



### PLANNING COMMISSION MEETING AGENDA Thursday, December 05, 2024 4:00 PM

CALL TO ORDER: Pursuant to due notice and call thereof a Regular Meeting of the Grand Rapids Planning Commission will be held on Thursday, December 5, 2024 at 4:00 PM in City Hall Council Chambers, 420 North Pokegama Avenue, Grand Rapids, Minnesota.

CALL OF ROLL:

### APPROVAL OF MINUTES:

1. Consider approval of the September 5, 2024 regular meeting minutes.

### PUBLIC HEARINGS:

2. Conduct a Public Hearing to consider a variance petition submitted by Jacob Stauffer, Overland Group (DGOG).

### GENERAL BUSINESS:

- <u>3.</u> Consider a recommendation to the City Council regarding a vacation of platted street right-ofway (NE 2nd Ave).
- 4. Consider a recommendation to the City Council regarding a vacation of platted street right-ofway (part of NE Third Street).
- 5. Consider a recommendation to the City Council regarding a vacation of platted right-of-way (Block 19).

### PUBLIC INPUT:

Individuals may address the Planning Commission about any non-public hearing item or any item not included on the Regular Meeting Agenda. Speakers are requested to come to the podium, state their name and address for the record and limit their remarks to three (3) minutes.

### **MISCELLANEOUS:**

### REPORTS/ANNOUNCEMENTS/UPDATES:

### ADJOURNMENT:

NEXT REGULAR MEETING IS SCHEDULED FOR JANUARY 2, 2025 AT 4:00 PM.

Hearing Assistance Available: This facility is equipped with a ready assistance system.

### ATTEST:

Aurimy Groom, Administrative Assistant







### PLANNING COMMISSION MEETING MINUTES Thursday, September 05, 2024 4:00 PM

CALL TO ORDER: Pursuant to due notice and call thereof a Regular Meeting of the Grand Rapids Planning Commission will be held on Thursday, September 5, 2024 at 4:00 PM in City Hall Council Chambers, 420 North Pokegama Avenue, Grand Rapids, Minnesota.

CALL OF ROLL:

PRESENT Commissioner Betsy Johnson Commissioner Patrick Goggin Commissioner Paul Bignall Commission Amanda Lamppa

### APPROVAL OF MINUTES:

1. Consider approval of the minutes from the Wednesday, June 12, 2024 special meeting.

Motion by Commissioner Lamppa, second by Commissioner Bignall to approve the minutes from the Wednesday, June 12, 2024 special meeting. The following voted in favor thereof: Johnson, Goggin, Bignall, Lamppa. Opposed: None, motion passed unanimously.

### PUBLIC HEARINGS:

2. Conduct a Public Hearing to consider a variance petition submitted by Rob Foss, CMK Properties.

CMK Properties have applied for one variance, if approved, would allow for a 5.7 acre parcel to be split into two parcels one 3.7 acres and the other 1.5 acres. The 3.7 acre lot will need the variance for a reduction in the required 75' minimum frontage width.

Chair Goggin stated the public hearing being held this afternoon is to consider a variance petition submitted by Rob Foss, CMK Properties. Recorder Groom noted all notices required by law had been met and no correspondence had been received.

Motion by Commissioner Johnson, second by Commissioner Bignall to open the public hearing. The following voted in favor thereof: Lamppa, Goggin, Johnson, Bignall. Opposed: None, motion passed unanimously.

The petitioner Rob Foss of CMK Properties joined the meeting via telephone and provided information on the development plans and stated without the requested variance the project would not be feasible.

Brian Polister, 23521 Hitchcock Rd, Cohasset has concerns about the traffic flow. He would like the access off of SW 2nd Avenue to be two way. Mr. Polister said he would be in favor of the project if there is two way traffic.

Craig Maturi, 32407 Lakeview Dr, Grand Rapids is the property owner and is in favor of a two way access off of SW 2nd Avenue.

Motion by Commissioner Johnson, second by Commissioner Lamppa to close the public hearing. The following voted in favor thereof: Bignall, Johnson, Goggin, Lamppa. Opposed: None, motion passed unanimously.

The Commissioners read the considerations for the record:

1. Is this an "Area" variance rather than a "Use" variance? This is an area variance.

2. Does the proposal put property to use in a reasonable manner? Why/Why not- Yes, it will allow for future development.

3. Is the owner's plight due to circumstances which are unique to the property and which are not self-created by the owner? Why/Why not- Yes, the property is in fill redevelopment.

4. Is the variance in harmony with the purposes and intent of the ordinance? Why/Why not- Yes, it is in harmony with the intent of the ordinance.

5. Will the variance, if granted, alter the essential character of the locality? Why/Why not- No, the area is already used for retail.

6. Is the variance consistent with the comprehensive plan? Why/Why not- Yes, it allows for the redevelopment of that site.

Motion by Commissioner Bignall, second by Commissioner Johnson that, based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby grant the following variance to CMK Properties for the property legally described as:

*Grand Rapids City, Section 28, Township 55, Range 25, My Place Hotel, Maturi Addition, Lot 4, Block 1.* 

• to allow a variance of the requirements of Section 30-512 Table 2A of the Municipal Code, which lists District Development Regulations for Principal Structures, specifically where the Code establishes the minimum lot width in General Business Zoning. This variance permits a reduction to the minimum lot width from the required 75 ft., to approximately 50 ft. (If the Planning Commission wishes to place conditions upon their approval, the following should be added to the motion:)

and that the following condition(s) shall apply:

• No vehicle access from the County Road 23 (Golf Course Road) 50' wide access

• Provide continuous two-way traffic access (greater than 24') on the western side of building, continuing from the access agreement from 2nd Avenue Southwest.

The following voted in favor thereof: Lamppa, Goggin, Johnson, Bignall. Opposed: None, motion passed unanimously.

3. Conduct a Public Hearing to consider a variance petition submitted by John Rothstein.

Mr. John Rothstein has applied for one variance, which if granted, would allow for the existing non-conforming parcel to be split into two. The variance would allow for a reduction in square footage in the Central Business District.

Chair Goggin stated the public hearing being held this afternoon is to consider a variance petition submitted by John Rothstein. Recorder Groom noted that all notifications required by law had been met and no correspondence had been received.

Motion by Commissioner Bignall, second by Commissioner Johnson to open the public hearing. The following voted in favor thereof: Bignall, Johnson, Goggin, Lamppa. Opposed: None, motion passed unanimously.

Mr. John Rothstein, 24875 Lago Drive, Grand Rapids explained the reason for the variance request.

Motion by Commissioner Johnson, second by Commissioner Bignall to close the public hearing. The following voted in favor thereof: Lamppa, Goggin, Johnson, Bignall. Opposed: None, motion passed unanimously.

The Commissioners read the considerations for the record:

1. Is this an "Area" variance rather than a "Use" variance? This is an area variance.

2. Does the proposal put property to use in a reasonable manner? Why/Why not- Yes, the current use of the property will not change.

3. Is the owner's plight due to circumstances which are unique to the property and which are not self-created by the owner? Why/Why not-Yes, this is a unique to the property.

4. Is the variance in harmony with the purposes and intent of the ordinance? Why/Why not- Yes, it is harmony with the intent of the ordinance.

5. Will the variance, if granted, alter the essential character of the locality? Why/Why not-No, it will remain the same.

6. Is the variance consistent with the comprehensive plan?Why/Why not-Yes, it will enable retention of existing businesses in the Central Business District.

Motion by Commissioner Bignall, second by Commissioner Johnson that, based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby (grant)(deny) the following variance to John Rothstein for the property legally described as:

#### Grand Rapids First Division, All of lot 1 n 15' of W 20' of lot 2 Block 31

• to allow a variance of the requirements of Section 30-512 Table 2A of the Municipal Code, which lists District Development Regulations for Principal Structures, specifically where the Code establishes the minimum lot size for structures in Central Business District Zoning. This variance permits a reduction to the minimum lot size from the required 7,000 sq. ft., to approximately 2,000 square feet.

The following voted in favor thereof: Bignall, Johnson, Goggin, Lamppa. Opposed: None, motion passed unanimously.

#### **GENERAL BUSINESS:**

4. Consider initiating the vacation of platted street right-of-way within Grand Rapids First Division

Mr. Swenson provided background information. Community Development staff is asking the Planning Commission to initiate the vacation request of the described platted right-of-way below.

That part of Simpson Avenue (Second Avenue NE), according to the plat of Grand Rapids First Division, on file and of record in the Office of the Itasca County Recorder, that lies between Blocks 27 and 28 of said plat and northerly of parcel 21 as depicted on the Minnesota Department of Transportation's R.O.W. Plat No. 31-136.

The dead-end road has no through outlet and is used for county government related operations. The parking areas and snow removal would then be managed by the County.

Motion by Commissioner Bignall, second by Commissioner Lamppa, to approve initiating the vacation request of the described platted right-of-way described below:

That part of Simpson Avenue (Second Avenue NE), according to the plat of Grand Rapids First Division, on file and of record in the Office of the Itasca County Recorder, that lies between Blocks 27 and 28 of said plat and northerly of parcel 21 as depicted on the Minnesota Department of Transportation's R.O.W. Plat No. 31-136

The following voted in favor thereof: Lamppa, Bignall, Goggin, Johnson. Opposed: None, motion passed unanimously.

#### PUBLIC INPUT:

Individuals may address the Planning Commission about any non-public hearing item or any item not included on the Regular Meeting Agenda. Speakers are requested to come to the podium, state their name and address for the record and limit their remarks to three (3) minutes.

**REPORTS/ANNOUNCEMENTS/UPDATES:** 

#### ADJOURNMENT:

There being no further business the meeting adjourned at 4:41 p.m.

NEXT REGULAR MEETING IS SCHEDULED FOR OCTOBER 3, 2024 AT 4:00 PM.

Hearing Assistance Available: This facility is equipped with a ready assistance system.

ATTEST:

Aurimy Groom



### Planning Commission Staff Report

TI'S IN MINNESOTA'S NATURE			
Agenda Item	Community Development Department	Date: 12/05/2024	
Statement of Issue:	Conduct a Public Hearing to consider a variance petition submitted by Jacob Stauffer, Overland Group (DGOG Properties).		
Background:	The background for this item will be presented in the attached PowerPoint document.		
Considerations:	When reviewing a request for a variance, the Planning Commission must make findings based on the attached list of considerations.		
Recommendation:	Staff recommends that the Planning Commissioners visit the site and look at the situation.		
	Prior to making a motion to approve or deny the request, the Planning Commission should make specific findings to support its recommendation and reference those specific findings in their motion to either approve or deny the variance(s).		
Required Action:	<ul> <li>Approve a motion to either: approve, approve with additional conditions, or deny the petitioned variance.</li> <li><u>Example Motion:</u> <ul> <li>Motion by, second by that, based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby (grant)(deny) the following variance to CMK Properties for the property legally described within the presentation.</li> <li>to allow a variance of the requirements of Section 30-512 Table 2-C of the Municipal Code, which lists Minimum Setbacks for surface parking. This variance permits an area of parking within the 10' front yard setback along the north side of the property. (If the Planning Commission wishes to place conditions upon their approval, the following should be added to the motion:)</li> </ul> </li> <li>and that the following condition(s) shall apply: NONE</li> </ul>		
Attachments:	<ul> <li>Site Map</li> <li>Copy of the variance petition and associated documentation</li> <li>List of the Planning Commissions Variance Considerations</li> </ul>		

ltem 2.



# **Public Hearing** DGOG (Overland Group) Variance Request

### LOTS 1-12 BLK 13, LESS HWY 169 ROW; AND THE N 17' OF LOTS 1-12 BLK 20; AND PT VAC 7TH AVE LYG WLY AND ADJ

### **December 5, 2024**

Grand Rapids Planning Commission Meeting

Item 2.



**Petitioners:** DGOG (Jacob Stauffer, Overland Group)

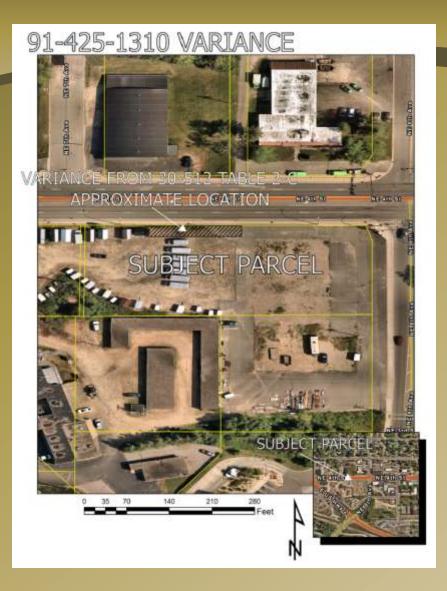
Filing Date: November 18, 2024

<u>Requested Variances:</u> The requested variance if approved would allow an area of proposed parking within the 10' front yard setback along the north side of the property.

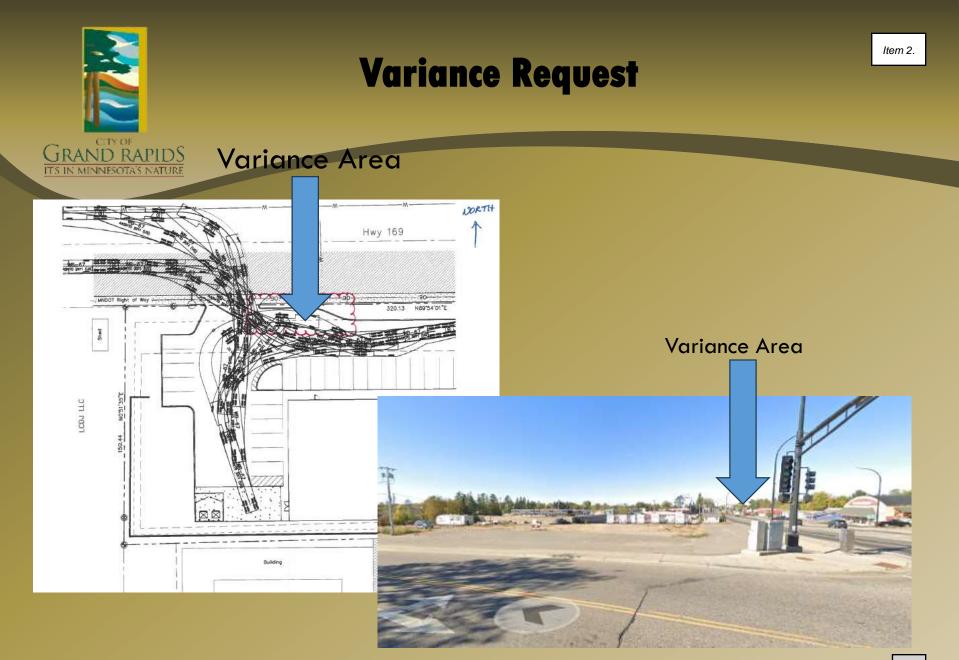
<u>Relevant portions of Zoning Ordinance</u>: Section 30-512 Table 2-C of the Municipal Code, which lists minimum yard setbacks for surface parking.

Legally Described Property: LOTS 1-12 BLK 13, LESS HWY 169 ROW; AND THE N 17' OF LOTS 1-12 BLK 20; AND PT VAC 7TH AVE LYG WLY AND ADJ.





Grand Rapids Planning Commission Meeting





### Summary of requested variance:

The proposed project would require the Planning Commission's approval of one variance from:

 Section 30-512 Table 2A of the Municipal Code, which lists District Development Regulations for Principal Structures, specifically where the Code establishes the minimum lot size width of 75'.

#### TABLE 2-C DISTRICT DEVELOPMENT REGULATIONS - SURFACE PARKING

### MINIMUM YARD SETBACKS

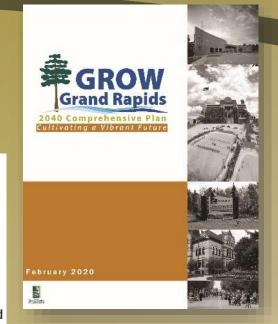
		MINIMUM YARD SETBACKS		INTERIOR LANDSCAPING REQUIREMENTS		
ZONES	FRONT	INTERIOR SIDE	STREET SIDE	REAR	AMOUNT (sq. ft./stall)	THRESHOLD <sup>3</sup>
GB	10 <sup>1</sup>	6	10	6	15	40

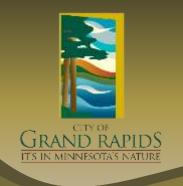


# Comprehensive Plan: Goals & Objectives related to Land Use...

Goal 1. Actively manage growth that provides supportive relationships between all land uses and assesses the potential location within the existing core or future growth areas. At its core, land use planning aims to develop synergy between supportive land uses and minimize harmful impacts between incompatible, or conflicting, land uses. The classic example of a land use conflict is a heavy industrial use that negatively impacts surrounding properties. Single-use zoning, setback requirements, and similar standards help avoid and mitigate potential nuisances and harmful spillover effects. On the other hand, mixing compatible uses helps foster active neighborhoods by connecting residents to jobs, activities, and one another. Grand Rapids seeks to provide a balanced land use mix and flexible planning to encourage a harmonious pattern of development. The City will evaluate the future land use, density, and intensity of proposed development, particularly as these relate to the existing neighborhood context and the Future Land Use Map.

- f. Stage new development, redevelopment, and expansion of the City's urban service area.
- Redevelopment likewise refers to new construction within the existing urban fabric, but generally
  also implies the demolition of obsolete structures and/or the remediation of contaminated sites.
  Redevelopment is not always cost-effective, but it has the potential to be transformative.
- Adaptive reuse refers to repurposing obsolete or under-performing structures for viable use, which supports the City's sustainability goals. It can also be an effective strategy for historic preservation.





Planning Commission Considerations

# **Variance Request**

#### PLANNING COMMISSION

Considerations

#### VARIANCE

1. Is this an "Area" variance rather than a "Use" variance?

Does the proposal put property to use in a reasonable manner? Why/Why not-

 Is the owner's plight due to circumstances which are unique to the property and which are not self-created by the owner?
 Why/Why not-

Is the variance in harmony with the purposes and intent of the ordinance? Why/Why not-

Will the variance, if granted, alter the essential character of the locality? Why/Why not-

Is the variance consistent with the comprehensive plan? Why/Why not-



# **Questions/Comments?**

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Item 2.



## Planning Commission Staff Report

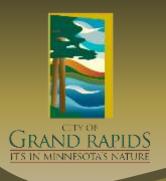
ITS IN MINNESOTA'S NATURE			
Agenda Item	Community Development Department	Date: 12/05/24	
Statement of Issue:	Consider a recommendation to the City Council regarding a vacation of platted street right-of-way (Grand Rapids First Division)		
Background:	Community Development staff is asking the Planning Community Development staff is asking the Planning Community vacation request of the described platted right-of-way <u>That part of Simpson Avenue (Second Avenue NE), according</u> <u>Rapids First Division, on file and of record in the Office of the</u> <u>Recorder, that lies between Blocks 27 and 28 of said plat and</u> <u>as depicted on the Minnesota Department of Transportation</u> <u>136.</u> The dead-end road has no through outlet and is used for com- related operations. The parking areas and snow removal we by the County.	below. <u>ng to the plat of Grand</u> <u>ne Itasca County</u> <u>nd northerly of parcel 21</u> <u>on's R.O.W. Plat No. 31-</u> ounty government	
Considerations:			
Recommendation:	Pass a motion to initiate the public vacation of right-of-way	у.	
Required Action:	Pass a motion recommending the approval or non-approva public right-of-way vacation to the City Council. <u>Example Motion:</u> Motion by, second by that, to ( initiating the vacation request of the described pla described below: <u>That part of Simpson Avenue (Second Avenue</u> <u>the plat of Grand Rapids First Division, on f</u> <u>Office of the Itasca County Recorder, that I</u> <u>and 28 of said plat and northerly of parcel</u> <u>Minnesota Department of Transportation's</u> <u>136</u>	approve) (not approve) tted right-of-way nue NE), according to file and of record in the lies between Blocks 27 21 as depicted on the	
Attachments:	Power Point Presentation		



## **Street Right of Way Vacation**

That part of Simpson Avenue (Second Avenue NE), according to the plat of Grand Rapids First Division, on file and of record in the Office of the Itasca County Recorder, that lies between Blocks 27 and 28 of said plat and northerly of parcel 21 as depicted on the Minnesota Department of Transportation's R.O.W. Plat No. 31-136

### **December 5, 2024**



- <u>Petitioner</u>: City of Grand Rapids Planning Commission (Sept. 2024)
- Requested Vacation: That part of Simpson Avenue (Second Avenue NE), according to the plat of Grand Rapids First Division, on file and of record in the Office of the Itasca County Recorder, that lies between Blocks 27 and 28 of said plat and northerly of parcel 21 as depicted on the Minnesota Department of Transportation's R.O.W. Plat No. 31-136

<u>Petitioner's Stated Reason for Request</u>: The dead-end road has no through outlet and is used for county government related operations. The parking areas and snow removal would then be managed by the County







### **Staff Review Committee:**

- No comments
- Staff review committee consists of: Engineering/Public Works Department, Community Development Department, Fire Department and the Grand Rapids Public Utilities Commission



### Planning Commission Considerations

# **Public Vacation Request**

#### PLANNING COMMISSION

Considerations

#### **RIGHT-OF-WAY VACATIONS**

 Is the right-of-way needed for traffic purposes? Why/Why not?

Is the right-of-way needed for pedestrian purposes? Why/Why not?

Is the right-of-way needed for utility purposes? Why/Why not?

Would vacating the right-of-way place additional land on the tax rolls? Why/Why not?

 Would vacating the right-of-way facilitate economic development in the City? Why/Why not?



# **Questions?**



## Planning Commission Staff Report

Agenda Item	Community Development Department	Date: 12/05/24	
Statement of Issue:	Consider a recommendation to the City Council regarding a vacation of platted street right-of-way (part of NE Third Street)		
Background:	Community Development staff is asking the Planning Commission to recommend the vacation request of the described platted right-of-way below.		
	<u>A part of Third Street as dedicated on the plat of the TOWN OF GRAND RAPIDS</u> <u>MINNESOTA, lying adjacent to and abutting Lot 12, Block 18, GRAND RAPIDS</u>		
	The request allows for code required acceptability improvements to be made as part of a project to redevelop and adaptively reuse the existing building at 12 NW 3rd Street. The building will be converted into a restaurant establishment.		
Considerations:			
Recommendation:	Pass a motion recommending the public vacation of right-of-way.		
Required Action:	Pass a motion recommending the approval or non-approval of the proposed public right-of-way vacation to the City Council.		
	Motion by, second by that, to ( initiating the vacation request of the described pla described below:		
	<u>A part of Third Street as dedicated on the p</u> <u>GRAND RAPIDS MINNESOTA, lying adjacen</u> <u>12, Block 18, GRAND RAPIDS</u>		
Attachments:	Power Point Presentation		



## **Street Right of Way Vacation**

## plat of the TOWN OF GRAND RAPIDS MINNESOTA, lying adjacent to and abutting Lot 12, Block 18, GRAND RAPIDS

### **December 5, 2024**

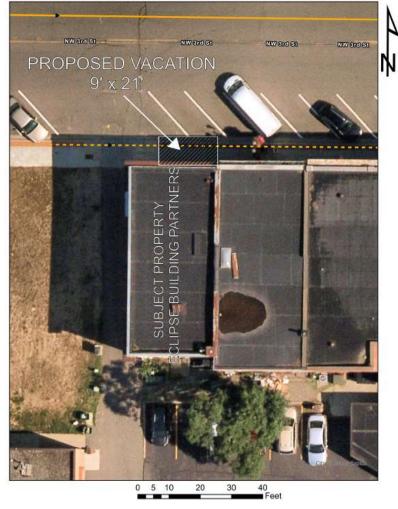


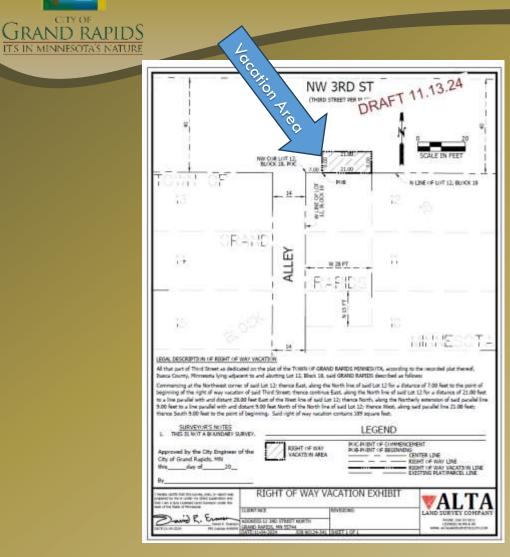
- <u>Petitioner</u>: Eclipse Building Partners
- <u>Requested Vacation</u>: A part of Third Street as dedicated on the plat of the TOWN OF GRAND RAPIDS MINNESOTA, lying adjacent to and abutting Lot 12, Block 18, GRAND RAPIDS

<u>Petitioner's Stated Reason for Request</u>: Allow(s) for code required acceptability improvements to be made as part of a project to redevelop and adaptively reuse the existing building at 12 NW 3rd Street. The building will be converted into a restaurant establishment

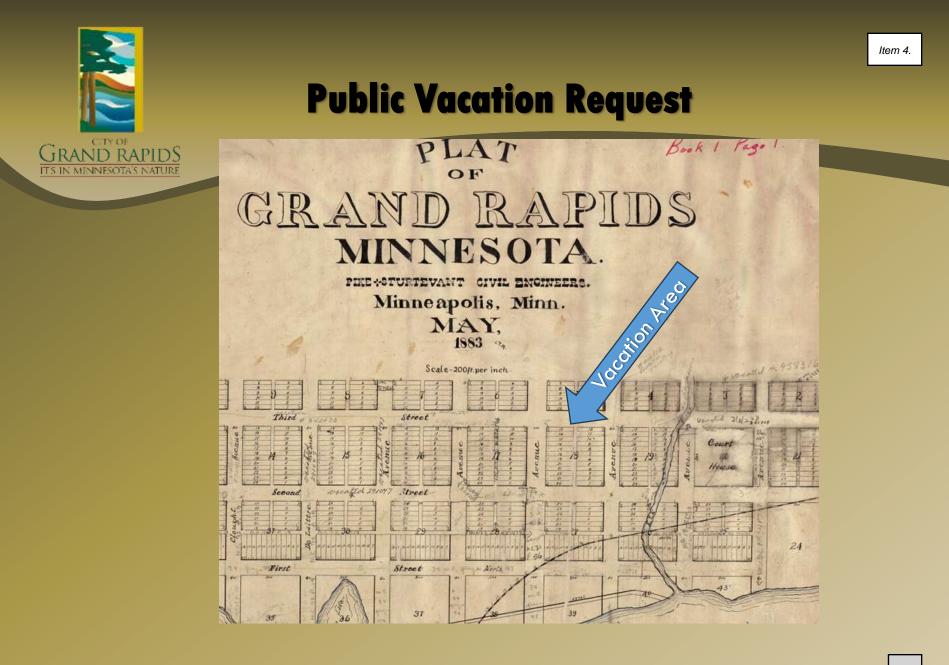


### 12 Northwest 3rd Street











### **Staff Review Committee:**

- The Engineering Department/Public Works Department have no objections to the petitioned vacations.
- Staff review committee consists of: Engineering/Public Works Department, Community Development Department, Fire Department and the Grand Rapids Public Utilities Commission.



### Planning Commission Considerations

# **Public Vacation Request**

#### PLANNING COMMISSION

Considerations

#### **RIGHT-OF-WAY VACATIONS**

 Is the right-of-way needed for traffic purposes? Why/Why not?

Is the right-of-way needed for pedestrian purposes? Why/Why not?

Is the right-of-way needed for utility purposes? Why/Why not?

Would vacating the right-of-way place additional land on the tax rolls? Why/Why not?

 Would vacating the right-of-way facilitate economic development in the City? Why/Why not?



# **Questions?**



## Planning Commission Staff Report

Agenda Item	Community Development Department	Date: 12/05/24	
Statement of Issue:	Consider a recommendation to the City Council regarding a vacation of platted right-of-way (Block 19)		
Background:	Community Development staff is asking the Planning Commission to recommend the vacation request of the described platted right-of-way below.		
	<u>The West 2 feet of the N/S alley lying adjacent to the east line of the following</u> <u>tract: The East 34.5 feet of Lots Thirteen (13) and Fourteen 14, and the East 34.5</u> <u>feet of the North 6 feet of Lot Fifteen (15), Block 19, Town of Grand Rapids</u>		
	The request is needed to build an adequate kitchen for a restaurant. The project will bring more dining options to the downtown area and aligns with the goals of the Downtown Plan.		
Considerations:			
Recommendation:	Pass a motion recommending the public vacation of right-o	of-way.	
Required Action:	Pass a motion recommending the approval or non-approval of the proposed public right-of-way vacation to the City Council. <u>Example Motion:</u>		
	Motion by, second by that, to <b>(</b> initiating the vacation request of the described pla described below:		
	The West 2 feet of the N/S alley lying adjacent to the east line of the following tract: The East 34.5 feet of Lots Thirteen (13) and Fourteen 14, and the East 34.5 feet of the North 6 feet of Lot Fifteen (15), Block 19, Town of Grand Rapids		
Attachments:	Power Point Presentation		



## **Alley Right of Way Vacation**

### The West 2 feet of the N/S alley lying adjacent to the east line of the following tract:

### The East 34.5 feet of Lots Thirteen (13) and Fourteen 14, and the East 34.5 feet of the North 6 feet of Lot Fifteen (15), Block 19, Town of Grand Rapids

### **December 5, 2024**

Item 5.



- <u>Petitioner</u>: Rapids Brewing Company
- Requested Vacation:

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The West 2 feet of the N/S alley lying adjacent to the east line of the following tract:

The East 34.5 feet of Lots Thirteen (13) and Fourteen 14, and the East 34.5 feet of the North 6 feet of Lot Fifteen (15), Block 19, Town of Grand Rapids.

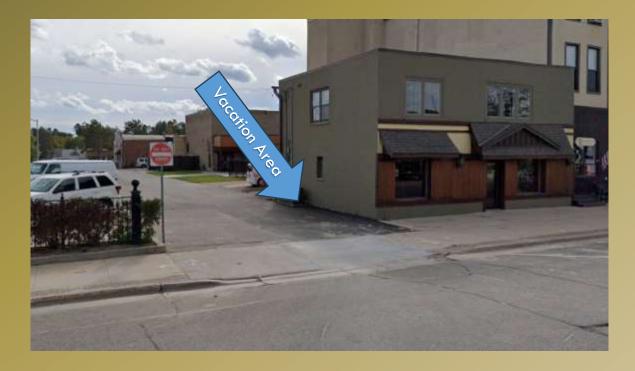
<u>Petitioner's Stated Reason for Request</u>: The request is needed to build an adequate kitchen for a restaurant. The project will bring more dining options to the downtown area and aligns with the goals of the Downtown Plan.



Block 19 Alley Vacation











### **Staff Review Committee:**

 Staff review committee consists of: Engineering/Public Works Department, Community Development Department, Fire Department and the Grand Rapids Public Utilities Commission.



### Planning Commission Considerations

# **Public Vacation Request**

#### PLANNING COMMISSION

Considerations

#### **RIGHT-OF-WAY VACATIONS**

 Is the right-of-way needed for traffic purposes? Why/Why not?

Is the right-of-way needed for pedestrian purposes? Why/Why not?

Is the right-of-way needed for utility purposes? Why/Why not?

Would vacating the right-of-way place additional land on the tax rolls? Why/Why not?

 Would vacating the right-of-way facilitate economic development in the City? Why/Why not?



# **Questions?**