

## MEMO

Date: September 28, 2017  
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 September 25, 2017. There were two public hearings held and the Planning Commission is passing on their recommendations to the Town Board in relation to these applications.

Attachments, drawings and photos related to the application is 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 Request to install an electronic message display sign in the commercial zoning district

**Applicant:** Indigo Signworks

**Property Owner:** Rainbow Rider Transit Board

**Proposal:** The applicant is proposing to lower the existing 5' x 10' sign cabinet of the existing pole sign by 6 feet (to an overall height of 18 ft) and then install a new a free-standing pole sign with a 3.67' x 8.08' two-sided electronic message display (digital) sign. The property is zoned Light Industrial (I), in which a conditional use permit is required for an "electronic changeable copy sign". The proposed sign will be 12 ft in height (max. 35 ft allowed) and be about 30 square feet in size (max. 32 sq ft allowed). It will be located about 14 feet back from the property/right-of-way line on an existing pole (minimum setback is 10 feet for signs 10-20 feet in height).

**Location:**

- o Property address: 5175 County Road 82 SE
- o Sec/Twp/Range: 23-128-37
- o Parcel number(s): 03-1831-340

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**Planning Commission Recommendation:** Based on the findings of fact and discussion listed elsewhere in this report, the Planning Commission, on a unanimous vote, recommends approval of the requested conditional use permit with the following conditions:

1. That the sign meets all requirements (if any) of the Minnesota Department of Transportation, which retains some regulatory authority over signage along County Road 82.
2. That the sign lighting be automatically dimmed during periods of darkness so as not to be a distraction to motorists.

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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.

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**Proposed Findings of Fact:** The following findings of fact are presented by Staff for consideration by the Planning Commission:

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 proposed sign location is located on light industrial-zoned land and the nearest residential zoned property is located to the southeast on the opposite side of County Road 82 (the house is about 775 feet away). There are two other residentially-used properties in the immediate area (one immediately to the east, one immediately to the southeast and one immediately to the southwest. Both of these homes are on properties that are zoned for commercial or industrial uses.

3. **The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties:**

**Yes.** The primary question is whether the lighting would negatively impact nearby residential properties. Given the limitations on the lighting of the sign and its positioning on the property the signage will not have an adverse effect upon adjacent 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 Township has a general desire to support the use of property for commercial uses when appropriately located and zoned. This property is zoned light industrial and the construction of a sign would not be abnormal.

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 "Light Industrial" The purpose of this district is:

“The Light Industrial district is intended to provide opportunities for light industrial uses that do not generate significant nuisance characteristics including excessive smoke, vibration, noise, traffic, odor or other similar characteristics incompatible with residential uses in the area. Areas chosen for this district are located along state highways at intersections with county or township roads capable of handling additional traffic.”

The existing 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 “Rural Commercial/Industrial”

“The purpose of this land use category is to provide opportunities for commercial and industrial uses that do not require urban sewer infrastructure or substantial water supply. Examples of such uses include those that generate only those wastes typically found in residential wastewater and that do not create nuisance characteristics incompatible with residential uses. Temporary heavy industrial uses, such as gravel extraction and processing may be allowed in these areas provided that they can be operated and closed in a manner that will make the land consistent with residential uses. This category is intended for areas that are outside of the identified future service area of ALASD that are visible or easily accessible from state highways at major intersections. These areas are intended to be located in “nodes” at major intersections rather than in a “strip” design along long sections of a road corridor. Long-term residential uses that are incompatible with commercial/industrial uses should not be allowed in this district.”

The existing use of the property for a commercial/industrial building is consistent with the Comprehensive Plan, and is consistent with the current zoning of the property for Light Industrial uses.

**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. A concern with electronic changeable copy signs is that the fact that the message changes every few seconds has the potential to distract motorists. The Township’s regulations require that the sign not change its message more than once every 5 seconds in an effort to minimize the potential for distraction. There are also other regulations designed for the same purpose.

**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 are to install a 30 sq ft sign that is 12 feet tall at its highest point. These are both within the required size limits. The sign will also meet the minimum required setbacks from the side property line.

## PUBLIC HEARING #2

**Application:** Conditional Use request to allow an illuminated free-standing sign in height in a commercial zoning district

**Applicant:** Rose City Canopy & Sign

**Property Owner:** Poepping Properties, Inc

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**Proposal:** The applicant is proposing to erect a free-standing pole sign with a 4' x 9.8' two-sided sign face that will be lit from the interior of the sign cabinet. The property is zoned Light Industrial (I), in which a conditional use permit is required for an "illuminated freestanding sign". The proposed sign will be 14.5 ft in height (max. 35 ft allowed) and be 39 square feet in size (max. 64 sq ft allowed). It will be located 10-20 feet back from the property/right-of-way line (minimum setback is 10 feet for signs 10-20 feet in height).

**NOTE:** The minimum side yard setback for a 14.5 ft sign is 16 feet. It appears that the proposed location would not meet this setback.

**Location:**

- Property address: 5313 County Road 82 SE
- Sec/Twp/Range: 23-128-37
- Parcel number(s): 03-1828-000

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**Planning Commission Recommendation:** Based on the findings of fact and discussion listed elsewhere in this report, the Planning Commission, on a unanimous vote, recommends approval of the requested conditional use permit, with the following conditions:

1. That the brightness of the lighting elements not be such that it creates a distraction for motorists or neighboring residential property owners.
2. That the sign must meet all required setbacks from property lines, unless a variance is granted.
3. That the sign meets all requirements (if any) of the Minnesota Department of Transportation, which retains some regulatory authority over signage along County Road 82.

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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.

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**Proposed Findings of Fact:** The following findings of fact are presented by Staff for consideration by the Planning Commission:

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 proposed sign location is located on light industrial-zoned land and the nearest residential zoned property is located directly across County Road 82 (the house is about 300 feet south of the proposed sign). There are three other residentially-used properties in the immediate area (one immediately to the west, one immediately to the east and one immediately to the southwest. All three of these homes are on properties that are zoned for commercial or industrial uses. The lighting from the proposed sign will be muted somewhat by the fact that the sign is mainly a blue color. In addition, the north and south ends of the sign are enclosed and lighting will not be visible from those directly.

- 3. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties:**

**Yes.** The primary question is whether the lighting would negatively impact nearby residential properties. Given the limitations on the lighting of the sign and its positioning on the property the signage will not have an adverse effect upon adjacent 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 Township has a general desire to support the use of property for commercial uses when appropriately located and zoned. This property is zoned light industrial 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.

- 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 "Light Industrial" The purpose of this district is:

"The Light Industrial district is intended to provide opportunities for light industrial uses that do not generate significant nuisance characteristics including excessive smoke, vibration, noise, traffic, odor or other similar characteristics incompatible with residential uses in the area. Areas chosen for this district are located along state highways at intersections with county or township roads capable of handling additional traffic."

The existing 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 “Transition Residential”

“The purpose of this land use category is to provide opportunities for residential development in areas not currently identified for provision of urban infrastructure, such as sewer, water, or storm drains, but that could efficiently accommodate urban housing densities within the next twenty-five (25) years as the population of the area increases. These areas may be developed at rural or semi-rural densities, but are intended to be designed in a manner that allows for a transition to urban densities of housing in an orderly and efficient manner as sewer, water, or other public infrastructure or services become available. 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.”

Where sensitive or unique natural or cultural resources are present, a conservation subdivision design 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 existing use of the property for a commercial/industrial building is inconsistent with the Comprehensive Plan, but is consistent with the current zoning of the property for Light Industrial uses. The proposed sign will not make the use any less conforming with the Comprehensive Plan as the use is already existing and signs are permitted.

**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 or as they try to locate the property (the applicant notes that semi-truck drivers making deliveries often are unsure where the property is). However, it could also act as a distraction to drivers that may create additional congestion or traffic hazards. 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.

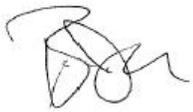
**8. The use will conform to the applicable zoning regulations, including any dimensional restrictions the regulations may impose on buildings or uses:**

**Yes.** The applicant’s initial plans are to install a 39 sq ft sign that is 14.5 feet tall at its highest point. These are both within the required size limits. The sign will also need to meet the minimum required setbacks from the property line, unless a variance is granted.

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 320-759-1560.

Sincerely,

HOMETOWN PLANNING

A handwritten signature in black ink, appearing to read "Ben Oleson". The signature is stylized and somewhat cursive, with a large initial "B" and "O".

Ben Oleson  
Planning and Zoning Administrator