



PLANNING COMMISSION MEETING AGENDA

June 24, 2019

7:00pm

1) Call to Order

- a) Approval of Agenda
- b) Approval of Minutes – May 28, 2019

2) Public Hearings

- a) **VARIANCE:** Application from Mound-Westonka ISD 277 for a variance from City Code Section 515.21 Subd. 1(a) to allow for a monument sign with a total display surface area of 87 square feet at 5901 Sunnyfield Road E; PID# 11-117-24-42-0002. The proposed monument sign is 9' 5" wide by 11' 9" tall with dynamic display.

3) Business Items

- a) None

4) Informational Items

- a) Staff Reports
- b) Council Reports

5) Adjournment

- *The agenda packet with all background material is located at the back table for viewing by the public.*
- *Published agenda subject to change without notice.*
- *Information and materials relating to the above items are available for review at city hall by appointment.*



PLANNING COMMISSION MEETING MINUTES

May 28, 2019

7:00pm

1) Call to Order

Chair Sandholm opened the meeting at 7:00 p.m.

In attendance: Commissioners – Chair Lora Sandholm, Peter Vickery, Damian Young, Steve Livermore (arrived at 7:03 pm), Gary Vars (Alternate 1), Justin Forbrook, and; Council Liaison: Mayor Lisa Whalen; Staff: City Planner Nick Olson and City Clerk Kris Linquist. Also present:

Absent: Gary Pettis, Robert Rabin, Mike Kirkwood (Alternate 2)

a) Approval of Agenda

Motion by Vickery, seconded by Vars to approve the agenda as presented.

Motion passed 5-0. Absent: Pettis, Rabin, Livermore

b) Approval of Minutes from April 22, 2019

Motion by Vars, seconded by Forbrook to approve the minutes from April 22, 2019 as presented.

Motion passed 5-0. Absent: Pettis, Rabin, Livermore

2) Public Hearings - None

3) Business Item

a) The City of Minnetrista will consider the proposed land purchase by Three Rivers Park District for compliance with the Comprehensive Plan per Minn. Stat. § 462.356, Subd. 2. The land proposed to be purchased is 1755 Retreat Circle; A Agriculture Zoning District: PID# 15-117-24-22-0005.

City Planner Olson presented the staff report found in the Planning Commission packet dated May 28, 2019.

Highlights included in the presentation were:

- In 2013, Three Rivers Park District purchased Camp Kingswood and later renamed it the Kingswood Special Recreation Feature.
- Three Rivers Park District purchased the property adjacent to Kingswood Park in 2018 and recently amended the Kingswood Special Recreation Feature Master Plan to include the property within its boundary.
- Three Rivers Park District's interest in purchasing the Property is it has significant natural resource value given its location along Little Long Lake, one of the cleanest and ecologically diverse lakes in the Twin Cities metro region.
- MN Statute § 462.356, Subd. 2 requires public agencies to notify the planning agency of a city prior to purchase of any public land. It also

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states that the planning agency (Planning Commission) shall review the potential purchase and report in writing to the governing body (City Council) its findings as to compliance with the comprehensive municipal plan.

- Three Rivers Park District's proposed use of said Property to be purchased is in compliance with its current zoning and future land use designation.
- Parks Commission will review the proposal on June 11, 2019.
- The proposal will go before the Council on June 17, 2019 for approval.

There was discussion on when the park would be available for public use. Olson stated that information should be on the Three Rivers Park District's website.

There was discussion about the benefits of allowing this acquisition.

Motion by Vickery, seconded by Young that the Planning Commission determined Three Rivers Park District's acquisition of 1755 Retreat Circle is consistent with the Comprehensive Plan for the City of Minnetrista per Minn. Statute § 462.356, Subd. 2 and to recommend the City Council adopt a resolution of support for the acquisition of 1755 Retreat Circle by Three Rivers Park District and a master plan amendment to expand the Kingswood Special Recreation Feature Master Plan boundary to include the Property.
Motion carried 6-0. Absent: Pettis and Rabin

4) Informational Items

a) Staff Reports – City Planner Nick Olson

- Nothing for June meeting
- Woodland Cove Lake 3rd Addition was approved by Council

b) Council Reports – Councilmember Pam Mortenson

- SWAMP update
- Governor's Safety Award
- Road Project updates
- 2019 Street Improvement project

5) Adjournment

Motion by Young, seconded by Livermore to adjourn the meeting at 7:25p.m.
Motion passed 6-0. Absent: Pettis and Rabin

Respectfully Submitted,

Kris Linquist

Kris Linquist, MMC
City Clerk

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CITY OF MINNETRISTA



PUBLIC HEARING

Subject: **VARIANCE: Application from Mound-Westonka ISD 277 for a variance from City Code Section 515.21 Subd. 1(a) to allow for a monument sign with a total display surface area of 87 square feet at 5901 Sunnyfield Road E; PID# 11-117-24-42-0002. The proposed monument sign is 9' 5" wide by 11' 9" tall with dynamic display.**

Prepared By: Nickolas Olson, City Planner

Meeting Date: June 24, 2019

Overview: Mound-Westonka ISD 277 (the "Applicant") has applied for a variance to allow for a monument sign with a total display surface area of 87 square feet at 5901 Sunnyfield Road E (the "Property").

Background: The Applicant is seeking to upgrade their existing monument sign from a manual message board to a Dynamic Display message board. The existing sign contains a 6' by 6' message board. The proposed sign will contain a 9' 5" wide by 5' 9" tall Dynamic Display message board as part of the new monument sign. The reason for the proposed upgrade, per the Applicant, is to increase visibility and keep up with the modernization of the school district. The Applicant considers the proposed sign to be a vital part about delivering messages to several groups for the School, Activity Center, and Performing Arts Center, especially during inclement weather. Further details on the request and reasons for it can be found in the Applicant's narrative attached to this staff report.

Discussion: Presently, the Property is zoned R-1 Low-density single-family residence. With the proposed 2040 Comprehensive Plan (the "Plan"), the Property will be guided Park, Public, Semi-Public, which is consistent with the Public/Semi-public zoning district. After the Plan is approved by the Met Council, the City will amend the zoning map to be consistent with the Plan. Therefore, staff is following the sign standards for the Public/Semi-public zoning district.

515.21 Signs in public/semi-public facilities district

Monument Signs: One Monument Sign is permitted at each street entrance to the site. No sign may exceed 50 square feet in Display Surface Area. No Sign may exceed 12 feet in height above grade. The Sign may be illuminated and may contain a Dynamic Display. The ground area around the base of each Sign must be landscaped with shrubs and landscaping in a surface area equal to at least 50 percent of the Sign's Display Surface

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Area. Landscaping materials shall be selected that will withstand the environmental conditions of the site and provide seasonal interest.

The Applicant's request has two parts: A Display Surface Area variance and a Dynamic Display ratio variance. City Code allows for a maximum of 50 square feet in Display Surface Area and the Applicant is proposing a total of 87 square feet between the Dynamic Display and the text below. For Dynamic Displays. They are only allow to comprise 35% of the Display Surface Area. The Applicant is proposing just under 57.5%. Since the proposal is for one sign, the variance criteria have been reviewed for the proposed sign, with both variances considered together.

Variance Request: City Code Section 505.05 Subd. 9 allows the City to issue variances from the provisions of the zoning code. A variance is a modification or variation of the provisions of the zoning code as applied to a specific piece of property. A variance is only permitted when:

a. The variance is in harmony with the general purposes and intent of this ordinance.

Section 515.01 outlines the purpose and findings of the City's sign ordinances. The following is a list of those purposes:

- a) To protect and promote the public, health, safety and general welfare of the city through the establishment of comprehensive regulations governing the erection, dimensions, display and use of signs.
- b) To maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth.
- c) To minimize the possible adverse effect of signs on nearby public and private property.
- d) To enable the fair and consistent enforcement of these sign restrictions.
- e) To provide for the safety of the traveling public by limiting the distractions, hazards and obstructions caused by signs.

The variance request is centered on an increase in Display Surface Area, primarily due to a Dynamic Display. In order to mitigate the impact and protect the inhabitants of the City, an increased setback is being required. The Applicant owns all the property on the other side of the road and the closest residential structure is several hundred feet away, which helps to minimize the impact on nearby public and private property. The sign regulations in City Code also help to limit distractions of changing messages and the request does not include any of those regulations.

b. The variance is consistent with the comprehensive plan.

The basic intent of the comprehensive planning process is to provide a well-founded and coordinated decision-making framework to guide both public and private development and community improvements. In this regard, the comprehensive plan represents the development framework to guide and direct future land development decisions within the City. The Land Use Plan is a

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narrative and graphic representation of the community's land use and growth management goals and policies that provides the background and rationale for land use designations as represented on the Proposed Land Use Map. The Land Use Plan is divided into two sections: General Concept Plan and Land Use Elements. Minnetrista's fundamental land use policies are laid out, with the intention that decisions about new development proposals are expected to meet these standards identified in the comprehensive plan, in addition to mere compliance with development ordinances and maps.

The Property is currently being used as a school, which is consistent with the current and future land use of the Property. The variance request does not change the use of the Property. A guiding principle of the Comprehensive Plan is to establish a strong sense of neighborhood and community. Schools are at the center of a strong neighborhood and community and allowing for better communication through an new and enhanced monument sign will help contribute positively in that manner.

A variance may be granted when the applicant establishes there are practical difficulties in complying with this ordinance. Practical difficulties, as used in connection with granting a variance, means:

1. The property owner proposes to use the property in a reasonable manner not permitted by this ordinance.

This factor means that the landowner would like to use the property in a particular reasonable way, but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. The proposed variance is to accommodate a new monument sign for the Applicant, which is as proposed, in part, due to the size of the Dynamic Display board. The Applicant is pursuing a new sign to increase communication with students, teachers, parents, and residents alike. The Dynamic Display allows for changes to the sign to happen remotely, which will allow for efficient changing of messages, especially during inclement weather. Since there already is a sign in this location, upgrading the sign to Dynamic Display is reasonable.

2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. The Applicant lacks frontage on County Road 110W, which is a main roadway for visitors of the school to access Sunnyfield Road E. City Code does not allow for off premise signs. This, plus the drop in topography from County Road 110W, make visibility difficult. Also, the fact that the Applicant is a school is unique in and of itself considering the City only has one other school.

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3. The variance would not alter the essential character of the locality.

Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. There is an existing monument sign now at the Property and the Applicant is proposing to replace that sign with one that contains Dynamic Display. The sign is specific to the school and its recent renovations and additions, including the performing arts center and the activity center. Since the sign has been there for years, updating the sign shouldn't change the effect on the neighboring property owners since.

Neighborhood Comments: Notices were sent out to all property owners within 500 feet of the subject property. To date, staff has received 1 phone call and 1 email regarding this request. The phone call was to inquire about more specific project details and the email was in support of the proposed sign. The written comment has been attached.

Conclusion: The Planning Commission should review the staff report and open a public hearing. Once all interested parties have had the opportunity to speak regarding the requests, the Planning Commission should close the public hearing. After the public hearing is closed, the Planning Commission should consider the entire record before it prior to making a recommendation to the City Council. Along with making a recommendation, findings of fact should be made which support the recommendation. Possible findings of fact are as follows:

1. The requested variance is in harmony with the purpose and intent of the City's zoning ordinances because the proposed sign shouldn't impact the public, health, safety and general welfare of the residents since the nearest home is several hundred feet away;
2. The requested variance is consistent with the City's comprehensive plan because not only is the use consistent with the current and future land use designation, but also will help to establish a sense of community and neighborhood through better communication;
3. The Applicant proposes to use the Property in a reasonable manner because replacing an existing old and outdated sign with a new sign that has Dynamic Display with messages that can be changed efficiently is reasonable;
4. The requested variance is the result of a unique circumstance not created by the landowner because the Property lacks frontage on County Road 110W, which is a main roadway for visitors in search of the school, and there is a drop in topography, which makes visibility difficult; and
5. The requested variance will not alter the character of the locality because there is an existing sign that the Applicant is seeking to replace. Also, the land across from the sign on Sunnyfield Road E is owned by the Applicant and the nearest residential home is several hundred feet away.

Recommended Action: Motion to recommend the City Council approve the requested sign display surface area and dynamic display ratio variance at 5901 Sunnyfield Road East based on the findings of fact in the staff report and subject to the following conditions:

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1. The Property must be developed in accordance with the approved plans as submitted with the variance application;
2. The Applicant shall apply for a sign permit in accordance with City Code. Any changes to the proposed sign may require additional review by the City;
3. The sign must be set back at least 15 feet from the right-of-way line for Sunnyfield Road East. The additional setback distance is due to the proposed size of the sign which has a Display Surface Area that exceeds City Code requirements;
4. The Display Surface Area must not exceed 87 square feet;
5. The Dynamic Display must not occupy more than 57.5% of the total Display Surface Area;
6. The ground area around the base of the sign must be landscaped with shrubs and landscaping in a surface area equal to at least 50 percent of the Sign's Display Surface Area;
7. The sign shall incorporate materials and colors which are compatible with the existing buildings on the Property where the sign is located;
8. The sign shall be maintained in good state of repair and free of rust, corrosion, loose or flaking paint, worn or damaged materials, rotted wooden members and loose or missing parts.
9. The sign shall not be erected which will obstruct a driver's view of pedestrian, bicyclist, equestrian, or motor vehicle traffic and which by reason of position, shape or color, would detract from or otherwise interfere with the proper functioning of a traffic-control sign or signal.
10. Every line of copy and graphics on a Sign visible from a road must be at least seven inches in height if the road has a speed limit of 25 to 34 miles per hour, nine inches if the road has a speed limit of 35 to 44 miles per hour, 12 inches if the road has a speed limit of 45 to 54 miles per hour and 15 inches if the road has a speed limit of 44 miles per hour or more;
11. Where the sign is illuminated, the source of light shall not be directed upon any part of a residence or into any residential district and the light source must also be shielded.
12. The Dynamic Display must not change or move more often than once every five minutes, except for changes that are necessary to correct date, time or temperature information. The date, time or temperature information itself may change no more than once every three seconds for the purposes of updating the information;
13. The images and messages displayed on a Dynamic Display must be static, and the transition from one static display to another must be instantaneous and without any special effects. The images and messages displayed on a Dynamic Display must be complete in themselves, without continuation in content to the next image or message or to any other Sign;
14. The Dynamic Display must be designed and equipped to freeze the device in one position if a malfunction occurs;
15. The Applicant must immediately stop the Dynamic Display when notified by the City that it is not complying with the standards of this section
16. The Applicant obtain all necessary permits and approvals from the City and other applicable entities with jurisdiction over the Property prior to any construction;

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17. The Applicant is responsible for all fees incurred by the City in review of this application; and
18. The variance approval is valid for one year from the date of approval and will become void and expire unless a permit has been issued for the site.

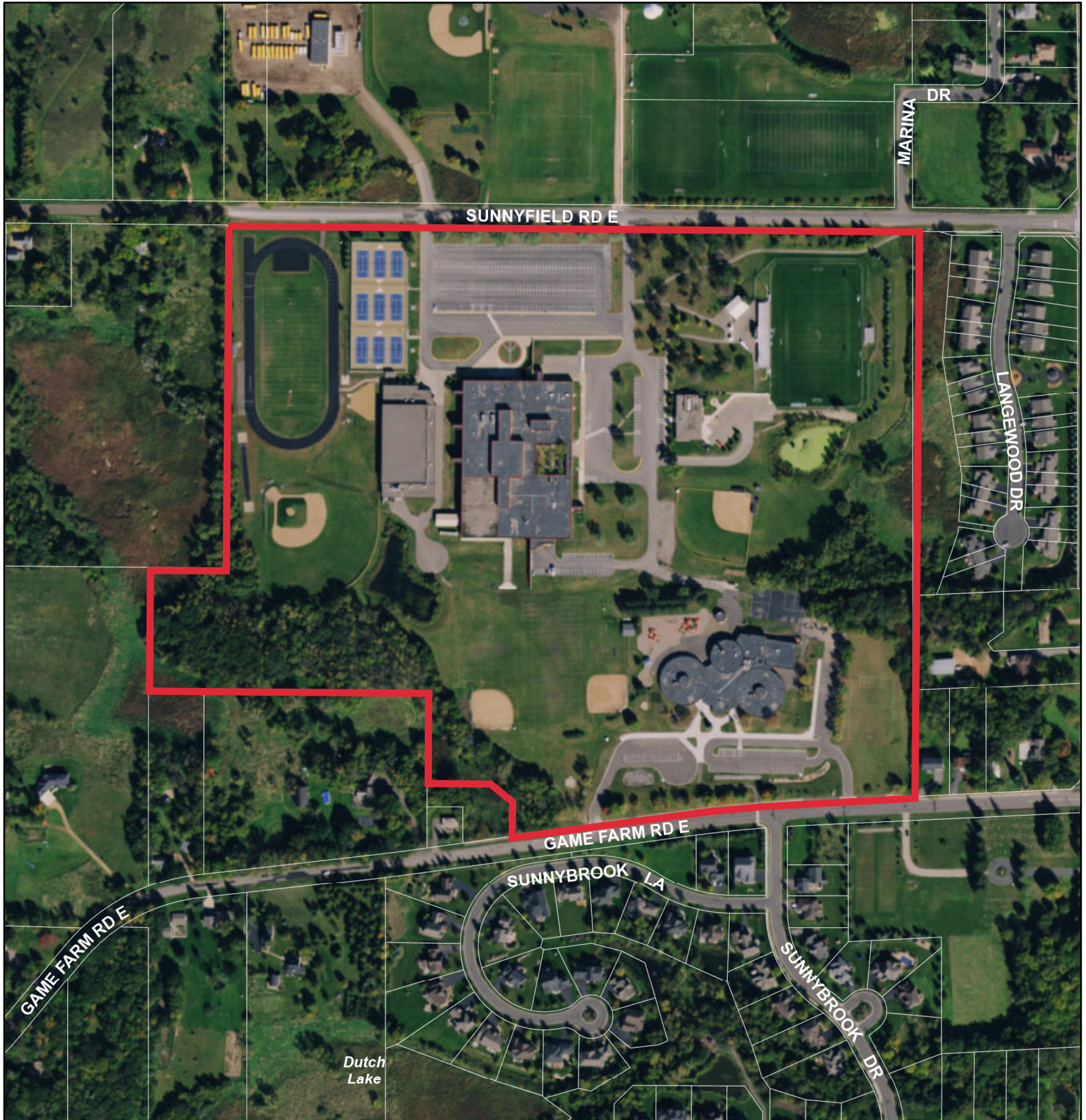
Attachments:

1. Location Map
2. Project Narrative
3. Proposed Sign
4. Proposed Sign Location
5. Neighborhood Comments

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5901 Sunnyfield Road E



1 inch = 376 feet



June 21, 2019

Map Powered by DataLink
from WSB & Associates

6/11/2019

To Nick Olson

City of Minnetrista

From: Phil Smith

Facility Manager

ISD 277

Subject: Digital Message Sign

Independent School District 277 Westonka public schools are asking for a variance on a New digital message board we are planning to put in during the summer of 2019. The new board will replace the existing message board located on the Northeast corner of the High School entry located at 5905 Sunnyfield road East Minnetrista MN, 55364.

The District has a current size message board of 6'x6'. For years parents have complained that they cannot read the sign from either direction of Sunnyfield Road. When the District applied for the original permit of the Digital sign We were told that the actual sign we are asking for is larger than the current ordinance will allow. The actual size of the new sign will be a double sided 5'9"x9'5" display. The current school board has approved this message board at a recent board meeting. This would indicate that they also feel strongly that the public would benefit greatly with a sign that can be clearly read from either direction of Sunnyfield Road.

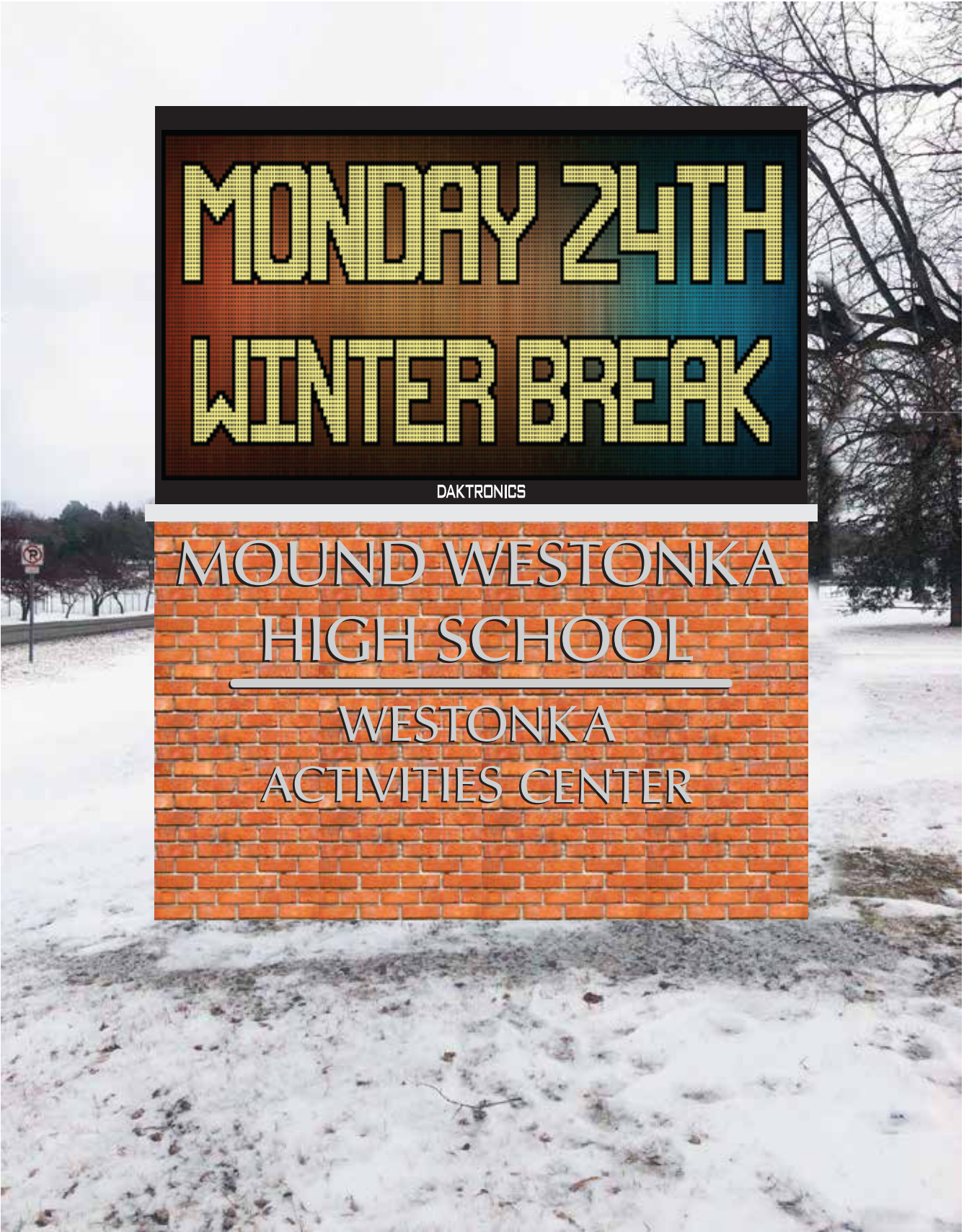
We want to upgrade the message board to keep up with the current modernization of the District. The message board will be facing the East West direction of Sunnyfield Road. The school is presently zoned in a residential area. The District feels that the new sign will not be a visual problem to the residents of the area. We will respect the areas residences.

The District feels the will be a vital part of the future concerning messaging for several groups, including the High School, Performing Arts, and the Activity Center just to name a few. The old board can only have 2 messages on it at any given time. Weather is a major factor as to whether the sign gets changed in a timely manner. Snow, rain, wind are all factors that play into the sign change we presently have to deal with. The new sign will eliminate these issues.

The District looks forward to passing this variance to continue moving forward on the new message board.

Sincerely,

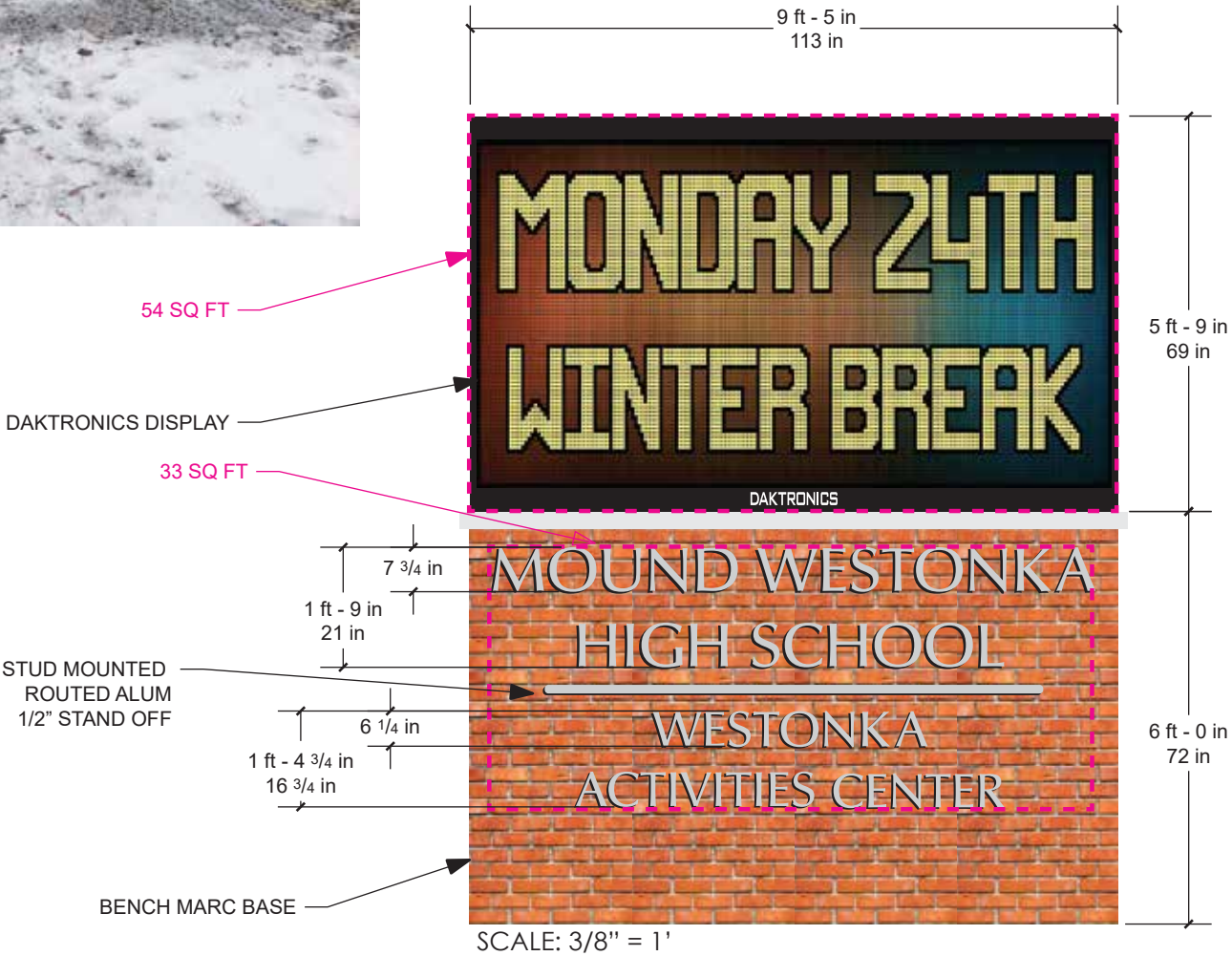
Phil Smith



AFTER: 1/2" = 1'



BEFORE: NOT TO SCALE



SITE SURVEY
FOR
ANDERSON-JOHNSON ASSOCIATES, INC.
OF
WESTONKA HIGH SCHOOL AND
HILLTOP PRIMARY SCHOOL

LEGEND

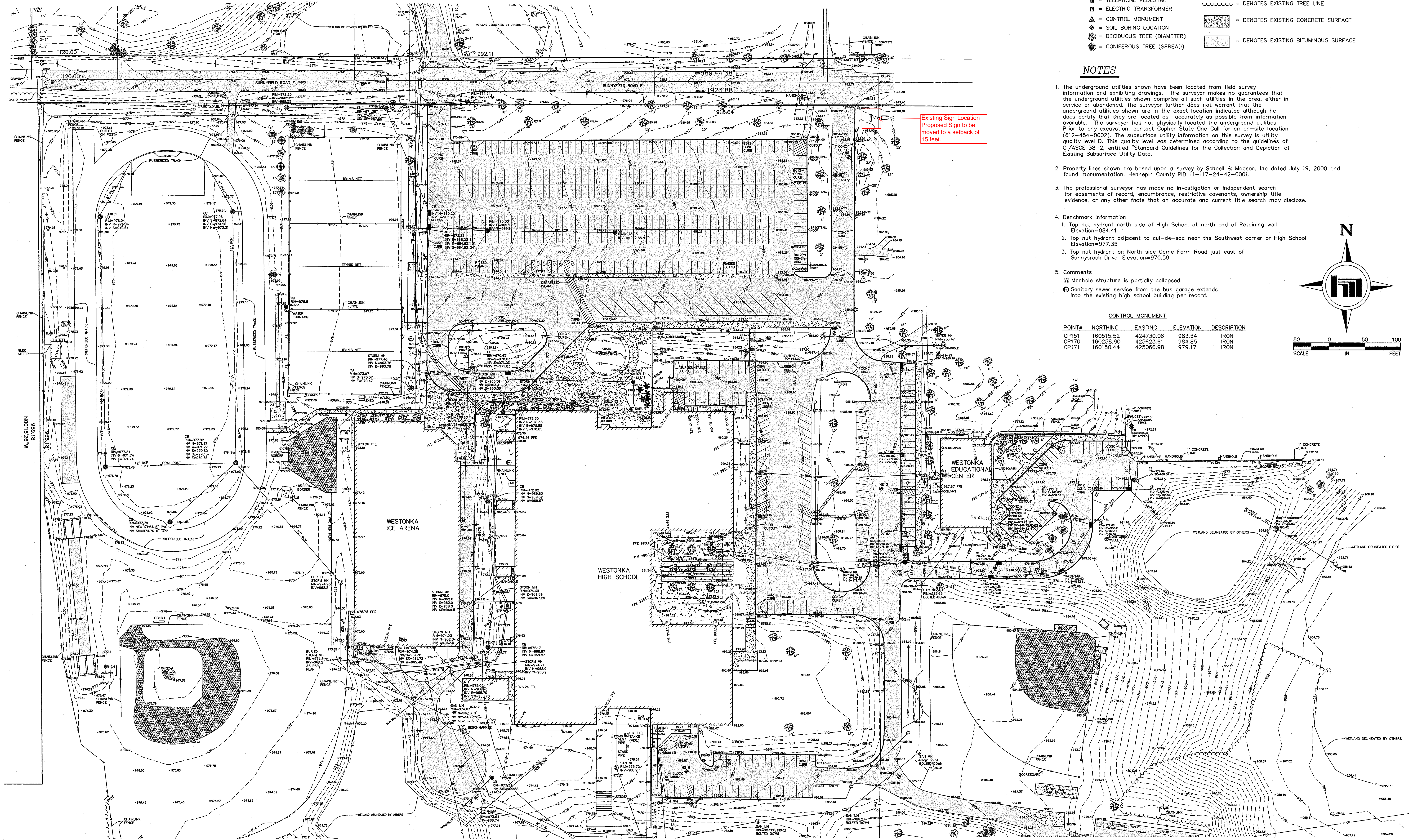
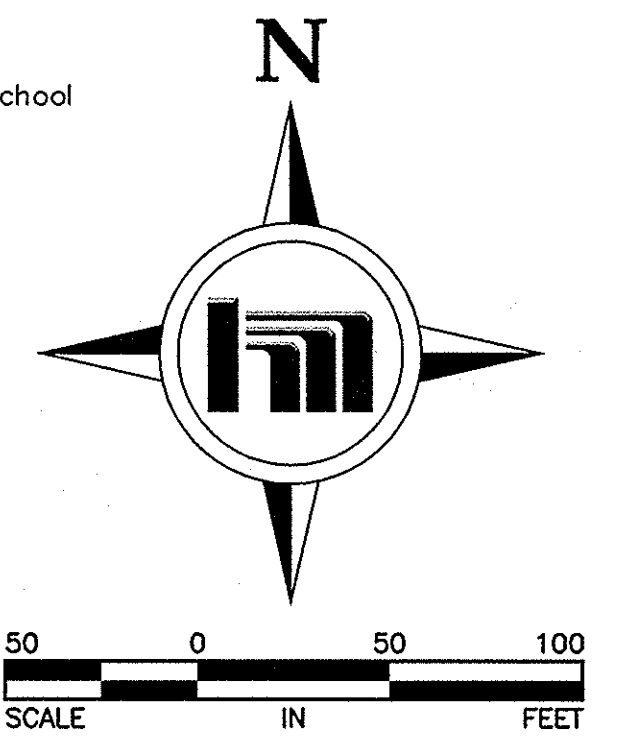
- GP = GUARD POST
H = HYDRANT
M = MANHOLE
E = ELECTRIC MANHOLE
T = TELEPHONE MANHOLE
S = SANITARY SEWER MANHOLE
O = STORM SEWER MANHOLE
CB = CATCH BASIN
EB = ELECTRIC BOX
L = LIGHT
M = MAILBOX
P = TELEPHONE PEDESTAL
ET = ELECTRIC TRANSFORMER
CM = CONTROL MONUMENT
SBL = SOIL BORING LOCATION
DT = DECIDUOUS TREE (DIAMETER)
CT = CONIFEROUS TREE (SPREAD)
- = DENOTES WATER LINE
--S-- = DENOTES SANITARY SEWER LINE
--SS-- = DENOTES STORM SEWER LINE
Q = DENOTES UTILITY POLE
A = DENOTES GUY WIRE
-883.15 = DENOTES EXISTING CONTOUR
P-BUR = DENOTES EXISTING BURIED ELECTRIC
T-BUR = DENOTES EXISTING BURIED TELEPHONE
G = DENOTES EXISTING BURIED GAS
P-OH = DENOTES EXISTING OVERHEAD ELECTRIC
--- = DENOTES EXISTING TREE LINE
- = DENOTES EXISTING CONCRETE SURFACE
--- = DENOTES EXISTING BITUMINOUS SURFACE

NOTES

- The underground utilities have been located from field survey information and existing drawings. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. Prior to any excavation, contact Gopher State One Call for an on-site location (612-454-0002). The subsurface utility information on this survey is utility quality level D. This quality level was determined according to the guidelines of C/ASCE 38-2, entitled "Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data."
- Property lines shown are based upon a survey by Schoell & Madson, Inc. dated July 19, 2000 and found monumentation. Hennepin County PID 11-117-24-42-0001.
- The professional surveyor has made no investigation or independent search for easements of record, encumbrance, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
- Benchmark Information
 - Top nut hydrant north side of High School at north end of Retaining wall Elevation=984.41
 - Top nut hydrant adjacent to cul-de-sac near the Southwest corner of High School Elevation=977.35
 - Top nut hydrant on North side Came Farm Road just east of Sunnyside Drive. Elevation=970.59
- Comments
 - Manhole structure is partially collapsed.
 - Sanitary sewer service from the bus garage extends into the existing high school building per record.

CONTROL MONUMENT

POINT#	NORTHING	EASTING	ELEVATION	DESCRIPTION
CP151	160515.52	424730.06	983.54	IRON
CP170	160238.30	425066.98	984.85	IRON
CP171	160150.44	425066.98	979.17	IRON



DATE	REVISION
Dec 16, 2012	1:14pm
K:\cad_svn\land Desktop 2008\3766.01-HIGH SCHOOL-BUS GARAGE.dwg\376601-HIGH SCHOOL.dwg	

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Minnesota.

Charles R. Christopherson
Date 12/17/12 Lic. No. 18420

DESIGNED BY:	CRC
DRAWN BY:	JAP
CHECKED BY:	CRC
DATE:	12/17/12
FILE NO.:	3766.01



Hakanson Anderson Assoc., Inc.
Civil Engineers and Land Surveyors
3601 Thurston Ave., Anoka, Minnesota 55303
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WESTONKA PUBLIC SCHOOLS

SITE SURVEY
FOR
ANDERSON-JOHNSON ASSOCIATES, INC.
OF
WESTONKA HIGH SCHOOL
AND HILLTOP PRIMARY SCHOOL

SHEET	1
OF	2
SHEETS	

From: [Minnetrista](#)
To: [Nickolas Olson](#); [David Abel](#)
Subject: FW: Variance comments
Date: Friday, June 14, 2019 3:52:48 PM

From: Christine Zachow [mailto:ckeeleyzachow@gmail.com]
Sent: Friday, June 14, 2019 2:36 PM
To: Minnetrista <minnetrista@ci.minnetrista.mn.us>
Subject: Variance comments

I am unable to attend the meeting on the Variance regarding the sign on Sunnyfield but the letter stated the city would accept written comments. I wanted to share that I fully support the addition of this sign. I think it will be a great feature to highlight the great things happening in our schools. Top notch schools have these and we should too.

Thank you for taking my feedback.

Christine Zachow
1480 Sunnybrook Drive
Minnetrista Mn
55364