made of a non-permanent flexible paper, cloth, vinyl or plastic-like material.

**SIGN, DIRECTIONAL.** An on-premises or off-premises sign erected on a property by the owner of such property for the purpose of guiding vehicular and pedestrian traffic.

**SIGN, DYNAMIC.** A Sign or portion thereof that appears to have a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its

components. This also includes any flashing, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, “digital ink” or any other method or technology that allows the sign face to present a series of images or displays.

- SIGN, FREE-STANDING. A Sign which is supported by upright braces or posts and is placed upon or in the ground and not affixed to any part of any building.
- SIGN, ILLUMINATED. A Sign upon which artificial light is directed or which has an interior light source.
- SIGN, INTERNAL DIRECTIONAL. An On-Premise Sign erected on a property solely for the purpose of guiding vehicular and pedestrian traffic within the site, which does not contain any advertising.
- SIGN, MONUMENT. A Free-Standing Sign not supported by exposed posts or poles which is architecturally designed and located directly at grade where the base width dimension is fifty (50) percent or more of the greatest width of the sign.
- SIGN, OFF-PREMISE. A Sign, including sign support structure, which identifies a business, commodity, service, or entertainment conducted, sold, or offered which is not located or performed on the premises on which the sign is located.
- SIGN, ON-PREMISE. A Sign which identifies the business, commodity, service, or entertainment, offered on the same premises upon which the sign is located.
- SIGN, PERMANENT. Any Sign which is not a Temporary Sign or Portable Sign.
- SIGN, PORTABLE. A Sign so designed as to be movable from one (1) location to another and which is not permanently attached to the ground, sales display device or structure.
- SIGN, PROJECTING. A Sign, other than a Wall Sign, any portion of which materially extends over public property.
- SIGN, PROMOTIONAL DEVICES. Air inflated devices, Banners exceeding forty (40) square feet, spotlights, or any Sign resembling the same.
- SIGN, PYLON. A Free-Standing Sign supported by a post or posts so that the sign supports are finished to grade by encasing the posts in a material consistent with the sign and where the base width dimension is a minimum of ten (10) percent up to and including fifty (50) percent of the greatest width of the sign.
- SIGN, ROOF. A Sign erected upon or projecting above the roof line of a structure to which it is affixed.
- SIGN, SANDWICH. A Temporary Sign with two (2) faces that is designed to sit on the sidewalk or ground.
- SIGN, SPECIAL EVENT. A Temporary Sign displayed before or during a one-time, special, or annual event or a holiday.
- SIGN, SURFACE AREA. The entire area within a single continuous perimeter enclosing the extreme limits of such Sign and in no case passing through or between any adjacent elements or same; however, such perimeter shall not include any structural elements lying outside the limits of such sign, and not forming an integral part of the display. In the case of a Free-Standing Sign with two (2) back-to-back surfaces each surface may be equal to the allowable gross area.
- SIGN, TEMPORARY. A Sign displayed for a limited time duration, after which the Sign is to be removed, which does not necessarily meet the structural requirements for a Permanent Sign.
- SIGN, WALL. Any sign which is affixed to the wall of a building, but shall not include a Mural.

1107.20 SUBD. 5. NON-CONFORMING SIGNS.

After the effective date of this Ordinance, no sign permit shall be issued, nor shall any Sign, except as hereinafter specified, be erected, substantially improved, converted, enlarged, moved, or structurally altered without conforming with the provisions of this Section. A non-conforming Sign may be continued in its prior non-conforming condition subject to the following requirements:

1. Normal maintenance shall be allowed including the repair, replacement and repainting of a sign face, lettering, or other sign materials, so long as the location, configuration and Sign Area of the Sign remain the same
2. No Sign shall be enlarged or altered in a way which increases its nonconformity.

1107.20 SUBD. 6. PERMIT REQUIRED.

It is unlawful for any person to maintain, install, erect, re-erect, relocate or modify any sign without first obtaining a permit except as provided in paragraph 2 below.

1. Application and Fee. Applications for sign permits shall be made in writing upon forms furnished by the City. The fee for the permit shall be based on the City's fee schedule as adopted by ordinance of the City Council. Each application for a permit shall set forth the correct legal description of the tract of land upon which the sign presently exists or is proposed to be located, the location of the Sign on said tract of land, the manner of construction and materials used in the Sign, a complete description and sketch of the Sign, and any other information required by the Zoning Administrator to accurately review the application for conformance with this Section.
2. Exemptions. No permit shall be required for the following Signs; provided however, that all Signs herein exempted from the permit requirements shall conform with all other requirements of this Section:
  - A. Permanent window Signs. Such Signs shall maintain a minimum of fifty (50) percent of the area of the window in which the Sign is placed, mounted or painted to remain free from signage.
  - B. Signs having an area of two (2) square feet or less.
  - C. Signs which are entirely within a building and not visible from outside of said building.
  - D. Memorial signs or tablets, names of buildings and date of erection when cut into or attached to any masonry surface or noncombustible material within the building façade.

E. Address Signs.

F. Replacement and/or repainting of a Sign face, lettering, or other sign materials so long as the location, configuration and area of the Sign remain the same.

#### 1107.20 SUBD. 7. CONSTRUCTION STANDARDS.

1. Signs shall be constructed and maintained in a manner where they will be safe to the general public.
2. Signs shall be designed as an integral architectural element of the building and site to which it principally relates. Materials and colors that are compatible with the character and architectural detail of the building and the surrounding environment shall be used on all Signs. The exposed backs of all signs and sign structures shall be painted a neutral color.
3. Permanent Signs shall be constructed to meet the current Minnesota State Building Code, as amended, and all applicable standards of this Section.
4. All Illuminated Signs shall conform to Section 1107.20, SUBD. 10.5. Illuminated Signs, below. All electrical wiring of Signs shall comply with the provisions of the current National Electrical Code, as amended.

#### 1107.20 SUBD. 8. SIGN MAINTENANCE.

1. Painting. The owner of any Sign shall be required to have such Sign properly repainted whenever its paint begins to fade, chip or discolor, including all parts and supports of the Sign, unless such parts or supports are galvanized or otherwise treated to prevent rust.
2. Obsolete Signs. Any Sign which no longer advertises a bona fide business conducted or a product sold shall be taken down and removed by the owner, agent or person having the beneficial use of the building, or land upon which the sign may be found within thirty (30) days after written notice from the City.
3. Unsafe or Dangerous Signs. Any Sign which is in a state of disrepair, becomes structurally unsafe or endangers the safety of a building or premise or endangers the public safety shall be considered a nuisance pursuant to Chapter 4- Public Health and Protection and shall be enforced in the same manner as described in Chapter 4.

#### 1107.20 SUBD. 9. VARIANCE.

The City may grant variance from the square footage, height and setback requirements of this Section in accordance with the Variance provisions of the Zoning Ordinance.

1107.20 SUBD. 10. GENERAL PROVISIONS APPLICABLE TO ALL DISTRICTS.

1. Prohibited Signs. The following Signs are prohibited in all districts:
  - A. Off-Premises Signs.
  - B. Signs containing statement, words, or pictures of an obscene, indecent, or immoral character, or such as would offend public morals or decency.
  - C. Signs painted, attached or in any manner affixed to utility poles, trees, rocks or similar natural surfaces.
  - D. Roof Signs.
  - E. Signs that resemble any official marker erected by a government agency by reason of position, shape or color, which would interfere with the proper function of a traffic sign, signal or be misleading to vehicular traffic.
  - F. Signs in, upon, or projecting into any public right-of-way or easement, except for Projecting Signs as regulated in the B-3, Central Business District.
  - G. Signs located within the Sight Triangle or located to otherwise interfere with the ability of vehicle operations or pedestrians to see traffic signs or signals, or which impede the vision of traffic.
  - H. Signs which obstruct any window, door, fire escape, stairway or opening intended to provide ingress or egress to any structure or building.
  - I. Any sign not in conformance with these regulations, other than a Non-Conforming Sign.
  - J. Any other Sign not expressly permitted by the provisions of this Section.
2. Address Signs. To aid emergency personnel, postal delivery, and the navigation of traffic, one (1) Address Sign shall be required per building in all districts and shall not exceed two (2) square feet in area for each place of business or dwelling unit, indicating only name and address. One (1) nameplate Sign for each place of business or dwelling group of four (4) to twelve (12) businesses or dwelling units, shall not exceed six (6) square feet in area per surface. One (1) nameplate Sign for each place of business or dwelling group of twelve (12) or more businesses or dwelling units, shall not exceed twelve (12) square feet in area per surface, and no sign shall have more than two (2) display surfaces. No permit or registration is required.
  - A. Said Sign shall be located on the side of the building that faces the street

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in the address. One (1) Sign shall be located on the main entrance of the building if it does not face the street in the address.

- B. Said Sign shall be located no lower than five (5) feet above ground level and no higher than one (1) foot below the roof line.
3. Temporary Signs. The following regulations apply to Temporary Signs within the City. If they are not removed by the date specified, the Signs may be taken down by the City and the cost of removal charges to the registrant.
- A. Signs Containing Non-Commercial Speech. Subject to Minnesota Statute Section 211B.045, as it may be amended from time to time, and notwithstanding the other provisions contained in this Section, Signs containing Non-Commercial Speech may be posted beginning forty-six (46) days before a primary election in a general election year until ten (10) days following the general election and thirteen (13) weeks prior to any special election until ten (10) days following the special election. No permit or registration is required for this type of sign. Said Signs containing Non-Commercial Speech may be placed on private property or on the right-of-way in front of any private property with the approval of the property owner. Signs may not be placed on any publicly owned property or right-of-way adjacent thereto.
- B. Banners and Pennants may be displayed upon issuance of a Temporary Sign permit for fourteen (14) days. No more than two (2) Temporary Signs may be displayed at one time per principal structure. A maximum of eight (8) display weeks for Temporary Signs per establishment per year are allowed.
- C. Special Event Signs may be erected and maintained for a period not to exceed thirty (30) days prior to the date of the event and shall be removed within five (5) business days following the event.
- D. Construction. Two signs may be installed at a construction site in any district, for the period of construction, subject to the following conditions:
1. The Sign shall be removed within seven (7) days of the closing listed on the registration permit or end of construction period, whichever is sooner.
  2. The maximum size of such Sign shall not exceed thirty-two (32) square feet or eight (8) feet in height, unless adjacent to a Principal Arterial, in which case no such Sign shall exceed one hundred (100) square feet or fifteen (15) feet in height.
- F. Property for Sale or Lease. A Sign may be placed upon property in any District while it is for sale or lease. Only one (1) such Sign shall be permitted per street frontage with the following conditions:

1. Such Sign shall be removed within seven (7) days following the lease or sale.
  2. The maximum size of such Sign shall not exceed thirty-two (32) square feet and eight (8) feet in height, unless adjacent to a Principal Arterial, in which case no such Sign shall exceed one hundred (100) square feet or fifteen (15) feet in height.
- G. Directional Signs shall be permitted in any District upon the issuance of a Temporary Sign permit. Such Signs shall comply with the following requirements:
1. The Sign shall be for the purpose of providing directions to a business establishment, and not for advertising, and shall include only the name of the establishment or logo and a directional arrow.
  2. The Sign shall be placed on private property, subject to the written approval of the property owner.
  3. The Sign must be placed ten (10) feet from any street right-of-way line or internal property line.
  4. The Sign shall be temporary and shall be removed within one (1) year of placement.
  5. The Sign shall not exceed thirty-two (32) square feet and six (6) feet in height as measured from the ground to the top of the Sign.
  6. The Sign shall comply with applicable State and County regulations.
  7. The Sign shall not be illuminated, will be neutral in color, and not conflict with traffic signage.
  8. The Temporary Sign permit may impose limits on the number and appropriate location of signage. In no event will any establishment be allowed more than one (1) Sign per intersection, nor more than one (1) Sign per parcel of land. The proximity of the proposed signage to TH 169 and other directional signage, and the number of traffic turns required to reach a business location will be considered in determining the permitted number of Signs and permitted location for signage.
- H. Signs located at the intersection of Main Street and Meridian Street shall be allowed with the following conditions:

1. Signs shall be placed only during daylight hours between sunrise and sunset.
  2. Signs shall be put up by non-profit organizations only.
  3. Signs shall be placed on a pedestal that is approved by City staff and no Sandwich or Banner Signs shall be allowed.
  4. Street maintenance signs shall have precedence over all other signs.
  5. The Belle Plaine Police Department shall remove all Signs that are in violation.
- I. Signs in vehicles and/or trailers which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent intent is to advertise a product or direct people to an activity located on the same or other property are prohibited unless a Temporary Sign permit has been issued.
  - J. Signs In Developing Subdivisions. During the development of a new subdivision consisting of two (2) or more lots up to two (2) signs not to exceed twelve (12) feet in height may be displayed. The City shall not review or consider the content of any message to be displayed on such signs. In addition to the signs mentioned above, there shall be permitted one (1) sign not exceeding four (4) square feet, and not more than six (6) feet in height, per lot in the subdivision. All signs allowed according to this Subdivision shall be removed when 75 percent of the lots in the subdivision are fully developed, or within two (2) years following the beginning of development in the subdivision, whichever comes first. No signs allowed according to this Subdivision may be illuminated.
4. Dynamic Signs. Dynamic Signs may be permitted with the following conditions:
    - A. Dynamic displays are permitted as follows:
      1. R-1, R-2, R-3 and R-7 Districts on Monument Signs or Wall Signs associated with uses allowed under conditional use permit. Dynamic displays may occupy no more that thirty-five (35) percent of the allowable Monument or Wall Sign Area.
      2. B-2, B-3, I-C Districts on Monument, Pylon, and Wall Signs for any permitted or conditionally permitted uses, occupying up to thirty-five (35) percent of the allowable Sign Area.
    - B. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any

other sign.

- C. Dynamic displays must be designed and equipped to freeze the device in one position if a malfunction occurs. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the City that it is not complying with the standards of this ordinance.
5. Illuminated Signs. The following standards apply to Illuminated Signs which may be permitted with the following conditions:
- A. Illuminated Sign shall:
    - 1. Have a Shielded Light Source.
    - 2. Be equipped with (i) an automatic dimmer control to produce the illumination change required and (ii) a means to immediately turn off the display or lighting if the Illuminated Sign malfunctions.

**6. Master Sign Plan for Multiple Tenant Occupancies.**

- A. Master sign plans are preferred for all multiple tenant developments and/or structures.
- B. Sign placement and material for multiple tenant signs shall be uniform and consistent with the development.
- C. All signs contained in the Master Sign Plan shall conform to the architectural, design, location, and performance standards of this Section. Standards contained in this Section applicable to specific types of signs and specific zoning districts shall apply to any/all multiple tenant signs.

**7. Comprehensive Sign Plan.**

- A. A Comprehensive Sign Plan may be issued for multiple tenant occupancies and/or commercial planned unit developments within the B-2, B-3, I-C, and I-2 Districts. A Comprehensive Sign Plan is an alternative to the strict adherence of regulations contained in this Section.
- B. The comprehensive sign plan process is intended to encourage a flexible procedure to review area-wide signage plans that:
  - 1. Are appropriately related to the overall character of the development.
  - 2. Provide adequate identification and information.
  - 3. Maintain an acceptable visual environment.

4. Promotes traffic safety.
  5. Are consistent with the purpose and intent of this Ordinance.
- C. The comprehensive sign plan or any modification thereto, may contain such conditions, requirements or standards that may be stipulated by the City to assure that signs covered by the plan will not be detrimental to persons or property in the vicinity, or to the public welfare.
- D. Review Criteria.
1. Consistency with architectural and design standards contained in this Section and the Belle Plaine Design Manual.
  2. All signs shall be placed where they are sufficiently visible and readable for their function. Factors to be considered shall include:
    - a. The purpose of the sign,
    - b. Its location in relation to traffic movement and access points,
    - c. Its location in relation to site features and structures, and
    - d. Sign orientation relative to viewing distances and viewing angles.
- E. Quantity.
1. The quantity of signs shall be no greater than that required to provide project identification and entry signs, internal circulation and directional information to destinations and development sub-areas, and business identification. Factors to be considered shall include the size of the development, the number of development sub-areas and the division or integration of sign functions.
  2. The number of signs approved under a Comprehensive Sign Plan shall in no case exceed one hundred and twenty-five (125) percent of that allowed under the traditional review process within the underlying zoning district classification.
- F. Size.
1. Signs shall be no larger than necessary for visibility and readability. Factors to be considered in determining appropriate size shall include topography, volume of traffic, speed of traffic, visibility range, proximity to adjacent uses,

amount of sign copy, placement of display location and height), lettering style and the presence of distracting influences.

2. No sign approved shall exceed the maximum height standard for signs contained in the underlying zoning district by more than fifty (50) percent.
  3. No sign or combination of signs approved under a Comprehensive Sign Plan shall exceed one hundred twenty-five (125) percent of the maximum area standard allowed on the site through the traditional review process.
- G. Review Process. Comprehensive Sign Plans shall be reviewed administratively; however, either the Zoning Administrator or the permit applicant may refer review to the Planning Commission and/or City Council for approval.
- H. Comprehensive Sign Plan Amendments. Minor amendments to comprehensive sign plans shall be reviewed administratively by the Zoning Administrator provided the proposed changes:
1. Meet all standards prescribed in original approved Comprehensive Sign Plan.
  2. The proposed signage change meets all other standards or requirements set forth in this Section.
  3. The proposed signage change will not increase the number of signs, the height of signs, or the sign area authorized under the initial plan.
  4. Replacement and/or repainting of a Sign face, lettering, or other sign materials does not require a permit or administrative review provided the location, configuration and area of the Sign remain the same.

#### 1170.20 SUBD. 11. DISTRICT REGULATIONS.

In addition to those signs permitted in all districts, signs as herein designed shall be permitted in each specific district, and shall conform as to size, location and character according to the requirements herein set forth.

1. RESIDENTIAL DISTRICTS – (A-2, R-1, R-2, R-3, R-7, R-MH AND PUD OVERLAYS). The following signs are permitted within the residential districts.
  - A. Address Signs: One (1) Sign not to exceed two (2) square feet in area for

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each dwelling.

- B. Monument Signs: One (1) Monument Sign per street frontage shall be permitted for each lot and development entrance located on a collector or arterial roadway. Such Sign shall not exceed forty-eight (48) square feet in area and shall not exceed twelve (12) feet in width or six (6) feet in height. No Sign shall be placed closer than five (5) feet to any public right-of-way.
  - C. Wall Signs: One Wall sign shall be permitted on each Building Face, not to exceed two (2) wall signs per building for Multiple Family Dwellings within the R-7 and R-MH District. The sign area of each said wall sign shall not exceed five (5) percent of the building face to which it is affixed.
  - D. Internal Directional Signs: Internal Directional Signs for non-single-family uses are allowed up to three (3) per lot. The Sign Area of each such Sign shall not exceed five (5) square feet or five (5) feet in height
2. COMMERCIAL CENTRAL BUSINESS DISTRICT – (B-3 AND PUD OVERLAYS). The following signs are permitted within the Central Business District. All sign permits shall be forwarded to the Design Committee for approval before any sign permit is issued.
- A. Address Signs: One (1) Sign not to exceed four (4) square feet in area for each building.
  - B. Monument Signs: One (1) Monument Sign is allowed per lot. Such Sign shall not exceed thirty-two (32) square feet and shall not exceed ten (10) feet in width or six (6) feet in height.
  - C. Wall Signs: One (1) Wall Sign shall be permitted per Building Face, not to exceed two (2) Wall Signs per building. For multi-tenant buildings, one Wall Sign per tenant is allowed provided the Building Face coverage limitation set forth below is met.
    - 1. A maximum of twenty (20) percent of the Building Face may be used for a Wall Sign.
    - 2. Wall Signs may be permitted to extend within the right-of-way up to a distance of fifteen (15) inches, but no less than eight (8) feet of clearance shall be provided between the sidewalk elevation and lowest point of the Sign.
  - D. Sandwich Signs: Sandwich Signs shall be permitted subject to the following conditions. No permit is required for a Sandwich Sign.
    - 1. Only one (1) Sandwich Sign per business is allowed.

2. Signs shall be displayed during business hours only.
  3. Maximum allowable Sign Area shall not exceed six (6) square feet. Two (2) sides of the Sign may contain graphics and/or text. The maximum depth or spread of the Sign shall not exceed two (2) feet.
  4. Quality of said Signs shall be of professional craftsmanship only.
  5. Signs shall be placed only on the business property or on sidewalk directly abutting the business property.
- E. Canopy and Awning Signs: One (1) Canopy or Awning Sign is permitted per lot subject to the following conditions:
1. The Sign Area of any Canopy or Awning Sign shall reduce, square foot for square foot, the Sign Area of any permitted Wall Signs on the same building face.
  2. Such Signs shall have a minimum clearance of eight (8) feet above a public sidewalk or right-of-way and may not project nearer than thirty (30) inches to the street curb.
  3. The architectural style of the Canopy or Awning shall be consistent with the building and Downtown Design Standards.
- F. Projecting Signs: Projecting Signs in the Central Business District should be architecturally compatible with the style, composition, materials, colors and details of the building and with other signs on nearby buildings, while providing for adequate identification of the business.
1. Symbolic and historic three-dimensional signs such as barber shop poles and appropriately-sized projecting signs are encouraged.
  2. Projecting Signs must be no greater than fifteen (15) square feet and have a maximum width of three (3) feet and shall not extend above the first floor of the building.
  3. No less than eight (8) feet of clearance shall be provided between the sidewalk elevation and the lowest point of the Projecting Sign.
  4. The Sign and frame shall not project out from the building face more than five (5) feet and there shall not be more than a one (1) foot clearance between the Sign and the building.
  5. Building and signage lighting must be indirect, with the light

source(s) hidden from direct pedestrian and motorist view.

6. Lighting and signage should be separate and distinct. Combined lighting and signage is not encouraged.
7. Only one (1) Projecting Sign is allowed per Building Face.

G. Internal Directional Signs: Up to four (4) Internal Directional Signs per lot are permitted. The Sign Area of each such Sign shall not exceed four (4) square feet or four (4) feet in height.

**3. COMMERCIAL AND INDUSTRIAL (B-2, I-2, I-C, AND PUD OVERLAYS). The following Signs are permitted within the B-2, I-s and I-C Districts.**

**A. Address Signs: One (1) Sign not to exceed four (4) square feet in area for each building.**

**B. Monument Signs: One (1) Monument Sign facing each street frontage may be permitted per lot. The Sign Area of any such Monument Sign shall not exceed one-hundred fifty (150) square feet, unless adjacent to a Principal Arterial. The total area of any such Monument Sign facing a Principal Arterial shall not exceed two-hundred (200) square feet. No Monument Sign shall be placed closer than five (5) feet to any public right-of-way line.**

**C. Wall Signs: One (1) Wall Sign shall be permitted per Building Face, not to exceed two (2) Wall Signs per building. For multi-tenant building, one (1) Wall Sign per tenant is allowed provided that the Building Face coverage limitation set forth below is met.**

**1. A maximum of twenty (20) percent of the Building Face may be used for a Wall Sign.**

**2. Signs shall not project above the parapet or eaves.**

**D. Pylon Signs: One (1) Pylon Sign may be permitted per lot. The Sign Area of any such Pylon Sign shall not exceed one-hundred fifty (150) square feet, except when adjacent to a Principal Arterial. The total area of any such Pylon Sign facing a Principal Arterial shall not exceed two-hundred (200) square feet. No Pylon Sign shall be placed closer than five (5) feet to any public right-of-way line. The height of any Pylon Sign shall not exceed thirty-five (35) feet as measured from the elevation of the centerline of the roadway upon which the Sign is oriented. For convenience food, hotel, motor fuel and restaurant uses developed on property with an elevation below that of the centerline of TH-169, measured at the closest distance between the Sign location and the centerline of TH-169, the height of a Pylon Sign may increase to be**

not more than thirty-five (35) feet above the centerline of TH-169 with a total height not to exceed fifty (50) feet.

E. Sandwich Signs: Sandwich Signs shall be permitted subject to the following conditions. No permit is required for a Sandwich Sign.

1. Only one (1) Sandwich Sign per business is allowed.
2. Signs shall be displayed during business hours only.
3. Maximum allowable Sign Area shall not exceed six (6) square feet. Two (2) sides of the Sign may contain graphics and/or text. The maximum depth or spread of the sign shall not exceed two (2) feet.
4. Quality of said Signs shall be of professional craftsmanship only.
5. Signs shall be placed only on the business property or on sidewalks directly abutting the business property.

F. Canopy and Awning Signs: One (1) Canopy or Awning Sign is permitted per lot subject to the following conditions:

1. The Sign Area of any Canopy or Awning Sign shall reduce, square foot for square foot, the Sign Area of any permitted Wall Signs on the same Building Face.
2. Such Signs shall have a minimum clearance of eight (8) feet above a walkway and may not project nearer than thirty (30) inches to the street curb.

G. Internal Directional Signs: Up to four (4) Internal Directional Signs per lot are permitted. The Sign Area of each such Sign shall not exceed four (4) square feet or four (4) feet in height.

(Ord. 10-01, Section 1107.20, Subd. 3 (2,F), Adopted June 21, 2010.)  
(Ord. 10-02, Section 1107.20, Subd. 5 (1), Adopted May 17, 2010.)  
(Ord. 13-03, Section 1107.20 Subd. 2 and 5, Adopted March 18, 2013.)  
(Ord. 13-07, Section 1107.20, Subd. 8, Adopted May 20, 2013.)  
(Ord. 14-01, Section 1107.20, Signs, Adopted March 17, 2014.)  
(Ord. 17-06, Section 1107.20, Signs, Adopted June 19, 2017.)





CENEX

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Liquor & Deli Food

Liquor & Deli Food





COBORN'S

COBORN'S  
LIQUOR 2.30

COBORN'S

LIQUOR

No Left Turn



LIQUOR

LIQUOR

2308

Cans 4 Kids

CONTRACTS

Electric





**Kwik Trip**

UNLEADED	2.29	<sup>9</sup> / <sub>10</sub>
PREMIUM	2.99	<sup>9</sup> / <sub>10</sub>
DIESEL	2.79	<sup>9</sup> / <sub>10</sub>

**CARWASH**

**Gift Cards**

**Kwik Trip**

The image shows a Kwik Trip gas station with a large canopy over the fuel pumps. The canopy has the Kwik Trip logo in red. Below the canopy, there are several fuel pumps. In the background, there is a building with the Kwik Trip logo. The sky is overcast and grey.





**PREPAY  
OR  
CREDIT  
ONLY**      **PREPAY  
OR  
CREDIT  
ONLY**



**Diesel Exit**





**DIESEL ENTER**

HEAT KING

COKE  
AW  
Sunkist  
7up



# MEMORANDUM

DATE: February 11, 2019  
 TO: Chairperson Carter, Members of the Planning Commission, and Administrator Meyer  
 FROM: Cynthia Smith Strack, Community Development Director  
 RE: Agenda Item 8.4: Residential Density

**REQUEST: Receive Information Residential Densities**

## GENERAL INFORMATION

The Commission will receive information pertaining to residential density requirements. The information is provided for background in advance of future discussion pertaining to minimum lots sizes and, more importantly, to inform decisions on future residential developments. Adjustment of residential district performance standards may or may not be adjusted.

Under Metropolitan Council policy, Belle Plaine is designated a “rural growth center”. Under the regional designation, overall **net** residential density must be no less than three dwelling units per acre. The minimum net density for development helps achieve Metropolitan Council goals to (a) manage the form and pace of growth, (b) maximum public’s investment in local/regional systems, (c) provide for affordable housing options, and (d) preserve prime agricultural lands. Destination 2040 adheres to this requirement for planned land use purposes.

In addition, 2040 plan update requirements assigned each community a minimum affordable housing allocation. As such 2040 plans have to provide specific and adequate developable area at medium (6+ du/ac) and high (12+ du/ac) densities.

When residential developments are platted, net density is calculated. Net density is calculated by:

$$\text{Gross acres} - \text{bluffs, wetlands, \& floodplain acres} = \text{net developable acres}$$

$$\text{Net developable acres/dwelling units proposed} = \text{net density}$$

Public streets, utility easements, parkland, and stormwater facilities cannot be deducted from the developable acreage. As a general rule of thumb 30% of platted acreage is assumed to be reserved for streets, utility easements, parkland, and stormwater and, therefore, not available for lots/dwellings.

Residential district performance standards do not require minimum or maximum densities. Performance standards do, however, require a minimum lot size (area) in effect acting as a control on maximum density. The minimum lot size requirements can prohibit conventional plats from achieving prescribed density minimums required by the Metropolitan Council. An alternative if design as a planned unit development. PUD review can, however, be politically sensitive.

As a means of leaning into a conversation about adequacy of performance standards the Commission will review a series of potential development density scenarios by residential zoning classification.

## ACTION:

Receipt of information for future discussion.



## MEMORANDUM

DATE: February 11, 2019  
TO: Chairperson Carter, Members of the Planning, and Administrator Meyer  
FROM: Cynthia Smith Strack, Community Development Director  
RE: Item 9.2 Director's Report

### **Design Committee**

The Design Committee met on February 4<sup>th</sup>. The DC provided input on a proposed awning in the downtown and held orientation for new members discussing roles/responsibilities.

### **Economic Development Authority**

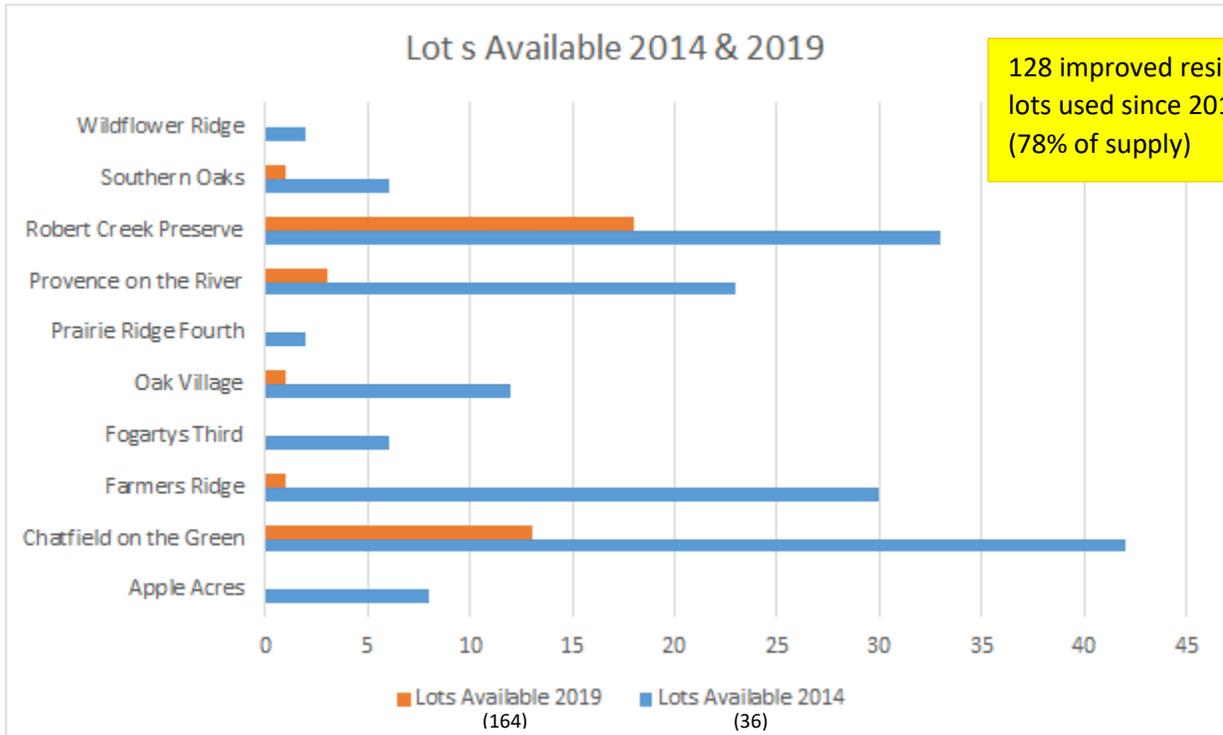
The EDA will meet at 5:00 p.m. on February 11<sup>th</sup>. Agenda items include:

- ROSE loan request – 103 Main Street West
- Preliminary TIF Application – Schrom Construction

### **Other**

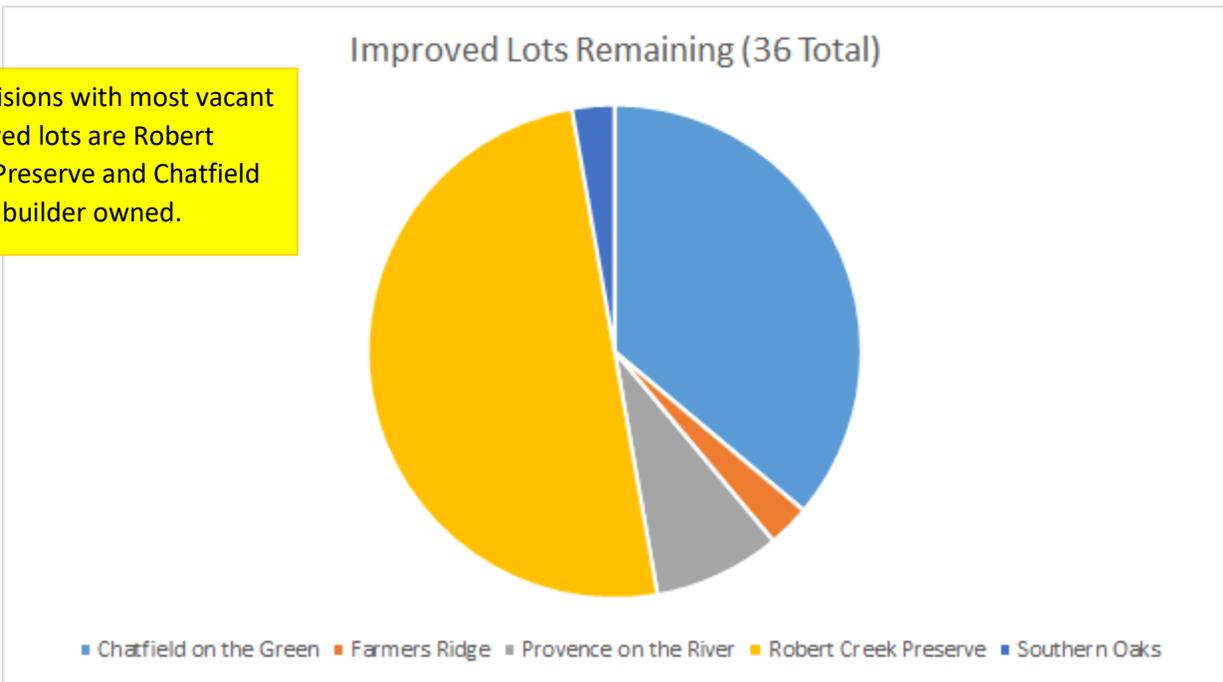
- BDS property management tracking new plats, addresses, property numbers, and legal descriptions.
- Discussion Façade Improvement Loan program with one businesses.
- Zoning information to two businesses.
- Verification of property listings with CoStar.
- Coordinate receipt/review of housing TIF preliminary application.
- Analyze historic building permit data 2014-2018 to identify lot consumption, builder activity, and trends (see attached charts).
- EDA/Chamber gala planning & meetings – scheduled Feb. 13<sup>th</sup>.
- Draft sidewalk café code update.
- Joint OAA Board meeting (Belle Plaine Township) March 6<sup>th</sup>.
- Nuisance code update placed into effect.
- Easement vacation and lot combination coordination – City property.
- Code amendment outside storage and off-street parking follow up.
- Informal site plan review – I/C District retail use.
- Attended SCALE Tech Team meeting January 16<sup>th</sup>.
- Attended Chamber networking event February 5<sup>th</sup>.
- Code compliance issues processed.

# RESIDENTIAL LOT CONSUMPTION & NEW HOME TRENDS

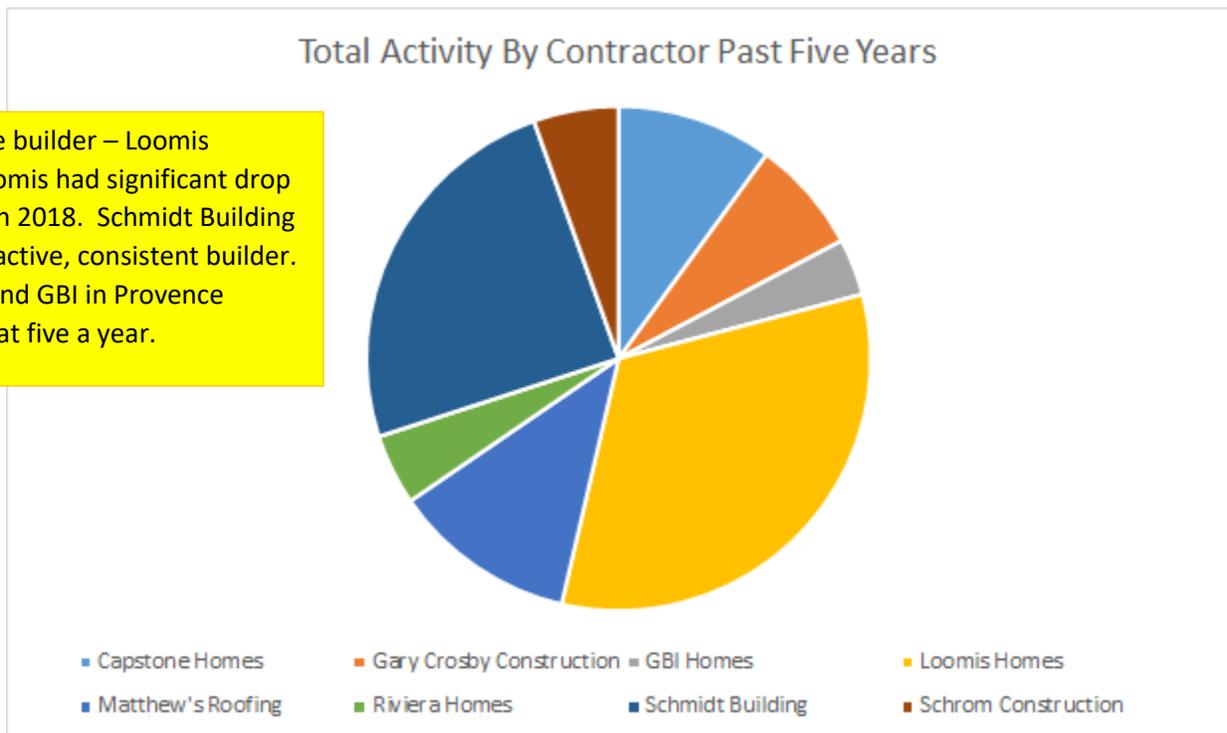
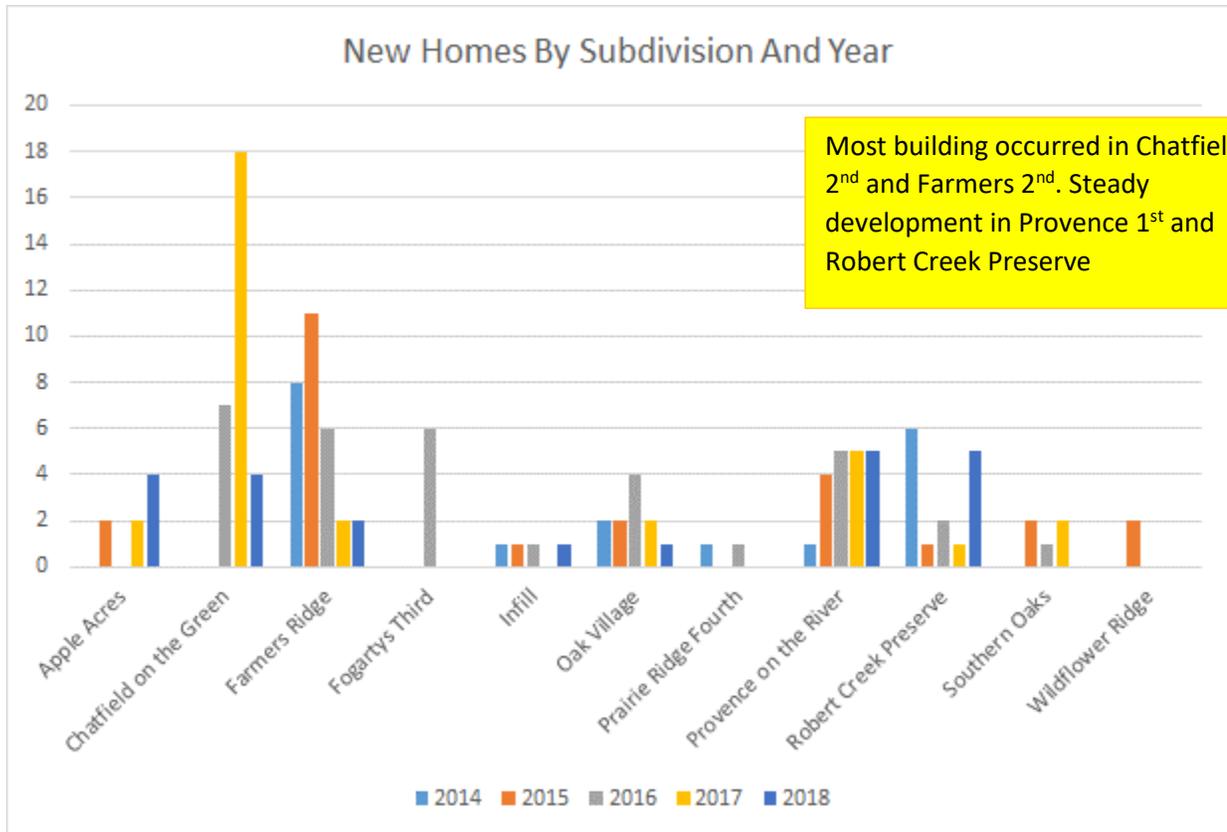


Subdivisions with most vacant improved lots are Robert Creek Preserve and Chatfield 2<sup>nd</sup>. All builder owned.

### Improved Lots Remaining (36 Total)



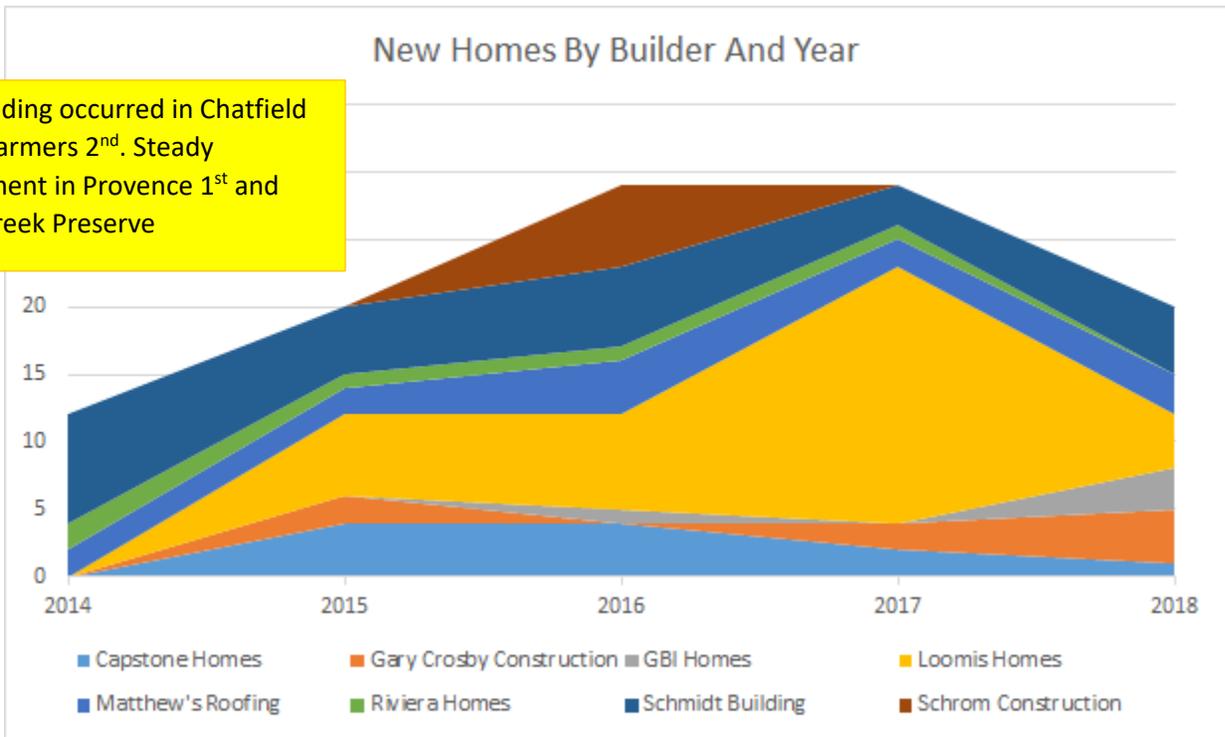
# RESIDENTIAL LOT CONSUMPTION & NEW HOME TRENDS



# RESIDENTIAL LOT CONSUMPTION & NEW HOME TRENDS

New Homes By Builder And Year

Most building occurred in Chatfield 2<sup>nd</sup> and Farmers 2<sup>nd</sup>. Steady development in Provence 1<sup>st</sup> and Robert Creek Preserve





## Single-family Twin Cities home permits up in January

By: Brian Johnson January 31, 2019 4:09 pm 0

Permit activity for construction of single-family homes in the Twin Cities is off to a hot start, but planned multifamily units in January are down from year-ago levels, according to the Keystone Report.

Shrugging off the arctic weather, builders pulled permits for 440 single-family houses in the 13-county metro area, a 9.5 percent increase from January 2018, the report says. That's the biggest permit count for any January in more than a decade.

Despite the surprisingly robust single-family numbers, new housing units permitted in January were down 18.5 percent overall, as builders pulled only three permits for projects with more than 16 units.

Overall in January, cities in the 13-county metro area issued 459 permits for 749 new housing units. Permits are up 8 percent, and planned units are off 18.5 percent. That includes 309 new multifamily units, down 40 percent.

The permits have a combined value of \$182.17 million, which is even with January 2018.

David Siegel, executive director of the Builders Association of the Twin Cities and Housing First Minnesota, said the surge of single-family permits in January is a good sign. Even so, a lot more needs to be done to meet future demand for housing, he said.

Siegel referred to the a "housing task force" report released last August by then-Minnesota Gov. Mark Dayton. Among other findings, the report said Minnesota needs 300,000 new homes of all types and prices by 2030.

"We are not addressing the supply challenge in the marketplace," said Siegel, who predicted that the market for townhomes will continue to grow as builders try to meet the demand for affordable new housing.

Siegel said he's hearing from lumberyards that they are selling less "board feet" per housing unit permitted, which is a strong indication that builders are going with smaller units to bring their prices down.

Looking at the big picture, Siegel said the year ahead is uncertain, though builders were encouraged by the Federal Reserve's announcement this week that it's holding off for now on raising interest rates.

"The general consensus forecast for the year is a flat year, pretty much on par with 2018," Siegel said. "It will be up and down throughout the year and we will probably end up somewhere close to where we were" in 2018.

Herb Tousley, director of real estate programs at the University of St. Thomas, isn't reading too much into the January numbers on either the multifamily or single-family side of the homebuilding ledger.

Single-family permits looked good in January, but it's "too soon to really talk about it as an indicator" of where the market is going, he said.

Top cities for single-family permits and planned units in January were Minneapolis (21 permits, 184 units), Lakeville (50 permits, 56 planned units), Blaine (34 permits, 34 units), Cambridge (3 units, 52 units), Plymouth (33 permits, 33 units), Woodbury (22 permits, 27 units), Otsego (20 permits, 20 units) and Prior Lake (20 permits, 20 units).

### On the rise: January housing report

Single-family permits up, multifamily units down in January

	Jan-19	% change from January 2018	Year-to-date 2019	% change from 2018
Multifamily permits	19	-13	19	-13
Multifamily units	309	-40	309	-40
Single-family permits	440	9.5	440	9.5
Total permits	459	8	459	8
Total units	749	-18.5	749	-18.5
Total \$ volume	\$182.1 million	0.12	\$182.1 million	0.12

Source: Keystone Report/Builders Association of the Twin Cities

**Related:**

- **Fed keeps key rate unchanged and pledges patience**

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