

# **CITY OF GRAND RAPIDS**

*NOTICE OF MEETING  
PLANNING COMMISSION*



CITY OF  
**GRAND RAPIDS**  
*IT'S IN MINNESOTA'S NATURE*

## **Meeting Agenda Full Detail**

**Thursday, January 5, 2017**

**4:00 PM**

**Council Chambers**

### **Planning Commission**

*COUNCIL CHAMBERS  
CITY HALL - 420 N. Pokegama Ave.  
Grand Rapids, MN 55744*

**Call To Order****Call of Roll**

**Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.**

**Approval of Minutes**

16-0872 Approve the minutes of the October 20, 2016, 4:00 pm special meeting.

**Attachments:** [October 20, 2016 Special Meeting Minutes](#)

**General Business**

16-0878 Consider a recommendation to the City Council regarding the vacation of 10 ft. of Sixth Street N. right-of-way adjacent to Block 20, Grand Rapids First Division.

**Attachments:** [Beaty Vacation: Staff Report w/review committee comments](#)

[Beaty Vacation: Area Maps](#)

[R-O-W Vacation Considerations](#)

[Beaty Vacation: Application](#)

**Public Input**

*Individuals may address the Planning Commission about any non public hearing item or any item not included on the Regular Meeting Agenda. Speakers are requested to come to the podium, state their name and address for the record and limit their remarks to three (3) minutes.*

**Miscellaneous\Updates****Adjourn**

*NEXT REGULAR PLANNING COMMISSION MEETING IS SCHEDULED FOR:  
Thursday, February 2nd, 2017*



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 16-0872      **Version:** 1      **Name:** Approve the minutes of the October 20, 2016, 4:00 pm special meeting.

**Type:** Minutes      **Status:** Approved

**File created:** 12/13/2016      **In control:** Planning Commission

**On agenda:** 1/5/2017      **Final action:**

**Title:** Approve the minutes of the October 20, 2016, 4:00 pm special meeting.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [October 20, 2016 Special Meeting Minutes](#)

Date	Ver.	Action By	Action	Result
1/5/2017	1	Planning Commission	Approved as Presented by Commission	

Approve the minutes of the October 20, 2016, 4:00 pm special meeting.

**Background Information:**

*See attached draft meeting minutes.*

**Staff Recommendation:**

Approve the minutes of the October 20, 2016, 4:00 pm special meeting.



# CITY OF GRAND RAPIDS

NOTICE OF MEETING  
PLANNING COMMISSION

## Minutes - Final Planning Commission

*COUNCIL CHAMBERS*  
*CITY HALL - 420 N. Pokegama Ave.*  
*Grand Rapids, MN 55744*

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Thursday, October 20, 2016

4:00 PM

Council Chambers

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### Call To Order

### Call of Roll

- Present** 6 - Commissioner Julie Fedje-Johnston, Commissioner Mark Gothard, Commissioner Charles Burress, Chairperson Lester Kachinske, Commissioner Susan Lynch, and Commissioner Tasha Connelly
- Absent** 1 - Commissioner Paula Johnson

**Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.**

### Approval of Minutes

Approve the minutes of the September 22, 2016, 4:00 pm special meeting.

**Approved as Presented by Commission**

### Public Hearings

Conduct a Public Hearing to consider a variance petition submitted by Jim Shear, d.b.a. GRP, LLC.

*Community Development Specialist Trast provided the staff report. Mr. Shear has applied for two variances, which if granted, would allow for the construction of a 1,920 sq. ft. addition to the commercial building located at: 951 NW 4th Street. Mr. Shear would like to construct a 32' X 60' addition to the north end of the commercial building located on the west end of the block, which as proposed, would encroach 30' in to the required 30' front yard setback for principal structures.*

**Motion by Commissioner Fedje-Johnston, second by Commissioner Burress to open the public hearing. The following voted in favor thereof: Gothard, Connelly, Burress, Kachinske, Fedje-Johnston, Lynch. Opposed: None, passed unanimously.**

**Jim Shear, 5125 Minneapolis Avenue, Minnetrista, MN reviewed the project details with the Commissioners. The proposed addition would clean up the building and make it ADA compliant.**

**Motion by Commissioner Connelly, second by Commissioner Lynch to close the public hearing. The following voted in favor thereof: Lynch,**

Fedje-Johnston, Kachinske, Burress, Connelly, Gothard. Opposed: None, passed unanimously.

The Commissioners reviewed the considerations.

1. Is this an “Area” variance rather than a “Use” variance?

This is an area variance.

2. Does the proposal put property to use in a reasonable manner?

Why/Why not-

Yes, rather than a vacant building it will be refurbished and provide an ADA compliant space for a new tenant.

3. Is the owner’s plight due to circumstances which are unique to the property and which are not self-created by the owner?

Why/Why not-

Yes, it was built by the City in 1975 with different setbacks than are required by today’s zoning ordinance.

4. Is the variance in harmony with the purposes and intent of the ordinance?

Why/Why not-

The owner owns the property to the north of this property therefore the buffering between two properties is not in conflict with the harmony of the ordinance.

5. Will the variance, if granted, alter the essential character of the locality?

Why/Why not-

It will make it more attractive for a prospective business and meet the ADA requirements.

6. Is the variance consistent with the comprehensive plan?

Why/Why not-

Yes, the future land use is highway commercial and the zoning is general business. This will further economic opportunities and bring the property into ADA compliance which is also a part of the comprehensive plan.

Motion by Commissioner Lynch, second by Commissioner Connelly that, based on the findings of fact presented here today, and in the public’s best interest, the Planning Commission does hereby grant the following variances to Jim Shear, d.b.a. GRP, LLC. for the property legally described as: W 137 ft. of Lots 13-17 & W 137 ft. of Lot 18 LESS the N 9 ft., all in Block 23, Grand Rapids Second Division, Itasca County, Minnesota;

- to allow a one-time waiver of the requirements of Section 30-512 Table 17C-2 and Section 30-458(c)1.b of the Municipal Code for the construction of a 32’ X 60’ addition to the existing commercial building located on the property, which currently encroaches 30 ft. into the required 30 ft. front yard setback. As proposed, the addition to the nonconforming building, would add an additional 960 sq. ft. of building encroachment within the required 30 ft. front yard setback for principal structures, as depicted in the variance application submitted by Mr. Shear.

With the considerations discussed by the Commissioners.

The following voted in favor thereof: **Gothard, Connelly, Burress, Kachinske, Fedje-Johnston, Lynch.** Opposed: None, passed unanimously.

Conduct a Public Hearing to consider a variance petition submitted by Steve Wernimont dba Wernimont Properties, LLC. and property owner David Hartley, etal.

*Mr. Trast provided the background on this request. Mr. Wernimont and property owner David Hartley, have applied for two variances, which if granted, would allow for a freestanding sign to be added to Lot 3, Block 1, Hartley Addition, to service a proposed restaurant. The requested variances, if approved, would allow for a freestanding sign to be added to Lot 3, Block 1, Hartley Addition, to service a proposed restaurant. The subject lot currently has the vacated, former K-Mart freestanding sign on it, which is proposed to be an off-premises sign for Lot 1, Blk. 1, Hartley Add., and is currently setback approximately 17 ft. from the front lot line; Variance #1: 13 ft. setback reduction from the required 30 ft. front yard setback for off-premises signs and; Variance #2: 130 ft. reduction, from the required 300 ft. separation, between freestanding signs on the same lot.*

**Motion by Commissioner Fedje-Johnston, second by Commissioner Lynch to open the public hearing. The following voted in favor thereof: Gothard, Connelly, Burress, Kachinske, Fedje-Johnston, Lynch.** Opposed: None, passed unanimously.

Brian Polister, 23517 US Hwy 2, Grand Rapids, MN discussed why Culvers requires a stand alone pylon sign. He also explained why the developer would like to keep the off premise sign for future use. If the variance was not granted Mr. Polister would not be able to open his franchise in this location.

**Motion by Commissioner Lynch, second by Commissioner Connelly to close the public hearing. The following voted in favor thereof: Lynch, Fedje-Johnston, Kachinske, Burress, Connelly, Gothard.** Opposed: None, passed unanimously.

The Commissioners reviewed the considerations.

1. Is this an "Area" variance rather than a "Use" variance?  
This is an area variance.
2. Does the proposal put property to use in a reasonable manner?  
Why/Why not-  
It allows for signage to identify a building and connects well with the planned purpose of the property which is reasonable.
3. Is the owner's plight due to circumstances which are unique to the property and which are not self-created by the owner?  
Why/Why not-  
Yes, due to buildings having a life span and developments having to reinvent themselves over the long term this plight is not necessarily created by the owner which does make this unique.
4. Is the variance in harmony with the purposes and intent of the ordinance?  
Why/Why not-  
Yes, if the lots were smaller there could be three times the signage and it is also unique because American Bank isn't an

elevated sign and Culvers is.

5. Will the variance, if granted, alter the essential character of the locality?

Why/Why not-

No, it will not change the essential character.

6. Is the variance consistent with the comprehensive plan?

Why/Why not-

Yes, it is consistent with the future land use which will provide economic opportunities and create jobs.

Motion by Commissioner Lynch, second by Commissioner Connelly that, based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby grant the following variances to Steve Wernimont dba Wernimont Properties, LLC. and property owner David Hartley, etal. for the property legally described as: Lot 3, Block 1, Hartley Addition, Itasca County, Minnesota;

• to allow a one-time waiver of the requirements of Section 30-678(f) and Section 30-679(3)d. of the Municipal Code allowing for the placement of a 2nd freestanding sign to be added to Lot 3, Block 1, Hartley Addition, which as proposed in the variance application requires:

- 1. Variance #1: 13 ft. setback reduction from the required 30 ft. front yard setback for off-premises signs and;
- 2. Variance #2: 130 ft. reduction, from the required 300 ft. separation, between freestanding signs on the same lot.

and that the following condition(s) shall apply:

• This is only granted upon the premise it is used for a Culvers sign with the same dimesions and look as the picture provided by the petitioner with no modifications other than those presented to the Commission tonight and if there were ever any variations sought it must come back to the Planning Commission.

The following voted in favor thereof: Connelly, Burress, Kachinske, Fedje-Johnston, Lynch. Opposed: None, Gothard abstained, motion carried.

**Public Input**

**Miscellaneous\Updates**

**Adjourn**

Adjourn

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