

CITY OF GRAND RAPIDS

*NOTICE OF MEETING
PLANNING COMMISSION*



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

Meeting Agenda Full Detail

Thursday, October 1, 2015

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

15-1639 Approve the minutes of the September 3, 2015, 4:00 pm regular meeting.

Attachments: [September 3, 2015 Meeting Minutes](#)

Public Hearings

15-1649 Conduct a Public Hearing to consider a variance petition submitted by Zion Lutheran Church.

Attachments: [Zion Lutheran Church Variance: Staff Report w/map](#)

[Variance Considerations](#)

[Zion Lutheran Church Variance 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, November 5th, 2015*



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 15-1639 **Version:** 1 **Name:** Approve the minutes of the September 3, 2015, 4:00 pm regular meeting.

Type: Minutes **Status:** Approved

File created: 9/21/2015 **In control:** Planning Commission

On agenda: 10/1/2015 **Final action:**

Title: Approve the minutes of the September 3, 2015, 4:00 pm regular meeting.

Sponsors:

Indexes:

Code sections:

Attachments: [September 3, 2015 Meeting Minutes](#)

Date	Ver.	Action By	Action	Result
10/1/2015	1	Planning Commission	Approved as Presented by Commission	

Approve the minutes of the September 3, 2015, 4:00 pm regular meeting.

Background Information:

See attached draft meeting minutes.

Staff Recommendation:

Approve the minutes of the September 3, 2015, 4:00 pm regular 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

Thursday, September 3, 2015

4:00 PM

Council Chambers

Call To Order

Call of Roll

- Present** 4 - Commissioner Mark Gothard, Commissioner Marn Flicker, Commissioner Lester Kachinske, and Commissioner Susan Lynch
- Absent** 2 - Chairperson Julie Fedje-Johnston, and Commissioner Charles Burress

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.

Approved As Presented

Approval of Minutes

Approve the minutes of the July 7, 2015, 4:00 pm regular meeting.

Approved as Presented by Commission

General Business

Consider a recommendation to the City Council regarding the vacation of certain portions of public right-of-way and public easements located within the City of Grand Rapids.

Community Development Specialist Trast provided the staff report. Mr. Trast reviewed each of the vacations with the Commissioners.

Motion by Commissioner Lynch, second by Commissioner Kachinske that, based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby forward to the City Council a recommendation to approve the vacation of public right-of-ways and public easement identified as:

Exhibits: A, B, C, D, E-1, F

Commissioner Lynch read her considerations for the record.

1. Is the right-of-way needed for traffic purposes?

Why/Why not?

No, it is no longer needed for traffic purposes.

2. Is the right-of-way needed for pedestrian purposes?

Why/Why not?

No, they have been retained where an easement is needed.

3. Is the right-of-way needed for utility purposes?

Why/Why not?

No, utility easements have been retained by the PUC in the areas they are needed.

4. Would vacating the right-of-way place additional land on the tax rolls?

Why/Why not?

Yes, it would be a minimal amount.

5. Would vacating the right-of-way facilitate economic development in the City?

Why/Why not?

Yes, there is a minimal potential for economic development.

and

1. Is the easement needed for traffic purposes?

Why/Why not?

No, it is no longer needed for traffic purposes.

2. Is the easement needed for pedestrian purposes?

Why/Why not?

No, easments have been retained where they are needed.

3. Is the easement needed for utility purposes?

Why/Why not?

No, the utility easements that are needed have been retained.

4. Would vacating the easement place additional land on the tax rolls?

Why/Why not?

Yes, a very small amount.

5. Would vacating the easement facilitate economic development in the City?

Why/Why not?

Yes, there could be the possibility for a minimal amount.

The following voted in favor thereof: Flicker, Gothard, Lynch, Kachinske.

Opposed: None, passed unanimously.

Public Input

Miscellaneous\Updates

Community Development Specialist Trast noted that the vacancy on the Planning Commission should be filled by the October meeting. He is also continuing to look for training for the Commissioners.

Adjourn

Adjourn



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Legislation Details (With Text)

File #: 15-1649 **Version:** 1 **Name:** Conduct a Public Hearing to consider a variance petition submitted by Zion Lutheran Church.

Type: Public Hearing **Status:** PC Public Hearing

File created: 9/22/2015 **In control:** Planning Commission

On agenda: 10/1/2015 **Final action:**

Title: Conduct a Public Hearing to consider a variance petition submitted by Zion Lutheran Church.

Sponsors:

Indexes:

Code sections:

Attachments: [Zion Lutheran Church Variance: Staff Report w/map](#)
[Variance Considerations](#)
[Zion Lutheran Church Variance Application](#)

Date	Ver.	Action By	Action	Result
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10/1/2015	1	Planning Commission		
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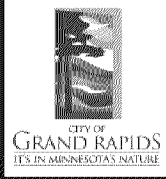
Conduct a Public Hearing to consider a variance petition submitted by Zion Lutheran Church.

Background Information:

See attached Staff Report and Background Information.

Staff Recommendation:

Conduct a Public Hearing to consider a variance petition submitted by Zion Lutheran Church.



Planning Commission Staff Report

Agenda Item #2	Community Development Department	Date: 10/1/2015
Statement of Issue:	Conduct a Public Hearing to consider a variance petition submitted by Zion Lutheran Church.	
Background:	<p>Zion Lutheran Church has applied for one variance, which if granted, would allow for replacement and reconfiguration of their sign located at: 2901 S. US Hwy 169.</p> <p>The subject property is 14 acres in area, and located within a AG (Agricultural) zoning district. The property is legally described as:</p> <p style="text-align: center;"><i>S 600 ft. of SW NW LYG W of HWY 169, SECTION 33, TOWNSHIP 55N, RANGE 25W, Itasca County, Minnesota.</i></p> <p>Zion Lutheran Church has requested the Planning Commission’s consideration of one variance from Section 30-680(f) of the Municipal Code, which lists structural requirements for signs, more specifically, lighted signs that give the illusion of movement. Subpart <i>f</i> requires any such sign to be more than ten feet above the ground and more than 150 ft. from any intersection controlled by a traffic signal.</p> <p>The requested variance, if approved, would allow for the Church’s replacement of their existing monument sign with a sign that has a digital “reader board” component to it. As proposed the bottom portion of the new sign would be 4 ft. above ground, which is a 6 ft. reduction in height, above ground, from the required 10 ft. minimum height above ground for lighted signs that give the illusion of movement.</p> <p>The applicant, within the variance petition, cites the elevation of the sign location, at approximately 6 ft. above the elevation of the roadway, as a unique circumstance to this situation. With a 4 ft. proposed height above the ground, at the signs location, the reader board portion of the sign would be approximately 10 ft. above the height of the driving surface (Hwy. 169), and from their perspective, would meet the intent of the Zoning Ordinance’s required height clearance above ground, and not be directly at eye level of motorists where the sign movement would be a potential distraction.</p> <p>The replacement and reconfiguration of the subject sign, as proposed within the variance application, would require the Planning Commission’s approval of one variance;</p> <ol style="list-style-type: none"> 1. Section 30-680(f) of the Municipal Code which addresses Structural Requirements for signs: 	

	<p>(f) Flashing lights. <i>Signs shall not be erected or maintained that contain any flashing light or any lights that give the illusion of movement unless such light or lights <u>are more than ten feet above the ground</u> and more than 150 feet from any intersection controlled by a traffic signal.</i></p>
<p>Considerations:</p>	<p>When reviewing a request for a variance, the Planning Commission must make findings based on the attached list of considerations.</p>
<p>Recommendation:</p>	<p>Staff recommends that the Planning Commissioners visit the site and look at the situation.</p> <p>Prior to making a motion to approve or deny the request, the Planning Commission should make specific findings to support its recommendation and reference those specific findings in their motion to either approve or deny the variance(s).</p>
<p>Required Action:</p>	<p>Approve a motion to either: approve, approve with additional conditions, or deny the petitioned variance.</p> <p><u>Example Motion:</u></p> <p>Motion by _____, second by _____ that, based on the findings of fact presented here today, and in the public’s best interest, the Planning Commission does hereby (grant)(deny) the following variance to Zion Lutheran Church, for the property legally described as: <i>S 600 ft. of SW NW LYG W of HWY 169, SECTION 33, TOWNSHIP 55N, RANGE 25W, Itasca County, Minnesota;</i></p> <ul style="list-style-type: none"> • to allow a one-time waiver of the requirements of Section 30-680(f) of the Municipal Code for the replacement of a monument sign with a sign that has a digital “reader board” component to it, the bottom portion of which would be 4 ft. above ground, or a 6 ft. reduction in height, above ground, from the required 10 ft. minimum height above ground for lighted signs that give the illusion of movement, as proposed within the petitioners variance application. <p><i>(If the Planning Commission wishes to place conditions upon their approval, the following should be added to the motion:)</i></p> <p>and that the following condition(s) shall apply:</p> <ul style="list-style-type: none"> • _____
<p>Attachments:</p>	<ul style="list-style-type: none"> • Site Map • Copy of the variance petition and associated documentation • List of the Planning Commissions Variance Considerations

Zion Lutheran Church Variance Request

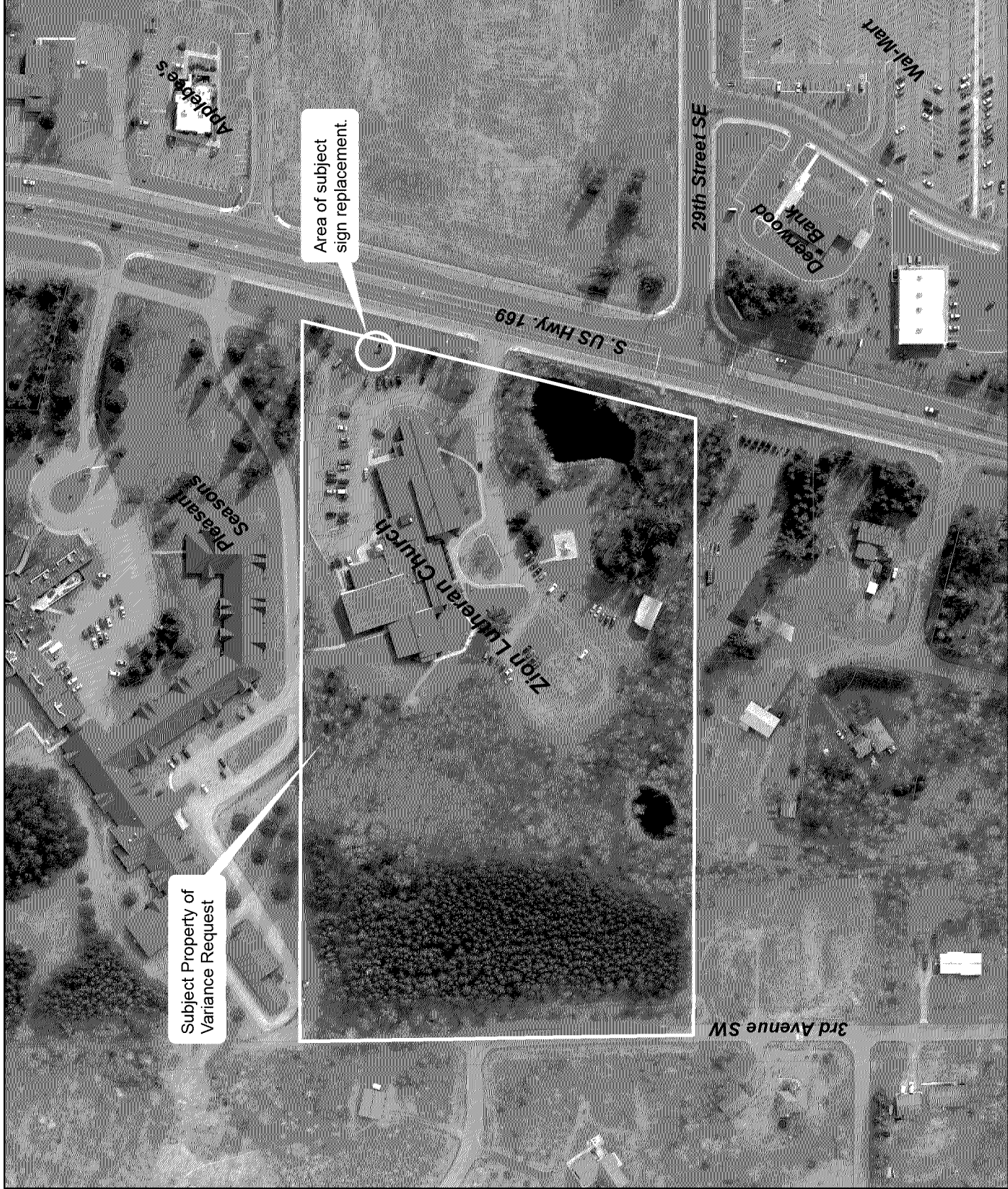


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Legend

- Parcels
- 2015 Aerial Photo
- RGB
 - Red: Red
 - Green: Green
 - Blue: Blue



200 100 0 200 Feet

PLANNING COMMISSION

Considerations

VARIANCE

1. Is this an "Area" variance rather than a "Use" variance?
2. Does the proposal put property to use in a *reasonable manner*?
Why/Why not-
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-
4. Is the variance in *harmony with* the purposes and intent of the *ordinance*?
Why/Why not-
5. Will the variance, if granted, alter the *essential character* of the locality?
Why/Why not-
6. Is the variance *consistent with* the *comprehensive plan*?
Why/Why not-



Petition for Variance
 Community Development Department
 420 North Pokegama Ave.
 Grand Rapids, MN 55744
 Tel. (218) 326-7601 Fax (218) 326-7621
 Web Site: www.grandrapidsmn.org

The undersigned do hereby respectfully request the following be granted by support of the following facts herein shown:

<u>Zion Lutheran Church</u> Name of Applicant*1	_____	Name of Owner (If other than applicant)
<u>2901 S. Hwy 169</u> Address	_____	Address
<u>Grand Rapids MN 55744</u> City State Zip	_____	City State Zip
<u>218-326-8553 alsween76@gmail.com</u> Business Telephone/e-mail address	_____	Business Telephone/e-mail address

*1 If applicant is not the owner, please describe the applicant's interest in the subject property. _____

Parcel Information:

Tax Parcel # 91-033-2305 Property Size: 14.01 Acres

Existing Zoning: Agricultural

Existing Use: Church

Property Address/Location: 2901 S. US HWY 169 Grand Rapids, MN 55744

Legal Description: S. 600' of SW NW LYG W of HWY 169
 (attach additional sheet if necessary)

I (we) certify that, to the best of my (our) knowledge, information, and belief, all of the information presented in this application is accurate and complete and includes all required information and submittals, and that I consent to entry upon the subject property by public officers, employees, and agents of the City of Grand Rapids wishing to view the site for purposes of processing, evaluating, and deciding upon this application.

Andy Sween Zion Council 9-15-15
 Signature(s) of Applicant(s) Vice-President Date

 Signature of Owner (If other than the Applicant) Date

SEP 16 2015

Office Use Only

Date Received _____ Certified Complete 9/15 Fee Paid 750.00

Planning Commission Recommendation: _____ Approved _____ Denied _____ Meeting Date 10/1/15

Summary of Special Conditions of Approval: _____

Required Submittals:

Application Fee - \$252.50 *2

Site Map- Drawn to scale, showing the property dimensions, existing and proposed, building(s)/addition(s) and their size(s) including: square footage, curb cuts, driveways, access roads, parking spaces, sidewalks and wells & septic systems.

*2 The application fees charged are used for postage to mail the required notices to adjacent properties, publication of the public hearing notice in the Grand Rapids Herald Review, and for a small portion of staff time for case review and preparation of documents. It is the policy of the City of Grand Rapids to require applicants for land use approvals to reimburse the City for costs incurred by the City in reviewing and acting upon applications, so that these costs are not borne by the taxpayers of the City.

Proposed Variance:

A. Please describe in detail the proposed or requested variance:

The variance requested is for the reduction of the minimum height of our sign from the standard minimum of 10 feet to a requested 4 feet above ground level. This request is based on the unique position of the current sign which sits on a hill adjacent to the roadway. According to a City of Grand Rapids topographical map the elevation at street level is 1344' and elevation at the sign is 1350', placing the sign approximately 6' above the roadway.

B. Provide an itemization of the required regulations pertaining to this variance (i.e., setback lines, lot coverage ratios, parking requirements).

Section 30-680 structural requirements sub part (f) Flashing Lights- "Signs shall not be erected or maintained that contain any flashing light or any lights that give the illusion of movement unless such light or lights are more than ten feet above the ground and more than 150 feet from any intersection controlled by a traffic signal."

Justification of Requested Variance: Provide adequate evidence indicating compliance with the following provisions of the ordinance concerning variances (Section 30-453(e) "Findings for Variances"). Detailed answers are needed because the Planning Commission shall grant a variation only when they have determined, and recorded in writing, that all of the following provisions have been met.

A. That the requested variance does not allow a use that is otherwise excluded from the particular zoning district in which it is requested.

Applicant justification (refer to Table of Uses in City Code Section 30-512):

The current Agricultural designation allows for churches and similar institutions.

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

Applicant justification - Describe how your situation applies to the above statement:

Yes. The overall usage of the property will not change.

C. The plight of the landowner is due to circumstances unique to the property in question, and not created by the landowner subsequent to the adoption of this ordinance.

Applicant justification - Describe how your situation applies to the above statement:

The variance request is solely due to the uniqueness of the elevation of the property in relation to the roadway.

D. That the variance, if granted, shall be in harmony with purposes and intent of the ordinance, and will not be detrimental to the public welfare or the property or improvements in the neighborhood, and will not alter the essential character of the locality.

Applicant justification - Describe how your situation applies to the above statement:

We fully understand and respect the intent of the ordinance: to protect drivers from distracting images in their direct line of sight. Our intent is to strike a balance between an eye level distraction and something that is too high in the air that motorists would have to change their driving posture and strain to see. This may be as dangerous as a street level sign. We feel our request achieves that balance and protects motorists as well as meets the goal for our sign upgrade.

E. That the variance, if granted, shall be consistent with the comprehensive plan.

Applicant justification - Describe how your situation applies to the above statement:

We support and agree to abide by the City of Grand Rapids' comprehensive plan. Our upgraded sign will have an overall size of 74" high and 84" wide in the message board portion. We feel that this size will not be overly obtrusive and shall be consistent with the goals of the comprehensive plan.

City Process:

1. Applicant submits a completed application to the Grand Rapids Community Development Department by the 15th of the month.
2. Review by staff for completeness of application.
3. Notification of adjoining property owners.
4. Publish Notice of Public Hearing.
5. Prepare Staff Report and background information.
6. Public Hearing and action at Planning Commission Meeting (First Thursday of each month).

Findings for Approval:

The Planning Commission, in support of its action, will make findings of fact based on their responses to the following list of considerations:

- Is this an "Area" variance rather than a "Use" variance?
- Does the proposal put property to use in a reasonable manner?
- Are there unique circumstances to the property not created by the landowner?
- Is the variance in harmony with the purposes and intent of the ordinance?
- Will the variance, if granted, alter the essential character of the locality?
- Is the variance consistent with the comprehensive plan?

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

More information may be requested by the City of Grand Rapids Planning Commission, if deemed necessary to properly evaluate your request. The lack of information requested may be in itself sufficient cause to deny an application.





Zion
LUTHERAN

**FULL COLOR
MESSAGE CENTER
19mm 41" X 87"**

4 ft.



Total Property Size 14.01 Acres.

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S. US. ARMY. 100