

City of Litchfield

PLANNING COMMISSION

AGENDA PACKET

Monday, May 14th, 2018

City of Litchfield – Planning Commission

AGENDA

Monday, May 14, 2018 – 5:30 P.M.

Held in the Council Chambers of City Hall
126 N Marshall Avenue

I. **CALL TO ORDER**

A. **ROLL CALL/DETERMINATION OF QUORUM**

B. **ANNOUNCEMENT OF ADDITIONAL ITEMS**

II. **APPROVAL OF MINUTES**

A. **MINUTES: (Packet)**

1. *April 9, 2018*

III. **SCHEDULED ITEMS**

A. **PUBLIC HEARINGS:**

1. **Variance Request** – by BE Larson LLC at 725 E Depot St

To allow for a variance to the minimum required side yard setback and the number of required parking spaces for an addition to the existing building

IV. **NEW BUSINESS**

V. **OLD BUSINESS**

VI. **ADDITIONAL ITEMS**

VII. **SET HEARING DATES AND TIMES**

VIII. **REVIEW OF COUNCIL ACTIONS**

A. **VARIANCE REQUEST GRANTED**– by Funeral Home Real Property LLC at 125 S Armstrong Ave
To allow for a variance in maximum sign square footage and height

B. **CHANGE OF ZONING REQUEST GRANTED** – by Tom LaPlant Jr at 809 E St Paul St
Change zoning from I-1 to B-4

C. **VARIANCE REQUEST GRANTED** – by Rhonda Zwack at 826 N Sibley Ave
To allow for a reduction in the setback requirements to allow for an addition to the front and side of the existing building

D. **ADJOURNMENT**

Minutes

Monday, April 9th, 2018

I. CALL TO ORDER

A meeting of the Planning Commission was held on Monday, April 9, 2018, commencing at 5:30 p.m. in the Council Chambers of City Hall. Commissioner Asmus called the meeting to order.

A. ROLL CALL:

Chairperson	Shannon Asmus	Present
Commissioner	Michael Flaata	Present
Commissioner	Judy Hudson	Present
Commissioner	Larry Dahl	Present
Commissioner	Mike Boyle	Present
Commissioner	Jeff Woods	Present
Commissioner	Tom Zens	Present
City Planner	Hannah Rybak	Present

B. ANNOUNCEMENT OF ADDITIONAL ITEMS - None

II. APPROVAL OF MINUTES

It was moved by Commissioner Dahl, seconded by Commissioner Zens, to approve the minutes of the March 12, 2018, meeting. All members present voted aye.

Motion Carried.

III. SCHEDULED ITEMS

A. PUBLIC HEARINGS:

- Change of Zoning Request** – by Tom LaPlant Jr at 809 E St Paul Street
Change zoning from I-2 General Industrial to B-4 General Business

City Planner, Hannah Rybak, provided an overview of the request. She reviewed the consistency of the request with the standards for granting a change of zoning.

10 findings of fact offered by staff were presented to the Commissioners by City Planner Rybak.

Staff recommendation and potential action were reviewed.

This being the time, date and place set, with all mailed and published notices given as required by law, the hearing was opened at approximately 5:37 p.m., April 9, 2018, to consider a Change of Zoning Request from Tom LaPlant Jr at 809 E St Paul Street. The request is to change the zoning from I-2 General Industrial to B-4 General Business.

An attendance list is on file.

No written comments were received.

Tom LaPlant was present to answer any questions and explain his request.

Commissioner Dahl asked what kind, if any, signage was planned for the car sales side of the business. LaPlant explained he plans on placing a sign in the back of an old pickup that will be mobile, there will be nothing permanent.

Following discussion, no further comments were heard and the hearing was closed at approximately 5:38 p.m.

Commissioner Woods made a motion, seconded by Commissioner Dahl, to recommend approval of the Change of Zoning Request by Tom LaPlant Jr at 809 E St Paul Street to change the zoning from I-2 General Industrial to B-4 General Business. Upon roll call vote, all members present voted aye.

Motion Carried.

2. Variance Request – by Rhonda Zwack at 826 N Sibley Avenue
Allow 4 setback variances for the purpose of 2 additions to the existing building.

City Planner, Hannah Rybak, provided an overview of the request. She reviewed the consistency of the request with the standards for granting a variance.

10 findings of fact offered by staff were presented to the Commissioners by City Planner Rybak.

Staff recommendation and potential action were reviewed.

This being the time, date and place set, with all mailed and published notices given as required by law, the hearing was opened at approximately 5:44 p.m., April 9, 2018, to consider a Variance Request from Rhonda Zwack at 826 N Sibley Avenue. The request is to allow for several variances to setback requirements for the purpose of two additions to the existing building.

An attendance list is on file.

No written comments were received.

Rhonda Zwack was present to answer any questions and explain her request.

Following discussion, no further comments were heard and the hearing was closed at approximately 5:45 p.m.

Commissioner Hudson made a motion, seconded by Commissioner Dahl, to recommend approval of the Variance Request by Rhonda Zwack at 826 N Sibley Avenue to allow for a variance of 8" from the minimum required interior side setback and a variance of 9'4" from the minimum required corner side setback for the purpose of construction of an addition to the front of the existing building and for an addition to the side of the existing building a variance of 13'4" from the minimum required corner side setback and a variance of 20'1" from the required minimum rear setback. Upon roll call vote, all members present voted aye.

Motion Carried.

3. Variance Request – by Funeral Home Real Property LLC at 125 S Armstrong Ave
Allow for variance in maximum sign size and height.

Commissioner Asmus recused himself from this request.

City Planner, Hannah Rybak, provided an overview of the request. She reviewed the consistency of the request with the standards for granting a variance.

11 findings of fact offered by staff were presented to the Commissioners by City Planner Rybak.

Staff recommendation and potential action were reviewed.

This being the time, date and place set, with all mailed and published notices given as required by law, the hearing was opened at approximately 5:56 p.m., April 9, 2018, to consider a Variance Request from Funeral Home Real Property LLC at 125 S Armstrong Ave. The request is to allow for a variance in the maximum sign size and height.

An attendance list is on file.

No written comments were received.

Shannon Asmus, representing Funeral Home Real Property LLC, was present to answer any questions and explain the request. He informed the Commission why both the pole and monument style signs were presented. Funeral Home Real Property LLC is leaning more toward the monument style but will decide once the berm is leveled in the spring.

Following discussion, no further comments were heard and the hearing was closed at approximately 5:58 p.m.

Commissioner Flaata made a motion, seconded by Commissioner Dahl, to recommend approval of the Variance Request by Funeral Home Real Property at 125 S Armstrong Avenue to allow for additional sign square footage of 24 square feet and additional height of 12 feet on the main sign, and additional sign square footage of 10 square feet on the second sign. Upon roll call vote, all members present voted aye.

Motion Carried.

IV. NEW BUSINESS

V. OLD BUSINESS

VI. ADDITIONAL ITEMS

VII. SET HEARING DATES AND TIMES

The next scheduled meeting is Monday, May 14, 2018, at 5:30 p.m.

VIII. REVIEW OF COUNCIL ACTIONS

- A. VARIANCE REQUEST GRANTED – by Casey’s General Stores at 527 E Depot Street**
To allow additional signage in both number and square footage.

IX. ADJOURNMENT

Commissioner Asmus adjourned the meeting at 6:00 p.m.

Hannah Rybak
City Planner

PUBLIC HEARINGS

A. 1.

VARIANCE REQUEST

By BE Larson LLC

at 725 East Depot Street



CITY OF LITCHFIELD MEMORANDUM

To: Planning Commission Members
David Cziok, City Administrator

From: Hannah Rybak, City Planner

Date: Planning Commission Regular Meeting for May 14, 2018

Request: **Request for Approval of a setback variances to allow for an addition to the existing structure, and a variance from the minimum required parking stalls at the property located at 725 East Depot Street, PID: 27-1702001.**

GENERAL INFORMATION

Applicant/Owner: B E Larson LLC

Location: 725 East Depot Street

Existing Land Use / Zoning: Commercial / zoned: B-4 General Business

Surrounding Land Use / Zoning: North: Residential; zoned R-2 Residential
East: Commercial; zoned B-4 General Business
South: Commercial; zoned B-4 General Business
West: Commercial; zoned B-4 General Business

Comprehensive Plan: The Litchfield Comprehensive Plan guides this property for commercial land use.

Deadline for Agency Action:	Application Date:	04-26-2018
	60 Days:	06-25-2018
	Extension Letter Mailed:	N/A
	120 Days:	08-24-2018

CONSIDERATIONS RELATING TO THE REQUEST

- Overview.** The Applicant has submitted a request for two variances. The first would allow for an encroachment into the required side yard setback for the purpose of adding an addition to the existing structure (Parts City). The addition is proposed to be 1,000 square feet (20' x 50') of retail space and located off of the front of the building. The addition is proposed to sit five feet, four inches from the side property line, where a ten-foot setback is required.

The existing building, does not meet current setback requirements for the east side yard requirement. It is grandfathered in, as it was built prior to the current zoning ordinance being enacted. Additions to the structure, however, are not grandfathered in. The Applicant wishes to

have the addition fit well with the context of the existing building, thus the setback variance is necessary.

The second variance is a request to reduce the number of new parking stalls that must be provided to serve the addition. Section 154.182 provides parking space requirements. Retail uses require: "one (1) space for each one hundred (100) square feet of gross floor area." This would require ten additional spots be provided, in addition to the parking that exists today, on the property. The site plan shows an additional two spots. A reduction of eight spots has been requested with the variance.

2. **Ordinance Authority.**

Litchfield City Code, Chapter 154, Section 182 provides minimum parking requirements.

Litchfield City Code, Chapter 154, Section 270 provides setback requirements.

Litchfield City Code, Chapter 154, Section 27, 2, D. provides Variance approval requirements.

Variances shall only be permitted:

1. When they are in harmony with the general purposes and intent of the Ordinance
2. When the variances are consistent with the Comprehensive Plan
3. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties", as used in connection with the granting of a variance, means that:
 - i. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
 - ii. The plight of the landowner is due to circumstances unique to the property not created by the landowners; and
 - iii. The variance, if granted, will not alter the essential character of the locality
 - iv. The purpose is not solely financial

3. **Setback Variance Criteria Review**

- a. *The request is in harmony with the general purposes and intent of the Ordinance.*

The request to allow for the expansion of an existing business is consistent with the purposes and intent of the Ordinance. **Criteria met.**

- b. *The request is consistent with the Comprehensive Plan.*

The Litchfield Comprehensive Plan guides this property for continued commercial use, thus the expansion of a commercial business is consistent. **Criteria met.**

- c. *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.*

Staff feels that this request is reasonable. The existing structure has been grandfathered in, under previous zoning requirements. It would not be possible to construct an addition that is consistent with the existing building without the need for a variance. **Criteria met.**

- d. *The plight of the landowner is due to circumstances unique to the property and not created by the landowners.*

The plight of the landowner is due to the existing configuration of the property and not created by the landowner. **Criteria met.**

- e. *The variance, if granted, will not alter the essential character of the locality.*
Granting the variance will not alter the character of the area. **Criteria met.**
- f. *The purpose of the request is not solely financial.*
The request for a variance is not solely financial. **Criteria met.**

4. **Parking Space Variance Criteria Review**

- a. *The request is in harmony with the general purposes and intent of the Ordinance.*
The purpose and intent of the Ordinance is to provide fair requirements for development. **Criteria met.**
- b. *The request is consistent with the Comprehensive Plan.*
The Litchfield Comprehensive Plan guides this property for continued commercial use. **Criteria met.**
- c. *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.*
Staff feels that this request is reasonable. The increase in space and the high number of parking spaces required do not correlate. It is not anticipated that a 1,000 square foot addition would mean that ten more customers would visit the store at any given time. The standard retail requirement is approximately one stall per 250 square feet of floor area. The City of Litchfield's requirement is unnecessarily high. **Criteria met.**
- d. *The plight of the landowner is due to circumstances unique to the property and not created by the landowners.*
The plight of the landowner is due to the parking requirement within the Zoning Ordinance. **Criteria met.**
- e. *The variance, if granted, will not alter the essential character of the locality.*
Granting the variance will not alter the character of the area. **Criteria met.**
- f. *The purpose of the request is not solely financial.*
The request for a variance is not solely financial. **Criteria met.**

5. **Engineering Considerations.**

None.

6. **Resident Concerns.**

None received to date.

FINDINGS OF FACT

Staff offers the following ten (10) findings of fact for this proposal:

General Findings of Fact:

1. The applicant is requesting approval of a variance to allow for a four-foot, eight-inch reduction in the required ten foot side yard setback.
2. The applicant is requesting a variance of eight parking spaces from the required ten new parking spaces required.
3. The subject property is located at 725 East Depot Street.

4. The subject property is located in the B-4 General Business District.
5. The existing structure on the property is considered legal non-conforming to current zoning requirements.

Variance Criteria Findings of Fact

6. The requests are in harmony with the general purposes and intent of the Ordinance.
7. The requests are consistent with the Comprehensive Plan.
8. The property owner proposes to use the property in a reasonable matter not permitted by the Zoning Ordinance.
9. The plight of the landowner is due to circumstances unique to the property and not created by the landowners.
10. The variances, if granted, will not alter the essential character of the locality.
11. The purpose of the requests is not solely financial.

RECOMMENDATION

Based on the submitted plans and findings of fact, staff recommends approval of the proposed variances at 725 East Depot Street.

POTENTIAL ACTION

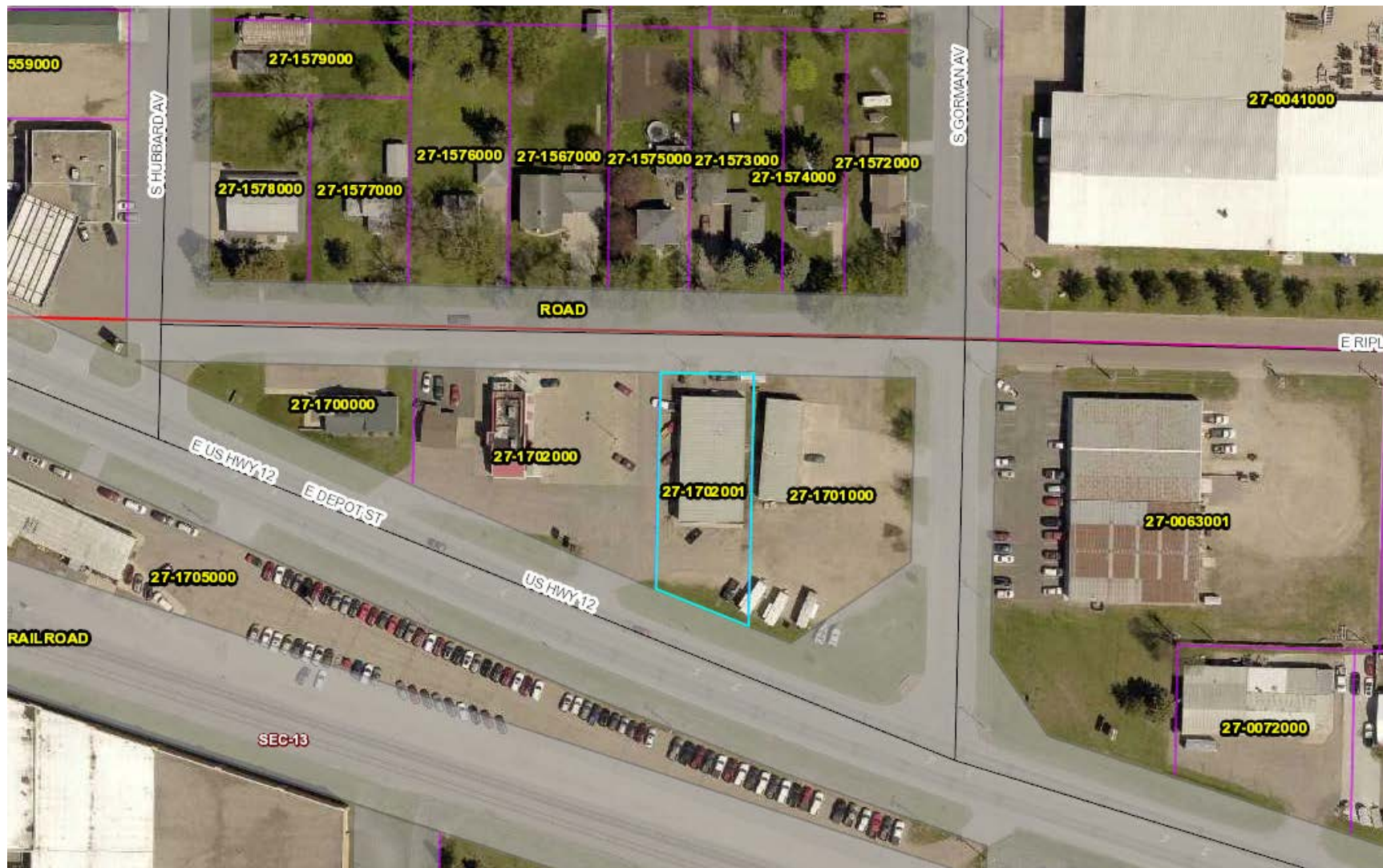
1. Recommend Approval as Submitted: Motion to recommend approval of the two requested variances, at the property located at 725 East Depot Street, based on the findings of fact and the submitted plans in this report to the Planning Commission.
2. Recommend Approval with Conditions: Motion to recommend approval of the requested variances, at the property located at 725 East Depot Street, based on the findings of fact, submitted plans, and the ___conditions outlined in this motion...
3. Recommend Denial: Motion to recommend denial of the requested variances at the property located at 725 East Depot Street, based on the following findings of fact.....

ATTACHMENTS

Attachment A: Location Map

Attachment B: Application Packet

725 East Depot Street



Location Map

Fee \$ 300.00
Rec # 387281
Date 4/26/18

CITY OF LITCHFIELD
126 NORTH MARSHALL AVENUE
LITCHFIELD, MN 55355

VARIANCE APPLICATION

Address of Property 725 E Depot St

Legal Description Chandler's sub PT LTC (AKA BLKC) Desc As

FOL E 270.35' LYG NLY or RR HWY EX V 129.35' of E 195.35'
T140F and DR EASE

OWNER:

Name Brandon Larson

Address 62010 230th ST Litchfield

Phone 320-221-2767

APPLICANT:

Name SAME

Address _____

Phone _____

RESIDENTIAL DISTRICT			BUSINESS DISTRICT				INDUSTRIAL DISTRICT		COUNTY ZONING						
R-1	R-2	R-3	B-1	B-2	B-3	B-4	I-1	I-2	A-1	A-2	R-1	R-2	C-1	C-2	I-1
Single Family	Residence	Multi-Family	Limited	Retail Shopping	Roadside	General	Limited	General	Agricultural Preservation	General Agricultural	Suburban Residential	Rural Residential	Commercial	Neighborhood Commercial	General Industry

Other: _____

Purpose of Application (Please be specific) To allow for reduced number of parking spaces from required.

Extent of Variance (Please be specific) _____

Applicant should submit sufficient information to demonstrate that the request will be compatible with the neighborhood. Such information may include:

- _____ 1. Site and Building Plans
- _____ 2. Landscape Plan
- _____ 3. Parking Plans
- _____ 4. Sign Details

Brandon E. Jensen
Signature of Property Owner

62010 230th ST
Street Address

Litchfield MN
City and State

Date of Application: 4-13-18

Planning Commission Approved _____ Disapproved _____ Date _____
City Council Approved _____ Disapproved _____ Date _____

Fee \$ Included in 1st one
Rec # _____
Date _____

CITY OF LITCHFIELD
126 NORTH MARSHALL AVENUE
LITCHFIELD, MN 55355

VARIANCE APPLICATION

Address of Property 725 E Depot St

Parcel ID Number 27-1702001

Legal Description Chandler's sub. PT LTC (AKA DLKC) Desc As
FOL E270.35' LYG NLY OR RR Hwy Ex W129.35' of E195.35'
THOF and DR EASE

APPLICANT: (If different than property owner, attach Owner's information and signature to application)

Name Brandon Larson

Address 62010 230th St Litchfield MN 55355

Phone 320-221-2767

Email litchbtb@hutchtel.net

RESIDENTIAL DISTRICT

R-1 R-2 R-3
Single Residence Multi-
Family Family

BUSINESS DISTRICT

B-1 B-2 B-3 **B-4**
Limited Retail Roadside General
Shopping

INDUSTRIAL DISTRICT

I-1 I-2
Limited General

COUNTY ZONING

A-1 A-2 R-1 R-2 C-1 C-2 I-1
Agricultural General Suburban Rural Commercial Neighborhood General
Preservation Agricultural Residential Commercial Industry

Other: _____

Purpose of Application (Please be specific) To allow addition to existing
building to be 5 ft from side lot.

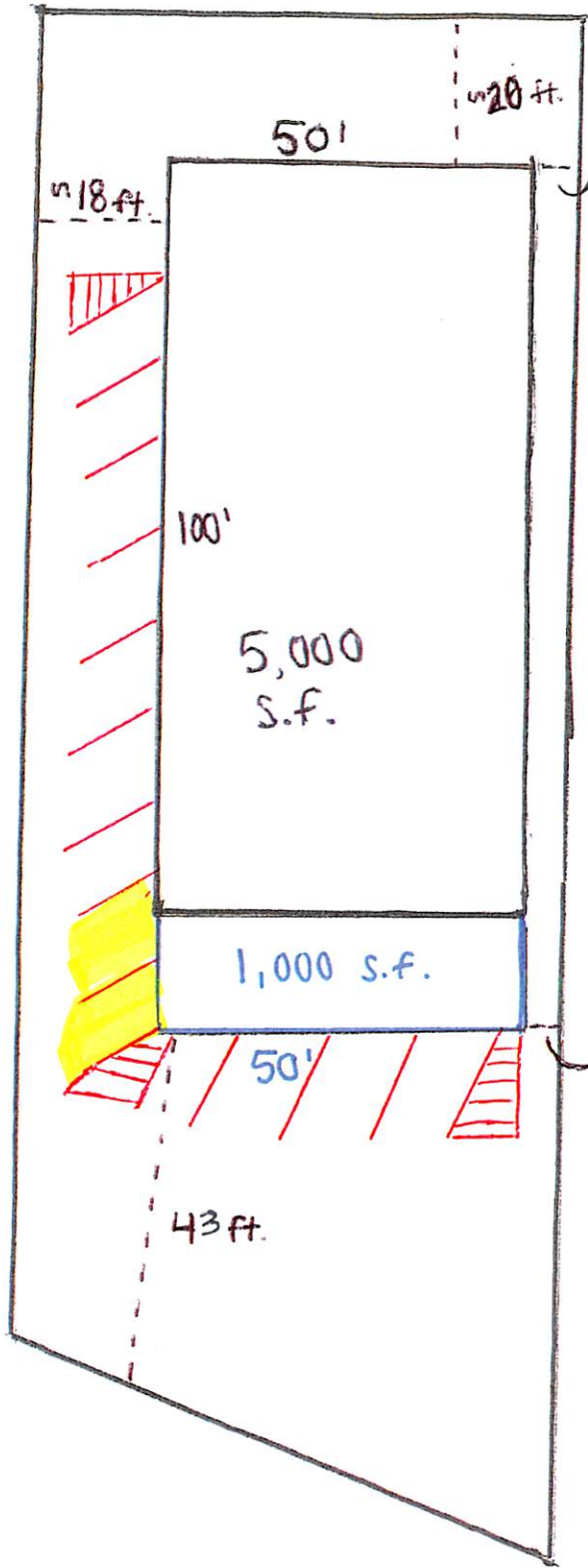
Extent of Variance (Please be specific) 5 ft side yard setback.

Applicant should submit sufficient information to demonstrate that the request will be compatible with the neighborhood. Please see the checklist on page 2.

Brandon E Larson
Signature

Date of Application: 4-13-18

Planning Commission Approved _____ Disapproved _____ Date _____
City Council Approved _____ Disapproved _____ Date _____



725
E Depot St.

