

## MEMO

Date: July 30, 2015

To: Alexandria Town Board

From: Ben Oleson, Hometown Planning  
Zoning Administrator, Alexandria Township

Re: Zoning Administrator's Report

Dear Town Board Members:

The Planning Commission held its regular meeting on July 27, 2015. There were two public hearings, for which the Planning Commission is passing on their recommendations to the Town Board.

Attachments, drawings and photos related to the applications are available at: [www.hometownplanning.com](http://www.hometownplanning.com). Public comments (if any) are also at the same location.

### PUBLIC HEARING #1

**Application:** Conditional use permit for a lighted sign

**Applicant:** Jeremy Tilleskjer (Master's Plumbing)

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#### Background Information:

- Proposal:** The applicant is proposing to erect a free-standing pole sign that will have exterior lighting. The property is zoned Commercial - Urban, in which a conditional use permit is required for an "illuminated freestanding sign". The proposed sign will be 20 ft in height (max. 35 ft allowed) and be 64 square feet in size (max. 64 sq ft allowed).
- Location:**
  1. Property Address: 3446 State Highway 29 North
  2. Legal Description: Section 3, Township 128, Range 37, NE4NW4 Lying W of State Hwy 29 Ex: NW 5 AC an Irreg 8.13 AC Tract & 2.07 AC; SE4NW4 Lying Nw'ly of State Hwy 29. AC 15.65Section-Township-Range: 22-128-37
  3. Parcel Number(s): 03-0029-940
- Zoning:** Commercial Urban (C-U)

- **Lot size:** Approx. seven (7) acres outside of the State Highway 29 right of way (according to Douglas Co. GIS)

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**Town Board Direction:** The Town Board can accept the recommendation of the Planning Commission, render a modified decision on the application, or send the request back to the Planning Commission for further review if additional information is needed. If the decision is for approval or denial, findings of fact should be cited.

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**Planning Commission Action:** The Planning Commission has unanimously recommended approval of conditional use permit for the proposed sign with the following conditions of an approval:

1. That the lights on the sign be equipped with equipment so that they can be automatically turned on or off.
2. That the sign shall not be lighted between the hours of 10:00pm and 7:00am.

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**Recommended Findings:** The Planning Commission recommends the following findings of fact in support of its recommendation:

1. **1. The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area:**

**Yes.** No additional burden on parks or schools would be expected because it will not involve additional residents or school-age children and there will not be a need for any expansion or improvement to utilities or streets beyond what would normally be expected without the proposed sign.
2. **The use will be sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land:**

**Yes.** The property abuts residentially-zoned property to the west and south. The lighting from the proposed sign may should not significantly impact homes that exist in this area. There are no vacant lots immediately adjacent to the parcel.
3. **The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties:**

**Yes.** The property abuts residentially-zoned property to the west and south. The lighting from the proposed sign will be external in nature and should not significantly impact homes that exist in this area.
4. **The use in the opinion of the Town Board is reasonably related to the overall needs of the Township and to the existing land use:**

**Yes.** The Township has a general desire to support the use of property for commercial uses when appropriately located and zoned. This property is zoned

commercially and the construction of a sign would not be abnormal. The primary question is whether the lighting will be done in a way that adequately protects neighboring residential landowners from negative effects. The proposed external lighting should adequately protect neighboring properties.

**5. The use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to located the proposed use:**

**Yes.** The area of the proposed development has been zoned as “Commercial – Urban” The purpose of this district is:

“The Commercial – Urban district is intended to provide opportunities for commercial uses that are best located in areas providing urban services, such as centralized sewer treatment and urban streets. Examples of such uses include those that generate high-strength or problem wastes not typically found in residential wastewater, those generating large amounts of wastewater, or facilities that discharge chemical or other non-organic wastes in amounts not suitable for treatment in an individual sewage treatment system. Areas chosen for this district are located along state highways at intersections with county or township roads capable of handling additional traffic and within current public sewer district service areas.”

The proposed business use is already permitted within the district. The proposed sign is also an allowable use, except that illumination of the sign requires a conditional use permit.

**6. The use is in conformance with the Comprehensive Plan of the Township:**

**Yes.** The comprehensive plan identifies the area of the proposed development in the Future Land Use Map as “Urban Residential”

“The purpose of this land use category is to provide opportunities for urban density housing in areas that are most readily served by urban infrastructure and services. This category is intended for areas that are currently served by Alexandria Area Sanitary Sewer District (ALASD) infrastructure or are within the identified future service area of ALASD. Within these areas, new residential development will be reviewed to ensure that the proposed density, dimensions, and layout of lots will allow for the efficient use of public infrastructure and the cost-effective provision of public services. A gross urban density of two to three dwelling units per acre or higher is intended for these areas. Proposed subdivisions that would create oversized lots would be reviewed to allow for a transition to urban densities of housing in an orderly and efficient manner. This may be accomplished through ghost platting, conservation subdivision designs that cluster homes on urban-sized lots, provision of urban sewer or road infrastructure at the time of development, or by other appropriate means.

Typical “lot-block” or “conservation” subdivision designs are both considered appropriate in these areas. Where sensitive or unique natural or cultural resources, such as wetlands, shoreland, etc. are present, a conservation subdivision design with lower densities that protects these resources may be required. Long-term commercial/industrial uses that are incompatible with residential uses should not be allowed in this district.”

While the proposed use of the property is not consistent with the Comprehensive Plan, it is consistent with the zoning of the property as commercial. The property was rezoned from residential to commercial in 2006 with the approval of the Township. The proposed use is not for the business itself, but to add a freestanding sign to an already permitted business.

**7. The use will not create a traffic hazard or congestion:**

**Yes.** The lighting of the sign will make the sign more visible to traffic and ideally improve traffic flow somewhat by avoiding situations where motorists have to slow down to view the sign. Generally speaking, a reasonably lighted sign should not create additional traffic hazards and may improve traffic conditions beyond what might otherwise exist if the sign were unlighted.

**8. The use will conform to the applicable zoning regulations, including any dimensional restrictions the regulations may impose on buildings or uses:**

**Yes.** The applicant's initial plans were to install a 100 sq ft sign. Staff has informed them that the maximum allowed is 64 sq. ft.. Any exceedance of what is allowed would require a separate variance application.

**PUBLIC HEARING #2**

**Application:** Conditional use permit for a sign up to sixteen square feet.

**Applicant:** Kyle Thompson

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**Background Information:**

- Proposal:** The applicant is proposing to modify an existing sign that was originally constructed to identify the on-site daycare business in 2011 to comply with the current sign ordinance. The applicant was notified in 2011 that the sign had been constructed without the proper approvals. The Town Board, in 2012, allowed for the sign to remain while the Township and Douglas County worked on a revised sign ordinance. That sign ordinance was eventually adopted by the Township in 2014 and the sign as it exists is approximately 18 sq ft in size. The maximum size of any one daycare sign in the residential zoning district is 12 sq ft. A 16 sq ft can be allowed via a conditional use permit. The existing sign is considered about 18-19 sq ft in size based on the ordinance (it contains a 15 sq ft main portion along with a 3-4 sq ft portion hanging from the bottom).
- Location:**
  1. Property Address: 2503 Hazel Hill Road SE
  2. Legal Description: Lot 6, Block 1, Lake Victoria Park 1<sup>st</sup> Addition
  3. Section-Township-Range: 28-128-37
  4. Parcel Number(s): 03-1979-000
- Zoning:** Urban Residential (UR)
- Lot size:** Approx. 1.40 acres (according to Douglas Co. GIS)

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**Town Board Direction:** The Town Board can accept the recommendation of the Planning Commission, render a modified decision on the application, or send the request back to the Planning Commission for further review if additional information is needed. If the decision is for approval or denial, findings of fact should be cited.

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**Planning Commission Action:** The Planning Commission has unanimously recommended approval of conditional use permit for the proposed sign with the following conditions of an approval:

1. That the existing sign be reduced in size to no more than 16 sq ft within 45 days after the approval of the application by the Town Board.

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**Recommended Findings:** The Planning Commission recommends the following findings of fact in support of its recommendation:

1. **The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area:**  

Yes. The sign itself will have no burden on any of the above community features.
2. **The use will be sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land:**  

Yes. The property abuts residentially-zoned property on all sides. The increase from 12 sq ft to 16 sq ft should have no appreciable impact on surrounding residential land.
3. **The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties:**  

Yes. So long as the sign remains in good repair, it should not create any adverse impact on adjacent residential properties.
4. **The use in the opinion of the Town Board is reasonably related to the overall needs of the Township and to the existing land use:**  

Yes. The use of a sign to advertise a home daycare is reasonably related to the need of the Township to allow reasonable signage for allowed businesses. Further, the sign is located at an intersection where having a larger sign allows for it to be seen a bit further away.
5. **The use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to located the proposed use:**  

Yes. The area of the proposed development has been zoned as "Urban Residential" The purpose of this district is:  
  
"The Urban Residential district is intended to provide opportunities for urban density (two to three dwelling units per acre) residential development in areas that are most readily served by urban infrastructure

and services. Areas chosen for this district are within existing or planned public sewer district service areas. Proposed residential developments that would create oversized lots would be reviewed to facilitate an efficient and orderly transition to urban densities at a future date should landowners choose to do so.

The proposed daycare use is already permitted within the district. The proposed sign is also an allowable use, except that a conditional use permit is required to increase the size from 12 up to 16 sq ft.

**6. The use is in conformance with the Comprehensive Plan of the Township:**

**Yes.** The comprehensive plan identifies the area of the proposed development in the Future Land Use Map as “Urban Residential”

“The purpose of this land use category is to provide opportunities for urban density housing in areas that are most readily served by urban infrastructure and services. This category is intended for areas that are currently served by Alexandria Area Sanitary Sewer District (ALASD) infrastructure or are within the identified future service area of ALASD. Within these areas, new residential development will be reviewed to ensure that the proposed density, dimensions, and layout of lots will allow for the efficient use of public infrastructure and the cost-effective provision of public services. A gross urban density of two to three dwelling units per acre or higher is intended for these areas. Proposed subdivisions that would create oversized lots would be reviewed to allow for a transition to urban densities of housing in an orderly and efficient manner. This may be accomplished through ghost platting, conservation subdivision designs that cluster homes on urban-sized lots, provision of urban sewer or road infrastructure at the time of development, or by other appropriate means.

Typical “lot-block” or “conservation” subdivision designs are both considered appropriate in these areas. Where sensitive or unique natural or cultural resources, such as wetlands, shoreland, etc. are present, a conservation subdivision design with lower densities that protects these resources may be required. Long-term commercial/industrial uses that are incompatible with residential uses should not be allowed in this district.”

The Plan does not directly address issues relating to signage of businesses in residential areas.

**7. The use will not create a traffic hazard or congestion:**

**Yes.** The increased size of the sign may help to improve traffic conditions as it allows for it to be seen from slightly longer away and will not cause people to have to be looking away from the road as long to see the information on the sign.

**8. The use will conform to the applicable zoning regulations, including any dimensional restrictions the regulations may impose on buildings or uses:**

**Yes, with modifications.** The current sign is approximately 18-19 sq ft in size and will need to be reduced to no greater than 16 sq ft for any one sign to comply with the ordinance.

**OTHER ITEMS**

- The Planning Commission has been reviewing various sections of the Township’s 2006 Comprehensive Plan over the past year or more. They have developed a number of proposed amendments, which are attached for your review.

The proposed changes are in sections IV - VII. Sections I - III will still need to be reviewed and updated, but are more technical in matter. Staff will be proposing amendments to those sections that would be reviewed by the Planning Commission and part of any public hearing.

To adopt the proposed changes, a public hearing would be required and the Town Board will need to formally adopt a revised Comprehensive Plan. The Planning Commission is seeking the Town Board’s review and input on the proposed amendments prior to scheduling the public hearing.

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If you have questions or concerns on the items in this report or any other issues, please do not hesitate to contact us. You can reach me by email at [oleson@hometownplanning.com](mailto:oleson@hometownplanning.com) or by phone at 888-439-9793.

Sincerely,

HOMETOWN PLANNING



Ben Oleson  
Planning and Zoning Administrator