

CITY OF GRAND RAPIDS

*NOTICE OF MEETING
PLANNING COMMISSION*



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

Meeting Agenda Full Detail

Thursday, June 7, 2012

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

12-0339 Approve the minutes of the May 3, 2012 3:30 pm worksession, and 4:00 pm regular meeting.

Attachments: [May 3, 2012 Worksession Mtg. Minutes](#)
[May 3, 2012 Planning Commission Mtg. Minutes](#)

General Business

12-0340 Consider a recommendation to the City Council regarding the vacation of the platted Division Avenue right-of-way within McKinney Lake Addition to Grand Rapids.

Attachments: [Foust Vacation PC Staff Report 6-7-12 Mtg.](#)
[Foust Vacation Application- 6-7-12 Mtg.](#)
[Right-of-way Vacation Considerations](#)

12-0344 Consider a recommendation to the City Council regarding the rezoning of a 9.9 acre parcel of land from I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density).

Attachments: [Edvenson Rezone PC Staff Report 6-7-12 Mtg.](#)
[Rezoning Considerations](#)
[Edvenson Rezoning Application- 6-7-12 Mtg.](#)

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:
July 5th, 2012



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 12-0339 **Version:** 1 **Name:** Approve the minutes of the May 3, 2012 3:30 pm worksession, and 4:00 pm regular meeting.

Type: Minutes **Status:** Approved

File created: 5/25/2012 **In control:** Planning Commission

On agenda: 6/7/2012 **Final action:**

Title: Approve the minutes of the May 3, 2012 3:30 pm worksession, and 4:00 pm regular meeting.

Sponsors:

Indexes:

Code sections:

Attachments: [May 3, 2012 Worksession Mtg. Minutes](#)
[May 3, 2012 Planning Commission Mtg. Minutes](#)

Date	Ver.	Action By	Action	Result
6/7/2012	1	Planning Commission	Approved as Presented by Commission	Pass

Approve the minutes of the May 3, 2012 3:30 pm worksession, and 4:00 pm regular meeting.

Background Information:

See attached draft minutes.

PLANNING COMMISSION WORKSESSION
THURSDAY, MAY 3, 2011 – 3:30 P.M.
GRAND RAPIDS CITY HALL – 420 NORTH POKEGAMA AVE.
GRAND RAPIDS, MINNESOTA 55744

CALL TO ORDER:

Pursuant to due notice and call thereof, a Special Meeting/Worksession of the Grand Rapids Planning Commission was held in Council Chambers of City Hall on Thursday, May 3, 2011 at 3:30 p.m.

CALL OF ROLL: On a Call of Roll the following members were present: Commissioners: Mark Gothard, Michael Twite, Shane McKellep, Julie Fedje-Johnston, Ron Niemala, Lee Anderson. Absent: Marn Flicker.

Staff Present: Rob Mattei, Eric Trast, Attorney Chad Sterle.

The Planning Commission met to discuss the following:

Review and discuss draft Business Park Text and Zoning Map amendments.

Community Development Director Mattei provided a power point presentation for the Commissioners.

There being no further business, the meeting was adjourned at 3:59 p.m.

Respectfully Submitted:

Aurimy Groom, Recorder



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, May 3, 2012

4:00 PM

Council Chambers

Call To Order

Call of Roll

- Present** 6 - Commissioner Lee Anderson, Commissioner Julie Fedje-Johnston, Commissioner Shane McKellep, Commissioner Ron Niemala, Chairperson Michael Twite, and Commissioner Mark Gothard
- Absent** 1 - Commissioner Marn Flicker

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 April 5, 2012 4:00 pm regular meeting.

Motion by Commissioner Fedje-Johnston, second by Commissioner McKellep to approve the minutes of the April 5, 2012 meeting as presented. The motion passed by an unanimous vote.

General Business

Consider a recommendation to the City Council regarding amendments to the Zoning Ordinance that would amend multiple sections of Chapter 30 *Land Development Regulations* establishing the BP/SBP (Business Park/Shoreland Business Park).

Motion by Commissioner Anderson, second by Commissioner Fedje-Johnston that, based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby forward a favorable recommendation to the City Council regarding the draft amendments to Chapter 30 of the Zoning Ordinance, establishing the BP/SBP (Business Park/Shoreland Business Park) district, as directed by the 2011 Comprehensive Plan with the following amendments:

Add to Section 30-421 Definitions:

- **Transportation dispatch and storage, means a facility that provides storage and dispatch of taxi, limousine, charter/school/tour/public transit bus services, and all other similar vehicles that provide passenger transportation.**
 - o **Add to Section 30-512 Table 1 as permitted uses in: Business Park, General Business, and Public Use zoning districts.**

Add to Section 30-512 Table 1:

- **Use permitted with restrictions (R), repair/service of Automotive/recreational vehicles, under BP/SBP district.**
 - o **Add BP/SBP to Section 30-564(3) Uses w/restrictions.**

Add to Section 30-679 District regulations for on-premises signs (4) Signs in industrial districts:

- **Business Park to heading**
- **As #3 under heading: There shall be no more than one freestanding sign per 300 feet of street frontage on any lot.**
- **As #4 under heading: Within the BP and SBP zoning districts, portable sign requirements/restrictions as set forth in Section 30-679(3)f.**

Commissioner Anderson read his considerations for the record:

1. Will the change affect the character of the neighborhood?

Yes, with the creation of a BP/SBP Zoning district we will be creating a new neighborhood.

2. Will the change foster economic growth in the community?

Yes, it will enhance business.

3. Would the proposed change be in keeping with the spirit and intent of the Zoning Ordinance?

Yes.

4. Would the change be in the best interest of the general public?

Yes, the business park concept fills a void between IP and GB.

5. Would the change be consistent with the Comprehensive Plan?

Yes, when drafting this zoning district the guidance came from the 2011 Comprehensive Plan.

The motion passed unanimously.

Consider a recommendation to the City Council regarding a zoning map amendment over the area platted as Industrial Park Addition to Grand Rapids from the established I-1/SI-1 (Industrial Park/Shoreland Industrial Park) district to BP/SBP (Business Park/Shoreland Business Park) district.

Motion by Commissioner Fedje-Johnston, second by Commissioner Anderson 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 amending the Official Zoning Map over the area platted as Industrial Park Addition to Grand RapidsR from the established I-1/SI-1 (Industrial Park/Shoreland Industrial Park) district to BP/SBP (Business Park/Shoreland Business Park) district and SR3 (Shoreland Multi- Family Residential Medium Density) as shown in draft maps and as guided by the 2011 Comprehensive Plan.

Commissioner Fedje-Johnston read her considerations for the record:

1. Will the change affect the character of the neighborhood?

Currently the area is Industrial as the growth and development of the City is moving that way a Business Park zoning classification more accurately represents that area.

2. Will the change foster economic growth in the community?

Yes, economic impact may result as businesses look to expand yet stay near the GB zoned areas, this change will accomodate businesses that need more space.

3. Would the proposed change be in keeping with the spirit and intent of the Zoning Ordinance?

Spirit and intent of the zoning ordinance stays the same the creation of a new category represents a more accurate dipiction of how the area is evolving.

4. Would the change be in the best interest of the general public?

Yes, the public's interest is served by accurately defining how the area has evolved BP/SBP allows for predicability in business expansion and development.

5. Would the change be consistent with the Comprehensive Plan?

Yes, the change carries out one future land use designation from the comp plan.

Public Input

Miscellaneous\Updates

Adjourn

Motion by Commissioner Anderson, Second by Commissioner Fedje-Johnston to adjourn the meeting at 5:25 p.m. The motion passed by an unanimous vote.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 12-0344 **Version:** 1 **Name:** Consider a recommendation to the City Council regarding the rezoning of a 9.9 acre parcel of land from I-2 to R-4.

Type: Agenda Item **Status:** Passed

File created: 5/29/2012 **In control:** Planning Commission

On agenda: 6/7/2012 **Final action:** 6/7/2012

Title: Consider a recommendation to the City Council regarding the rezoning of a 9.9 acre parcel of land from I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density).

Sponsors:

Indexes:

Code sections:

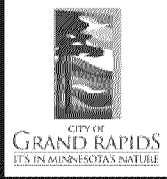
Attachments: [Edvenson Rezone PC Staff Report 6-7-12 Mtg.](#)
[Rezoning Considerations](#)
[Edvenson Rezoning Application- 6-7-12 Mtg.](#)

Date	Ver.	Action By	Action	Result
6/7/2012	1	Planning Commission	Approved	Pass

Consider a recommendation to the City Council regarding the rezoning of a 9.9 acre parcel of land from I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density).

Background Information:

See attached Staff Report and background information.



Planning Commission Staff Report

Agenda Item #3	Community Development Department	Date: 6/7/12
Statement of Issue:	Consider a recommendation to the City Council regarding the rezoning of a 9.9 acre parcel of land from I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density).	
Background:	<p>Harley Edverson filed an application for a Zoning Map Amendment with the City on April 26, 2012. The application requests the City's consideration of the rezoning of the following described property from its current I-2 (General Industrial Park) designation to that of R-4 (Multiple-family Residential- high density):</p> <p style="text-align: center;"><i>E 440 ft. of W 880 ft. of the N 30 acres of the NW NE, Section 33, Township 55N, Range 25W, Itasca County, Minnesota</i></p> <p>The petition submitted by Mr. Edverson, involves 9.9 acres of land, and is generally located on the south side of 21st Street SE, approximately 600' west of 7th Avenue SE (<i>see map #1</i>). Map #1 illustrates the subject property in relation to the existing zoning in the area: GB (General Business) across 21st Street to the northwest, and a combination of I-2 (General Industrial Park) and I-1 (Industrial Park) on the remaining three sides of the property. The southeast corner of the subject property is located within the Airport Safety Zone A for Runway 5-23, which does not allow for any structures to be placed within that area.</p> <p>It is Mr. Edverson's hope that, if approved, the Zoning Map Amendment would add to the marketability of his property, by addressing the need for more high-density residential zoned property within the city.</p> <p>A sample listing of the uses permitted by right in an R-4 zoning district are as follows:</p> <ul style="list-style-type: none"> ▪ Single family detached, twin homes, two family attached, multi-family, group and foster homes for 17 or more residents, senior housing w/services for greater than 17 residents, daycare/nurseries- 14 or fewer persons, accessory buildings, and public athletic facilities. <p>A sampling of other uses permitted in R-4 with additional restrictions includes:</p> <ul style="list-style-type: none"> • Bed and breakfast accommodations, emergency housing facilities, churches, daycare/nurseries- 15 or more persons, and elementary and secondary schools. <p>The following table shows a comparison of the yard and bulk requirement of R-4 and I-2 zoning, and illustrates several differences between the two zoning districts;</p>	

larger lot size, greater setbacks, more surface coverage, and greater building heights permitted in I-2 zoning.

	R-4	I-2
Min. Lot Size	gross area-15,000 sq. ft., area (unit)-2,500 sq. ft., width-100 ft.	gross area-1 acre, area (unit)- N/A, width- 150 ft.
Min. Yard Setbacks	front-35 ft, int. side-20 ft, street side-30 ft, rear- 35 ft.	front-50 ft, int. side-25 ft., street side-25 ft, rear- 25 ft.
Max. Lot Coverage	building-35%, total surface-75%, GUOS (unit)- 400	building-60%, total surface-90%, GUOS- N/A
Building Size	max. height- 45 ft., min. dimension- 24 ft	max. height- 110 ft., min. dimension- N/A.

The Future Land Use map contained within the recently updated Comprehensive Plan (*see map #2*) shows the subject property located within a slightly larger area indicated as future Multi-family Residential. This area includes two city-owned properties, one on either side of 21st Street at 7th Avenue, as well as the subject property.

In addition to the petitioned rezoning, staff would recommend the Planning Commission consider rezoning the parcels, labeled as #1 and #2, on *map #2* to R-4 (Multiple-family Residential- high density), which would be consistent with both the subject property's petition and the Comprehensive Plan's Future Land Use map.

The City Council or the Planning Commission may, upon their own motion, initiate a request to amend the Zoning Ordinance text or the Official Zoning Map. If in considering the petitioned request, the Planning Commission desires to initiate and provide a recommendation to the City Council for a broader area of rezoning they can do so by their motion.

Additionally, due to the date the Zoning Map Amendment application was received by the city (April 26, 2012), in relation to the Planning Commission and City Council's regular meeting schedules, staff requests that the Planning Commission exercise their ability to extend the 60 Day Rule an additional 60 days, as per Minnesota Statute §§ 15.99, Subd. 3(f). This action is only to ensure that the City had sufficient time to review and render a decision on the rezoning petition. The City Council is scheduled to conduct a public hearing on the rezoning petition June 25, 2012 (the 60th day).

Considerations:

When reviewing a request for a rezoning, the Planning Commission must make findings based on the attached list of considerations.

Recommendation

Staff recommends that the Planning Commissioners visit the site and look at the situation.

	<p>Prior to making a motion to recommend to the City Council approval or denial of 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 rezone.</p>
<p>Required Action:</p>	<p>Pass a motion forwarding a recommendation to the City Council for approval or denial of the requested rezoning.</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 forward to the City Council a recommendation to <u>(approve)(deny)</u> to rezone the requested area, and an expanded area to R-4.</p> <p><u>Example Motion(s):</u></p> <p style="text-align: center;"> Action on the Petition ONLY </p> <p style="text-align: center;"> 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 forward to the City Council a recommendation to <u>(approve)(deny)</u> the rezoning of property, as petitioned by Mr. Harley Edverson, legally described as; E 440 ft. of W 880 ft. of the N 30 acres of the NW NE, Section 33, Township 55N, Range 25W, Itasca County, Minnesota and as shown in the maps presented here today, from the established I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density); </p> <p style="text-align: center;"><u>OR</u></p>

	<p style="text-align: center;"><u>Motion to initiate rezoning</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 forward to the City Council a recommendation to <u>(approve)(deny)</u> the rezoning of property, as petitioned by Mr. Harley Edvenson, and as expanded by the Planning Commission, legally described as; <i>E 440 ft. of W 880 ft. of the N 30 acres of the NW NE, AND N 318 ft. of NW NE LYG E of W 880 ft. Thereof, all in Section 33, Township 55N, Range 25W, Itasca County, Minnesota;</i></p> <p style="text-align: center;"><i>AND</i></p> <p><i>E 766.9 ft. of S 563 ft. of SW SE Less N 284.5 ft. of E 346.9 ft. Thereof,</i> and as shown in the maps presented here today, from the established I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density), as recommended by the Comprehensive Plan</p> <p><i>*additionally, extend 60 Day Rule an additional 60 days, as per Minnesota Statute §§ 15.99, Subd. 3(f).</i></p>
<p>Attachments:</p>	<ul style="list-style-type: none"> • Site Maps • Copy of the rezoning petition and associated documentation. • List of the Planning Commissions Rezoning Considerations.

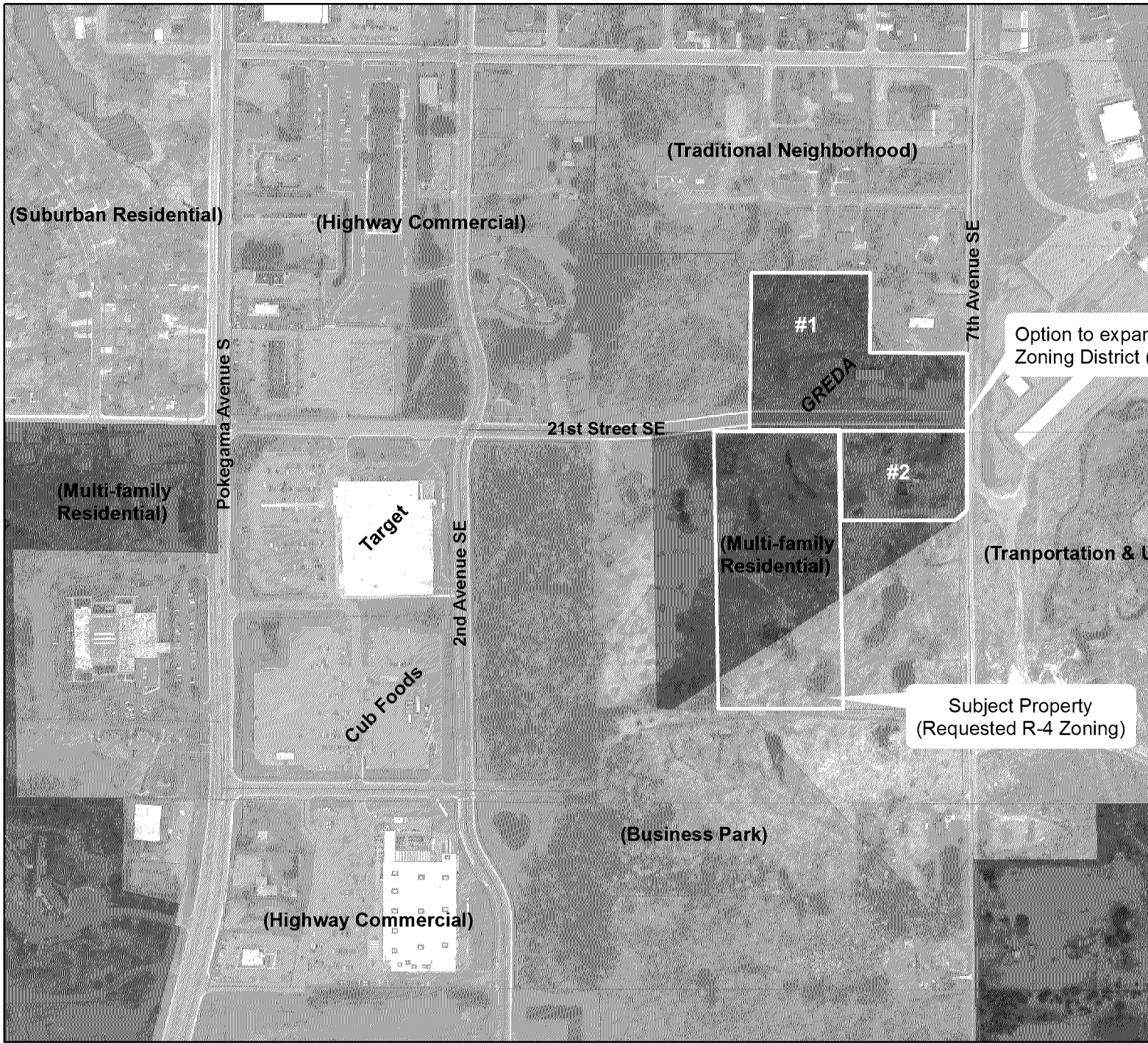
Edverson Zoning Map Amendment Request (I-2 to R-4 Requested)



490 245 0 490 Feet



Edvenson Zoning Map Amendment Request (Comprehensive Plan Future Land Use)



PLANNING COMMISSION

Considerations

ZONING ORDINANCE

1. Will the change affect the character of neighborhoods?
2. Would the change foster economic growth in the community?
3. Would the proposed change be in keeping with the spirit and intent of the ordinance?
4. Would the change be in the best interest of the general public?
5. Would the change be consistent with the Comprehensive Plan?

SUPPLEMENTAL CHECKLIST FOR REZONING

When considering rezoning property, the following questions should also be considered:

1. Has there been a change in the development policies of the community?
2. Are there changed conditions in the community that would change the proper zoning of the property?
3. Was there a mistake in the original zoning ordinance?
4. Is the zoning ordinance up to date?
5. Is similarly zoned land currently available?
6. Does the proposed rezoning (or amendment) conform to the comprehensive plan?
7. Is the proposed use compatible with adjacent land uses?
8. Is the proposed rezoning (or amendment) spot zoning?
9. Is the timing proper for the proposed rezoning (or amendment)?
10. What is the effect of the proposed rezoning on public utilities?
11. Will the proposed rezoning place an undue financial burden on the community?
12. Will the rezoning increase tax revenues?



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

Petition for Rezoning (Zoning Map Amendment)

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:

HAARLEY EDVENSAN
Name of Applicant
28719 E BASS LAKE RD
Address
Grand Rapids MN 55744
City State Zip
999-5988
Business Telephone/Other Telephone/e-mail

Name of Owner (If other than applicant)

Address

City State Zip

Business Telephone/Other Telephone/e-mail

Parcel Information:

Tax Parcel # 91-033-1204 Property Size: 10 Acres
Existing Zoning: INDUSTRIAL Requested Zoning: R4
Existing Use: VACANT
Proposed Use: RESIDENTIAL
Property Address/Location: 21ST STREET SE.
Legal Description: EAST 440 FT. of WEST 880 FT of NO. 30 ACRES of THE NW 1/4 NE 1/4 Sec 33,
(attach additional sheet if necessary) TWP. 55 R9c 25

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.

Harley Edvensan
Signature(s) of Applicant(s)

4-26-12
Date

Signature(s) of Owner(s)-(If other than applicant)

Date

APR 26 2012

Office Use Only

Date Received _____ Certified Complete 4/27/12 Fee Paid \$505.00
Planning Commission Recommendation Approved _____ Denied _____ Meeting Date 6/7/12
City Council Action Approved _____ Denied _____ Meeting Date _____

Summary of Special Conditions of Approval: _____

Required Submittals (25 copies of each):

- Application Fee - \$505.00 *¹
- Location Map
- Map Showing Surrounding Zoning
- Proof of Ownership – (a copy of a property tax statement or deed will suffice)

**¹The 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.*

Justification of Proposed Rezoning: Please answer all of the following questions (attach additional pages if needed). The planning Commission will consider these questions and responses, and other issues (see attached list) in making their findings of fact and recommendation on the proposed rezoning.

A. What are the Surrounding land uses? Describe the existing uses and zoning classifications in the area surrounding the subject property.

Highway Commercial & Multi Family Residential

B. Would the uses permitted by the proposed zoning map change be appropriate for the surrounding area?

yes it would, it would fit right in with surrounding area & comp plan

C. Is the property adequately served by public infrastructure (streets, sidewalks, utilities, etc)?

Yes it is, the sidewalks, street & utilities are in already

D. Demonstrate the need for additional property in the proposed zoning district.

there is not much of an inventory of R-4 in the city

E. What effect will the proposed rezoning have on the growth and development of existing neighborhoods, other lands in the proposed district, commercial and industrial neighborhoods? _____

the rezoning promotes growth + development

F. Demonstrate that the proposed rezoning is the minimum change needed to allow a reasonable use of the property. _____

IT would allow more multi family to be constructed

G. How does the proposed rezoning conform to the City's Comprehensive Plan? _____

Rezoning fits ~~in~~ in with the city's comp plan + future land use

H. Is the timing proper for the proposed rezoning? _____

There is apartment development going on in the city so would be a demand for this property

I. Any additional information that the Petitioner would like to supply. _____

Additional Instructions:

Prior to submitting your Petition to Rezone, you will need to arrange for one or more preliminary meetings with the Community Development Director. This meeting is intended to ensure that the proposed application is complete, to answer any questions the applicant may have, discuss meeting schedules and, if applicable, the scope of the required submittals.

Findings for Approval:

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

- Will the change affect the character of the neighborhoods?
- Would the change foster economic growth in the community?
- Would the proposed change be in keeping with the spirit and intent of the ordinance?
- Would the change be in the best interest of the general public?
- Would the change be consistent with the Comprehensive Plan?

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

CITY OF GRAND RAPIDS

*NOTICE OF MEETING
PLANNING COMMISSION*



Meeting Agenda Full Detail

Thursday, June 7, 2012

4:00 PM

Council Chambers

Planning Commission

***COUNCIL CHAMBERS
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Call To Order**Call of Roll**

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General Business

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Attachments: [Foust Vacation PC Staff Report 6-7-12 Mtg.](#)
[Foust Vacation Application- 6-7-12 Mtg.](#)
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12-0344 Consider a recommendation to the City Council regarding the rezoning of a 9.9 acre parcel of land from I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density).

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Public Input

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Miscellaneous\Updates**Adjourn**

NEXT REGULAR PLANNING COMMISSION MEETING IS SCHEDULED FOR:
July 5th, 2012

CITY OF GRAND RAPIDS

Legislation Details (With Text)

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Date	Ver.	Action By	Action	Result
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Title

Approve the minutes of the May 3, 2012 3:30 pm worksession, and 4:00 pm regular meeting.

body

Background Information:

See attached draft minutes.

PLANNING COMMISSION WORKSESSION
THURSDAY, MAY 3, 2011 – 3:30 P.M.
GRAND RAPIDS CITY HALL – 420 NORTH POKEGAMA AVE.
GRAND RAPIDS, MINNESOTA 55744

CALL TO ORDER:

Pursuant to due notice and call thereof, a Special Meeting/Worksession of the Grand Rapids Planning Commission was held in Council Chambers of City Hall on Thursday, May 3, 2011 at 3:30 p.m.

CALL OF ROLL: On a Call of Roll the following members were present: Commissioners: Mark Gothard, Michael Twite, Shane McKellep, Julie Fedje-Johnston, Ron Niemala, Lee Anderson. Absent: Marn Flicker.

Staff Present: Rob Mattei, Eric Trast, Attorney Chad Sterle.

The Planning Commission met to discuss the following:

Review and discuss draft Business Park Text and Zoning Map amendments.

Community Development Director Mattei provided a power point presentation for the Commissioners.

There being no further business, the meeting was adjourned at 3:59 p.m.

Respectfully Submitted:

Aurimy Groom, Recorder

Minutes - Final
Planning Commission

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

Thursday, May 3, 2012

4:00 PM

Council Chambers

Call To Order

Call of Roll

- Present** 6 - Commissioner Lee Anderson, Commissioner Julie Fedje-Johnston, Commissioner Shane McKellep, Commissioner Ron Niemala, Chairperson Michael Twite, and Commissioner Mark Gothard
- Absent** 1 - Commissioner Marn Flicker

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 April 5, 2012 4:00 pm regular meeting.

Motion by Commissioner Fedje-Johnston, second by Commissioner McKellep to approve the minutes of the April 5, 2012 meeting as presented. The motion passed by an unanimous vote.

General Business

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Motion by Commissioner Anderson, second by Commissioner Fedje-Johnston that, based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby forward a favorable recommendation to the City Council regarding the draft amendments to Chapter 30 of the Zoning Ordinance, establishing the BP/SBP (Business Park/Shoreland Business Park) district, as directed by the 2011 Comprehensive Plan with the following amendments:

Add to Section 30-421 Definitions:

- **Transportation dispatch and storage, means a facility that provides storage and dispatch of taxi, limousine, charter/school/tour/public transit bus services, and all other similar vehicles that provide passenger transportation.**
 - o **Add to Section 30-512 Table 1 as permitted uses in: Business Park, General Business, and Public Use zoning districts.**

Add to Section 30-512 Table 1:

- **Use permitted with restrictions (R), repair/service of Automotive/recreational vehicles, under BP/SBP district.**
 - o **Add BP/SBP to Section 30-564(3) Uses w/restrictions.**

Add to Section 30-679 District regulations for on-premises signs (4) Signs in industrial districts:

- **Business Park to heading**
- **As #3 under heading: There shall be no more than one freestanding sign per 300 feet of street frontage on any lot.**
- **As #4 under heading: Within the BP and SBP zoning districts, portable sign requirements/restrictions as set forth in Section 30-679(3)f.**

Commissioner Anderson read his considerations for the record:

1. Will the change affect the character of the neighborhood?

Yes, with the creation of a BP/SBP Zoning district we will be creating a new neighborhood.

2. Will the change foster economic growth in the community?

Yes, it will enhance business.

3. Would the proposed change be in keeping with the spirit and intent of the Zoning Ordinance?

Yes.

4. Would the change be in the best interest of the general public?

Yes, the business park concept fills a void between IP and GB.

5. Would the change be consistent with the Comprehensive Plan?

Yes, when drafting this zoning district the guidance came from the 2011 Comprehensive Plan.

The motion passed unanimously.

Consider a recommendation to the City Council regarding a zoning map amendment over the area platted as Industrial Park Addition to Grand Rapids from the established I-1/SI-1 (Industrial Park/Shoreland Industrial Park) district to BP/SBP (Business Park/Shoreland Business Park) district.

Motion by Commissioner Fedje-Johnston, second by Commissioner Anderson 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 amending the Official Zoning Map over the area platted as Industrial Park Addition to Grand RapidsR from the established I-1/SI-1 (Industrial Park/Shoreland Industrial Park) district to BP/SBP (Business Park/Shoreland Business Park) district and SR3 (Shoreland Multi- Family Residential Medium Density) as shown in draft maps and as guided by the 2011 Comprehensive Plan.

Commissioner Fedje-Johnston read her considerations for the record:

1. Will the change affect the character of the neighborhood?

Currently the area is Industrial as the growth and development of the City is moving that way a Business Park zoning classification more accurately represents that area.

2. Will the change foster economic growth in the community?

Yes, economic impact may result as businesses look to expand yet stay near the GB zoned areas, this change will accomodate businesses that need more space.

3. Would the proposed change be in keeping with the spirit and intent of the Zoning Ordinance?

Spirit and intent of the zoning ordinance stays the same the creation of a new category represents a more accurate dipiction of how the area is evolving.

4. Would the change be in the best interest of the general public?

Yes, the public's interest is served by accurately defining how the area has evolved BP/SBP allows for predicability in business expansion and development.

5. Would the change be consistent with the Comprehensive Plan?

Yes, the change carries out one future land use designation from the comp plan.

Public Input

Miscellaneous\Updates

Adjourn

Motion by Commissioner Anderson, Second by Commissioner Fedje-Johnston to adjourn the meeting at 5:25 p.m. The motion passed by an unanimous vote.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 12-0340 **Version:** 1 **Name:** Consider a recommendation to the City Council regarding the vacation of the platted Division Avenue right-of-way.

Type: Agenda Item **Status:** General Business

File created: 5/25/2012 **In control:** Planning Commission

On agenda: 6/7/2012 **Final action:**

Title: Consider a recommendation to the City Council regarding the vacation of the platted Division Avenue right-of-way within McKinney Lake Addition to Grand Rapids.

Sponsors:

Indexes:

Code sections:

Attachments: [Foust Vacation PC Staff Report 6-7-12 Mtg.](#)
[Foust Vacation Application- 6-7-12 Mtg.](#)
[Right-of-way Vacation Considerations](#)

Date	Ver.	Action By	Action	Result
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Title

Consider a recommendation to the City Council regarding the vacation of the platted Division Avenue right-of-way within McKinney Lake Addition to Grand Rapids.

body

Background Information:

See attached Staff Report and background information.



Planning Commission Staff Report

Agenda Item #2	Community Development Department	Date: 6/7/12
Statement of Issue:	Consider a recommendation to the City Council regarding the vacation of the platted Division Avenue right-of-way within McKinney Lake Addition to Grand Rapids.	
Background:	<p>Shirley Foust, on behalf of her son and adjacent property owner, Gary Foust, submitted a valid petition on April 23, 2012 requesting the vacation of the following described public right-of-way:</p> <p style="text-align: center;"><i>That part of Division Avenue lying southerly of the easterly extension of the north line of Lot 17, McKinney Lake Addition, Itasca County, Minnesota</i></p> <p>As stated within the attached Public Vacation Application, the requested right-of-way vacation, if approved, would allow the petitioner to construct a garage/accessory building within the vacated area.</p> <p>There were no concerns or objections regarding the petitioned right-of-way vacation from the staff review committee which consists of the Public Works Department, Engineering Department, Community Development Department, Fire Department, and the Grand Rapids Public Utilities Commission.</p> <p>Minnesota Statutes 412.851 governs the procedures for vacating a street (or a portion of) in a statutory city. Generally speaking, under this statute the City Council has the authority to vacate public right-of-way on its own motion or through a petition of the majority of the land owners. The petition presented by the Foust's represents 100% participation of adjacent land owners, and therefore is valid.</p>	
Considerations:	When considering the vacation of public right-of-way, the Planning Commission must make findings of fact based on the attached list of considerations.	
Recommendation:	<p>Staff recommends that the Planning Commissioners visit the site, review the comments submitted by the Review Committee, and review the relevant sections of the Comprehensive Plan.</p> <p>Prior to making a recommendation to the City Council to approve/not approve the vacation, the Planning Commission should make specific findings to support its recommendation and reference those specific findings in their motion to either approve or not approve the right-of-way vacation.</p>	

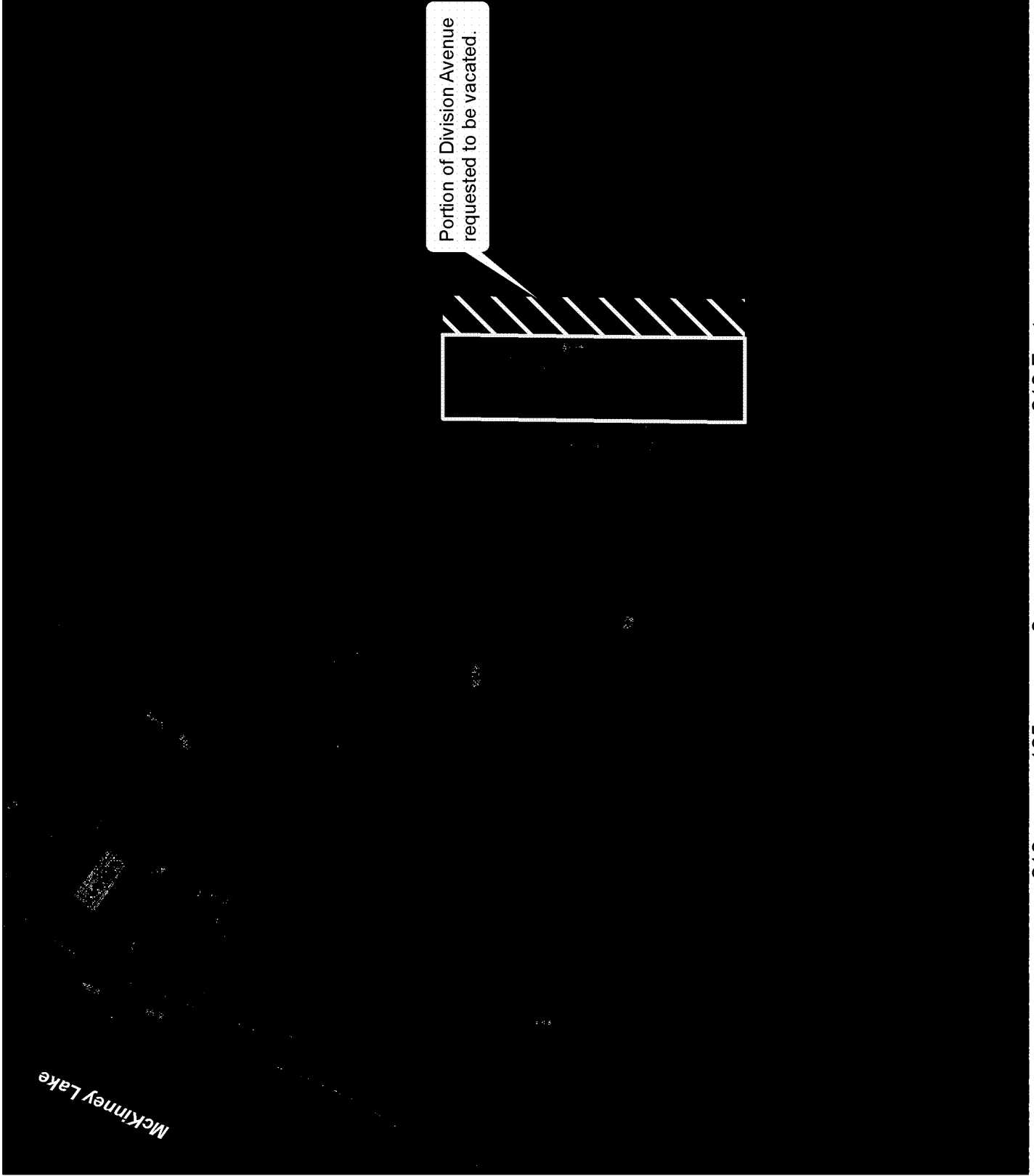
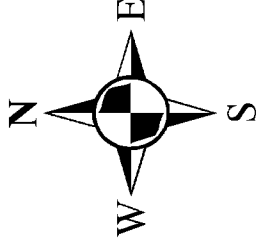
<p>Required Action:</p>	<p>Pass a motion forwarding a recommendation to the City Council for approval or non-approval of the proposed public right-of-way vacation.</p> <p><u>Example Motion:</u></p> <p>Motion by _____, second by _____ that, based on the findings of fact presented here today, and in the public’s best interest, the Planning Commission does hereby forward to the City Council a recommendation to (approve) (not approve) the vacation of public right-of-way described as: <i>That part of Division Avenue lying southerly of the easterly extension of the north line of Lot 17, McKinney Lake Addition, Itasca County, Minnesota</i></p> <p><u>Contingent on the following stipulation(s):</u></p> <ul style="list-style-type: none"> • _____
<p>Attachments:</p>	<ul style="list-style-type: none"> • Site Map • Public Vacation Application/Petition • Staff Review Committee Comments • List of the Planning Commissions Vacation Considerations

Foust Right-of-Way Vacation Request

(Division Avenue - McKinney Lake Addition)



GRAND RAPIDS
IT'S IN THE RAPIDS. WE'VE GOT NATURE.



Legend

- Parcels

2009 Aerial Photo

RGB

- Red: Band_1
- Green: Band_2
- Blue: Band_3

210 105 0 210 Feet



Eric Trast

From: atward@grpuc.org
Sent: Thursday, May 03, 2012 3:16 PM
To: Rob Mattei; Eric Trast; Jeff Davies; Tom Pagel
Subject: Petitioned vacation of platted Division Avenue within McKinney Lake Addition

Rob,

The GRPUC Staff reviewed the above referenced petition and do not object to the vacation request.

Thank you for the opportunity to review the request.

Anthony T. Ward
General Manager
Public Utilities Commission
P. O. Box 658
Grand Rapids, MN 55744
218-326-7188

Required Submittals:

- Application Fee - \$505.00 *¹ Location Map Petition for Vacation
- Proof of Ownership – (a copy of a property tax statement or deed will suffice)

**¹ 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.*

Justification of Proposed Vacation: Please answer the following question (attach additional pages if needed). The Planning Commission and City Council will consider these questions and responses, and other issues (see attached list) in making their findings of fact and recommendation on the proposed rezoning.

1. Explain why the proposed vacation would be in the public’s best interest. Please refer to the factors being considered by the Planning Commission and City Council that are listed on the final page of this application.

The 35 feet Right of Way is not being utilized by the city for traffic, pedestrian or utility purposes & if vacated to owner of parcel 91-620-0171 could then be used for the purpose of building a garage and property would then be put on the tax roll of parcel 91-620-0171

Additional Instructions:

Prior to submitting your Petition for Vacation, you will need to arrange for one or more preliminary meetings with the Community Development Director. This meeting is intended to ensure that the proposed application is complete, to answer any questions the applicant may have, discuss meeting schedules and, if applicable, the scope of the required submittals.

Findings for Approval:

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

- Is the street right-of-way needed for traffic purposes?
- Is the street right-of-way needed for pedestrian purposes?
- Is the street right-of-way needed for utility purposes?
- Would vacating the street right-of-way place additional land on the tax rolls?
- Would vacating the street right-of-way facilitate economic development in the City?

In cases where a street/alley or public right -of-way is adjacent to a public water (lake or river), the City will also give consideration to comments submitted by the Minnesota Department of Natural Resources.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Complete applications shall be submitted to the Community Development Department one month prior to the Planning Commission’s review of the vacation. More information may be requested by the City of Grand Rapids Planning Commission or City Council, if deemed necessary to properly evaluate your request. The lack of information requested may be in itself sufficient cause to deny an application.

DEED TAX DUE: \$231.00

Form No. 1-M-WARRANTY DEED

Individual(s) to Individual(s)

Date: **March 28, 2012**

FOR VALUABLE CONSIDERATION, **Gail Matthews, a single person** Grantor, hereby conveys and warrants to **Gary W. Foust, a single person** Grantee, real property in **Itasca** County, Minnesota, described as follows:

Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Check box if applicable:

- The Seller certifies that the seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document.
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

EXHIBIT 'A'

That part of Lot 17, of McKinney Lake Addition to Grand Rapids, described as follows: Commencing at the Northeast corner of said Lot 17, thence West along the North line of said Lot 17, a distance of 75 feet; thence South on a line parallel with the East line of said Lot 17, a distance of 185 feet; thence East on a line parallel with the North line of said Lot 17 to the East line of said Lot 17; thence North on the East line of said Lot 17 to the point of beginning

And

That part of Lot 17, McKinney Lake Addition to Grand Rapids, described as follows: Commencing at the Northeast corner of said Lot 17; thence West along the North line of said Lot 17, a distance of 75 feet; thence South on a line parallel with the East line of said Lot 17, a distance of 185 feet to the point of beginning of the tract to be described; thence continuing along said line to the South line of said Lot 17; thence Easterly 75 feet more or less to the Southeast corner of said Lot 17; thence Northerly along said Easterly line, a distance of 100 feet more or less to intersect a line originating at the point of beginning and parallel to the North line of said Lot 17; thence Westerly along the line parallel to the North line of said Lot 17 to the point of beginning, Itasca County, Minnesota.

PLANNING COMMISSION

Considerations

STREET VACATIONS

1. Is the street right-of-way needed for traffic purposes?
2. Is the street right-of-way needed for pedestrian purposes?
3. Is the street right-of-way needed for utility purposes?
4. Would vacating the street right-of-way place additional land on the tax rolls?
5. Would vacating the street right-of-way facilitate economic development in the City?



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 12-0344 **Version:** 1 **Name:** Consider a recommendation to the City Council regarding the rezoning of a 9.9 acre parcel of land from I-2 to R-4.

Type: Agenda Item **Status:** General Business

File created: 5/29/2012 **In control:** Planning Commission

On agenda: 6/7/2012 **Final action:**

Title: Consider a recommendation to the City Council regarding the rezoning of a 9.9 acre parcel of land from I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density).

Sponsors:

Indexes:

Code sections:

Attachments: [Edvenson Rezone PC Staff Report 6-7-12 Mtg.](#)
[Rezoning Considerations](#)
[Edvenson Rezoning Application- 6-7-12 Mtg.](#)

Date	Ver.	Action By	Action	Result
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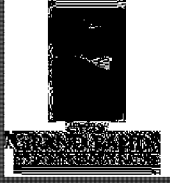
Title

Consider a recommendation to the City Council regarding the rezoning of a 9.9 acre parcel of land from I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density).

body

Background Information:

See attached Staff Report and background information.



Planning Commission Staff Report

Agenda Item #3	Community Development Department	Date: 6/7/12
Statement of Issue:	Consider a recommendation to the City Council regarding the rezoning of a 9.9 acre parcel of land from I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density).	
Background:	<p>Harley Edverson filed an application for a Zoning Map Amendment with the City on April 26, 2012. The application requests the City's consideration of the rezoning of the following described property from its current I-2 (General Industrial Park) designation to that of R-4 (Multiple-family Residential- high density):</p> <p style="text-align: center;"><i>E 440 ft. of W 880 ft. of the N 30 acres of the NW NE, Section 33, Township 55N, Range 25W, Itasca County, Minnesota</i></p> <p>The petition submitted by Mr. Edverson, involves 9.9 acres of land, and is generally located on the south side of 21st Street SE, approximately 600' west of 7th Avenue SE (<i>see map #1</i>). Map #1 illustrates the subject property in relation to the existing zoning in the area: GB (General Business) across 21st Street to the northwest, and a combination of I-2 (General Industrial Park) and I-1 (Industrial Park) on the remaining three sides of the property. The southeast corner of the subject property is located within the Airport Safety Zone A for Runway 5-23, which does not allow for any structures to be placed within that area.</p> <p>It is Mr. Edverson's hope that, if approved, the Zoning Map Amendment would add to the marketability of his property, by addressing the need for more high-density residential zoned property within the city.</p> <p>A sample listing of the uses permitted by right in an R-4 zoning district are as follows:</p> <ul style="list-style-type: none">▪ Single family detached, twin homes, two family attached, multi-family, group and foster homes for 17 or more residents, senior housing w/services for greater than 17 residents, daycare/nurseries- 14 or fewer persons, accessory buildings, and public athletic facilities. <p>A sampling of other uses permitted in R-4 with additional restrictions includes:</p> <ul style="list-style-type: none">• Bed and breakfast accommodations, emergency housing facilities, churches, daycare/nurseries- 15 or more persons, and elementary and secondary schools. <p>The following table shows a comparison of the yard and bulk requirement of R-4 and I-2 zoning, and illustrates several differences between the two zoning districts;</p>	

larger lot size, greater setbacks, more surface coverage, and greater building heights permitted in I-2 zoning.

	R-4	I-2
Min. Lot Size	gross area-15,000 sq. ft., area (unit)-2,500 sq. ft., width-100 ft.	gross area-1 acre, area (unit)- N/A, width- 150 ft.
Min. Yard Setbacks	front-35 ft, int. side-20 ft, street side-30 ft, rear- 35 ft.	front-50 ft, int. side-25 ft., street side-25 ft, rear- 25 ft.
Max. Lot Coverage	building-35%, total surface-75%, GUOS (unit)- 400	building-60%, total surface-90%, GUOS- N/A
Building Size	max. height- 45 ft., min. dimension- 24 ft	max. height- 110 ft., min. dimension- N/A.

The Future Land Use map contained within the recently updated Comprehensive Plan (*see map #2*) shows the subject property located within a slightly larger area indicated as future Multi-family Residential. This area includes two city-owned properties, one on either side of 21st Street at 7th Avenue, as well as the subject property.

In addition to the petitioned rezoning, staff would recommend the Planning Commission consider rezoning the parcels, labeled as #1 and #2, on *map #2* to R-4 (Multiple-family Residential- high density), which would be consistent with both the subject property's petition and the Comprehensive Plan's Future Land Use map.

The City Council or the Planning Commission may, upon their own motion, initiate a request to amend the Zoning Ordinance text or the Official Zoning Map. If in considering the petitioned request, the Planning Commission desires to initiate and provide a recommendation to the City Council for a broader area of rezoning they can do so by their motion.

Additionally, due to the date the Zoning Map Amendment application was received by the city (April 26, 2012), in relation to the Planning Commission and City Council's regular meeting schedules, staff requests that the Planning Commission exercise their ability to extend the 60 Day Rule an additional 60 days, as per Minnesota Statute §§ 15.99, Subd. 3(f). This action is only to ensure that the City had sufficient time to review and render a decision on the rezoning petition. The City Council is scheduled to conduct a public hearing on the rezoning petition June 25, 2012 (the 60th day).

Considerations:

When reviewing a request for a rezoning, the Planning Commission must make findings based on the attached list of considerations.

Recommendation

Staff recommends that the Planning Commissioners visit the site and look at the situation.

	<p>Prior to making a motion to recommend to the City Council approval or denial of 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 rezone.</p>
<p>Required Action:</p>	<p>Pass a motion forwarding a recommendation to the City Council for approval or denial of the requested rezoning.</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 forward to the City Council a recommendation to <u>(approve)(deny)</u> to rezone the requested area, and an expanded area to R-4.</p> <p><u>Example Motion(s):</u></p> <div style="display: flex; align-items: center;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg); border: 1px solid black; padding: 2px; margin-right: 10px;"> Action on the Petition ONLY </div> <div style="flex-grow: 1;"> <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 forward to the City Council a recommendation to <u>(approve)(deny)</u> the rezoning of property, as petitioned by Mr. Harley Edverson, legally described as; E 440 ft. of W 880 ft. of the N 30 acres of the NW NE, Section 33, Township 55N, Range 25W, Itasca County, Minnesota and as shown in the maps presented here today, from the established I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density);</p> <p style="text-align: center;"><u>OR</u></p> </div> </div>

	<p style="text-align: center;"><u>Motion to initiate rezoning</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 forward to the City Council a recommendation to <u>(approve)(deny)</u> the rezoning of property, as petitioned by Mr. Harley Edvenson, and as expanded by the Planning Commission, legally described as; <i>E 440 ft. of W 880 ft. of the N 30 acres of the NW NE, AND N 318 ft. of NW NE LYG E of W 880 ft. Thereof, all in Section 33, Township 55N, Range 25W, Itasca County, Minnesota;</i></p> <p style="text-align: center;">AND</p> <p><i>E 766.9 ft. of S 563 ft. of SW SE Less N 284.5 ft. of E 346.9 ft. Thereof,</i> and as shown in the maps presented here today, from the established I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density), as recommended by the Comprehensive Plan</p> <p><i>*additionally, extend 60 Day Rule an additional 60 days, as per Minnesota Statute §§ 15.99, Subd. 3(f).</i></p>
Attachments:	<ul style="list-style-type: none"> • Site Maps • Copy of the rezoning petition and associated documentation. • List of the Planning Commissions Rezoning Considerations.

PLANNING COMMISSION

Considerations

ZONING ORDINANCE

1. Will the change affect the character of neighborhoods?
2. Would the change foster economic growth in the community?
3. Would the proposed change be in keeping with the spirit and intent of the ordinance?
4. Would the change be in the best interest of the general public?
5. Would the change be consistent with the Comprehensive Plan?

SUPPLEMENTAL CHECKLIST FOR REZONING

When considering rezoning property, the following questions should also be considered:

1. Has there been a change in the development policies of the community?
2. Are there changed conditions in the community that would change the proper zoning of the property?
3. Was there a mistake in the original zoning ordinance?
4. Is the zoning ordinance up to date?
5. Is similarly zoned land currently available?
6. Does the proposed rezoning (or amendment) conform to the comprehensive plan?
7. Is the proposed use compatible with adjacent land uses?
8. Is the proposed rezoning (or amendment) spot zoning?
9. Is the timing proper for the proposed rezoning (or amendment)?
10. What is the effect of the proposed rezoning on public utilities?
11. Will the proposed rezoning place an undue financial burden on the community?
12. Will the rezoning increase tax revenues?

I. Any additional information that the Petitioner would like to supply. _____

Additional Instructions:

Prior to submitting your Petition to Rezone, you will need to arrange for one or more preliminary meetings with the Community Development Director. This meeting is intended to ensure that the proposed application is complete, to answer any questions the applicant may have, discuss meeting schedules and, if applicable, the scope of the required submittals.

Findings for Approval:

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

- Will the change affect the character of the neighborhoods?
- Would the change foster economic growth in the community?
- Would the proposed change be in keeping with the spirit and intent of the ordinance?
- Would the change be in the best interest of the general public?
- Would the change be consistent with the Comprehensive Plan?

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

CITY OF GRAND RAPIDS

*NOTICE OF MEETING
PLANNING COMMISSION*



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

Meeting Agenda Full Detail

Thursday, June 7, 2012

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

12-0339 Approve the minutes of the May 3, 2012 3:30 pm worksession, and 4:00 pm regular meeting.

Attachments: [May 3, 2012 Worksession Mtg. Minutes](#)
[May 3, 2012 Planning Commission Mtg. Minutes](#)

General Business

12-0340 Consider a recommendation to the City Council regarding the vacation of the platted Division Avenue right-of-way within McKinney Lake Addition to Grand Rapids.

Attachments: [Foust Vacation PC Staff Report 6-7-12 Mtg.](#)
[Foust Vacation Application- 6-7-12 Mtg.](#)
[Right-of-way Vacation Considerations](#)

12-0344 Consider a recommendation to the City Council regarding the rezoning of a 9.9 acre parcel of land from I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density).

Attachments: [Edvenson Rezone PC Staff Report 6-7-12 Mtg.](#)
[Rezoning Considerations](#)
[Edvenson Rezoning Application- 6-7-12 Mtg.](#)

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:
July 5th, 2012



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 12-0339 **Version:** 1 **Name:** Approve the minutes of the May 3, 2012 3:30 pm worksession, and 4:00 pm regular meeting.

Type: Minutes **Status:** Approved

File created: 5/25/2012 **In control:** Planning Commission

On agenda: 6/7/2012 **Final action:**

Title: Approve the minutes of the May 3, 2012 3:30 pm worksession, and 4:00 pm regular meeting.

Sponsors:

Indexes:

Code sections:

Attachments: [May 3, 2012 Worksession Mtg. Minutes](#)
[May 3, 2012 Planning Commission Mtg. Minutes](#)

Date	Ver.	Action By	Action	Result
6/7/2012	1	Planning Commission	Approved as Presented by Commission	Pass

Approve the minutes of the May 3, 2012 3:30 pm worksession, and 4:00 pm regular meeting.

Background Information:

See attached draft minutes.

PLANNING COMMISSION WORKSESSION
THURSDAY, MAY 3, 2011 – 3:30 P.M.
GRAND RAPIDS CITY HALL – 420 NORTH POKEGAMA AVE.
GRAND RAPIDS, MINNESOTA 55744

CALL TO ORDER:

Pursuant to due notice and call thereof, a Special Meeting/Worksession of the Grand Rapids Planning Commission was held in Council Chambers of City Hall on Thursday, May 3, 2011 at 3:30 p.m.

CALL OF ROLL: On a Call of Roll the following members were present: Commissioners: Mark Gothard, Michael Twite, Shane McKellep, Julie Fedje-Johnston, Ron Niemala, Lee Anderson. Absent: Marn Flicker.

Staff Present: Rob Mattei, Eric Trast, Attorney Chad Sterle.

The Planning Commission met to discuss the following:

Review and discuss draft Business Park Text and Zoning Map amendments.

Community Development Director Mattei provided a power point presentation for the Commissioners.

There being no further business, the meeting was adjourned at 3:59 p.m.

Respectfully Submitted:

Aurimy Groom, Recorder



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, May 3, 2012

4:00 PM

Council Chambers

Call To Order

Call of Roll

- Present** 6 - Commissioner Lee Anderson, Commissioner Julie Fedje-Johnston, Commissioner Shane McKellep, Commissioner Ron Niemala, Chairperson Michael Twite, and Commissioner Mark Gothard
- Absent** 1 - Commissioner Marn Flicker

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 April 5, 2012 4:00 pm regular meeting.

Motion by Commissioner Fedje-Johnston, second by Commissioner McKellep to approve the minutes of the April 5, 2012 meeting as presented. The motion passed by an unanimous vote.

General Business

Consider a recommendation to the City Council regarding amendments to the Zoning Ordinance that would amend multiple sections of Chapter 30 *Land Development Regulations* establishing the BP/SBP (Business Park/Shoreland Business Park).

Motion by Commissioner Anderson, second by Commissioner Fedje-Johnston that, based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby forward a favorable recommendation to the City Council regarding the draft amendments to Chapter 30 of the Zoning Ordinance, establishing the BP/SBP (Business Park/Shoreland Business Park) district, as directed by the 2011 Comprehensive Plan with the following amendments:

Add to Section 30-421 Definitions:

- **Transportation dispatch and storage, means a facility that provides storage and dispatch of taxi, limousine, charter/school/tour/public transit bus services, and all other similar vehicles that provide passenger transportation.**
 - o **Add to Section 30-512 Table 1 as permitted uses in: Business Park, General Business, and Public Use zoning districts.**

Add to Section 30-512 Table 1:

- **Use permitted with restrictions (R), repair/service of Automotive/recreational vehicles, under BP/SBP district.**
 - o **Add BP/SBP to Section 30-564(3) Uses w/restrictions.**

Add to Section 30-679 District regulations for on-premises signs (4) Signs in industrial districts:

- **Business Park to heading**
- **As #3 under heading: There shall be no more than one freestanding sign per 300 feet of street frontage on any lot.**
- **As #4 under heading: Within the BP and SBP zoning districts, portable sign requirements/restrictions as set forth in Section 30-679(3)f.**

Commissioner Anderson read his considerations for the record:

1. Will the change affect the character of the neighborhood?

Yes, with the creation of a BP/SBP Zoning district we will be creating a new neighborhood.

2. Will the change foster economic growth in the community?

Yes, it will enhance business.

3. Would the proposed change be in keeping with the spirit and intent of the Zoning Ordinance?

Yes.

4. Would the change be in the best interest of the general public?

Yes, the business park concept fills a void between IP and GB.

5. Would the change be consistent with the Comprehensive Plan?

Yes, when drafting this zoning district the guidance came from the 2011 Comprehensive Plan.

The motion passed unanimously.

Consider a recommendation to the City Council regarding a zoning map amendment over the area platted as Industrial Park Addition to Grand Rapids from the established I-1/SI-1 (Industrial Park/Shoreland Industrial Park) district to BP/SBP (Business Park/Shoreland Business Park) district.

Motion by Commissioner Fedje-Johnston, second by Commissioner Anderson 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 amending the Official Zoning Map over the area platted as Industrial Park Addition to Grand RapidsR from the established I-1/SI-1 (Industrial Park/Shoreland Industrial Park) district to BP/SBP (Business Park/Shoreland Business Park) district and SR3 (Shoreland Multi- Family Residential Medium Density) as shown in draft maps and as guided by the 2011 Comprehensive Plan.

Commissioner Fedje-Johnston read her considerations for the record:

1. Will the change affect the character of the neighborhood?

Currently the area is Industrial as the growth and development of the City is moving that way a Business Park zoning classification more accurately represents that area.

2. Will the change foster economic growth in the community?

Yes, economic impact may result as businesses look to expand yet stay near the GB zoned areas, this change will accomodate businesses that need more space.

3. Would the proposed change be in keeping with the spirit and intent of the Zoning Ordinance?

Spirit and intent of the zoning ordinance stays the same the creation of a new category represents a more accurate dipiction of how the area is evolving.

4. Would the change be in the best interest of the general public?

Yes, the public's interest is served by accurately defining how the area has evolved BP/SBP allows for predicability in business expansion and development.

5. Would the change be consistent with the Comprehensive Plan?

Yes, the change carries out one future land use designation from the comp plan.

Public Input

Miscellaneous\Updates

Adjourn

Motion by Commissioner Anderson, Second by Commissioner Fedje-Johnston to adjourn the meeting at 5:25 p.m. The motion passed by an unanimous vote.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 12-0344 **Version:** 1 **Name:** Consider a recommendation to the City Council regarding the rezoning of a 9.9 acre parcel of land from I-2 to R-4.

Type: Agenda Item **Status:** Passed

File created: 5/29/2012 **In control:** Planning Commission

On agenda: 6/7/2012 **Final action:** 6/7/2012

Title: Consider a recommendation to the City Council regarding the rezoning of a 9.9 acre parcel of land from I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density).

Sponsors:

Indexes:

Code sections:

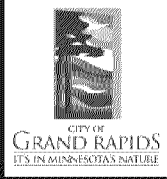
Attachments: [Edvenson Rezone PC Staff Report 6-7-12 Mtg.](#)
[Rezoning Considerations](#)
[Edvenson Rezoning Application- 6-7-12 Mtg.](#)

Date	Ver.	Action By	Action	Result
6/7/2012	1	Planning Commission	Approved	Pass

Consider a recommendation to the City Council regarding the rezoning of a 9.9 acre parcel of land from I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density).

Background Information:

See attached Staff Report and background information.



Planning Commission Staff Report

Agenda Item #3	Community Development Department	Date: 6/7/12
Statement of Issue:	Consider a recommendation to the City Council regarding the rezoning of a 9.9 acre parcel of land from I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density).	
Background:	<p>Harley Edverson filed an application for a Zoning Map Amendment with the City on April 26, 2012. The application requests the City's consideration of the rezoning of the following described property from its current I-2 (General Industrial Park) designation to that of R-4 (Multiple-family Residential- high density):</p> <p style="text-align: center;"><i>E 440 ft. of W 880 ft. of the N 30 acres of the NW NE, Section 33, Township 55N, Range 25W, Itasca County, Minnesota</i></p> <p>The petition submitted by Mr. Edverson, involves 9.9 acres of land, and is generally located on the south side of 21st Street SE, approximately 600' west of 7th Avenue SE (<i>see map #1</i>). Map #1 illustrates the subject property in relation to the existing zoning in the area: GB (General Business) across 21st Street to the northwest, and a combination of I-2 (General Industrial Park) and I-1 (Industrial Park) on the remaining three sides of the property. The southeast corner of the subject property is located within the Airport Safety Zone A for Runway 5-23, which does not allow for any structures to be placed within that area.</p> <p>It is Mr. Edverson's hope that, if approved, the Zoning Map Amendment would add to the marketability of his property, by addressing the need for more high-density residential zoned property within the city.</p> <p>A sample listing of the uses permitted by right in an R-4 zoning district are as follows:</p> <ul style="list-style-type: none"> ▪ Single family detached, twin homes, two family attached, multi-family, group and foster homes for 17 or more residents, senior housing w/services for greater than 17 residents, daycare/nurseries- 14 or fewer persons, accessory buildings, and public athletic facilities. <p>A sampling of other uses permitted in R-4 with additional restrictions includes:</p> <ul style="list-style-type: none"> • Bed and breakfast accommodations, emergency housing facilities, churches, daycare/nurseries- 15 or more persons, and elementary and secondary schools. <p>The following table shows a comparison of the yard and bulk requirement of R-4 and I-2 zoning, and illustrates several differences between the two zoning districts;</p>	

larger lot size, greater setbacks, more surface coverage, and greater building heights permitted in I-2 zoning.

	R-4	I-2
Min. Lot Size	gross area-15,000 sq. ft., area (unit)-2,500 sq. ft., width-100 ft.	gross area-1 acre, area (unit)- N/A, width- 150 ft.
Min. Yard Setbacks	front-35 ft, int. side-20 ft, street side-30 ft, rear- 35 ft.	front-50 ft, int. side-25 ft., street side-25 ft, rear- 25 ft.
Max. Lot Coverage	building-35%, total surface-75%, GUOS (unit)- 400	building-60%, total surface-90%, GUOS- N/A
Building Size	max. height- 45 ft., min. dimension- 24 ft	max. height- 110 ft., min. dimension- N/A.

The Future Land Use map contained within the recently updated Comprehensive Plan (*see map #2*) shows the subject property located within a slightly larger area indicated as future Multi-family Residential. This area includes two city-owned properties, one on either side of 21st Street at 7th Avenue, as well as the subject property.

In addition to the petitioned rezoning, staff would recommend the Planning Commission consider rezoning the parcels, labeled as #1 and #2, on *map #2* to R-4 (Multiple-family Residential- high density), which would be consistent with both the subject property’s petition and the Comprehensive Plan’s Future Land Use map.

The City Council or the Planning Commission may, upon their own motion, initiate a request to amend the Zoning Ordinance text or the Official Zoning Map. If in considering the petitioned request, the Planning Commission desires to initiate and provide a recommendation to the City Council for a broader area of rezoning they can do so by their motion.

Additionally, due to the date the Zoning Map Amendment application was received by the city (April 26, 2012), in relation to the Planning Commission and City Council’s regular meeting schedules, staff requests that the Planning Commission exercise their ability to extend the 60 Day Rule an additional 60 days, as per Minnesota Statute §§ 15.99, Subd. 3(f). This action is only to ensure that the City had sufficient time to review and render a decision on the rezoning petition. The City Council is scheduled to conduct a public hearing on the rezoning petition June 25, 2012 (the 60th day).

Considerations:

When reviewing a request for a rezoning, the Planning Commission must make findings based on the attached list of considerations.

Recommendation

Staff recommends that the Planning Commissioners visit the site and look at the situation.

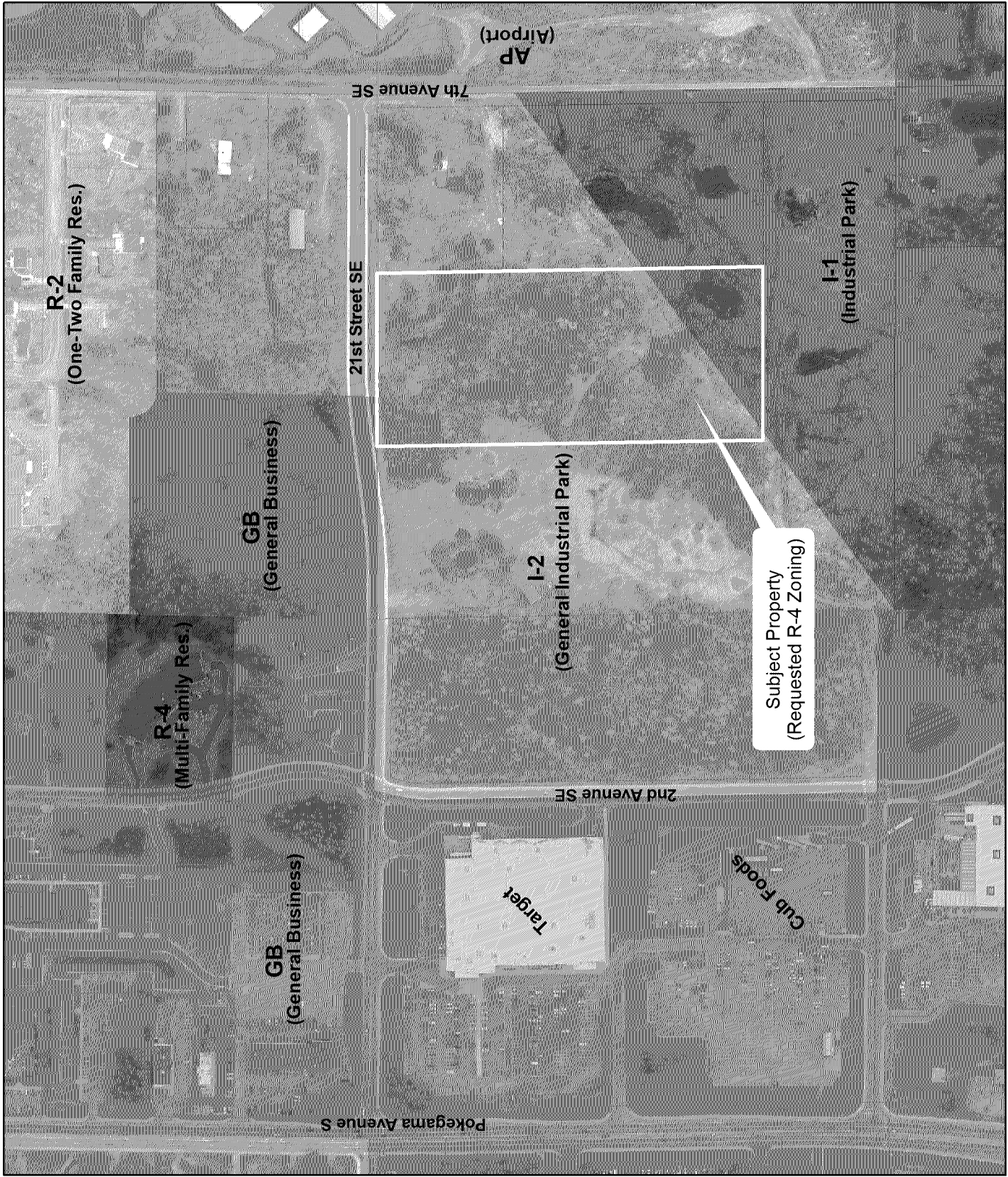
	<p>Prior to making a motion to recommend to the City Council approval or denial of the request, the Planning Commission should make specific findings to support its recommendation and reference those specific findings in their motion to either approve or deny the rezone.</p>
<p>Required Action:</p>	<p>Pass a motion forwarding a recommendation to the City Council for approval or denial of the requested rezoning.</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 forward to the City Council a recommendation to <u>(approve)(deny)</u> to rezone the requested area, and an expanded area to R-4.</p> <p><u>Example Motion(s):</u></p> <p style="text-align: center;"> Action on the Petition ONLY </p> <p style="padding-left: 100px;"> 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 forward to the City Council a recommendation to <u>(approve)(deny)</u> the rezoning of property, as petitioned by Mr. Harley Edverson, legally described as; E 440 ft. of W 880 ft. of the N 30 acres of the NW NE, Section 33, Township 55N, Range 25W, Itasca County, Minnesota and as shown in the maps presented here today, from the established I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density); </p> <p style="text-align: center;"><u>OR</u></p>

	<p style="text-align: center;"><u>Motion to initiate rezoning</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 forward to the City Council a recommendation to <u>(approve)(deny)</u> the rezoning of property, as petitioned by Mr. Harley Edverson, and as expanded by the Planning Commission, legally described as; <i>E 440 ft. of W 880 ft. of the N 30 acres of the NW NE, AND N 318 ft. of NW NE LYG E of W 880 ft. Thereof, all in Section 33, Township 55N, Range 25W, Itasca County, Minnesota;</i></p> <p style="text-align: center;">AND</p> <p><i>E 766.9 ft. of S 563 ft. of SW SE Less N 284.5 ft. of E 346.9 ft. Thereof,</i> and as shown in the maps presented here today, from the established I-2 (General Industrial Park) to R-4 (Multiple-family Residential- high density), as recommended by the Comprehensive Plan</p> <p><i>*additionally, extend 60 Day Rule an additional 60 days, as per Minnesota Statute §§ 15.99, Subd. 3(f).</i></p>
Attachments:	<ul style="list-style-type: none"> • Site Maps • Copy of the rezoning petition and associated documentation. • List of the Planning Commissions Rezoning Considerations.

Edvenson Zoning Map Amendment Request (I-2 to R-4 Requested)



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IT'S IN MINNESOTA'S NATURE



Legend	Parcel	R-1	R-1a	SR-1	R-2	SR-2	R-3	SR-3	R-4	RR	SRR	RC	SRC	LB	SLB	CBD	GB	SGB	M	SM	I-1	SI-1	I-2	SI-2	PU	SPU	CD	AG	AP	MOD	UO	SBO	PUD
	[White box]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]	[Diagonal lines]

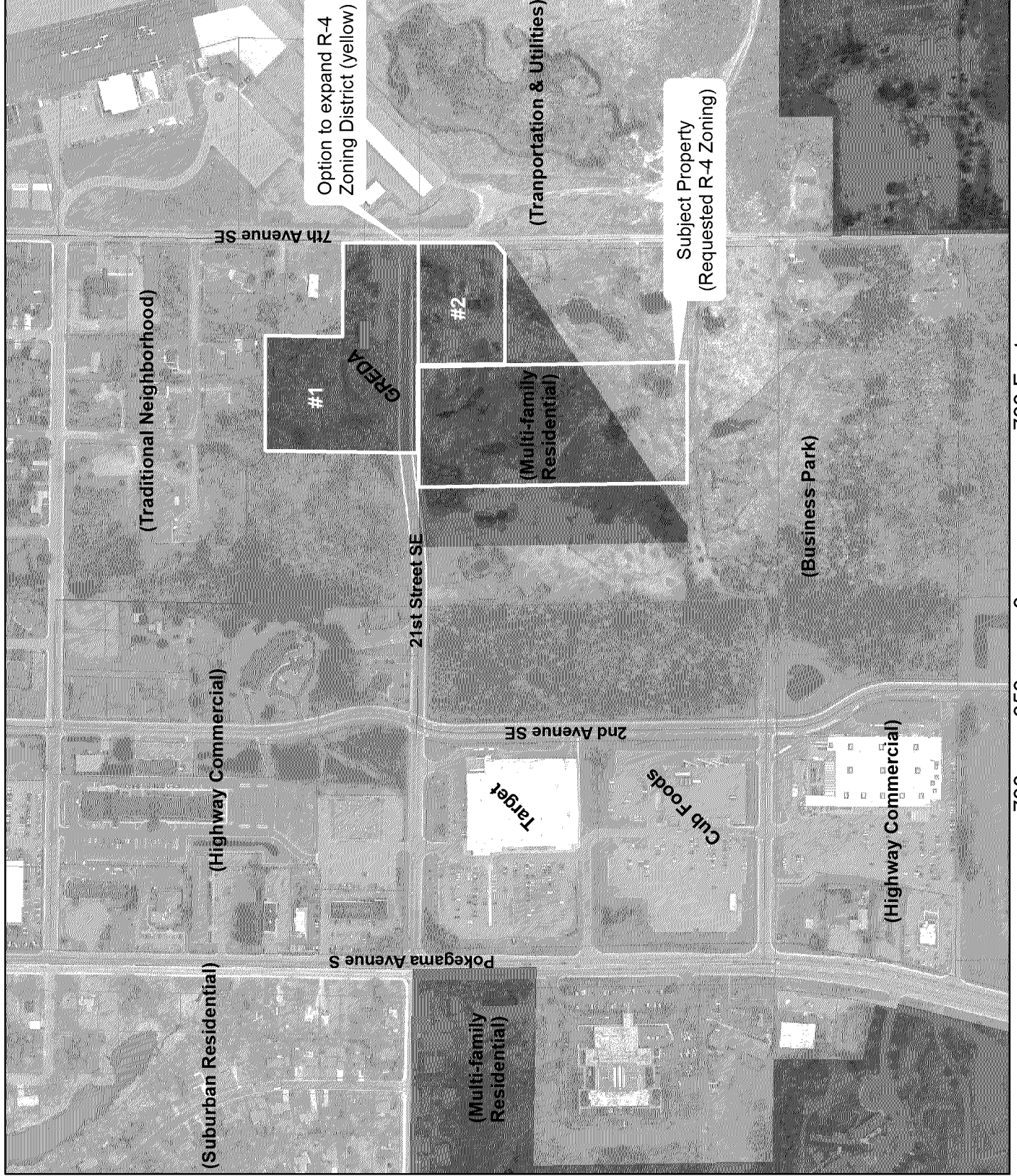
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Edvenson Zoning Map Amendment Request (Comprehensive Plan Future Land Use)



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GRAND RAPIDS
IT'S IN MINNESOTA'S NATURE



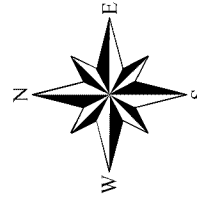
Legend

Comp. Plan Future Land Use

- <all other values>

Future Land Use

- Business Park
- Downtown Mixed Use
- Highway Commercial
- Institutional/Civic
- Industrial Park
- Industrial- Traditional
- Medical Campus
- Multi-Family Residential
- Neighborhood Mixed Use
- Parks & Recreation
- Resource Management
- Rural Residential
- Suburban Residential
- Traditional Neighborhood
- Transportation & Utilities
- Parcel



PLANNING COMMISSION

Considerations

ZONING ORDINANCE

1. Will the change affect the character of neighborhoods?
2. Would the change foster economic growth in the community?
3. Would the proposed change be in keeping with the spirit and intent of the ordinance?
4. Would the change be in the best interest of the general public?
5. Would the change be consistent with the Comprehensive Plan?

SUPPLEMENTAL CHECKLIST FOR REZONING

When considering rezoning property, the following questions should also be considered:

1. Has there been a change in the development policies of the community?
2. Are there changed conditions in the community that would change the proper zoning of the property?
3. Was there a mistake in the original zoning ordinance?
4. Is the zoning ordinance up to date?
5. Is similarly zoned land currently available?
6. Does the proposed rezoning (or amendment) conform to the comprehensive plan?
7. Is the proposed use compatible with adjacent land uses?
8. Is the proposed rezoning (or amendment) spot zoning?
9. Is the timing proper for the proposed rezoning (or amendment)?
10. What is the effect of the proposed rezoning on public utilities?
11. Will the proposed rezoning place an undue financial burden on the community?
12. Will the rezoning increase tax revenues?



Petition for Rezoning (Zoning Map Amendment)

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:

Harley Edvenson
 Name of Applicant
28719 E BASS LAKE RD
 Address
Grand Rapids MN 55744
 City State Zip
999-5988
 Business Telephone/Other Telephone/e-mail

 Name of Owner (If other than applicant)

 Address

 City State Zip

 Business Telephone/Other Telephone/e-mail

Parcel Information:

Tax Parcel # 91-033-1204 Property Size: 10 Acres
 Existing Zoning: INDUSTRIAL Requested Zoning: R4
 Existing Use: VACANT
 Proposed Use: RESIDENTIAL
 Property Address/Location: 21ST STREET SE.
 Legal Description: EAST 440 FT. of WEST 880 FT of NO. 30 Acres of the NW 1/4 NE 1/4 Sec 33,
 (attach additional sheet if necessary) TWP. 55 Rgc 25

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.

Harley Edvenson
 Signature(s) of Applicant(s)

4-26-12
 Date

 Signature(s) of Owner(s)-(If other than applicant)

 Date

APR 26 2012

Office Use Only

Date Received _____ Certified Complete 4/27/12 Fee Paid \$505.00
 Planning Commission Recommendation Approved _____ Denied _____ Meeting Date 6/7/12
 City Council Action Approved _____ Denied _____ Meeting Date _____
 Summary of Special Conditions of Approval: _____

Required Submittals (25 copies of each):

- Application Fee - \$505.00 *¹
- Location Map
- Map Showing Surrounding Zoning
- Proof of Ownership – (a copy of a property tax statement or deed will suffice)

**¹The 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.*

Justification of Proposed Rezoning: Please answer all of the following questions (attach additional pages if needed). The planning Commission will consider these questions and responses, and other issues (see attached list) in making their findings of fact and recommendation on the proposed rezoning.

A. What are the Surrounding land uses? Describe the existing uses and zoning classifications in the area surrounding the subject property.

Highway Commercial & Multi Family Residential

B. Would the uses permitted by the proposed zoning map change be appropriate for the surrounding area?

yes it would, it would fit right in with surrounding area & comp plan

C. Is the property adequately served by public infrastructure (streets, sidewalks, utilities, etc)?

Yes it is, the sidewalks, street & utilities are in already

D. Demonstrate the need for additional property in the proposed zoning district.

there is not much of an inventory of R-4 in the city

E. What effect will the proposed rezoning have on the growth and development of existing neighborhoods, other lands in the proposed district, commercial and industrial neighborhoods? _____

the rezoning promotes growth + development

F. Demonstrate that the proposed rezoning is the minimum change needed to allow a reasonable use of the property. _____

IT would allow more multi family to be constructed

G. How does the proposed rezoning conform to the City's Comprehensive Plan? _____

Rezoning fits ~~in~~ in with the city's comp plan + future land use

H. Is the timing proper for the proposed rezoning? _____

There is apartment development going on in the city so would be a demand for this property

I. Any additional information that the Petitioner would like to supply. _____

Additional Instructions:

Prior to submitting your Petition to Rezone, you will need to arrange for one or more preliminary meetings with the Community Development Director. This meeting is intended to ensure that the proposed application is complete, to answer any questions the applicant may have, discuss meeting schedules and, if applicable, the scope of the required submittals.

Findings for Approval:

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

- Will the change affect the character of the neighborhoods?
- Would the change foster economic growth in the community?
- Would the proposed change be in keeping with the spirit and intent of the ordinance?
- Would the change be in the best interest of the general public?
- Would the change be consistent with the Comprehensive Plan?

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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