

**PLANNING COMMISSION
PAYNESVILLE CITY HALL COUNCIL CHAMBERS
SEPTEMBER 19, 2016
6:00 P.M.**

AGENDA

- I. CALL TO ORDER
- II. CONSENT AGENDA
 - A. Minutes (page 1)
- III. NEW BUSINESS
 - A. Re-Zone Request – Bill & Hancy Fuchs (page 8)
 - B. Conditional Use Permit – Sign – MN Annual Conf. – UTD Methodist Church (GUM Church) (page 15)
 - C. Variance Request – Sign – MN Annual Conf. – UTD Methodist Church (GUM Church) (page 24)
- IV. OLD BUSINESS
- V. INFORMATIONAL
 - A. GTS Educational Events (page 33) – Any Commission member wishing to attend the “Your Role As Planning Commission Member” please visit with Renee so that you may get registered.
 - B. Building Inspector Report (page 35)
 - C. Next Meeting – Monday, October 3, 2016 at 6:00 p.m.
- VI. ADJOURN

Please contact Renee Eckerly at 320-243-3714 ext. 227 or at renee@paynesvillemn.com if you can't attend the meeting.

Members: Randy Christman, Carly Brockner, Ron Mehr, Bob McDaniel, and Neil Herzberg. Advisory Members: Renee Eckerly, City Administrator and Brad Mehlhop, Building Official

This agenda has been prepared to provide information regarding an upcoming meeting of the Paynesville Planning Commission. This document does not claim to be complete and is subject to change.

BARRIER FREE: All Paynesville Planning Commission meetings are accessible to the handicapped. Attempts will be made to accommodate any other individual need for special services. Please contact City Hall (320) 243-3714 early, so necessary arrangements can be made.

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: September 19, 2016

Agenda Section: Consent

Originating Department: Administration

Item Number: II - A

ITEM DESCRIPTION: Minutes

Prepared by: Staff

COMMENTS:

Please review the minutes from the August 1, and July 18, 2016 Planning Commission meetings.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to approve the minutes from the August 1, and July 18, 2016 Planning Commission meetings.

**MINUTES
PLANNING COMMISSION**

AUGUST 1, 2016

Chairman Ron Mehr called the meeting to order at 6:00 p.m. Other members present were Darlene Loven, Bob McDaniel, Randy Christman, and Neil Herzberg. Also present was Renee Eckerly, City Administrator, JoLyn Lindquist, Social Media Specialist, Brad Mehlhop, Building Official, Bill Spooner, City Attorney; Carly Brockner, Jim Freilinger, and Chuck DeWolf, Bolton & Menk, Inc.

Motion was made by Herzberg to approve the minutes of the June 20, 2016 Planning Commission meeting. Seconded by Christman and unanimously carried.

VARIANCE REQUEST – CITY OF PAYNESVILLE WATER PLANT VOC

The City of Paynesville received a three-part Variance Application from the City of Paynesville, 221 Washburne Ave. Paynesville, MN. The property in question is at 271 Ampe Drive, Paynesville, MN. The Variance request is for an additional structure at the Water Treatment Plant for the volatile organic compounds (VOC) project. Due to the irregular shape of the lot, the new building is proposed to be:

- 5.14 feet from the rear property line (after further review this lot is double fronted; therefore it needs to meet the 25 foot front setback requirement off of Business 23 also – needing a 19.86 foot variance
- 6.84 feet from the side property line – can't meet the 10 foot setback requirement – needing a 3.16 foot variance
- 37 feet in height - can't meet the 35 foot height regulation – needing a 2 foot variance

The structure will meet all other zoning regulations.

The Report and Recommendation will be changed to match that this lot is double fronted and that the structure will need to meet the 25 foot setback off both Business 23 and Ampe Drive.

DeWolf reported that this structure is to remove contaminants from the water from the Former Mid Town Service Station Site. There is no other location on the site for the structure. The front of the lot has a tank. The tower extension is the part that exceeds the height limit. The City has contacted Stearns County regarding acquiring some excess right of way, but because of the grant timeline the City is proceeding with a variance request. If the City obtains the land from Stearns County two of the three variances will not be needed.

Motion was made by McDaniel to approve the City of Paynesville Report & Recommendation Of Planning Commission On Application For Variance and recommend such to the City Council. Seconded by Herzberg and unanimously carried.

ZONING ORDINANCE AMENDMENTS - CODIFICATION

Eckerly reviewed the changes to the sign ordinance from the last meeting in the updated draft. Eckerly distributed the Cold Spring Sign Ordinance and reported that Princeton doesn't allow electronic signs in residential zoning districts. Eckerly received no other feedback from any other cities.

Spooner reviewed a section on page two; area definition was clarified.

It was noted that the height or size of signs could be adjusted by a conditional use permit or variance.

Motion was made by McDaniel to approve the Report & Recommendation Of Planning Commission On Amendments To City Code Chapter 11, Entitled "Land Use Regulations (Zoning)", including additional changes and recommend such to the City Council. Seconded by Loven and unanimously carried.

COMMISSION MEMBER RESIGNATION & APPOINTMENT

Darlene Loven will be submitting her resignation from the Planning Commission effective August 9, 2016. Carly Brockner is interested in serving in her position.

Motion was made by Loven to accept the resignation from Darlene Loven from the Planning Commission and recommend such to the City Council, effective August 9, 2016. Seconded by Herzberg and unanimously carried.

Motion was made by Loven to appoint Carly Brockner to the Planning Commission and recommend such to the City Council. Seconded by Herzberg and unanimously carried.

BUILDING INSPECTOR REPORT

Mehlhop reviewed the Building Inspector Report.

NEXT MEETING

The next meeting will be September 19, 2016 at 6:00 p.m.

There being no further business, the meeting was adjourned at 6:40 p.m.

MINUTES PLANNING COMMISSION

JULY 18, 2016

Chairman Ron Mehr called the meeting to order at 6:00 p.m. Other members present were, Bob McDaniel and Neil Herzberg. Randy Christman and Darlene Loven were absent. Also present were Renee Eckerly, City Administrator; Brad Mehlhop, Building Official; JoLyn Lindquist, Social Media Specialist; Bill Spooner, City Attorney; Carly Brockner, Bob Bauer, Richard Bergstrom, and Jim Freilinger.

There were no minutes available for approval.

ZONING ORDINANCE AMENDMENTS - CODIFICATION

Mehr recessed the Regular Planning Commission meeting and opened the Zoning Ordinance Amendments – Codification Public Hearing at 6:05 p.m.

Jim Freilinger, Grace United Methodist Church (GUM) explained that the church is looking at putting up a sign. They have been doing some research:

- Churches are in residential zoning districts
- Churches are referred to as non-residential
- Would like to know if churches could be changed to church, non-residential, or non-profit instead of non-residential
- Maximum height is 6 – 10 feet – would like the height doubled
- Lighting of the sign (not being lit from 10:00 p.m. to 7:00 a.m.) be addressed
- Turning lights off – all lights or just the changeable copy sign part, but stay lit and keep just one message on the screen
- Sign surface is considered outside to outside of the structure; currently is 32 square feet, but want more like 250 square feet on both sides including the frame
- Area – over 12 inches needs to be included in the square footage
- Current ordinance does not allow digital changeable copy signs

There was some discussion to eliminate the side measurement or side inches of the structure and just figure the sign facing for display and exclude the depth.

Need to keep in mind that this is a residential neighborhood so whatever changes are made they are made for residences also.

Discussed putting the size up to 250 square feet for a conditional use. Spooner stated that you would grant this to churches and deny to others; would be un-settling.

Spooner questioned if the lit sign after 10:00 p.m. is a major issue? This is a good neighbor policy. It was stated that yes, it is an issue as these signs are very expensive.

There was some discussion on leaving the lights on except for the changeable copy sign.

Height of the sign was discussed in relation to some of the local churches. The layout of the land varies in reference to the roadways; therefore, wanting the sign up higher. The bottom of a street sign is 6-7 feet.

There was further discussion on leaving the ordinance as is and allow the churches to apply for a conditional use permit and/or variance.

There being no further comments or questions, Mehr closed the Public Hearing at 6:49 p.m. and re-opened the Regular Planning Commission meeting.

There was further discussion on the depth of signs being included in the calculation of square footage of the message.

It was suggested to do further research on this and bring it back to the next meeting.

Spoooner reviewed the changes starting on page 24; including setbacks and changeable copy signs not being lit from 10:00 p.m. to 7:00 a.m.

BUILDING INSPECTOR REPORT

Mehlhop reported that he took the Limited Building Official test on June 30, 2016 and passed. He is now considered a Limited Building Official. Mehlhop will need 100 points to become a Certified Building Official. Mehlhop already has 70 points; therefore, needs an additional 30 points.

CCLD NEWSLETTER

Mehlhop noted the solar panel section of the newsletter.

NEXT MEETING

The next meeting will be August 1, 2016 at 6:00 p.m.

There being no further business, the meeting was adjourned at 7:15 p.m.

5

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6

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NEXT MEETING

The next meeting will be August 1, 2016 at 6:00 p.m.

There being no further business, the meeting was adjourned at 7:15 p.m.

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: September 19, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: III - A

ITEM DESCRIPTION: Re-Zoning Request – Bill & Hancy Fuchs

Prepared by: Staff

COMMENTS:

Please review the attached Re-Zoning Application submitted by Bill & Hancy Fuchs, owners of the property located at 201 Minnie St. (former Credit Union) Lots 1, 2, 3, 4 of Gales Addition; Parcel Numbers 70.38752.0000 and 70.38751.0000 from C-1 Central Business District to I-1 Light Industrial to conduct an auto repair shop – machine shop which is a conditional use permit in C-1, but a permitted use in I-1.

Items to think about if Re-zoned:

- Would make existing conforming structure non-conforming; would not meet the front set back of 25' in I1
- Is re-zoning consistent with the City's Comprehensive Plan and a good location for industrial use
- Does the City want an industrial lot sandwiched between residential to the east and west
- In all Commercial and Industrial Districts adjacent to Residential Districts and not divided by streets there shall be provided along the property line, a twenty (20) foot wide planting strip composed of grass, trees and shrubs. A screening fence may be utilized when approved by the Planning Commission. Such fence shall not exceed eight (8) feet in height nor be less than six (6) feet in height and shall screen up to eighty (80) percent per square yard of area
- Future Comprehensive Plan map shows this area to remain Commercial – see attached map

Items to think about if it was permitted by a Conditional Use Permit:

- Existing structure would remain conforming and meet setbacks
- Complies with the City's Comprehensive Plan
- City would have some control over outside storage, how much, and for how long, etc. that could be outlined in a conditional use permit

Mr. Fuchs provides accurate items to think about that are included in his application.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to set the Bill & Hancy Fuchs Re-Zoning Public Hearing for Monday, October 17, 2016 at 6:05 p.m.

g

CITY OF PAYNESVILLE ~ RE-ZONING APPLICATION

221 Washburne Ave. ~ Paynesville, MN 56362

Phone: 320-243-3714 ~ Fax: 320-243-3713

List All Property Owners: WILLIAM + HANCY FUCHS

Contact Person: BILL FUCHS Email Address: BILL@BILLFUCHSMOTORSPORT.COM

Mailing Address: 372 GENESEE ST. P-VILLE MN. 56362

Telephone No.: 320-237-3510 Parcel No.: 70.38752.0000 + 70.38751.0000

Property Address: 201 MINNIE ST

Legal Description: Lot: 1, 2, 3, 4 Block: Addition: GALES ADD

CURRENT ZONE: C-1
EXISTING USE: NOT USED SINCE 2012

PROPOSED ZONE: I-1 - Light Industrial
PROPOSED USE: AUTO REPAIR - MACHINE SHOP

Application Fee: \$200.00
(non-refundable) These are the fees incurred per document: Advertising \$48.00 (average), Recording \$46.00 (actual), Postage \$33.00 (average), Legal \$123.00 (average), totaling \$250.00.

WILL THIS RE-ZONE REQUIRE A CONDITIONAL USE? NO
WILL THIS RE-ZONE REQUIRE A VARIANCE? YES - FRONT SETBACK -
Existing Building would become non-conforming as it would not meet the
DESCRIPTION OF REQUEST: (use separate sheet if needed) 25' front set back.
SEE ATTACHED

Application Must include:

- Legal description from abstract.
- Statement containing all the circumstances, factors, and arguments that the applicant offers in support of the proposed re-zone.
- Any written or graphic data required by the City Administrator.

[Signature] 9-4-16
[Signature] 9-4-16
All Property Owners Must Sign This Application Date

For office use only:

Application Fee: \$200.00 (non-refundable)
For office use only: Cash _____ Check No. 9490 Date Paid 9/4/16

Present To Planning Commission Date: 9/14/16
Planning Public Hearing Date: 10/14/16 6:05 pm Planning Set Public Hearing Date: 9/14/16
Council Makes Determination Date: 10/21/16

PLANNING COMMISSION ACTION: Recommended to Council Approved _____ Denied _____ Date: _____
CITY COUNCIL ACTION: Approved _____ Denied _____ Date: PAID
SEP 06 2016

Date Received In Office: (Stamp) CITY OF PAYNESVILLE

To: City of Paynesville

Date: 9-4-16

From: Bill & Hancy Fuchs

This document is to support my request for re-zoning of my four lots in the city limits from C-1 to I-1. Please see my comments below.

- This property is geographically "cut off" and separated from ALL other "Central Business District" property by the railroad tracks and well over 20 trains per day.
- The other two lots zoned C-1 north of the tracks are now owned by the city and were used for the 2016 Lake Street realignment project.
- This property is also separated and "cut off" from ALL other "Central Business District" property by both Light and Heavy Industrial district property.
- This property did not have sidewalks prior to 2016 and is apparently not "commercial" enough to warrant sidewalks or street lights from the 2016 street project.
- This property was FOR SALE for over two and a half years. It did not sell even though it was priced at 25% of its assessed value due to the reasons stated above.
- I purchased this property with the intent of opening an auto repair and machine shop. This would require a conditional use permit under the current zoning.
- Zoning this property I-1 would match the intended future usage (opening November 1st 2016).
- This property abuts R-1 property to the West. That area of my property is currently a 50' wide undeveloped lot with grass and trees. This is double the "buffer zone" required.
- This property abuts "Darby Lane" on the East.
- When discussing this rezone request with Jennifer Welling she stated that one possible issue could be the "future potential" for an adult business due to the I-1 zoning. After additional research this has proven to be a "non-issue" due to the lot size in relation to the R-1 setback requirements for adult businesses.

Thank you for your time and consideration, Bill & Hancy Fuchs

Title

23.16149.0000
CROW RIVER TRAIL GUARDS INC

20.38751.0000

20.38752.0000

20.38751.0000

Paynesville

Block 2

lot 1+2

lot 3

lot 4

DARBY LN

MINNIE ST.

55

WASHBURNE AV

Land Use Web Application

Legend

Parcels

0 10 20 40
Feet



Data is as represented in Stearns County
Databases. It is NOT intended for
Location Use and Stearns County
waives all liability from this product.

This map is made available as an "as is" basis, without express or implied warranty of any sort for selling, specifically any implied warranties of fitness for a particular purpose, accuracy, completeness, or otherwise relating to the accuracy or completeness of the databases.

Auditor/Treasurer
Division of Land Management
September 9, 2016



Abstract of Title

To the following described Real Estate situated in

STEARNS COUNTY

1

Lots One (1), Two (2), Three (3) and Four (4) of Gale's Addition to the Village (now City) of Paynesville, according to the plat and survey thereof on file and of record with the County Recorder in and for Stearns County, Minnesota.

A & J Abstract & Title

Ross M. Amundson, Licensed Abstractor

David T. Johnson, Licensed Abstractor

217 West James Street

P. O. Box 241

Paynesville, MN 56362

Phone: (320) 243-6020

Fax: (320) 243-1055

CITY OF PAYNESVILLE

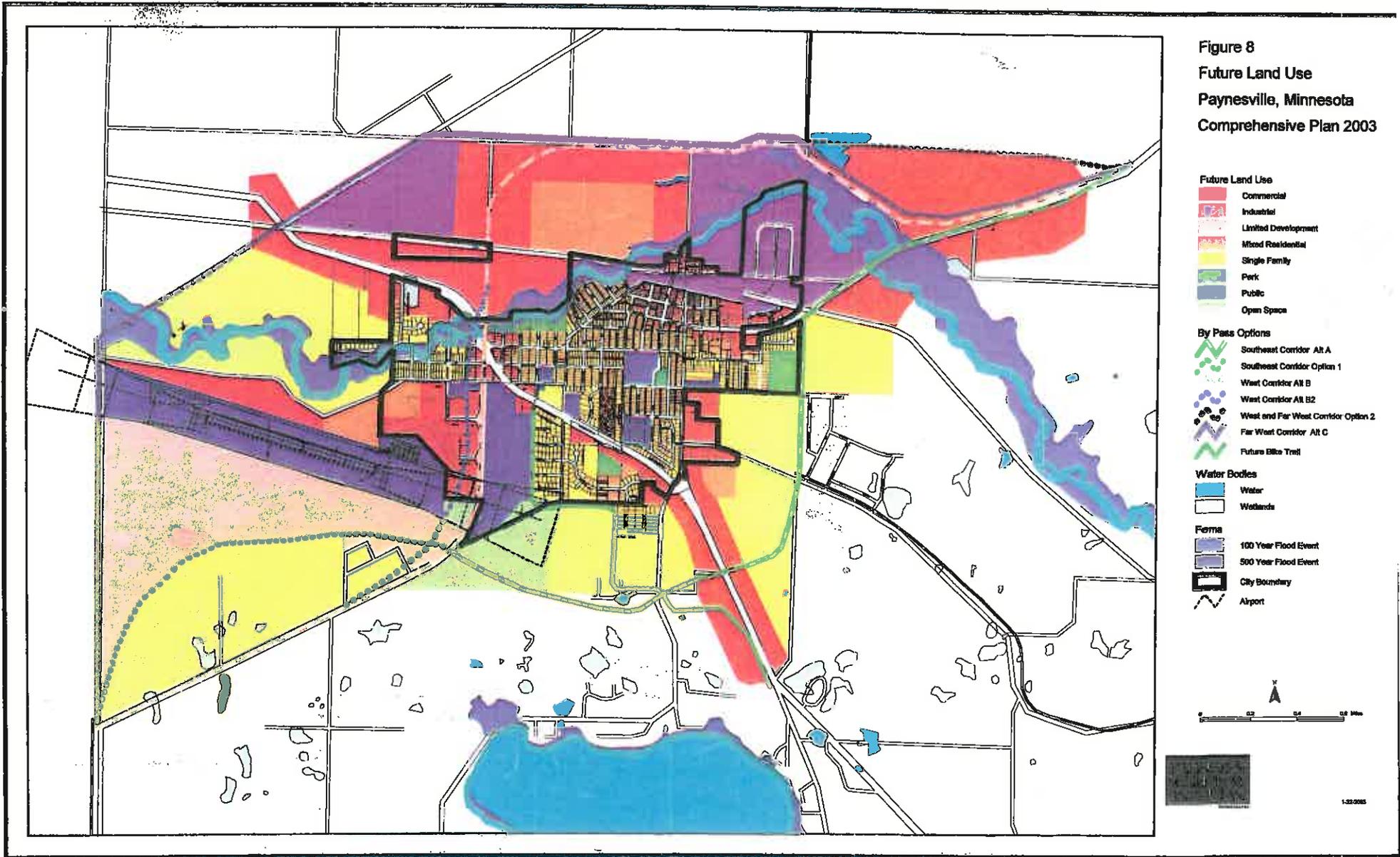
RCN#: 00047389 9/06/2016 9:52 AM
OPER: FRONT TERM: 001
REF#: 3490

TRAN: 10.0020 REZONING FEE
fuchs rezone
ZONING FEES 200.00CR

TENDERED: 200.00 CHECK
APPLIED: 200.00-

CHANGE: 0.00

Figure 8
Future Land Use
Paynesville, Minnesota
Comprehensive Plan 2003



- Future Land Use**
- Commercial
 - Industrial
 - Limited Development
 - Mixed Residential
 - Single Family
 - Park
 - Public
 - Open Space
- By Pass Options**
- Southeast Corridor Alt A
 - Southeast Corridor Option 1
 - West Corridor Alt B
 - West Corridor Alt B2
 - West and Far West Corridor Option 2
 - Far West Corridor Alt C
 - Future Elbe Trail
- Water Bodies**
- Water
 - Wetlands
- Floods**
- 100 Year Flood Event
 - 500 Year Flood Event
 - City Boundary
 - Airport



1-22-2005

14

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: September 19, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: III - B

ITEM DESCRIPTION: Conditional Use Permit – MN Annual Conf. UTD Methodist (GUM Church)

Prepared by: Staff

COMMENTS:

Please review the Conditional Use Permit Application submitted by MN Annual Conf. UTD Methodist (GUM Church) at 500 Business 23 W, Paynesville, MN. Lot 10, Block 1, Gilberts Addition; Parcel Number 70.38994.0000. The property in question is zoned "R-1" – Single Family Residential District, and the actual use of the property is a church which is a conditional use allowed under City Code, Chapter 11, Section 11.30, Subd. 4e, within a residential district. They are seeking permission for a changeable copy sign to be in excess of 32 square feet per surface with no more than two (2) surfaces, the proposed sign to have two (2) surfaces with total sign area of 127.2 square feet, which may be allowed under a Conditional Use Permit under the provisions of City Code, Chapter 11, Section 11.14(l) (ii).

Items to note and think about:

- They meet the 50' setback from the property line of the adjoining residence
- They are willing to turn off the changeable copy sign between 10:00 p.m. and 7:00 a.m.
- They meet the 30' setback from the intersection of Oak Park Ave. and Business 23 W

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to set the MN Annual Conf. UTD Methodist (GUM Church) Conditional Use Permit Public Hearing for Monday, October 17, 2016 at 6:15 p.m.

CITY OF PAYNESVILLE ~ CONDITIONAL USE APPLICATION

221 Washburne Ave. ~ Paynesville, MN 56362

Phone: 320-243-3714 ~ Fax: 320-243-3713

List All Property Owners: MN Annual Conf-UTD Methodist

Contact Person: Jim Frellinger Email Address: Jim.Frellinger@state.mn.us

Cell: 320.905.5526

Mailing Address: 500 Business 23 West, Paynesville, MN 56362

Telephone No.: 320-243-7382 Parcel No.: 70.38994.0000

Property Address: 500 River St. West, Paynesville, MN 56362

Legal Description: Lot: 010 Block: 001 Addition: Gilbert 5th

ZONE: Residential

EXISTING USE OF PROPERTY:

Non-Residential Use (Church)

Application Fee: \$225.00

(non-refundable) These are the fees incurred per document: Advertising \$48.00 (average), Recording \$48.00 (actual), Postage \$33.00 (average), Local \$123.00 (average), totaling \$250.00.

WILL THIS CONDITIONAL USE REQUIRE A VARIANCE ALSO? Yes

DESCRIPTION OF REQUEST: (use separate sheet if needed)

See Attached

DRAWING OF PROPOSED CONDITIONAL USE: (use separate sheet)

Application Must include:

- Legal description from abstract.
- Any written or graphic data required by the City Administrator.

Robert Bergstrom (Chair Trustees)
All Property Owners Must Sign This Application

9-6-16
Date

For office use only:

Application Fee: \$225.00 (non-refundable)

For office use only: Cash

Check No. 23409

Date Paid 9/7/16

Present To Planning Commission Date: 9.19.16

Planning Set Public Hearing Date: 9.19.16

Planning Public Hearing Date: 10.17.16

Council Makes Determination Date: 10.24.16

PLANNING COMMISSION ACTION:

Recommended to Council Approved

Denied Date: _____

CITY COUNCIL ACTION: Approved

Denied Date: _____

Date Received in Office:
(Stamp)

3/1/2016

DECEMBER
SEP - 7 2016

16

GRACE UNITED METHODIST CHURCH

PAYNESVILLE, MN

REQUEST FOR CONDITIONAL USE PERMIT

Request for a conditional use permit in a residential area for a non-residential use:

- 1. One electronic and changeable copy sign;**
 - a. Changeable copy sign shall not be lit up between 10:00 p.m. and 7:00 a.m.**
 - b. Shall be located in excess of 50 feet from the property line with any adjoining residential use.**
- 2. Sign will not extend or project over a sidewalk or street right-of-way**
- 3. Sign will be installed in accordance with the current electrical code and a separated sign permit will be obtained as required.**
- 4. The changeable copy sign will meet or exceed the required display for each image as required.**

INDIGO SIGNWORKS

West Milford, NJ 07093

Grace United Methodist Church

Paynesville, MN
Quote # 39198 FINAL

Date: 05/16/2016
Revised Date: 08/29/2016

Sales Representative:
Bob Wolfe

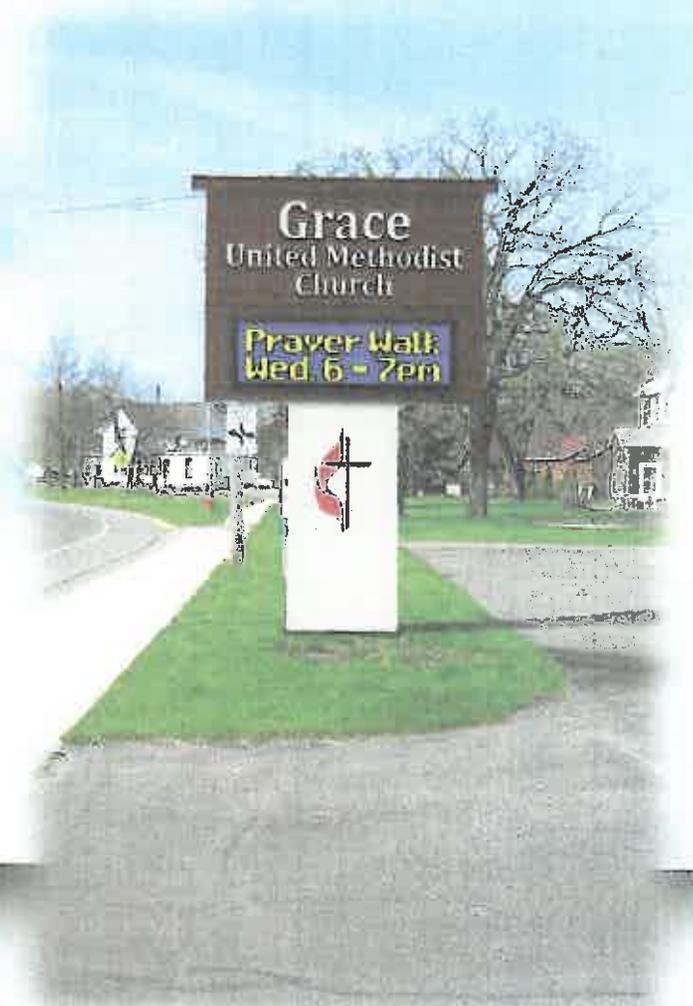
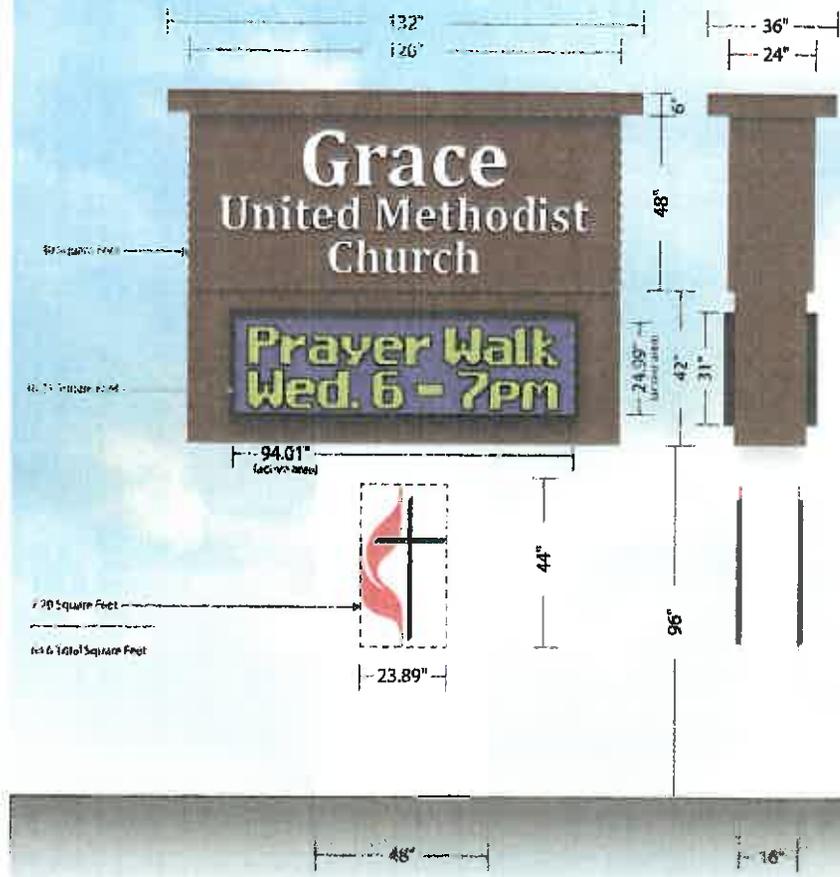
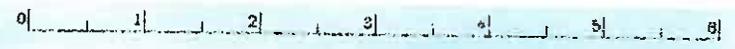
Drawn by: GAN

Page Scale: 3/8" = 1'-0"
Page Size: 11x17

Illuminated Double Sided Pylon Sign
Cabinet: Aluminum (painted PMS 4625)
Face: White Polycarbonate
Graphics: 3M film
Deep Mahogany Brown 7725-19

Electronic message center
Model: Daktronics
GS6-32X120-19.8-RGB-2V
Matrix: 32 x 120
Pixel Pitch: 19.8mm
LED Color: Full Color RGB

Non-Illuminated Logo
Material: 1/4" & 1" PVC
Color: 1/4" is Red, 1" is Black
Mounting: Stud Mount to cladding



File location: G:\G\Grace United Methodist\Working Sketch Files\Paynesville_Pylon_39198

This idex and design, contained in this original and unpublished drawing are the property of Indigo Signworks, Inc. and may not be used or reproduced in whole or part without written permission from Indigo Signworks, Inc.

18

Grace United Methodist Church

Paynesville, MN
Quote # 39198-1

Date: 05/16/2016
Revised Date: 09/06/2016

Sales Representative:
Bob Wolfe

Drawn by: GAN

Page Scale: 3/8" = 1'-0"
Page Size: 11x17

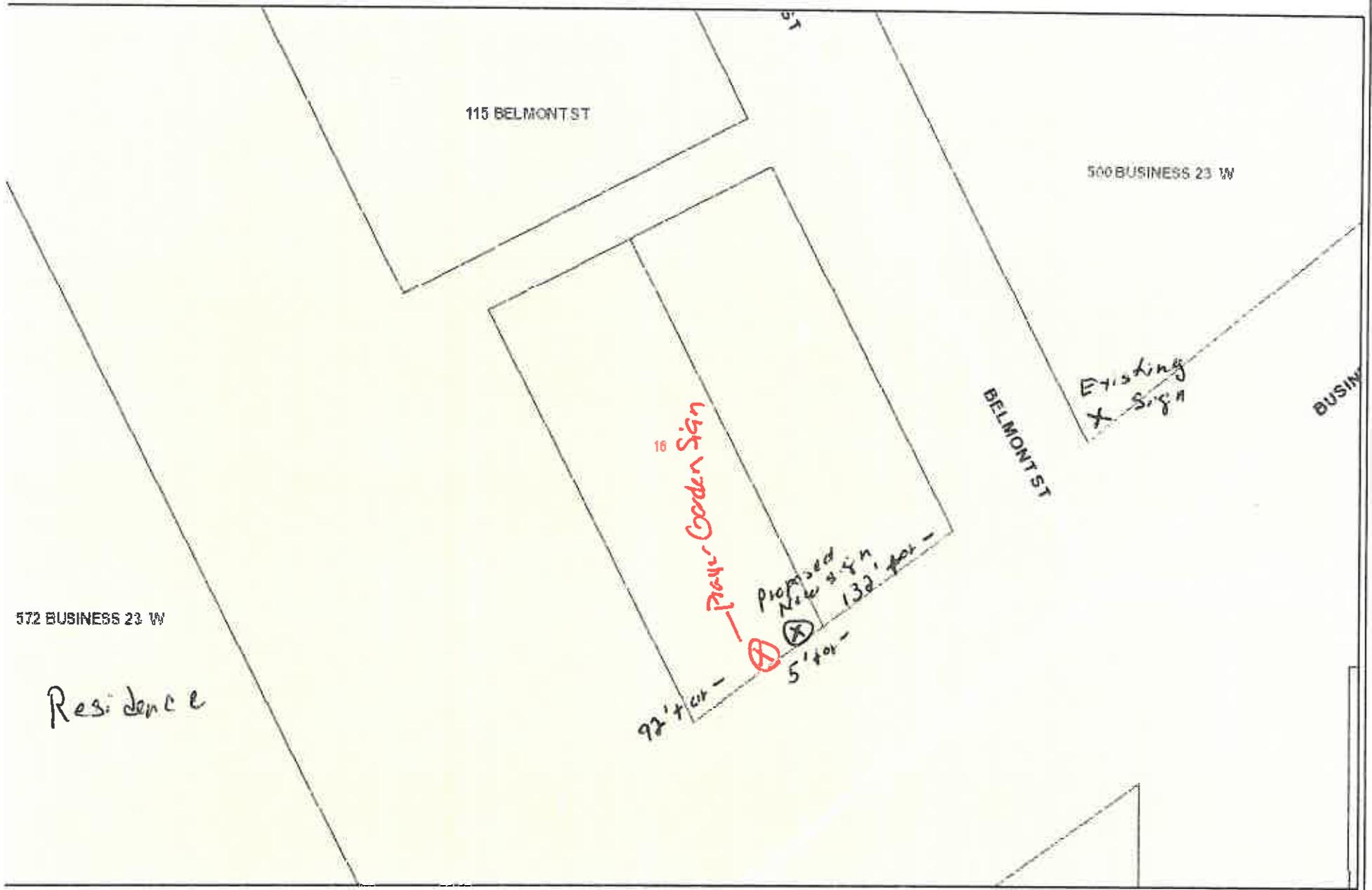
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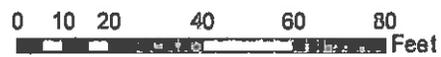
Non-Illuminated Logo
Material: 1/4" & 1" PVC
Color: 1/4" is Red, 1" is Black
Mounting: Stud Mount to cladding



19



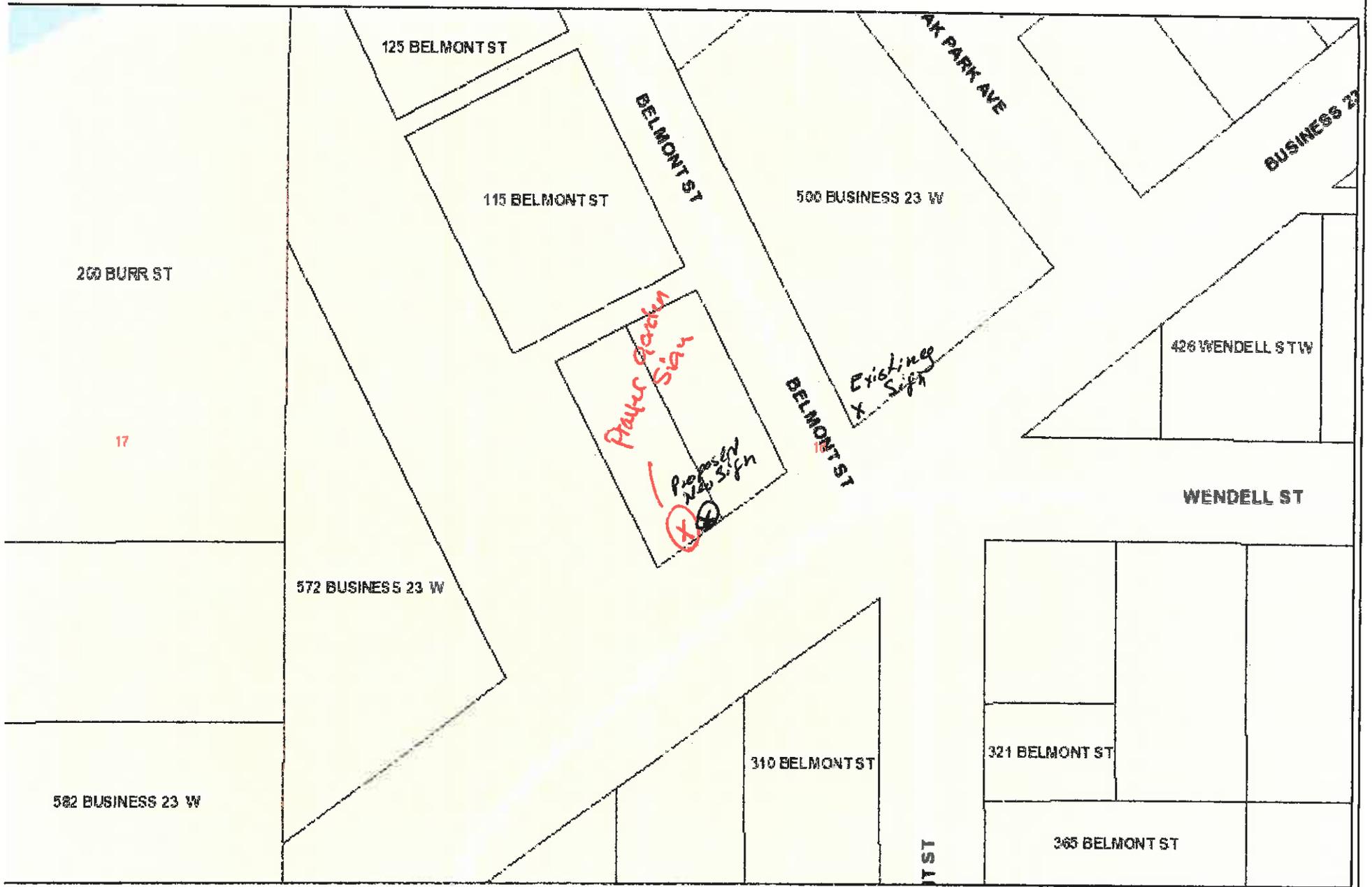
Map is as represented in Stearns County
 Assessor's Office. It is NOT Intended for
 Official Use and Stearns County
 does not assume any liability from this product.



Auditor/Treasurer
 Division of Land Management
 Date: 9/5/2016

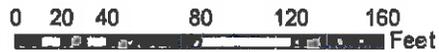


This map is based on aerial photography and is not intended to be used for legal purposes. It is not intended to be used for legal purposes. It is not intended to be used for legal purposes.



17

Map is as represented in Stearns County
 databases. It is NOT intended for
 official use and Stearns County
 reserves all liability from this product.



Auditor/Treasurer
 Division of Land Management

Date: 9/5/2016

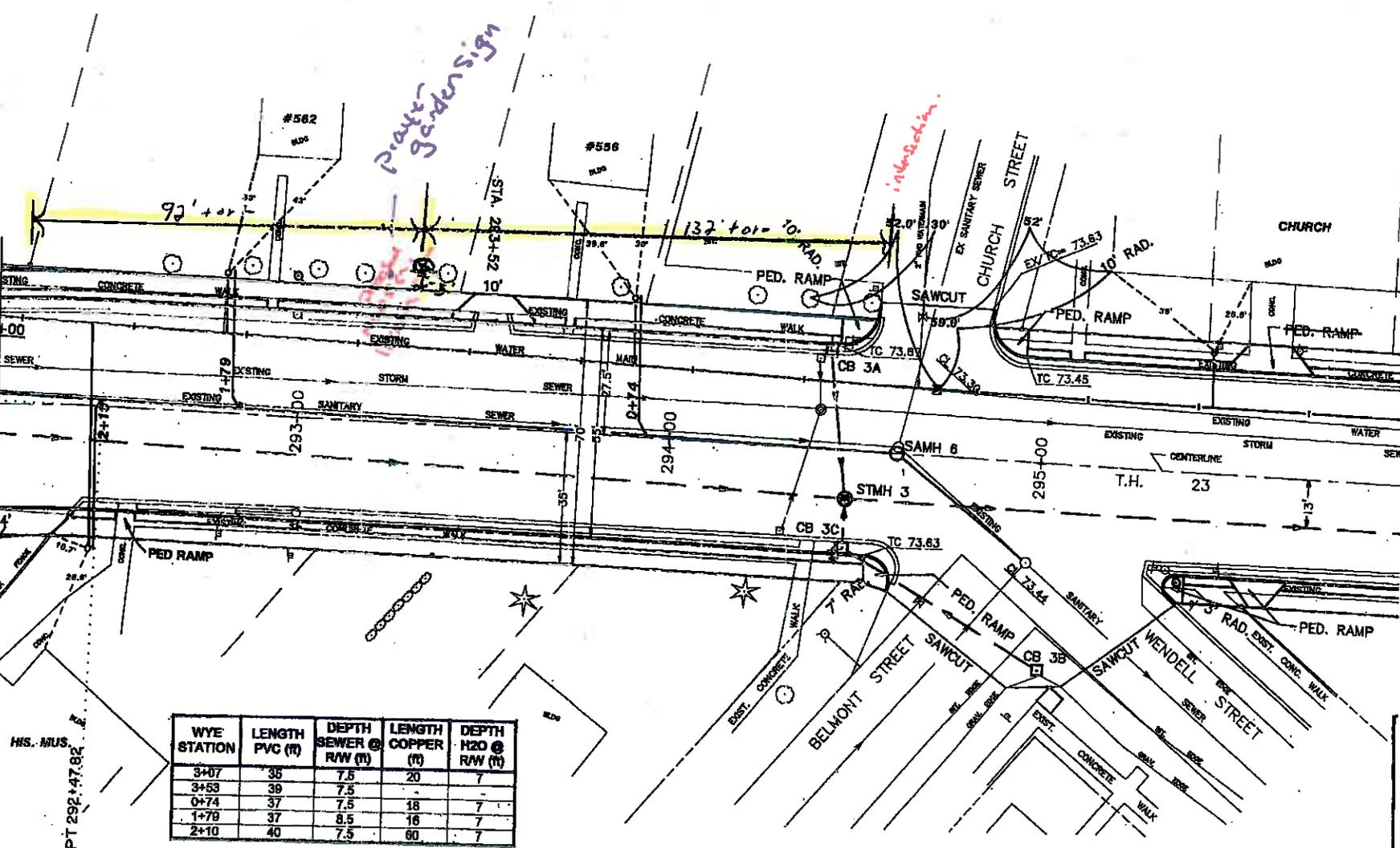


Residence

Prayer Garden Sign

inclusion

MATCH LINE STA. 292+20



WYE STATION	LENGTH PVC (ft)	DEPTH SEWER @ R/W (ft)	LENGTH COPPER (ft)	DEPTH H2O @ R/W (ft)
3+07	35	7.5	20	7
3+53	36	7.5	-	-
0+74	37	7.5	18	7
1+79	37	8.5	16	7
2+10	40	7.5	60	7

1190

BENCHMARK ELEV. = 1176.74
TOP OF HYDRANT, SW QUAD.,
RIVER ST. & BELMONT ST.

22

CITY OF PAYNESVILLE

RECH#: 00047400 9/07/2016 11:37 AM
OPER: FRONT TERM: 001
REF#: 23409

TRAN: 10.0100 VARIANCE FEE
Grace Church variance
VARIANCE FEES 250.00CR

TRAN: 10.0300 CONDITIONAL USE
grace church CUP
CONDITIONAL USE FEE 225.00CR

TENDERED: 475.00 CHECK
APPLIED: 475.00-

CHANGE: 0.00

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: September 19, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: III - C

ITEM DESCRIPTION: Variance Request – Sign - MN Annual Conf. UTD Methodist (GUM Church)

Prepared by: Staff

COMMENTS:

Please review the attached Sign Variance Application submitted by the MN Annual Conf. UTD Methodist (GUM Church), 500 Business 23 W, Lot 10, Block 1, Gilberts Addition; Parcel Number 70.38994.0000. The property in question is zoned "R-1" – Single Family Residential District, and the actual use of the property is a church which is a conditional use allowed under City Code, Chapter 11, Section 11.30, Subd. 4e, within a residential district. They are seeking a three-part variance:

1. The new sign will exceed up to 10' in height regulation, being 16' in height
2. They wish to keep their two existing signs and erect a new sign for a total of 3 signs; ordinance allows for only one sign
3. The new sign (any part of the sign and the sign structure) must meet the 5' setback off the road right of way; the proposed sign is only 2' off the road right of way; therefore, seeking at 3' variance

Items to note and think about:

- This will be their third sign on their property; they currently have a back lit sign next to the church building on (east side) and a prayer garden sign next to the new proposed sign
- New sign will exceed the total allowable square footage; therefore, needing conditional use permit
- They will meet the necessary 30' setback from the intersection of Oak Park Ave. and Business 23 W
- They will meet the 50' setback from the adjacent residential property (Paul Thielen's property)

Attorney, Bill Spooner is drafting the Report and Recommendation (to be distributed at the meeting) that will need to be worked through.

ADMINISTRATOR COMMENTS:

The Planning Commission can approval all or parts of the variance request.

COMMITTEE/COUNCIL ACTION:

Motion to APPROVE/DENY the Report & Recommendation for MN Annual Conf. UTD Methodist (GUM Church) and recommend such to the City Council.

CITY OF PAYNESVILLE ~ VARIANCE APPLICATION

221 Washburne Ave. ~ Paynesville, MN 56362

Phone: 320-243-3714 ~ Fax: 320-243-3713

List All Property Owners: MN Annual Cont-Urto Method

Contact Person: Jim Freilinger Email Address: Jim.Freilinger@city.mn.us

Mailing Address: 500 Business 23 West, Paynesville, MN 56362 Cell: 320.905.5526

Telephone No.: 320-243-7382 Parcel No.: 70.38994.0000

Property Address: 500 River St. West, Paynesville, MN 56362

Legal Description: Lot: 010 Block: 001 Addition: Giben 5e

ZONE: Residential

EXISTING USE OF PROPERTY:

Non-Residential Use (Church)

Application Fee: \$250.00

(non-refundable) These are the fees incurred per document: Advertising \$48.00 (average), Recording \$46.00 (actual), Postage \$33.00 (average), Legal \$123.00 (average), totaling \$250.00.

IS THE VARIANCE NEEDED TO REPLACE AN EXISTING STRUCTURE OR ADD AN ADDITIONAL STRUCTURE? Addition of a new sign

IF REPLACING, IS THE EXISTING STRUCTURE NON-CONFORMING? _____

DESCRIPTION OF REQUEST: (use separate sheet if needed)

See Attached

DRAWING OF PROPOSED VARIANCE: (use separate sheet)

Application Must include:

- A site plan showing existing lot lines and dimensions as well as lot area, all easements, all public streets, and private right of ways bordering and adjacent to the site, the use and location of all adjacent property.
- The specific feature or features of the proposed use, construction, or development that requires a variance.
- Specific provisions of Ordinance from which a variance is sought and the precise variance there from being sought.
- Statement of characteristics of the property that prevent compliance with the provisions of the Ordinance.
- Legal description from abstract.
- Any written or graphic data required by the City Administrator.

Richard Bergsten (Chair/Trustees)

9-6-16

All Property Owners Must Sign This Application

Date

For office use only:

Application Fee: \$250.00 (non-refundable)

For office use only: Cash _____

Check No. 23409

Date Paid 9.7.16

Present To Planning Commission Date: 9.19.16

Board of Adjustment Set Public Hearing Date: 9.26.16

Board of Adjustment Public Hearing Date: 10.24.16
6:45pm

Board of Adjustment Makes Determination Date: 10.24.16

PLANNING COMMISSION ACTION:

Recommended to Board of Adjustment Approved _____ Denied _____ Date: _____

BOARD OF ADJUSTMENT ACTION: Approved _____ Denied _____ Date: _____

Date Received In Office: (Stamp)

3/1/2016

SEP - 7 2016

25

GRACE UNITED METHODIST CHURCH

PAYNESVILLE, MN

REQUEST FOR HEIGHT VARIANCE

Request to exceed the height of 10 feet for the purpose of promoting in a residential use area:

1. Actual height of sign 16 feet.
2. Safety;
 - a. Extend the large portion of the sign over 8 feet to provide motorist an unobstructed view of Business 23 and side walk in all directions when leaving the church parking lot.
 - b. Extend the large portion of the sign high enough not interfere with any pedestrians walking around the sign
3. Visibility;
 - a. Extend the large portion of the sign high enough above grade to ensure clear visibility during winter months when snow that is accumulated on the road right of way by snow removal equipment will provide an unobstructed view for motorist entering and leaving the church parking lot.
4. Damage to the sign;
 - a. Extend the large portion of the sign high enough above grade to remove the temptation for easy access to vandalize the changeable copy portion of the sign.
 - b. Extend the large portion of the sign high enough above grade to eliminate the possibility of the changeable copy sign being damaged by compacted snow or ice chunks inadvertently hurled toward the sign by snow removal equipment.
 - c. Extend the large portion of the sign high enough above grade to ensure the sign will not be damaged by normal sized vehicles parking in the parking lot.
5. Sign height;
 - a. Meet or exceed the minimum height requirements for state, county and city traffic signs.
6. The changeable copy sign contains a photo cell which detects changes in ambient lighting, changing the brightness of the sign, making it more neighborhood friendly and appealing to the surrounding residences.
7. All other setback requirements for this sign are met, it meets and exceeds residential, road right of way and distance from the closest curb.
8. The changeable copy sign shall not be lit between 10:00 pm and 7:00 am.

9. Needs a variance for more than 1 sign on the property they are proposing 3 total, of which 2 are already existing.

10. Needs a variance for the 5' set back from the road right of way they are only 2'; Seeking a 2nd 3' variance.

Grace United Methodist Church

Paynesville, MN
Quote # 39198 FINAL

Date: 05/16/2014
Revised Date: 08/29/2014

Sales Representative:
Bob Wolfe

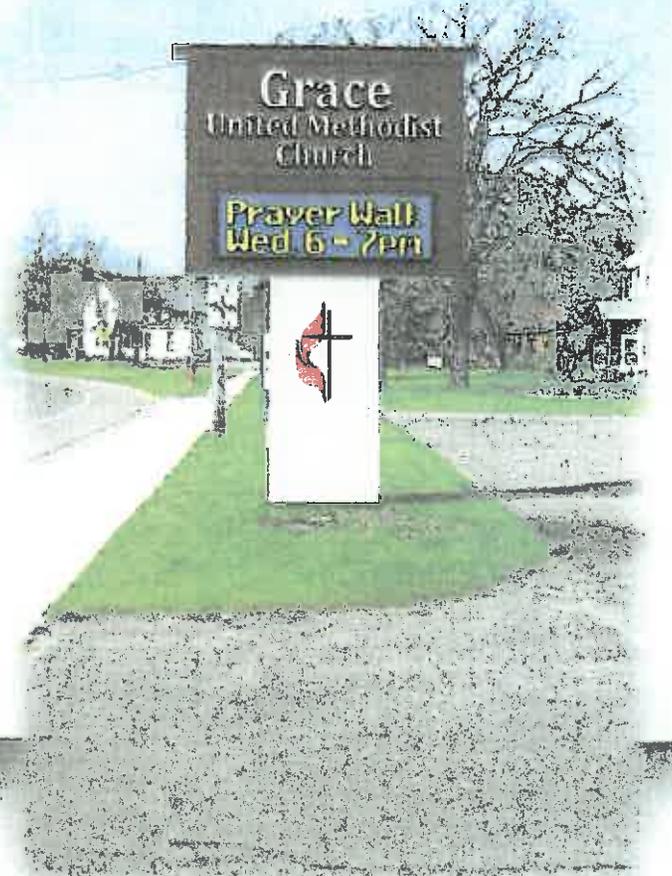
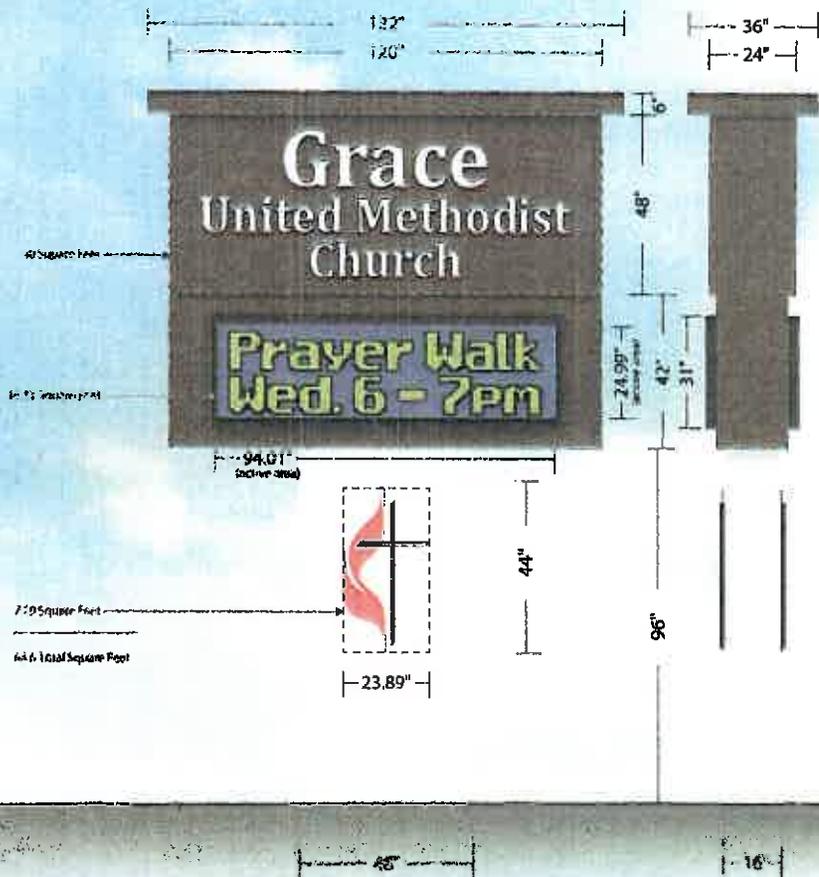
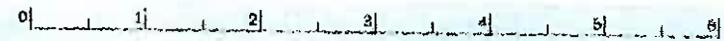
Drawn by: GAN

Page Scale: 3/8" = 1'-0"
Page Size: 11x17

Manufactured Product/Standard System Item
Cabinet: Aluminum (painted PMS 4625)
Face: White Polycarbonate
Graphics: 3M film
Deep Mahogany Brown 7725-19

Electronic Message Center
Model: Daktronics
G56-32X120-19.8-RGB-2V
Matrix: 32 x 120
Pixel Pitch: 19.8mm
LED Color: Full Color RGB

Non-Illuminated Logo
Material: 1/4" & 1" PVC
Color: 1/4" is Red, 1" is Black
Mounting: Stud Mount to cladding



2

INDIGO SIGNWORKS

Grace United Methodist Church

Paynesville, MN
Quote # 39198-1

Date: 05/14/2016
Revised Date: 09/06/2016

Sales Representative:
Bob Wolfe

Drawn by: GAN

Page Scale: 3/8" = 1'-0"
Page Size: 11x17

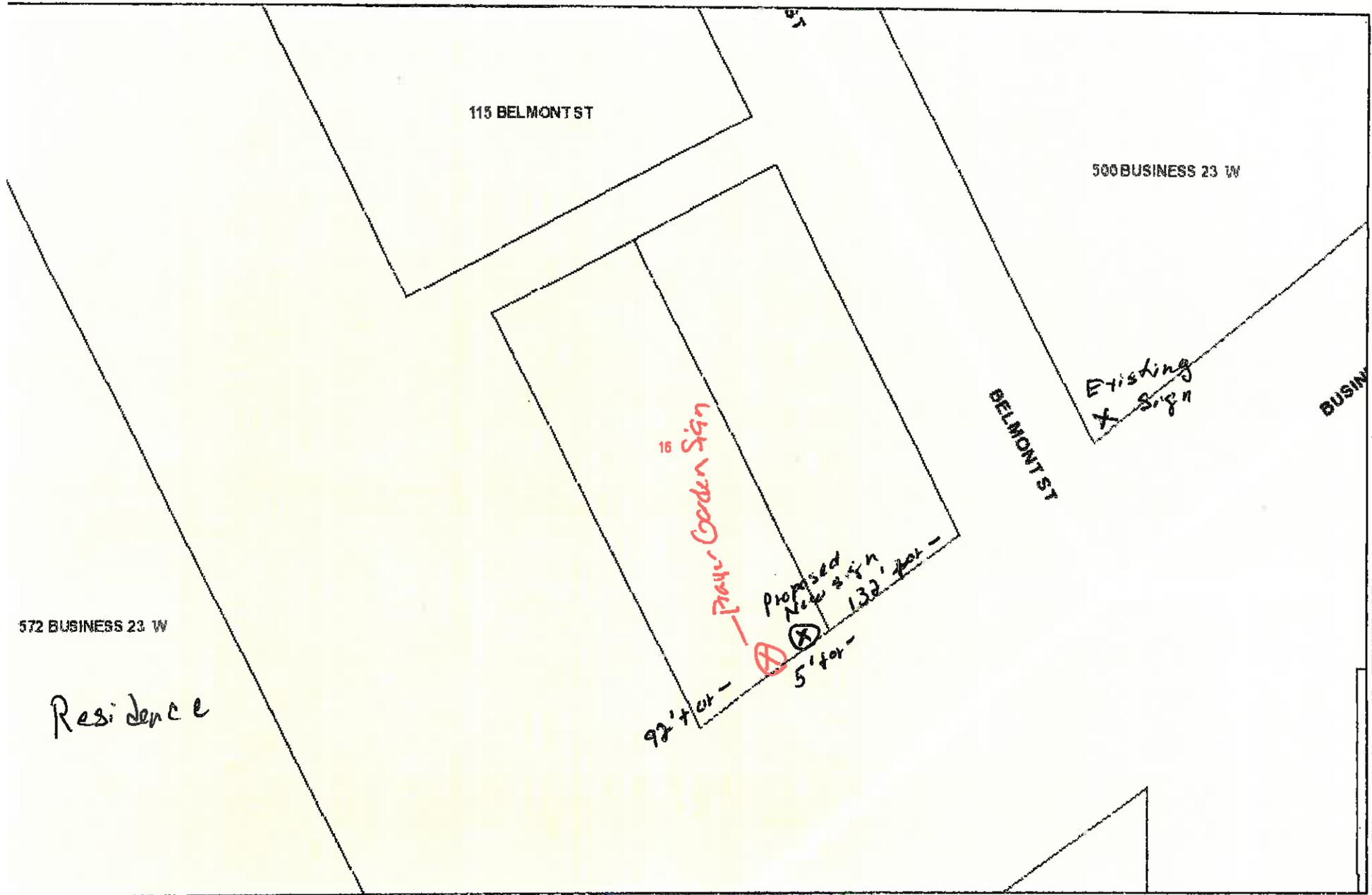
Material and Double Sided Coloration
Cabinet: Aluminum (painted PMS 4625)
Face: White Polycarbonate
Graphics: 3M film
Deep Mahogany Brown 7725-19

Electronic message center
Model: Daktronics
GS6-32X120-19.8-RGB-2V
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Pixel Pitch: 19.8mm
LED Color: Full Color RGB

Non-Illuminated Logo
Material: 1/4" & 1" PVC
Color: 1/4" is Red, 1" is Black
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28



572 BUSINESS 23 W

Residence

115 BELMONT ST

500 BUSINESS 23 W

BELMONT ST

Existing
X Sign

BUSIN

16
Plaque Garden Sign

Proposed
New sign
132' for -

92' for -

5' for -

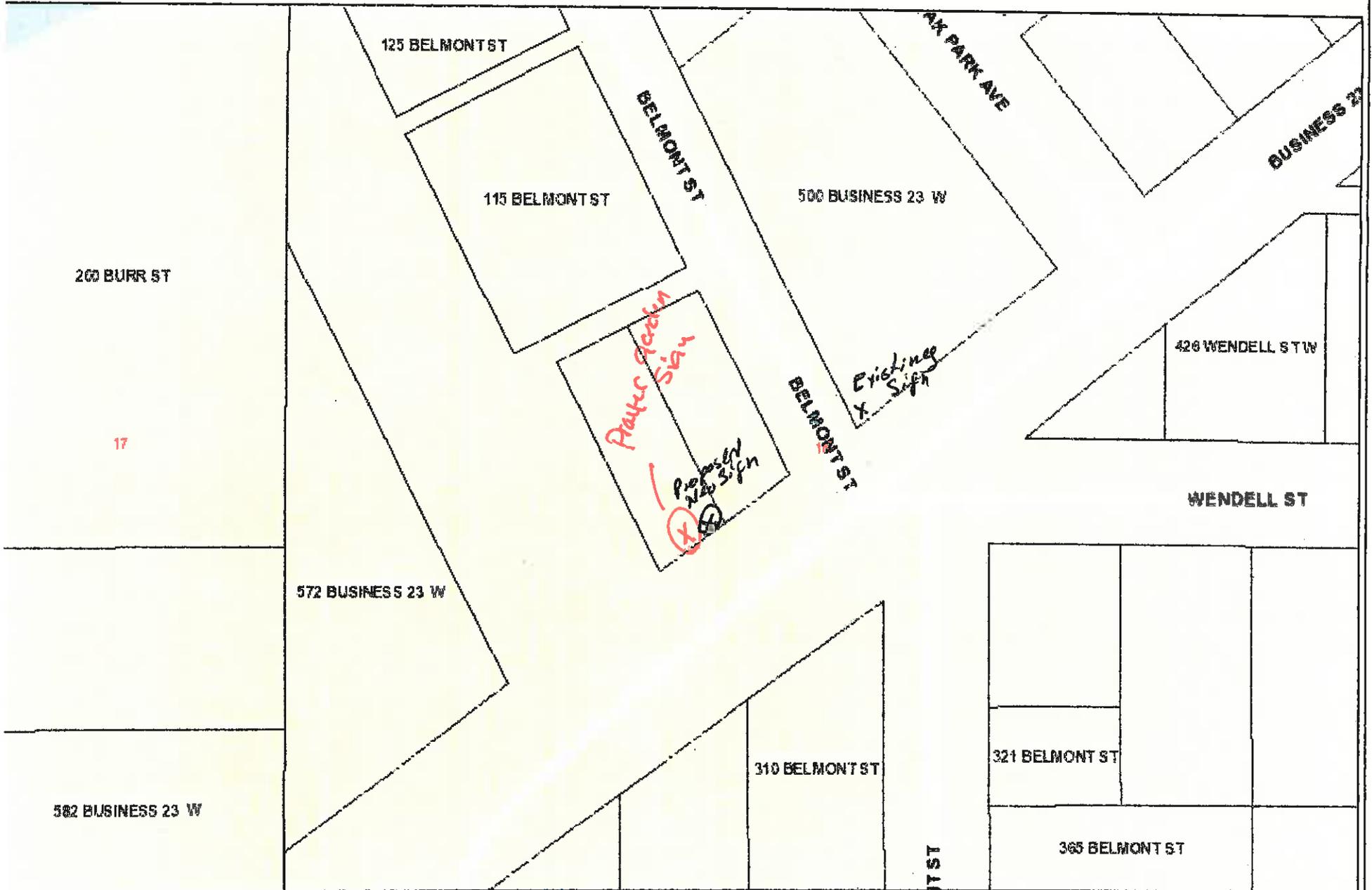
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bases. It is NOT Intended for
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recall liability from this product.



Auditor/Treasurer
Division of Land Management

Date: 9/5/2016





17

As represented in Stearns County
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 official use and Stearns County
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Auditor/Treasurer
 Division of Land Management
 Date: 9/5/2016



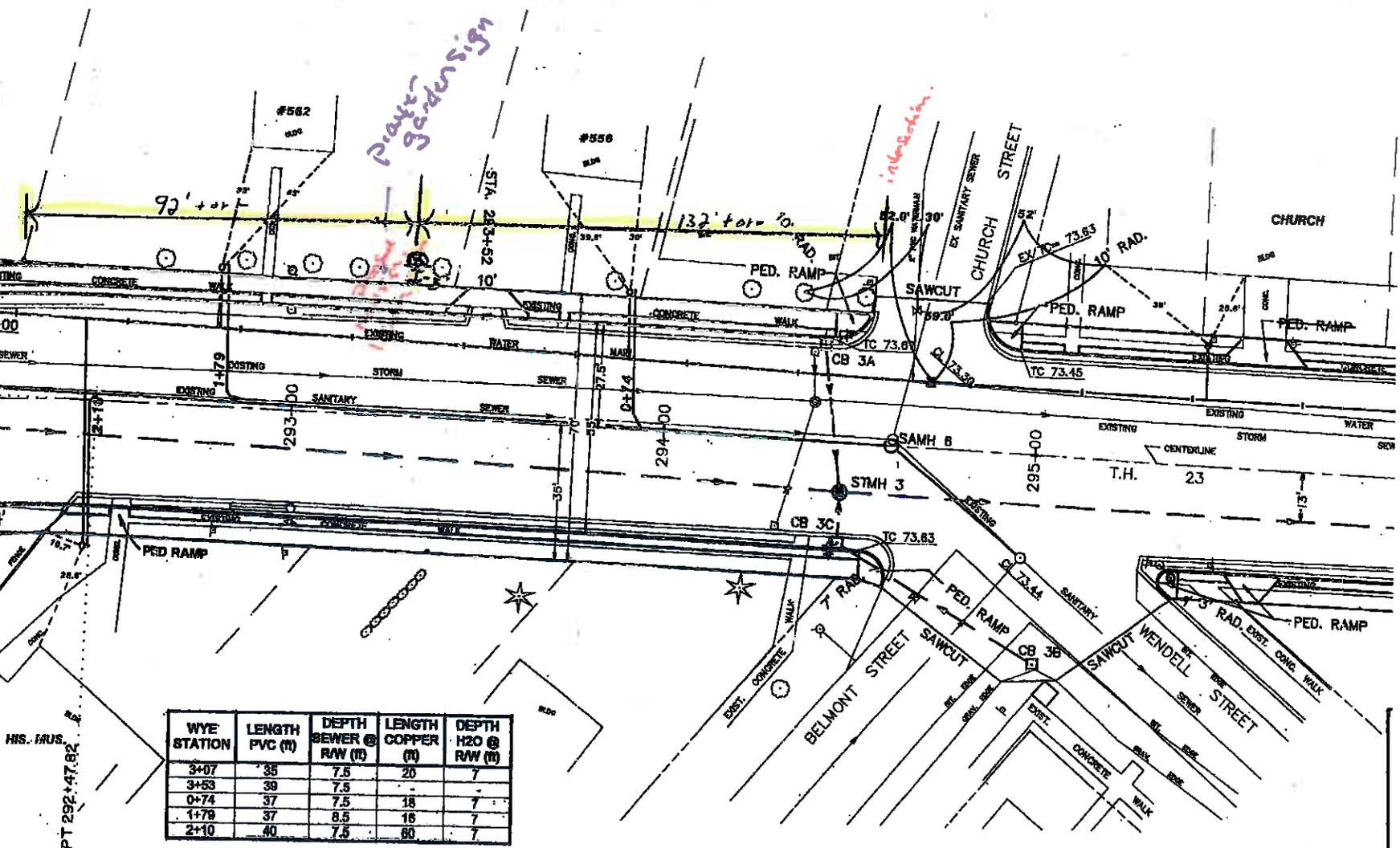
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Residence

Prayer garden sign

inclusion

MATCH LINE STA. 292+20



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1+79	37	8.5	16	7
2+10	40	7.5	80	7

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 TOP OF HYDRANT, SW QUAD.,
 RIVER ST. & BELMONT ST.

1190

21

CITY OF PAYNESVILLE

RECH#: 00047400 9/07/2016 11:37 AM
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grace church CUP
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TENDERED: 475.00 CHECK
APPLIED: 475.00-

CHANGE: 0.00

From: GTS Educational Events <events@mngts.org>
Sent: Tuesday, September 06, 2016 11:02 AM
To: Jennifer Welling
Subject: Community Development Workshops - Coming this FALL!

Land Use Training & Education Upcoming September and October Workshops

2016 Land Use Training & Education Program



Land Use Training & Education Fall Workshop Schedule

Beyond the Basics of Planning & Zoning: Variances and More!

Participants learn how planning and zoning tools are used to deal with a wide variety of development issues influencing a community's built environment. The complexities of variances are a major focus. Presenters cover the what, when, and why (complete with "how-tos" and "how-not-tos") with numerous examples and case studies.

Sept 13 - Owatonna

Emerging Issues for Professional Planners: Advanced Zoning for Staff

This workshop combines a rapid-fire review of fundamentals with a focus on key responsibilities practitioners will face as well as current challenges.

September 28 - St. Cloud

Land Use Planning For Population Health

Land Use Planning and concern for the built environment originated from a public health focus. This workshop covers the basics of planning & zoning and focuses on how health and equity can be woven into the local planning process. Participants will learn how planning and zoning is developed, where they fit into the process, and how public health/partners can support the inclusion of health and equity.

September 28 - St. Cloud

A Practical Guide to Shorelands & Floodplains

Minnesota variance laws have changed. Learn from the experts how to make decisions in light of the purposes and intent of those regulations.

October 10 - Little Falls

AICP members can
earn Certification
Maintenance
(CM)

credits for
these
activities.
When CM

credits are

available, they are noted
at the end of an activity

description. More
information about
AICP's CM program can
be found at:

www.planning.org/cm.



Elected and Appointed Officials -

SAVE 50% on registration
fees for all workshops
sponsored by Blue Cross
Blue Shield!
Community Members,
Neighborhood Groups or
Interested Citizens also
receive special pricing!

Contact Dolly Parker at
dparker@mngts.org to



Your Role as Planning Commission Member

As a Planning Commission member, you contribute hours of unpaid time to your community. Have you discovered that serving in this capacity is a bit more challenging than anticipated? This workshop will focus on what you need to know to be successful in this important position. You'll learn practical tips that can make the difference between results and regrets.

October 20 - St. Paul

November 17 - Little Falls



**BlueCross
BlueShield**

Center for
Prevention

Minnesota

Funding for this project is provided by the Center for Prevention at Blue Cross and Blue Shield of Minnesota, as part of Blue Cross' long-term commitment to tackling the leading causes of preventable disease: tobacco use, lack of physical activity and unhealthy eating.

The Basics of Groundwater

Local land use decisions can have major impacts on the quality of groundwater and its availability over time. Groundwater protection requires the efforts of everyone, and local governments play an important role in protecting groundwater as a vital asset to the economic sector and healthy communities. This session will provide locally elected and appointed leaders with basic information on groundwater and drinking water related issues, highlight why groundwater should be considered in local land use decisions, and present some ways to protect groundwater for a sustainable future.

Sept 21 - Windom

receive the registration code for this discount.

Contact Information

For additional program information, contact

Dolly Parker,

GTS Educational Events

dparker@mngts.org.

Registration questions?
Contact Kim Wielinski at

kwielinski@mngts.org.



**More sessions coming
in November!**

Visit the
Land Use website
often for up-to-date
program information.

Click HERE to
register for all Land
Use Workshops!

**Forward to a
Colleague!**

GTS Educational Events, 2233 University Avenue W, Suite150, St. Paul, MN 55427

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**City of Paynesville
Pending Inspections Report**

**Order By: Issued Date and Permit#
Issued Date From: 1/12/2013 To: 9/12/2016
Permit Type: All Property Type: All Construction Type: All
Inspection Type: All
Report Detail: None**

Date Issued	Permit#	Site Address Applicant, Phone Insp Date - Insp - Inspection Type	Permit Kind
12/16/2013	2013-00169	530 MAYWOOD AVE JUMA, EMSON (320) 267-1183	Building Residential Remodel
02/12/2015	2015-00014	531 MINNIE ST STANG, BRUCE F & BERNADETTE L	Building Industrial Remodel
05/07/2015	2015-00033	214 POMEROY AVE DAHL HOUSE RENTALS (320) 492-0374	Building Residential Siding
05/07/2015	2015-00040	214 POMEROY AVE DAHL HOUSE RENTALS (320) 492-0374	Building Residential Window/Door Replacement
06/12/2015	2015-00056	404 BUSINESS 23 W MUETZEL, WHITTNEY	Building Residential Window/Door Replacement
07/22/2015	2015-00081	405 BUSINESS 23 E UTSCH, DIANE & TOM (320) 243-3747	Building Multi Family (5+ Units) Remodel
08/25/2015	2015-00113	350 POMEROY AVE HELLERMANN, JOSH	Building Residential Addition
10/19/2015	2015-00136	310 LAKE AVE CROMWELL, TYLER	Building Residential Remodel
10/30/2015	2015-00141	200 RAILROAD ST W ROOF 1 RBR, INC (320) 836-7663	Building Industrial Roofing
11/13/2015	2015-00145	216 RAILROAD ST SERENITY PATH	Building Residential Siding
11/23/2015	2015-00147	314 STEARNS AVE CHANEY, JAMES (320) 980-7522	Building Residential Roofing

35

Date Issued	Permit#	Site Address Applicant, Phone Insp Date - Insp - Inspection Type	Permit Kind
12/09/2015	2015-00151	104 BUSINESS 23 W BENSON, DOUGLAS	Building Commercial Remodel
11/25/2015	2015-00155	639 WASHBURNE AVE RINDAHL, NATHAN (320) 894-9404	Building Residential Remodel
12/31/2015	2015-00163	1030 STEARNS AVE VELYAN, RAYMOND & MARETTA (320) 243-7898	Building Residential Remodel
02/01/2016	2016-00013	805 HIGHWAY 55 GRACE UNITED METHODIST (320) 243-3601	Building Commercial Remodel
02/11/2016	2016-00017	121 WASHBURNE AVE SL HILTNER PROPERTY MANANGEMENT (320) 254-3438	Building Multi Family (5+ Units) Remodel
04/04/2016	2016-00022	125 INDUSTRIAL LOOP W STANG, BRUCE	Building Commercial Remodel
05/03/2016	2016-00027	534 MORNINGSIDE AVE MONDLOCH INC (320) 548-3255	Mechanical Residential Repair/Maintenance
05/18/2016	2016-00031	130 WASHBURNE DR VARNER, RICK	Building Residential Roofing
07/13/2016	2016-00038	681 SERVICE RD COULTER, DONNA M (320) 243-7430	Building Residential Roofing
07/29/2016	2016-00039	803 BUSINESS 23 W KUECHLE, JEFF	Building Residential Siding
08/08/2016	2016-00041	630 STEARNS AVE PLANTENBERG, ERIC (320) 292-0537	Building Residential Roofing
05/02/2016	2016-00042	355 AUGUSTA AVE MIKE ARNOLD CONSTRUCTION INC (320) 243-7545	Building Residential Accessory Building
05/09/2016	2016-00043	202 WASHBURNE AVE GILK PLUMBING HEATING AND AC LLC (320) 260-6914	Building Commercial Remodel

Date Issued	Permit#	Site Address Applicant, Phone Insp Date - Insp - Inspection Type	Permit Kind
05/02/2016	2016-00044	361 MAYWOOD AVE BURG, JON (320) 293-6152	Building Residential Accessory Building
05/17/2016	2016-00045	352 AUGUSTA AVE DOLLY, TRENT (320) 340-6057	Building Residential Accessory Building
05/25/2016	2016-00046	230 AMPE DR John Mor	Building Commercial Commercial Remodel
07/01/2016	2016-00049	417 WASHBURNE AVE SHANE SCHMIDT CONSTRUCTION (320) 248-8495	Building Commercial Window/Door Replacement
06/22/2016	2016-00050	200 RAILROAD ST W VOSS PLUMBING & HEATING (320) 243-3644	Building Industrial Addition
06/29/2016	2016-00051	210 AMPE DR AVON PLASTICS INC (320) 260-1675	Building Industrial Siding
09/06/2016	2016-00052	224 JAMES ST W DINGMAN BROTHERS CONSTRUCTION INC (320) 250-1561	Building Commercial Remodel
07/25/2016	2016-00053	201 MINNIE ST FUCHS, BILL (320) 237-3510	Building Commercial Remodel
08/25/2016	2016-00055	140 GRANDE ST N SCOTTYS EXTERIORS CLOUD CONTRACTING (320) 250-9698	Building Residential Roofing
09/06/2016	2016-00056	412 PINE ST JACK DAHL REMODELING INC (320) 492-0374	Building Residential Roofing
09/06/2016	2016-00057	302 AUGUSTA AVE DAHL HOUSE RENTALS	Building Residential Siding
09/12/2016	2016-00058	724 MAPLE ST RON MEHR CONSTRUCTION INC (320) 492-5313	Building Residential Roofing
07/14/2016	2016-00061	390 KIRA LN DEADRICK, TOM (512) 689-6965	Building Residential Accessory Building

Date Issued	Permit#	Site Address Applicant, Phone Insp Date - Insp - Inspection Type	Permit Kind
07/20/2016	2016-00062	115 MILL ST E GRANITE CITY ROOFING (320) 253-4441	Building Commercial Roofing
07/25/2016	2016-00064	313 LAKE AVE GENES PLUMBING & HEATING INC (320) 252-6750	Building Residential Repair/Maintenance
08/02/2016	2016-00065	201 MINNIE ST FUCHS, BILL (320) 237-3510	Building Commercial Roofing
07/28/2016	2016-00066	313 LAKE AVE MEHR, DUSTIN (320) 249-3869	Building Residential Remodel
08/10/2016	2016-00077	320 AUGUSTA AVE THOMPSON, JEFFREY & REBECCA (320) 243-3180	Building Residential Window/Door Replacement
08/12/2016	2016-00078	230 AMPE DR MOHR, JOHN	Building Commercial Addition
09/07/2016	2016-00080	121 JAMES ST E DAVID LIESTMAN CONSTRUCTION LLC (320) 243-3804	Building Commercial Window/Door Replacement
09/07/2016	2016-00081	271 AMPE DR RICE LAKE CONSTRUCTION GROUP (218) 546-1922	Building Industrial New Construction