



Approved: October 9, 2019

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**CITY OF ARDEN HILLS, MINNESOTA  
PLANNING COMMISSION  
WEDNESDAY, SEPTEMBER 4, 2019  
6:30 P.M. - ARDEN HILLS CITY HALL**

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**CALL TO ORDER/ROLL CALL**

Pursuant to due call and notice thereof, Chair Nick Gehrig called to order the regular Planning Commission meeting at 6:30 p.m.

**ROLL CALL**

Present were: Chair Nick Gehrig, Commissioners Steven Jones, James Lambeth, Jonathan Wicklund, and Clayton Zimmerman.

Absent: Commissioners Subbaya Subramnian and Paul Vijums.

Also present were: Community Development Manager/City Planner Mike Mrosla and Councilmember Fran Holmes.

**APPROVAL OF AGENDA – SEPTEMBER 4, 2019**

Chair Gehrig stated the agenda will stand as published.

**APPROVAL OF MINUTES**

*July 10, 2019 – Planning Commission Regular Meeting*

**Commissioner Lambeth moved, seconded by Commissioner Zimmerman, to approve the July 10, 2019, Planning Commission Regular Meeting as presented. The motion carried unanimously (5-0).**

**PLANNING CASES**

- A. Planning Case 19-008; Drive-Through Menu Board Sign Code Text Amendment – *Public Hearing***

**Community Development Manager/City Planner Mrosla** stated over the last few years drive-through facilities have moved away from the traditional changeable copy drive-through menu boards to dynamic display signs. Dynamic display signs are becoming the preferred method of internal and exterior menu boards for restaurants and other establishments. Dynamic display

menu board signs are more cost-effective than traditional menu boards and reduce the amount of waste in landfills. The digital display is also more energy efficient as current LED technology has a far greater lifespan than traditional bulbs and ballasts. The use of digital displays in drive-throughs reduces wait time spent in the drive-throughs by only offering items that are available, thereby reducing vehicle stacking.

**Community Development Manager/City Planner Mroska** reported all of the existing drive-through menu boards in the community consist of changeable paper copies and are backlit by bulbs. In the past, staff has utilized free standing sign requirements or designated the signs as incidental sign. An incidental sign is any sign that is generally not understandable or readable from property other than where the sign is located, such as from adjacent property or a public street. Upon review, the majority of existing drive-through menu board signs were approved as incidental signs and were not evaluated as they were located out of view. The proposed amendment would require staff to review menu boards.

**Community Development Manager/City Planner Mroska** reviewed the proposed text amendment with the Commission in further detail and reviewed the options available to the Planning Commission on this matter:

1. Recommend Approval with Conditions
2. Recommend Approval as Submitted.
3. Recommend Denial
4. Table

**Chair Gehrig** opened the public hearing at 6:44 p.m.

**Chair Gehrig** invited anyone for or against the application to come forward and make comment.

**Tracy Diehl**, McDonald's representative, stated she was an expert in the sign industry. She explained other businesses were beginning to use dynamic display menu signs and commented on how a text amendment would benefit the City of Arden Hills. She reported it was becoming increasingly difficult and expensive for fast food restaurants to use the old types of signs. She discussed the expense of keeping these signs operational and difficulty businesses had finding replacement parts. She thanked the Commission for their consideration on the proposed text amendment.

There being no additional comment Chair Gehrig closed the public hearing at 6:48 p.m.

**Commissioner Jones** questioned what kind of menu signs were allowed in the past.

**Community Development Manager/City Planner Mroska** stated menu signs were classified as auxiliary signs and/or an incidental sign. He commented many signs were viewed to be internal to the site and did not require a permit.

**Commissioner Jones** reported this technology would continue to change and evolve over time and would revolutionize storefronts in the future. He indicated he was pleased the City was reviewing this chapter of City Code. He stated he supported the proposed change.

**Commissioner Lambeth** asked if banks, post offices and pharmacies should be considered within this amendment because they all had drive through facilities.

**Ms. Diehl** commented on the discussions she had with staff to amend City Code regarding restaurant menu signs. She indicated she did not see drive through menu boards being used at post offices, pharmacies or banks at this time. She explained this may change over time. She recommended the proposed language change be made to address dynamic display menu boards.

**Commissioner Lambeth** questioned if this was truly an environmentally friendly option.

**Ms. Diehl** stated this change was an environmentally friendly option because it allows restaurants to change menus without generating a great deal of paper waste. In addition, she reported the ballasts and bulbs in the dynamic display signs were LED and not fluorescent.

**Commissioner Lambeth** inquired what was the maximum height that would be allowed for the dynamic display signs.

**Community Development Manager/City Planner Mrosla** reported the maximum height would be eight feet.

**Commissioner Lambeth** commented he believed it was easier to read a menu sign that was more horizontal in nature than vertical. He recommended fast food restaurants consider orienting their signs in this manner. He questioned if the speaker systems would be changed out with the new dynamic display signs.

**Ms. Diehl** indicated the existing speaker systems at McDonald's would remain in place.

**Commissioner Wicklund** asked why the text on the dynamic display menus would be changing three times a day.

**Ms. Diehl** explained the menus would change for breakfast, lunch and dinner. She commented on the importance of being able to remove items from the menu that were sold out.

**Commissioner Wicklund** questioned if there were any fast food restaurants that were creating noise issues in the community.

**Community Development Manager/City Planner Mrosla** reported he was not aware of any concerns at this time.

**Commissioner Zimmerman** noted several grammatical changes that should be made corrected within the text amendment.

**Chair Gehrig** recommended the menu boards be allowed to be changed three times a day. He stated he supported clarifying the sign height to ensure the language reads the sign shall be no taller than eight feet above grade.

**Commissioner Jones** commented three changes to the menu per day may be conservative.

**Councilmember Holmes** asked if this amendment was for all restaurants in the City.

**Community Development Manager/City Planner Mrosła** reported the proposed text amendment was establishments with drive through facilities.

Further discussion ensued regarding the proposed text amendment for drive through facilities.

**Chair Gehrig** reported the Commission could amend the proposed language to state it was for drive through restaurants.

**Community Development Manager/City Planner Mrosła** reported the reference to drive through facility could be changed to drive through restaurant.

**Commissioner Wicklund moved and Commissioner Zimmerman seconded a motion to recommend approval of Planning Case 19-008 for proposed amendments to Chapter 12 – Sign Code, adding a definition for Menu Board Signs, and excluding dynamic displays menu boards from prohibit signs, and adding section 1240.04 Menu Board Signs requirements, as presented in the September 4, 2019 Report to the Planning Commission with the following modifications: a drive through menu sign height shall not exceed eight feet in height; menu text shall not change more than five times per day; and that restaurant fast food drive through references be made where the code previously read drive through facility. The motion carried unanimously (5-0).**

**B. Planning Case 19-009; Amendment to Zoning Ordinance Regarding Clearcutting and Tree Preservation – *Public Hearing***

**Community Development Manager/City Planner Mrosła** stated in the last few years, there have been cases where a property owner has clear-cut a parcel of land prior to submitting any development applications. Section 1325.055 of the City Code addresses tree preservation requirements, but the requirements are currently triggered by a development application. The code does not address the removal of vegetation prior to any application. Staff reviewed the proposed changes to City Code and explained the proposed language is intended to codify the need for a tree preservation plan prior to clearcutting a site. Clearcutting is part of a larger infill development discussion. This language may not address all the issues, but it does provide some protection for clear-cutting without a development application.

**Community Development Manager/City Planner Mrosła** reviewed the options available to the Planning Commission on this matter:

1. Recommend Approval with Conditions
2. Recommend Approval as Submitted.
3. Recommend Denial
4. Table

**Chair Gehrig** opened the public hearing at 7:31 p.m.

**Chair Gehrig** invited anyone for or against the application to come forward and make comment.

There being no comment Chair Gehrig closed the public hearing at 7:31 p.m.

**Commissioner Jones** asked if the City had someone on staff that was an arborist or forester.

**Community Development Manager/City Planner Mrosla** reported a member of the Public Works Department had a forestry background.

**Commissioner Lambeth** asked if the amendment had a tree preservation provision for developers.

**Community Development Manager/City Planner Mrosla** stated a provision was in place for developers requesting a preliminary plat.

**Commissioner Lambeth** recommended all tree preservation requirements be reviewed by staff with developers through the permit application process.

**Community Development Manager/City Planner Mrosla** indicated this was currently being done by staff.

**Commissioner Wicklund** questioned what cases the City has had that brought this issue to light.

**Community Development Manager/City Planner Mrosla** reported he was unfamiliar with the cases and deferred this question to Councilmember Holmes.

**Councilmember Holmes** stated this was an evolution and direction from the Council to staff based on cases where residents have clear cut their lots, especially on the lake.

**Community Development Manager/City Planner Mrosla** explained staff was given direction from the Council to see how other cities addressed clearcutting and how they worked to recoup lost trees. He reported this information would be brought to the Commission at a future meeting.

**Commissioner Wicklund** stated it would be beneficial for the Commission to have practical examples of clear cutting issues that occurred in the City. He explained he was trying to understand the need for this code amendment and who it would impact. In addition, he wanted to better understand if this code amendment was for developers or for residents. He indicated he would also like to know more about what the penalty would be for breaking this portion of City Code.

**Community Development Manager/City Planner Mrosla** commented this language amendment was mostly development related. He agreed there should be an opportunity to impose fines or require tree replacement. He indicated this would be difficult to enforce for residents that were simply unaware of City Code tree preservation requirements.

**Commissioner Zimmerman** asked if an individual homeowner could remove a tree without a permit.

**Community Development Manager/City Planner Mrosła** explained a permit would not be required currently, but noted if a certain number of caliper inches (10%) were removed, then a permit and a replacement plan would be required.

**Commissioner Lambeth** stated he did not want to see the City over reaching with this Code amendment. He questioned who would be certifying the landscaping plans.

**Community Development Manager/City Planner Mrosła** commented generally a landscape architect would have this certification power.

**Commissioner Jones** discussed the recent Land O’Lakes expansion and described the trees that were lost and replanted. He asked if tree trimmers were required to receive a permit from the City.

**Community Development Manager/City Planner Mrosła** explained a license with the City was required but a permit from the property owner was not required.

**Chair Gehrig** stated he believed the proposed language made sense for developers. He suggested this portion of City Code requirements be separated for developers and residential homeowners.

**Commissioner Wicklund** questioned if this Code amendment was an urgent matter.

**Community Development Manager/City Planner Mrosła** indicated the Commission could table action on this item in order to allow staff to take a deeper look at the language and would bring this item back to the Commission at a future meeting.

**Commissioner Wicklund** supported this recommendation.

**Commissioner Lambeth moved and Commissioner Jones seconded a motion table action on this item directing staff to further investigate the language within this City Code text amendment and to report back at a future Planning Commission meeting. The motion carried unanimously (5-0).**

## **UNFINISHED AND NEW BUSINESS**

None.

## **REPORTS**

### **A. Report from the City Council**

**Councilmember Holmes** updated the Planning Commission on City Council activities from the July and August. She explained the Council approved the Summit development. She noted the Council recently discussed the B-2 and B-3 design standards at a worksession meeting and this item would be coming before the Planning Commission. She reported the City now had an Associate Planner Joseph Hartman. She commented the Council was working on the 2020 budget and preliminary tax levy. She reported the City was working to address the traffic

surrounding the Mounds View High School in order to improve pedestrian safety. Lastly, she explained the City was in litigation with the County regarding TCAAP.

**B. Planning Commission Comments and Requests**

None.

**ADJOURN**

**Commissioner Jones moved, seconded by Commissioner Zimmerman, to adjourn the September 4, 2019, Planning Commission Meeting at 8:00 p.m. The motion carried unanimously (5-0).**