

**THE REGULAR MEETING OF THE PLANNING COMMISSION BOARD HELD ON DECEMBER 21,  
2015, AT 7:00 P.M., AT THE CITY HALL COUNCIL CHAMBERS**

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The meeting was called to order at 7:00 P.M., by Jack Edmonds. Members present were Jeff Reynolds, and Chuck Young. Staff present were Jolene Foss (Comm. Dev. Director) and Mary Lou DeWitt (Comm. Dev. Assistant).

Absent was Chad Heitschmidt.

**APPROVAL OF MINUTES OF REGULAR MEETING ON NOVEMBER 16, 2015**

REYNOLDS MOVED, SECOND BY YOUNG, TO APPROVE THE MINUTES OF NOVEMBER 16, 2015. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

**AGENDA ADDITIONS / DELETIONS:**

REYNOLDS MOVED, SECOND BY YOUNG, TO APPROVE THE AGENDA. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

**PUBLIC HEARING:** None

**OLD BUSINESS:**

**A. Gas Station Canopy LED Tube Lighting**

Community Development Director Memo:

Staff is recommending the addition of language to the Zoning Ordinance to address the recent request to put LED Lighting around a gas/filling station canopy. LED bar lighting would be used to outline the canopy around the gas pumps at gas stations.

In researching Elk River, Zimmerman, Duluth, Cambridge and Milaca I did not give very much insight. Duluth prohibits this kind of lighting. Milaca, Zimmerman and Cambridge do not address this topic directly.

The City of St. Cloud does not address this issue in their Zoning Ordinance but according to the Senior Planner, they mention that shielding of LED is required if it is located adjacent to residential.

A request to PUC, Southern Minnesota Municipal Power Agency (SMMPA) and the City Attorneys has been made for their input on this topic.

Suggested language:

Definition: Any LED tube lighting that goes around the canopy of a gas station.

**F. Video Display Signs, Electronic Changeable Copy Signs, and Electronic Graphic Display Sign, and Gas Station Canopy Tube Lighting – General Provisions (Added 05-08-14; Ord. 706):**

1. Location:
  - a. Signs shall only be permitted on property that is zoned B-2 Neighborhood Business, B-3 General Commercial, HC-1 Health Care, MOR Medical Office Residential, MN-1 Industrial, and MN-2 Industrial Districts.
  - b. Signs shall not be located within 125 feet of any existing residence (including single family homes, townhomes, multi-family residential buildings, apartments, etc) without proper shielding.
2. Orientation
  - a. Signs shall not interfere with traffic and road safety due to placement and orientation, as determined by the city engineer.
3. Size and Height: The size and height of the sign shall be subject to the same provisions as any other wall or freestanding sign.
4. Brightness:
  - a. No sign may be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device, signal or the safety of the public, or located where it would do so as determined by the city engineer.
  - b. Signs must not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours, and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn, as measured from the sign's face at maximum brightness.
    - 1) The sign owner shall be required to provide an accurate field method of ensuring that maximum light levels are not exceeded if requested by City officials.
    - 2) The sign owner shall sign a license agreement supplemental to the building permit agreeing to operation of a sign in conformance with these regulations. Violation of these regulations shall result in forfeiture of the license, and the City shall be authorized to arrange disconnection of electrical service to the facility.
    - 3) Signs shall have an automatic dimmer control or other mechanism to automatically adjust its nit level based on ambient light conditions.

5. Flashing Prohibited: Flashing signs are prohibited (refer to Definition section).

6. Malfunction: In the event of a malfunction, the sign shall be designed to freeze the display, and the owner shall discontinue the display immediately upon malfunction, or upon notice from the City that the display violates the City's regulations.

\*\*\*\*\*End of staff memo\*\*\*\*\*

Foss said that Super America made a request sometime back for tube lighting. There is nothing in our Ordinance about this. Shielding this type of lighting would be difficult.

Edmonds asked can we get a definition of shielding.

Foss said she was told that the light is not directed in one direction. Brightness could be addressed.

Edmonds said it is in the Signage Ordinance.

Foss seen where it is with the nits.

Reynolds likes adding the shielding wordage. It would keep the brightness down.

Edmonds said we do have some wordage on lighting where it is suppose to go directly down. Shielding should be in there.

Reynolds said we should look at the Super America convenience station in Zimmerman.

Foss said that legal nonconforming in B-2 District should be able to make improvements on their current canopy.

Edmonds would like another word used instead of shielding.

Foss will look for a replacement word. There is wordage for the brightness in the signage area.

Edmonds would like it where it does not direct all over.

Reynolds said white lights should be directed down. Otherwise horizontal lighting is okay.

Foss said Super America has not called back on this so if the Planning Commission Board wants her to research more, she can.

Edmonds would like it in the language.

Reynolds said it should have proper shielding if closer than 125 feet from residential. Something that stops the light from shining towards any residence.

Edmonds would like better wordage than shielding.

Foss said she will keep the 125 feet from residential and if it does not go over the brightness it would not need to be shielded. It would be good to have the wordage just in case. She will look into it and see. St. Cloud Zoning Ordinance has the language and she will call them and see what they have for the definition for shielding.

Edmonds would like the wordage clear.

Foss will continue to research this.

**NEW BUSINESS:** None

**COMMUNICATION AND REPORTS:**

**A. Verbal Report**

Foss said an individual called her and is looking at a home in Princeton, but he wants to brew beer as a home occupation, a microbrewery, and sell to local business. Foss said she asked at a staff meeting and it was brought up that the fumes smell, and an accessory building cannot have a home business. The person who called said he did the ground work with Elk River and then the home he was looking at fell through. He said he needs a distributor's license.

Reynolds said it is highly regulated.

Foss said it would have to be amended in the Ordinance to allow this. This is just a conversation.

Edmonds is okay with an Ordinance amendment.

Reynolds agrees.

Foss will put something together on this.

Edmonds said on another subject he heard WSB is doing a survey on at the Industrial Park.

Foss explained it was an expansion study. The EDA Board wanted to find out if the existing industries were planning to expand. If so, what they needed and what it would cost to get parcels around our area to have industrial land. She would like to bring this to the January 7<sup>th</sup>, 2016 Study Season. The Planning Commission and EDA Board would be invited. She is not sure on the date.

**B. Reschedule January 18, 2016 and February 15, 2016 meeting dates**

DeWitt explained that the January 18<sup>th</sup>, 2016 Planning Commission meeting falls on Martin Luther King Jr. Day and the February 15, 2016 Planning Commission meeting falls on President's Day and City Hall is closed for both those days. In the past the Planning Commission has moved the meeting dates to either the following Tuesday or the following Monday.

The Planning Commission Board discussed the meeting dates change and decided on January 25<sup>th</sup> and February 22<sup>nd</sup>, 2016.

YOUNG MOVED, SECOND BY REYNOLDS, TO APPROVE THE PLANNING COMMISSION MEETING DATES TO BE RESCHEDULED TO JANUARY 25<sup>TH</sup> AND FEBRUARY 22, 2016. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

**C. City Council Minutes for November, 2015**

The Planning Commission Board had no comments.

REYNOLDS MOVED, SECOND BY YOUNG, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 7:35 P.M.

ATTEST:

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Jack Edmonds, Chairperson

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Mary Lou DeWitt, Comm. Dev. Assistant