

CITY OF CHANHASSEN
CARVER AND HENNEPIN COUNTIES, MINNESOTA

**FINDINGS OF FACT
AND DECISION (APPROVED)**

IN RE:

Application of Ben James on behalf of Chapel Hill Academy for sign variance to allow a 6-foot high ground low profile sign with 35.33 square feet of sign display area, 16 square feet of which will be an electronic message center (EMC).

On February 18, 2020, the Chanhassen Planning Commission met at its regularly scheduled meeting to consider the application. The Planning Commission conducted a public hearing on the proposed sign variance preceded by published and mailed notice. The Planning Commission makes the following:

FINDINGS OF FACT

1. The property is currently zoned Office Institutional District (OI).
2. The property is guided by the Land Use Plan for Public Semi Public.
3. The legal description of the property is provided in Exhibit A.
4. Sign Variance Findings:
 - a. The City Council, upon the recommendation of the Planning Commission, may grant a variance from the requirement of this ordinance where it is shown that by reason of topography or other conditions, strict compliance with the requirements of this ordinance would cause a hardship; provided that a variance may be granted only if the variance does not adversely affect the spirit or intent of this ordinance.

Finding: As a private school, Chapel Hill Academy is a unique use within the community with a use profile similar to that of a public building. The frequent number of after school events, meetings, and weekend uses creates a need for a larger EMC than would ordinarily be permitted by City Code. Given this, requiring Chapel Hill Academy to meet the sign standards intended for other private institutional uses within the district would create a hardship.

The City Code makes provisions for larger signage within the Office Institutional District for public uses, and Chapel Hill Academy's requested sign variance is significantly below this threshold. Since larger signs are already permitted in the area and the proposed sign will not pose a safety risk, the requested variance does not adversely affect the spirit or intent of the ordinance.

5. The planning report, Planning Case #20-03 dated February 18, 2020, prepared by MacKenzie Young-Walters, is incorporated herein.

RECOMMENDATION

The Planning Commission recommends approval of the variance request to allow a 6-foot-high ground low profile sign with 35.33 square feet of total display area of which 16 square feet may be an electronic message center, and recommends the sign variance be subject to the following conditions:

1. The applicant must apply for and receive a sign permit from the city.
2. The Electronic Message Center (EMC) must comply with the city's Electronic Message Center Standards, save that it may have an EMC Display percentage of 45.29 percent.
3. The ground low profile sign must meet the city's design standards.
4. The ground low profile sign shall be located in the same position as the existing monument sign.

ADOPTED by the Chanhassen Planning Commission this 18th day of February, 2020.

CITY OF CHANHASSEN

BY: _____


Steve Weick, Chairman

EXHIBIT "A"

LEGAL DESCRIPTION

The following described real property located in the County of Carver, and State of Minnesota:

That part of the undesignated parcel as shown on the recorded plat of St. Hubertus and that part of vacated Chan View formerly known as St. Clare Street as dedicated in said plat of St. Hubertus in the Southwest Quarter of the Southeast Quarter of Section 12, Township 116, Range 23, Carver County, Minnesota described as follows:

Beginning at the intersection of the north line of the South 33.00 feet of said Southwest Quarter of the Southeast Quarter and the east line of the West 33.00 feet of said Southwest Quarter of the Southeast Quarter; thence easterly along said north line of the South 33.00 feet to the west right of way line of Frontier Trail, formerly known as St. Francis Street as dedicated in said plat of St. Hubertus; thence northerly along said west right of way line to the south right of way line of vacated Chan View, formerly known as St. Clare Street as dedicated in said plat of St. Hubertus; thence westerly along said south right of way line a distance of 100.00 feet; thence northerly along a line perpendicular to said south right of way line a distance of 33.00 feet to the centerline of said vacated Chan View; thence westerly along the centerline of said Chan View to the east line of the West 33.00 feet of said Southwest Quarter of the Southeast Quarter; thence southerly along said east line of said West 33.00 feet to the point of beginning.

EXCEPT the parcel described as follows:

Commencing at the southwest corner of Block 1, St. Hubertus, as monumented by a 6 inch by 6 inch stone (marked Block Corner); thence westerly along the westerly extension of the south line of said Block 1, as monumented by 6 inch by 6 inch stones, to the point of intersection with the west right of way line of Frontier Trail, formerly known as St. Francis Street as dedicated in said plat of St. Hubertus, said intersection point being a point that is 28.28 feet north of the south line of the Southwest Quarter of the Southeast Quarter of Section 12, as measured at a right angle to said south line from a point on said south line distant 482.57 feet east of the southwest corner of the Southwest Quarter of the Southeast Quarter of Section 12; thence northerly along said west right of way line a distance of 367.00 feet to the point of beginning of the parcel to be described; thence westerly along a line perpendicular to said west right of way line a distance of 100.00 feet; thence northerly parallel to said west right of way line a distance of 99.17 feet to the south right of way line of vacated Chan View formerly known as St. Clare Street as dedicated in said plat of St. Hubertus; thence easterly along said south right of way line of Frontier Trail; thence southerly along said west right of way line to the point of beginning.