

**CHANHASSEN PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 18, 2020**

Chairman Weick called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: Steve Weick, Mark Undestad, Mark Randall, John Tietz, and Michael McGonagill

MEMBERS ABSENT: Doug Reeder, and Laura Skistad

STAFF PRESENT: Kate Aanenson, Community Development Director; and MacKenzie Walters, Associate Planner

PUBLIC HEARING:
**CONSIDER A REQUEST FOR SIGN VARIANCES FOR THE EXISTING MONUMENT
SIGN LOCATED AT 306 W. 78TH STREET (CHAPEL HILL).**

Walters: So this is a sign variance request. Chapel Hill Academy is requesting a variance for a 6 foot high ground low profile sign with a total of 35.33 square feet of sign display area. 16 square feet of that is proposed as an electronic message center so a little overview of the site. Chapel Hill is right downtown, pretty close to city hall and the proposed sign location is about where this blue star is. It would be the location of the existing sign so the sign location wouldn't be changing. Only the height and size. Just to give a sense of the surrounding context, Chapel Hill is zoned office institutional. They have residential single family to the north and east. We have some preserve open space, A2 to the south. Another office institutional and then central business district over here so it kind of is at the end of the commercial section of downtown. Just to compare and provide some context for the sign code because we don't see too many sign variances, under the office institutional district business and institutional signs are allowed to be up to 5 feet high with a maximum display area of 24 square feet. Electronic message centers are an allowed type of signs, however the EMC's and then governmental signs are allowed to be larger so it's for instance a public school or the Chanhassen library, even though it's zoned office institutional it's allowed to have a larger sign. Up to 8 feet high and 120 square feet. In the case of those 40 square feet of that display area can be electronic message centers. Right here is the section of the city code that governs electronic message centers for signs up to 24 square feet up to 50 percent of their display can be the EMC. If they're over 24 feet but less than 64, 45 percent of the display can be the EMC. There's a few other rules that are in play. They can't be within 50 feet of a street intersection. The sign itself cannot be within 125 feet of a residential district and if they're within 500 feet of single family homes they cannot be on between the hours of 6:00 a.m. and 10:00 p.m. There also are regulations in the city code that govern the maximum brightness of EMC's as well as preventing them from having moving or animated images so it has to be a static display under the code. The applicant is proposing a 6 foot high sign so that'd be a 1 foot variance from the height and the 35.33 square feet would be an 11.33 square foot

variance from the maximum display area size. That would allow them to have a 16 square foot electronic message center. Full disclosure that is a quarter percent larger than the display area ration they'd be allowed but staff doesn't consider a .1 square foot deviation to be significant. So Chapel Hill believes that because they have a large number of different users that use the building as well as a bunch of variable after school events and meetings that it is very difficult for them to communicate the programming at their facility with a static display and that's why they're requesting a larger electronic message center. They did note that the office institutional zoning does allow public schools and similar government agencies to have much larger signage than they are requesting. So comparing the existing sign to the proposed sign, the existing sign is 5 feet tall. Has 24 square feet of display area and the EMC is about 9 ½ square feet and as mentioned what they're proposing would be a little over 11 square feet bigger in display area. A foot taller with a 16 square foot electronic message center. I will mention before I get into the staff assessment we were contacted by a resident who did express concern that this sign would have much more of a visual impact than the existing sign. Predominantly due to the increased lamination and they expressed some concern that pedestrians walking might find it distracting along the sidewalk. When staff evaluated the proposal we do feel that this is a unique use in the community and that the multiple different uses for the building and the variable programming did justify or make a case for why a larger electronic message center may be appropriate. The applicant had originally came in requesting a variance for an 8 foot tall sign with I believe it was 48 square feet of display area. Staff asked them to revise it to try to minimize the extent of the variance and that's what resulted in the current proposal which is a much smaller deviation from the standards. The site's location and orientation do place the sign near a lot of the commercial uses in downtown and the building prevents it from being seen from the residential properties and that's one of the reasons why staff is comfortable recommending approval on this as well as the sign being in the same location and does not believe that there will be any traffic safety risks posed with this sign. With that I'd be happy to answer any questions you may have.

Weick: Thank you MacKenzie. Couple questions I do have. If you could, if you go back to page 4 of 7 and you don't have to flip there but it's the chart. Underneath the chart there were 3 bullets. Yep. Of those 3 do any of those currently apply?

Walters: The sign meets all current ordinance so it's 50 feet back from the intersection. The sign, even though the border of the parcel is within 125 feet the sign itself is not within 125 feet. It is within 500 feet so they would have to turn off the EMC between the hours of 10:00 p.m. and 6:00 a.m.

Weick: Okay. That was the only question I had. Anyone else for MacKenzie at this time? No? I would invite the applicant to come forward. Just state your name for the record and tell us about your project.

Ben James: Hi my name is Ben James and with Blue Label Creative and my kids have gone to Chapel Hill. The oldest one is in eighth grade this year and the youngest is in third grade so I do a lot of different projects from coaching sports. From basketball and soccer for the school as

well as volunteering for other sun runs and other activities that they have. So with the school it's an important amenity and we are an important amenity and partner with the City of Chanhasen and the sign would provide not only announcement of important school events but for the also the churches and clubs and organizations that UCHA. It would also be used, could be used for public service announcements and city event promotions as well so we would be open to working with you guys on that. And MacKenzie did a great job kind of summing it up that it doesn't face any residential areas as well. We would be keeping the same pad that you see right there. The brick and the electrical and everything it's there. Part of the old display, there's some safety concerns with the fire wall. It's not supported for the computer system that's there anymore so it is, we don't want to have, open that up to any hackers or anything like that so hopefully they're not watching tonight. Whoops. You know so that's really what we're looking to do in a nutshell. Did you have any questions?

Weick: Sure. Do you consider the sign to be more advertising or more, I'm going to draw a blank but like location identification.

Ben James: It is more location identification. Trinity Hill Church right now, they take a banner off of the front entrance every Sunday.

Weick: Okay.

Ben James: You know so it is for these clubs and organizations that are using it. There are opportunities in the near future with some expansion. I'm sure that will be a different meeting to bring other clubs and so forth in there so it'd be a way for notifying and identifying that. And then there would be some for sporting events. You know when other teams come into play games you know it's just a good identification that that's where the soccer or the, not soccer I should say but basketball or volleyball games would be at.

Weick: Okay. And then if you were going to replace the sign if it needed to be upgraded, to be within code you could, you could go and correct me if I'm wrong MacKenzie but we could go to 12, 12 square feet from an increase from the 9 ½ today they could go to 12 square feet and be within code.

Walters: Yes they could, that's what the city code would allow.

Weick: Is that something that you guys considered and I apologize I don't have a real good dimensional mind so I don't know if there's a huge difference between those or.

Ben James: Yeah, so with the panels that we're using for the high resolution, they come in 12 inch square panels that can interchange. So having to customize and go into, they don't make like an 18 inch so you know we'd have to do some custom work on that with the LED's to do that so this is a less expensive solution than doing a custom size.

Weick: Smaller size, okay. Anyone else with thoughts or questions? For the applicant. Nothing?

McGonagill: It's not 6 foot high white letters.

Weick: No. Well thank you then. I appreciate you coming forward and certainly clarifying some of those items for us.

Ben James: Thank you for your time.

Weick: Thanks a lot. At this time we will open the public hearing portion. Anyone wishing to come forward and offer an opinion on this item is welcomed to do so at this time. I thought maybe we had someone moving but no, okay. Then seeing nobody come forward I will close the public hearing portion and open for commissioner comment or a motion. Judging from the lack of questions I'm assuming everyone's you know tracking with this one.

Undestad: Yeah I think so.

McGonagill: It's tastefully done. Like I said it's not 6 foot high white letters so I'm, it's not bright. They'll turn it off. It's what it's supposed to do and you know I will, for sure they use that facility a lot for volleyball and basketball and be able to put that up. Who's playing when and at what time. It's a great thing to have because they turn that facility around a lot I know that.

Randall: Oh I'm sorry. Oh I was a little concerned about the residential impact but after seeing how the building actually blocks the light from it so I know some of these signs, especially at night they get really bright you know and with our hours that they're going to be operational.

Weick: Yeah there's some houses there on 78th maybe that just because of the angle. Like that one on the corner maybe is, would be the one that I would certainly be, yeah. They seem to have a pretty good, although it is.

Undestad: It's at the other angle too though.

Weick: It is a different angle and I think there's a little bit of a hill and then some trees and stuff, I mean it's not a straight shot. I've been along there quite a bit and it basically just, I mean we're a little less than doubling kind of what's there today. As far as the electronic portion of it so.

McGonagill: I'm good with it.

Randall: I am too.

Weick: I certainly would entertain a motion.

Undestad: I'll make a motion that the Chanhasen Board of Appeals and Adjustments recommends approval of the variance request to allow a 6 foot high ground low profile sign with 35.33 square feet of display area of which 16 square feet may be an electronic message center, subject to the conditions of approval and adopts the attached Findings of Fact and Decision.

Weick: Thank you. We have a valid motion. Do we have a second?

McGonagill: I'll second it.

Weick: We have a second from Commissioner McGonagill. Any further comment at this time?

Undestad moved, McGonagill seconded that the Chanhasen Board of Appeals and Adjustments recommends approval of the variance request to allow a 6 foot high ground low profile sign with 35.33 square feet of total display area of which 16 square feet may be an electronic message center, subject to the conditions of approval and adopts the attached Findings of Fact and Decision:

1. The applicant must apply for and receive a sign permit from the City.
2. The Electronic Message Center (EMC) must comply with the City's Electronic Message Center Standards, save that it may have an EMC Display percentage of 46.29 percent.
3. The ground low profile sign must meet the City's design standards.
4. The ground low profile sign shall be located in the same position as the existing monument sign.

All voted in favor and the motion carried unanimously with a vote of 5 to 0.

Weick: Hearing none the motion passes unanimously 5 to 0. Thank you everybody for presenting this evening and coming. Appreciate it.

APPROVAL OF MINUTES: Commissioner McGonagill noted the verbatim and summary Minutes of the Planning Commission meeting dated February 4, 2020 as presented.

COMMISSION PRESENTATIONS. None.

ADMINISTRATIVE PRESENTATIONS.

Weick: Kate I certainly would open it up for City Council update.

Aanenson: You on your next agenda scheduled for March 17th. I'll be looking at an amendment to the PUD for Paisley Park that was linked to 12 events so they would like to try one outdoor event and then we'd just kind of, MacKenzie put together that we use for all special events, the permits on those so we're only permitting ones that are over a certain volume and how they're regulated so we'll have that public hearing. And then they talked about yard waste update just because the County closed where you could take your yard waste so just kind of looking at that so you won't see anything on that but just ongoing discussion. Just want you aware of that. Trying to get some additional days spring and fall. The council also approved an interim use permit for the wetland for the very technical report on the slide we had on the light rail, on the trail. The LRT trail so that got approved so that work should begin this spring and then also we, the council passed a resolution adopting the Comprehensive Plan so that's on the work session for your April meeting that we are, first meeting with new commissioners but we'll go through that. Some of the significant changes. Kind of next steps so we actually have quite a few things for that if it's okay Chair I'll just kind of jump to our upcoming agenda. We talked about PUD on for that. We don't have a meeting in 2 weeks, that March 3rd. That is the Presidential nomination primary so we will not be meeting so our next get together for our last meeting with John and Mark so I hope they're both here on the 17th. Then on April 7th again we adopt the bylaws, a Chair, Vice Chair. We'll talk a little bit about development review process. I think there were some questions on that. If there isn't much on the agenda we might move that one up but it's kind of helpful for some of the new people there too. We'll talk about the comp plan. Some of the little tweaks we had to make or I guess kind of explaining our methodology, yeah. Kind of more of what that was a lot of back and forth this last year and then we were asked to look at some of the other goals of the other commissions on what they're working on and how we can be integrating that into what we're doing and I think that will be helpful too when we do our annual all commissions tour so that might be helpful too.

McGonagill: When is that all commissions tour?

Aanenson: Usually we do like in August. The first or second week in August.

McGonagill: Okay.

Aanenson: The other thing I do not have on your calendar and I apologize is, I will get that out to you so you can put it on your calendar and that is the annual meeting with the City Council. After they do their appointments then they'll set that one so I'll get that out to everybody to put that on their calendar but with that we have candidates here so after you adjourn we'll go into the Fountain Conference Room and I'll kind of be the gate keeper and get you set up and then direct people when you're ready.

Weick: One question, did you mention the item that we heard on the 4th. Did that go in front of City Council?

Aanenson: The memory care?

Weick: Yeah.

Aanenson: Yep that's going next Monday.

Weick: They haven't heard it yet?

Aanenson: Yep, a week from yesterday. Yes they have not heard it yet. Good question. They have modifications to it and they know they can meet all those so based on what you saw, some of the input you gave them so I think you'd be pleased with that.

McGonagill: What are some of the modifications they did Kate?

Aanenson: Pardon me?

McGonagill: What did they modify?

Aanenson: You know I haven't gone through all the details with Sharmeen but Sharmeen said they met pretty much all the criteria that was in there so I haven't looked at that but I'll share that with you at your next meeting and show that to you.

McGonagill: Okay, thanks.

Tietz: Hey Kate I have a question. Sign variances. Didn't we, wasn't it a year and a half ago when we approved the Youngstedt's sign, electronic sign and that never has changed has it? Did they back off of that?

Walters: That variance has lapsed. I unfortunately do not know why they decided not to proceed with it. I had been under the impression they were good to go and they chose not to ultimately.

Tietz: Okay, yeah.

Aanenson: I'll to circle back to Mark's comments on NIT's on signs. That's the intensity so we do ask the architect of those to measure those. So when there was a variance on those sometimes the Planning Commission will go one way and the council will go another but the intensity of those, yeah there is complaints on especially on Highway 5 when you're driving by and they're very bright at night so we know the residents are sensitive to that so I appreciate that question. So to the comment that this has to be shut off between 6:00 and 10:00 that kind of helps mediate some of that. That's all I had.

Weick: Great, thank you. With that I would entertain a motion to adjourn.

Chanhassen Planning Commission – February 18, 2020

Undestad moved, Randall seconded to adjourn the meeting. All voted in favor and the motion carried unanimously with a vote of 5 to 0. The Planning Commission meeting was adjourned at 7:25 p.m.

Submitted by Kate Aanenson
Community Development Director

Prepared by Nann Opheim