

**MELROSE PLANNING AND ZONING COMMISSION
REGULAR MEETING
MONDAY, MARCH 31, 2025– 6:00 P.M.**

A.I. #1 CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

The Melrose Planning and Zoning Commission met in a Regular Meeting on Monday, March 31, 2025 at 6:00 p.m. pursuant to due notice being given thereof. Present were Commission Members Jason Seanger, Shawn Mayers, Dave Berscheit, Jean McDonald, Joe Matt, Joelene Wieling, and Community Development Director Sheila Hellermann. Commission Member Nick Shaw was absent. Also in attendance was Dottie Pallansch, Liz Pohlman, Mary Johnson, and Dustin Campbell. Chair Jason Seanger called the meeting to order.

The Pledge of Allegiance was recited.

A.I. #2 APPROVAL OF AGENDA

A motion was made by Mr. Berscheit, seconded by Ms. Wieling and unanimously carried to approve the agenda as submitted.

A.I. #3 APPROVAL OF MINUTES

A motion was made by Ms. McDonald seconded by Mr. Mayers and unanimously carried to approve the minutes from the Commission's February 24, 2025, Regular Meeting.

A.I. #4 PUBLIC HEARING

- a. The Melrose Planning and Zoning Commission acting as the Board of Adjustments and Appeals held a Public Hearing at 6:00 p.m. on Monday, March 31, 2025, at the Melrose City Center, 225 1st Street NE, Melrose, MN, for the purpose of giving consideration to amend the zoning ordinance to add Section 716 to the zoning ordinance and regulate murals in the city of Melrose

The Affidavit of Publication of the Public Hearing Notice, which was published in the Star Post on Wednesday, March 19, 2025, along with the Affidavit of Posting of Notice of Hearing was provided

Community Development Director Sheila Hellermann stated that the city has determined that there needs to be guidelines regulating murals. Staff provided several different options for the Commission to review. City Attorney Dymoke has proposed that murals be permitted as an interim use permit through the conditional use permit process. The permit would run with the property owner. Changes to existing murals would need to apply for an interim use permit.

Dottie Pallansch from Melrose asked what constitutes C-1 property. Community Director Hellermann defined the C-1 district and stated If a business is outside the C-1 district it could apply for a variance. Any existing mural is grandfathered in and could remain unless it is in disrepair.

Liz Pohlman wanted to make a statement saying how supportive the community

has been of the Melrose Area Arts Council. They want the community to know that the community does have input into community art. They believe their projects have had community participation. If the ordinance is in response to the street art from last summer that was a onetime occurrence. Ms. Pohlman believes that moving forward any mural project from the Melrose Area Arts Council would have community involvement and input and asks that the ordinance allow some leeway and give them the opportunity to respond to different locations, buildings and styles. Her recommendation would be to write an ordinance that allows some flexibility.

Mr. Seanger stated that they want to pass an ordinance that addresses basic requirements.

Mary Johnson lives on Little Birch Lake. She inquired about the moratorium on murals. Community Development Director Hellermann stated that the moratorium is only one option. The ordinance would establish the process for obtaining the interim use permit. The owner of the building would need to request the permit. Ms. Hellermann provided a timeline of the process.

Dustin Campbell business owner at 515 5th Avenue NE. Mr. Campbell is considering a mural on his building. Mr. Campbell is asking if this will be permissible. Staff will need to research the zoning district of his building.

Chair Seanger asked for additional public comments. There being none the Public Hearing was closed at 6:29 p.m.

A.I. #5 REPORTS

- a. Community Development Director Hellermann provided an update. At the March 20 Council meeting the Council discussed backyard chickens. Staff will be bringing it back to the council next month with additional information. There will be a coffee shop opening at Riverside Flats. Ms. Hellermann participated in a webinar regarding zoning for cannabis businesses. Ms. Hellermann did receive the Conditional Use Permit application for an electronic billboard on Blue Door Storage Property.

A.I. #6 ACTION ITEMS

- a The Commission earlier this evening held a Public Hearing for the purpose of giving consideration to a zoning ordinance regulating murals.

A motion was made by Ms. McDonald, seconded by Mr. Berscheit and unanimously carried recommending Council approval of the amendment to the zoning ordinance, adding Section 716 for the regulations of murals as follows:

716. Murals

.01 Interim Use Permit Required.

Murals may be allowed by Interim Use Permit only on property zoned C-1, subject to the following regulations:

(1) Murals shall not:

- (a) Imitate or appear to imitate official traffic signs;
- (b) Obscure or conceal safety equipment, lock boxes, or building numbers;
- (c) Incorporate advertising for businesses or products off the property on which the mural is located; *** Incorporate advertising for the property on which the mural is located
- (d) Incite lawless actions;
- (e) Convey threats of violence against any person or persons; or
- (f) Predominantly appeal to prurient sexual interests
- (g) Contain profanity or derogatory language.

(2) Murals on buildings are limited to a maximum coverage of 100% of the building wall area on which it is affixed.

(3) No more than one wall on any structure may be covered by a mural.

(4) Murals may not be affixed to building walls facing Main Street.

(5) No more than 30% of any mural project may contain words, letters, or numbers.

(6) No portion of a mural may extend beyond the surface on which it is installed.

(7) Electrical, mechanical, or structural components that produce motion, flashing, scrolling, sequential lighting, or any other effect of movement are not permitted as component or feature of a mural.

(8) The design must be reflective of the community and its history, with a focused theme.

(9) The Council, upon recommendation of the Commission, may establish such additional conditions as are appropriate and necessary to protect the public health, safety, and welfare. Such conditions may include a provision that the property owner certify on a periodic basis that the terms and conditions of the interim use permit have been met and that the mural has been maintained in a manner consistent with the maintenance plan.

.02 Maintenance.

- (1) All murals shall be properly maintained.
- (2) A mural is considered to be in a state of disrepair when not preserved in accordance with the maintenance plan.
- (3) Exposed mural surfaces shall be clean and painted if paint is required.
- (4) Defective parts shall be replaced.
- (5) Any mural or any structure to which a mural is affixed that may be, or that may hereafter become, rotted, unsafe or unsightly shall be repaired or removed by the owner or manager of the property upon which the mural stands, at their expense, upon written notice of the Zoning Officer.
- (6) The Zoning Officer or Building Official shall have the right to order the repair or removal of any mural which is defective, damaged, substantially deteriorated, or not preserved in accordance with the maintenance plan.
- (7) The owner of the property on which the mural is situated shall be responsible for ensuring that murals on the property are properly maintained.

.03. Administration.

(1) Interim Use Permits.

- (a) No mural shall be erected, altered, reconstructed, or moved in the City without first securing an interim use permit from the City, unless specifically waived within this Section or elsewhere in the Ordinance.
- (b) Application for the interim use permit shall be in writing addressed to the issuing authority and shall contain the following information:
 - (1) Names and addresses of the owners of the property on which the mural will be located;
 - (2) The address of the property on which any murals are to be affixed;
 - (3) The names and addresses of the persons affixing the murals;
 - (4) The lot, block, and addition at which the murals are to be affixed;
 - (5) A complete set of plans showing the necessary elevations, distances, size, content, and details to fully and clearly represent the construction and placement of the murals;

(6) A maintenance plan for the murals based on the type and durability of the materials used to affix the mural;

(7) Approximate start and end dates for completion of the mural.

A.I. #7 OLD BUSINESS

- a. Staff have been working since 2023 on updating the comprehensive plan. We have had challenges regarding the delivery of the chapters by the consultant. We terminated the contract with the consultant. The plan going forward is to complete the chapters and revisions in-house after receipt of an electronic version of the plan so far which can be edited

A.I. #8 NEW BUSINESS

- a. There have been questions by developers about a possible new housing development. The developer is asking if the city would be willing to install the street as a city street rather than a private street.
- b. The City Council at its February 20, 2025, meeting expanded the park board from 5 to 7 members, keeping the seats on the board held by MADA and Planning & Zoning representatives. The Planning & Zoning Commission needs to appoint a member to sit on the Park Board. Mr. Berscheit has served in this capacity and has expressed a willingness to continue. Mr. Mayers nominated Mr. Berscheit as the Planning and Zoning representative to the Parks and Rec Board. There were no other nominations.

A motion was made by Mr. Mayers, seconded by Ms. McDonald and unanimously carried appointing Mr. Berscheit as the Planning and Zoning Representative to the Parks and Recreation Board.

- c. There was discussion at the March 20, 2025, city council meeting about nuisance violations. A meeting will be held earlier today with Chief Maus, Attorney Dymoke, City Administrator Winter, Mayor Finken, Community Development Director Hellermann and City Clerk Patti Haase about enforcement of the nuisance ordinances and zoning ordinances. Community Development Director Sheila Hellermann stated that letters will be sent to rental property owners requesting that they or the tenants maintain the property. At this point the city will not nuisance shingles or sidings and focus mainly on parking enforcement, and upkeep of the yards.

A.I. #9 INFORMATIONAL ITEMS

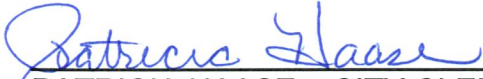
- a. The Commission's next meeting is scheduled for Monday, April 28, 2025, at 6:00 p.m..

A.I. #10 ISSUES BY PLANNING AND ZONING COMMISSION MEMBERS

None

A.I. #11 ADJOURNMENT

A motion was made by Ms. Wieling, seconded by Mr. Berscheit and unanimously carried that the meeting be adjourned at 7:20 p.m.



PATRICIA HAASE – CITY CLERK