

MINUTES OF THE PROCEEDINGS OF THE PLANNING COMMISSION OF THE CITY OF CHAMPLIN IN THE COUNTY OF HENNEPIN AND THE STATE OF MINNESOTA PURSUANT TO DUE CALL AND NOTICE THEREOF

REGULAR SESSION
MARCH 15, 2010
CITY COUNCIL CHAMBERS

CALL TO ORDER THE CHAMPLIN PLANNING COMMISSION MET IN REGULAR SESSION AND WAS CALLED TO ORDER BY CHAIRPERSON THIEL AT 7:00 P.M.

ROLL CALL PRESENT WERE: CHAIRPERSON R.J. THIEL, COMMISSIONERS FORREST ELLIOTT, RYAN KARASEK, JERRY LASKE, BRIAN PETSCHL, KIM CZAPAR, AND MARIE SWENSON. ABSENT: COMMISSIONERS JACK KELLY AND MATT BOLTERMAN. ALSO PRESENT WERE CITY PLANNER SCOTT SCHULTE, AND CITY RECORDER TIMESAVER OFF-SITE SECRETARIAL.

ROLE OF THE COMMISSION CHAIRPERSON THIEL BRIEFLY REVIEWED THE ROLE OF THE COMMISSION.

APPROVAL OF AGENDA (MARCH 15, 2010) MOTION THE MARCH 15, 2010 AGENDA WAS APPROVED AS PRESENTED.

APPROVAL OF MINUTES (FEBRUARY 1, 2010) MOTION MOTION BY COMMISSIONER ELLIOTT AND SECONDED BY COMMISSIONER SWENSON, TO APPROVE THE MINUTES OF THE FEBRUARY 1, 2010, SPECIAL PLANNING COMMISSION MEETING AS PRESENTED. COMMISSIONER PETSCHL ABSTAINED FROM THE VOTE. ALL VOTED IN FAVOR AND THE MOTION CARRIED.

OPEN FORUM NO ONE WAS PRESENT FOR OPEN FORUM.

PROJECT 2010-02: HOLIDAY COMPANY'S; CONDITIONAL USE PERMIT; REQUEST TO MODIFY AN EXISTING ELECTRONIC MESSAGE SIGN AT HOLIDAY GAS/CONVENIENCE LOCATED AT 12024 CHAMPLIN DRIVE

PUBLIC HEARINGS
THE CITY PLANNER REPORTED THAT THE HOLIDAY STATION STORE LOCATED AT 12024 CHAMPLIN DRIVE WAS REQUESTED TO MODIFY THE EXISTING MESSAGE SIGN LOCATED ON THEIR PROPERTY. HE ADVISED THAT THE STORE IDENTIFICATION WOULD REMAIN ON THE UPPER PORTION OF THE SIGN, THE MESSAGE CENTER WOULD REMAIN ON THE LOWER PORTION OF THE SIGN, AND A PORTION DISPLAYING THE CURRENT GAS PRICING IS BEING REQUESTED AND WOULD BE ADDED TO THE MIDDLE SECTION OF THE SIGN. HE EXPLAINED THAT A CONDITIONAL USE PERMIT IS USED FOR ELECTRONIC MESSAGE SIGNS TO ALLOW THE CITY ADDITIONAL REVIEW AND CONTROL OVER THE ITEM, AND BRIEFLY SUMMARIZED THE UPDATED ORDINANCE. HE ADVISED THAT THE BASE WOULD NEED TO BE COMPOSED OF BRICK IN ACCORDANCE WITH CITY ORDINANCE AND SUGGESTED THAT UP TO ONE YEAR BE ALLOWED FOR THAT CHANGE TO BE MADE, AS IT HAD NOT BEEN ORIGINALLY BUDGETED FOR. HE ADVISED THAT STAFF RECOMMENDS APPROVAL OF THE REQUEST SUBJECT TO THE SIX NOTED CONDITIONS.

PUBLIC HEARING CHAIRPERSON THIEL OPENED THE PUBLIC HEARING AT 7:05 P.M.

MOTION MOTION BY COMMISSIONER PETSCHL AND SECONDED BY COMMISSIONER KARASEK, TO CLOSE THE PUBLIC HEARING. ALL VOTED IN FAVOR AND THE MOTION CARRIED.

THE PUBLIC HEARING WAS CLOSED AT 7:06 P.M.

CHAIRPERSON THIEL QUESTIONED IF HOLIDAY WOULD BE ALLOWED TO LOWER THE SIGN TO CONFORM TO THE REQUIREMENT, RATHER THAN CHANGE THE BASE TO BRICK.

DUANE DOWNY CONFIRMED THAT THE COST TO LOWER THE SIGN WOULD BE WOULD BE SIMILAR TO THE COST TO CHANGE THE BASE TO BRICK. HE STATED THAT HE BELIEVED THE BRICK BASE WOULD ALSO BE MORE ATTRACTIVE AESTHETICALLY.

THE CITY PLANNER STATED THAT WHEN THE HOLIDAY MESSAGE SIGN WAS FIRST INSTALLED THE MESSAGE WAS ROTATING MORE QUICKLY THAN THE MINIMUM TEN SECONDS AND NOTED THAT HE MADE A CALL TO HOLIDAY AND THE PROBLEM WAS IMMEDIATELY CORRECTED. HE ADVISED THAT IN HIS EXPERIENCE HOLIDAY IS VERY COOPERATIVE AND QUICK TO RESPOND.

COMMISSIONER LASKE COMMENTED THAT DUE TO THE MINIMUM TEN SECOND DURATION FOR MESSAGES, THERE HAD BEEN TIMES WHEN HE HAD BEEN AT A RED LIGHT AND WAS NOT ABLE TO SEE THE GAS PRICE. HE ADVISED THAT HE WAS HAPPY TO SEE THAT THE GAS PRICE WOULD BE A STATIONARY ITEM ON THE SIGN NOW.

CHAIRPERSON THIEL NOTED THAT THE 12 MONTH EXTENSION SHOULD BE NOTED IN THE CONDITIONS.

MOTION

MOTION BY COMMISSIONER LASKE AND SECONDED BY COMMISSIONER PETSCHL, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT FOR THE PROPOSED ELECTRONIC GAS PRICE SIGN FOR HOLIDAY, SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE ELECTRONIC MESSAGE SIGN SHALL HAVE MINIMUM DISPLAY DURATION OF 10 SECONDS.
2. THE ELECTRONIC MESSAGE SIGN SHALL NOT EXCEED 3,500 NITS (CANDELAS PER SQUARE METER) BETWEEN THE HOURS OF CIVIL SUNRISE AND CIVIL SUNSET AND SHALL NOT EXCEED 500 NITS (CANDELAS PER SQUARE METER), BETWEEN THE HOURS OF CIVIL SUNSET AND CIVIL SUNRISE AS MEASURED FROM THE SIGN'S FACE.
3. THE APPLICANT OR OWNER/OPERATOR SHALL PROVIDE A CERTIFICATION THAT THE SIGN SHALL, AT ALL TIMES, BE OPERATED IN ACCORDANCE WITH THE PROVISIONS OF THE SIGN ORDINANCE PERTAINING TO ELECTRONIC MESSAGE SIGNS.
4. ANY MODIFICATIONS TO THE ELECTRONIC MESSAGE SIGN REQUIRE FORMAL MODIFICATION OF THE CONDITIONAL USE PERMIT.
5. THE PYLON SIGN SHALL BE CONVERTED TO A MONUMENT SIGN BY ADDING A MINIMUM THREE FEET TALL MASONRY BASE. THE BASE MATERIAL SHALL MATCH OR COMPLIMENT THE BUILDING MATERIAL. THE APPLICANT SHALL HAVE UP TO 12 MONTHS TO COMPLY WITH THIS CONDITION.
6. THE CONDITIONAL USE PERMIT SHALL BE RECORDED WITH THE PROPERTY.

ALL VOTED IN FAVOR AND THE MOTION CARRIED.

CHAIRPERSON THIEL NOTED THAT THIS ITEM WOULD BE REVIEWED BY THE CITY COUNCIL AT THEIR MEETING ON APRIL 12, 2010.

PROJECT 2010-03:
JOHN O'SULLIVAN;
VARIANCE TO
PLANNED UNIT
DEVELOPMENT PLAN;
REQUEST TO ALLOW A
MONUMENT SIGN
ADJACENT TO
HIGHWAY 169

THE CITY PLANNER REPORTED THAT THIS REQUEST IS IN REGARD TO THE CULVER'S PROPERTY AND THE APPROVED SITE PLAN. HE STATED THAT A VARIANCE IS BEING REQUESTED BY THE OWNER OF THE PROPERTY TO ALLOW A MONUMENT SIGN ADJACENT TO HIGHWAY 169. HE BRIEFLY REVIEWED THE SIGN PLACEMENT REQUIREMENTS IN THE PLANNED UNIT DEVELOPMENT FOR THE PROPERTY AND EXPLAINED THAT THOSE REQUIREMENTS WOULD BE EQUAL TO ZONING REQUIREMENTS. HE ADVISED THAT HISTORICALLY THE CITY OF CHAMPLIN HAS BEEN STRINGENT IN ALLOWING THIS TYPE OF VARIANCE. HE THEN REVIEWED THE FINDINGS OF FACT FOR THE COMMISSION AND ADVISED THAT PER THOSE FINDINGS, STAFF RECOMMENDS APPROVAL OF THE VARIANCE REQUEST.

PUBLIC HEARING

CHAIRPERSON THIEL OPENED THE PUBLIC HEARING AT 7:19 P.M.

JOHN O'SULLIVAN, THE APPLICANT, ADVISED THAT THIS RESTAURANT HAS BEEN A CHALLENGE FINANCIALLY AS SEVEN OF THE PAST NINE YEARS HAVE NOT PROVIDED POSITIVE PROFITS. HE STATED THAT THIS IS A NEW START WITH A NEW BUILDING AND BELIEVED THAT THE PROPOSED SITE FOR THE SIGN WOULD ADD VISIBILITY FOR THE RESTAURANT AND WOULD HELP TO DRAW IN CUSTOMERS.

MOTION

MOTION BY COMMISSIONER CZAPAR AND SECONDED BY COMMISSIONER LASKE, TO CLOSE THE PUBLIC HEARING. ALL VOTED IN FAVOR AND THE MOTION CARRIED.

THE PUBLIC HEARING WAS CLOSED AT 7:21 P.M.

COMMISSIONER SWENSON STATED THAT THE APPLICANT MENTIONED THAT THERE WOULD BE A NEW LOOK AND FEEL TO THE BUILDING AND QUESTIONED IF A NEW SIGN WOULD ALSO BE BENEFICIAL.

JOHN O'SULLIVAN STATED THAT THE CURRENT VERSION OF THE SIGN IS STILL BEING INSTALLED IN NEW RESTAURANTS, AND EXPLAINED THAT THE BASE WILL BE DIFFERENT, TO MATCH THE NEW BUILDING. HE STATED THAT IN THE FUTURE HE MAY COME BACK TO ASK FOR A NEW SIGN, BUT AT THIS POINT THIS SIGN IS STILL CONFORMING TO THE CULVER'S BRAND. HE QUESTIONED IF HE WOULD HAVE THE OPTION TO KEEP THE OLD SIGN BASE AND USE IT AS A SEASONAL PLANTER.

THE CITY PLANNER STATED THAT HE DID NOT THINK SPECIAL APPROVAL WOULD BE REQUIRED BUT THOUGHT THAT CITY APPROVAL WOULD BE NEEDED.

CHAIRPERSON THIEL SUGGESTED ADDING ANOTHER CONDITION SPECIFYING THAT STAFF VERIFY THE ABILITY TO USE THE CURRENT SIGN BASE AS A SEASONAL PLANTER.

COMMISSIONER CZAPAR STATED THAT SHE WOULD LIKE TO SEE THE FLAVOR OF THE DAY FROM THE HIGHWAY AND WAS IN FAVOR OF THE REQUEST.

THE CITY PLANNER STATED THAT THIS DECISION WAS NOT MADE EASILY BECAUSE STAFF DOES NOT WANT TO HAVE TOO MUCH ADVERTISING ALONG THE CORRIDOR, AS THAT WOULD TAKE AWAY FROM THE AESTHETICS AND ALSO FROM THE VALUE OF HIGHWAY ADVERTISING.

COMMISSIONER PETSCHL STATED THAT THE CURRENT LOCATION OF THE SIGN DOES NOT PROVIDE A GOOD OPPORTUNITY FOR THE BUSINESS AND BELIEVED THAT IF THE CITY COULD HELP, BY ALLOWING THE SIGN TO BE LOCATED IN THE PROPOSED LOCATION HE WOULD BE IN FAVOR OF THE REQUEST.

COMMISSIONER LASKE STATED THAT HE BELIEVED THE UNIQUE LOT ALLOWS FOR APPROVAL OF THE REQUEST AND WOULD NOT SET A PRECEDENCE. HE ALSO STATED THAT THE REQUEST FOR THE SIGN LOCATION WAS REASONABLE, AND THAT THE SIGN LOCATION WOULD BENEFIT THE BUSINESS.

CHAIRPERSON THIEL COMMENTED THAT IF BUSINESS DID NOT PICK UP FOR THE RESTAURANT THE CITY WOULD NOT NEED TO WORRY ABOUT THE SIGN LOCATION BECAUSE IT WOULD NOT BE THERE. HE STATED THAT HE WOULD BE IN FAVOR OF THE PROPOSED SIGN LOCATION, ESPECIALLY SINCE IT WOULD BENEFIT THE BUSINESS AND MAKE IT EASIER FOR THE PUBLIC TO VIEW THE FLAVOR OF THE DAY, WHICH IS AN IMPORTANT ASPECT OF THE CULVER'S BUSINESS.

COMMISSIONER KARASEK QUESTIONED IF THE PROPOSED LOCATION OF THE SIGN WOULD INTERFERE WITH TRAFFIC VISIBILITY AND WHETHER THE HEIGHT WOULD BE REGULATED.

THE CITY PLANNER REPORTED THAT REQUIREMENTS WOULD BE SET FOR THE HEIGHT OF THE SIGN, SO THAT IT DOES NOT INTERFERE WITH THE VISIBILITY OF THE EXISTING SIGN.

COMMISSIONER KARASEK QUESTIONED WHETHER THE ALLOWED SIGNS ALONG THE CORRIDOR SHOULD BE MATCHED AESTHETICALLY TO EACH OTHER.

THE CITY PLANNER REPORTED THAT WAS WHAT HAD BEEN DONE PREVIOUSLY AND THAT IS WHY THE EXISTING BASE MATCHES THE NEIGHBORING PROPERTY MATERIAL AS WELL. HE STATED THAT HE HAS SEEN THE PROPOSED BASE MATERIAL WHICH

WOULD MATCH THE NEW BUILDING AND THOUGHT IT LOOKED GREAT.

MOTION

MOTION BY COMMISSIONER CZAPAR AND SECONDED BY COMMISSIONER ELLIOTT, TO RECOMMEND APPROVAL OF THE VARIANCE AS REQUESTED, WITH FINDING AS NOTED IN THE REPORT, WITH AN ADDED CONDITION THAT STAFF RESEARCH THE ABILITY TO ALLOW THE EXISTING SIGN BASE TO BE USED AS A SEASONAL PLANTER. ALL VOTED IN FAVOR AND THE MOTION CARRIED.

CHAIRPERSON THIEL NOTED THAT THIS ITEM WOULD BE REVIEWED BY THE CITY COUNCIL AT THEIR MEETING ON APRIL 12, 2010.

JOHN O'SULLIVAN NOTED THAT HE HOPED TO OPEN THE RESTAURANT IN THE FIRST FEW WEEKS OF MAY AND THANKED STAFF FOR THEIR COOPERATION AND HARD WORK.

OTHER BUSINESS

PLANNING
COMMISSION
REPRESENTATIVE
FOR APRIL 12, 2010
CITY COUNCIL
MEETING

THE CITY PLANNER NOTED THAT COMMISSIONER LASKE WOULD BE REPRESENTING THE PLANNING COMMISSION AT THE APRIL 12, 2010 CITY COUNCIL MEETING.

COMPREHENSIVE
PLAN UPDATE

THE CITY PLANNER REPORTED THAT THE COMPREHENSIVE PLAN WAS ENDORSED BY THE CITY COUNCIL, FOR REVIEW BY THE SURROUNDING COMMUNITIES, AND WAS THEN SUBMITTED TO THE MET COUNCIL, WITH THE ADDED SUGGESTIONS MADE BY THOSE COMMUNITIES. HE ADVISED THAT THE MET COUNCIL HAS ENDORSED THE COMPREHENSIVE PLAN AND THE COUNCIL WOULD BE PROVIDING THEIR FINAL REVIEW AND APPROVAL OF THE PLAN, WITH THE EXCEPTION OF THE MISSISSIPPI RIVER PLAN, AT THE MARCH 22, 2010 MEETING. HE ADVISED THAT WITH THAT APPROVAL WOULD COME A NUMBER IMPLEMENTATION ITEMS THAT WOULD NEED TO OCCUR IN ORDER FOR THE CITY ORDINANCE AND ZONING REGULATIONS TO MATCH WHAT IS SPECIFIED IN THE COMPREHENSIVE PLAN.

ADJOURN
MOTION

MOTION BY COMMISSIONER PETSCHL AND SECONDED BY COMMISSIONER LASKE, TO ADJOURN THE MEETING. ALL VOTED IN FAVOR AND THE MOTION CARRIED. THE CHAMPLIN PLANNING COMMISSION MEETING ADJOURNED AT 7:39 P.M.

R.J. THIEL, CHAIRPERSON

ATTEST:

SCOTT SCHULTE, CITY PLANNER