

MEMO

Date: May 31, 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 May 22, 2017. There was one public hearing held and the Planning Commission is passing on their recommendations to the Town Board in relation to this application.

Attachments, drawings and photos related to the application is available at: www.hometownplanning.com. Public comments (if any) are also at the same location.

PUBLIC HEARING #1

Application: Conditional Use Request to construct an illuminated free-standing sign.

Applicant: James and Richard Heidecker

Background Information:

- Proposal:** The applicant is proposing to erect a free-standing pole sign with an 8' x 8' two-sided sign face 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). It will be located 20 feet back from the property/right-of-way line.
- Location:**
 1. Property address: 4354 County Road 82 SE
 2. Sec/Twp/Range: 22-128-37
 3. Parcel number(s): 1760-025
- Zoning:** Commercial-Urban (C-U)

Planning Commission Recommendation: Based on the findings of fact and discussion listed elsewhere in this report, the Planning Commission, on a 3-0 vote, recommends approval, with the following conditions:

1. That the lights on the sign be directed to the sign face only such that it does not create a hazard for drivers on County Road 82 or a nuisance to neighboring residential properties.

2. 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.

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.

Recommended Findings of Fact: The following findings of fact are presented by the Planning Commission for consideration by the Town Board:

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 commercially-zoned land and the nearest residential zoned property is about 530-550 feet to the southwest. The nearest residentially-used property is about 700 feet to the east (it is zoned commercially however). The lighting from the proposed sign is intended to be directed at the sign only so that it does not shine on the road or to adjacent properties and should not create any significant nuisance characteristics for residential properties.

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 distance to residential homes and the lighting being directed onto the sign only, it should not have a significant impact on 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 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.

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 Commercial/Light Industrial”

“The purpose of this land use category is to provide opportunities for commercial and light-industrial uses that are best served by urban sewer infrastructure due to the types and/or amount of wastewater produced. Examples of such uses include those that generate high-strength or problem wastes not typically found in residential wastewater, such as facilities serving food or drinks, those generating large amounts of wastewater such as laundry operations, or facilities that discharge chemical or other non-organic wastes in amounts not suitable for treatment in an individual sewage treatment system. This category is intended for areas that are inside 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. Heavy industrial uses which require significant water supply or that generate nuisance characteristics inconsistent with residential uses are not intended within this district. Long-term residential uses that are incompatible with commercial/industrial uses should not be allowed in this district.”

The proposed use of the property for commercial use and a commercial sign is consistent with the Comprehensive Plan.

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 are to install a 64 sq. ft. sign that is 20 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 property line.

OTHER ITEMS

- **Lake Jessie Meadows subdivision:** The landowner has made a request to “eliminate” two of the 49 previously-approved residential lots by transferring ownership of these lots to the Association and making them unbuildable. The impervious surface previously allocated to these two lots would then be transferred to other lots in the development. The landowner has proposed dividing the impervious from each “eliminated” lot to 5 other lots (approx. 583 sq ft each to 10 total lots). The question will be how this type of request would be processed for zoning/subdivision purposes and can be discussed at the meeting.
- **Mini-storage zoning:** In response to questions received by the Zoning Administrator for locating mini-storage in different parts of the Township, Planning Commission members expressed that mini-storage facilities should not be in residential lakeshore areas, and should be located in more rural areas and along heavily traveled roads. They plan on having further discussion at their next meeting. Currently, mini-storage is only allowed in commercial and industrial zoned areas and to allow them in other districts would require an ordinance amendment.
- **Impervious Surfaces (recreational court):** A member of the public is proposing to establish a “sport court”(private basketball court). To meet impervious surface limits, he would put pervious panels on top of a gravel base. The Planning Commission raised questions about whether the gravel needed to be “loose” or compressed. The gentleman was advised to meet with the Engineer and Zoning Administrator to discuss.
- **Douglas County upcoming ordinance amendment discussions/hearings:** The Planning Commission expressed interest in attending the meetings and reviewing drafts.

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 or by phone at 320-759-1560.

Sincerely,

HOMETOWN PLANNING



Ben Oleson
Planning and Zoning Administrator