

PLANNING COMMISSION
Special Meeting – Wednesday, June 29, 2016
City Hall Council Chambers

City Planner Ostgarden called the meeting of the Brainerd Planning Commission to order at 4:00 p.m. in the City Hall Council Chambers.

Noted present were Commissioners Pritschet, Turner, Parks, Plantenberg, Straw, Headly and Antolak. Also present were City Planner Ostgarden, Planning Intern Hermerding, City Administrator Thoreen and 3 others.

#2 Public Hearing – Request from Erich Jenkins for a variance to construct an accessory building at 1407 S. 6th Street with a commercial steel roof to match the roof of the dwelling on the property that is not standing seam in design

City Planner Ostgarden reported that the zoning ordinance requires standing seam design appearance. He stated that the house has about a 2/12 pitch when a 4/12 is a standard slope. This creates a flatter-appearing roof which he wants to match on the garage he plans to construct. He stated that warranties for asphalt shingles for the 2/12 slope are difficult to find and that the metal roof of the house is more a ribbed style rather than standing seam; therefore, the variance is necessary to move forward with the construction project.

The Public Hearing was opened at 4:06pm.

City Planner Ostgarden reported that an email had been received from Steve Emerson, 1400 S. 7th Street requesting that a 6ft privacy fence be installed if the building to be constructed is a commercial building.

The Chair recognized the petitioner, Mr. Erich Jenkins, 1407 S 6th Street, who stated that the purpose of the building is to do woodworking projects, etc., in. He discussed the age of the home and the struggle to find warranted shingles that would work with the pitch of his home. He answered questions of the Commission.

The Public Hearing was closed at 4:10pm.

The following findings-of-fact were read into the record as follows:

1. The property is zoned R-1.
2. Property is 58' 155' = 8,900 sq. ft. which is a conforming R-1 single family lot.
3. The neighborhood is predominately single family houses.
4. The accessory building is 36' x 24' (864 sq. ft.) and will have 2/12 slope that matches the house.
5. The accessory building meets all zoning setback and building size limit requirements.
6. The dwelling has a steel ribbed metal panel roof and the accessory building will have the same roof material and design.
7. Asphalt shingles cannot be warranted on a 2/12 roof slope.
8. The accessory building placement will be such that it is not visible to the general public.
9. Using the property in this manner will be in harmony with the following Zoning Ordinance purposes:
 - a. *Protect neighborhoods.*
 - b. *Promote orderly development and redevelopment of land for residential, commercial, industrial, recreational, and public areas.*
 - c. *Provide adequate light, air, and convenience of access to property.*
 - d. *Prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards, and density of population.*
10. The variance is consistent with the following Comprehensive Plan Land Use Goals and Strategies:

LAND USE GOAL #3: Plan for the orderly, efficient and fiscally responsible growth of residential development in Brainerd.

Strategy

Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost effective provision of city services.

LAND USE GOAL #5: Support development that enhances community character and identity.

Strategy

Support the redevelopment of vacant and abandoned sites within the urban core.

11. Petitioner spoke in favor of the project.
12. One email requesting a 6ft privacy fence in the event that the building is a commercial building was received.

MOTIONED AND SECONDED BY COMMISSIONERS PRITSCHET AND PARKS, DULY CARRIED, TO RECOMMEND APPROVAL OF THE VARIANCE TO CONSTRUCT AN ACCESSORY BUILDING AT 1407 S. 6TH STREET WITH A COMMERCIAL STEEL ROOF TO MATCH THE ROOF OF THE DWELLING ON THE PROPERTY THAT IS NOT STANDING SEAM IN DESIGN AS APPLIED FOR BY MR. ERICH JENKINS.

****At this time, City Engineer Hulsether appeared before the Commission to introduce two individuals from the Initiative Foundation who were doing a segment on public employment/public agencies who filmed the last portion of the meeting for their project.***

#3 Public Hearing – Request from Land and Lease Development LLC, on behalf of Josh Imgrund, for 2 Conditional Use Permits for its property at 303 W Washington Street; auto sales and vehicle repair

City Planner Ostgarden reported that the property is located in a B4 district which requires a Conditional Use Permit for both Auto Sales and Auto Repair, each with their own requirements. He stated that Imgrund Motors will be leasing the property; however, the CUP, if approved, will be granted to the owner of the property, Land and Lease Development, LLC and will stay with that company unless vacant for the period of one year at which time He reported that the area is non-residential in nature and that the building had been used as auto sales and repair in the past and has two bays for vehicle repair already in place, and that the cars from the former Imgrund Motors site have already been moved to the leased spot. He recommended 3 conditions relating to parking, visibility and dumpster use.

The Public Hearing was opened at 4:26pm.

The Chair recognized petitioner Josh Imgrund, 35 1st Avenue, Rice, MN, who stated that he agrees with the information as presented as well as the conditions discussed by City Planner Ostgarden. He stated that Imgrund Motors is expecting to be at the location for approximately one year while a new place is being built and that there will be three total employees total during the leased period. He requested being able to do the striping for parking prior to the possible opening on July 6th.

The Public Hearing was closed at 4:30pm.

The following findings-of-fact were read into the record as follows:

1. The property is zoned B-4 (General Commercial) District and auto sales and vehicle repair are uses allowed by Conditional Use Permit.
2. The parcel size is 140' x 100' (14,000 sq. ft.).

3. The site has a history of auto related uses. The building on the site has 2 service stalls for auto repair.
4. The site is completely paved.
5. There area is commercially developed.
6. There will be no painting or body work on the premises.
7. Washington Street is the major east/west arterial through the City.
8. Building, Fire, BPU, have no issues with the uses.
9. The Engineering Department stated no vehicles should be in the right of way or blocking the 20' x 20' clear vision corner.
10. The Planning Department cited the need for off street parking that includes a handicapped stall and an enclosure if a dumpster is used.
11. Using the property in this manner will be in harmony with the following Zoning Ordinance purposes:
Provide for compatibility of different land uses.
12. The variance is consistent with the following Comprehensive Plan Land Use goals and Strategies:
LAND USE GOAL #5: *Support development that enhances community character and identity.*
Strategy
Support the redevelopment of vacant and abandoned sites...
13. Petitioner spoke in favor.
14. No one spoke against.
15. There will be three employees.

Conditions:

1. Provide at least 7 separately identified and marked parking spaces for visitors and employees and including a handicap parking spot.
2. Should a dumpster become necessary it must be screened.
3. Based on visibility concerns with the lot being on a corner, no vehicle shall be parked within the traffic visibility setback area at the corner of Washington St and NW 3rd St.

MOTIONED AND SECONDED BY COMMISSIONERS PRITSCHET AND PARKS, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT FOR AUTO SALES AT 303 W WASHINGTON STREET AS APPLIED FOR BY LAND AND LEASE DEVELOPMENT LLC ON BEHALF OF JOSH IMGRUND dba IMGRUND MOTORS.

MOTIONED AND SECONDED BY COMMISSIONERS PRITSCHET AND STRAW, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT FOR VEHICLE REPAIR AT 303 W WASHINGTON STREET AS APPLIED FOR BY LAND AND LEASE DEVELOPMENT LLC ON BEHALF OF JOSH IMGRUND dba IMGRUND MOTORS.

City Planner Ostgarden reported that in regards to Mr. Imgrund's request to put up advertisements and complete the required striping for parking, the petitioner can hire a contractor for the striping based on the lease; however, no advertng should be done before approval of the CUPs on Tuesday, July 5, 2016 by the City Council.

#3 Adjourn

As there was no further business, the meeting was adjourned at 4:38pm.

Respectfully submitted,

Mark Ostgarden AICP, city Planner