

AGENDA**NEW BRIGHTON PLANNING COMMISSION
REGULAR MEETING****TUESDAY, MARCH 19, 2013
7:00 P.M.****1. Call to Order:****2. Roll Call:** **Bruce
Howard** **Erin Nichols
Matkaiti** **Michael
Shardlow** **Verne
McPherson** **Steve
Danger** **Greg Meyers** **Paul Banker****3. Agenda Review****4. Approval of Minutes**

(A) January 15, 2013

5. Report on Council Action: Gina Bauman, City Council Member**6. Public Hearings**

(A) Consideration of a Site Plan and Nonconforming Use Permit for Cheetah Precision, allowing for construction of a 7,040 SF addition to the existing industrial building, including associated surface parking lot improvements at 2023 Old Highway 8 NW.

(B) Consideration of a Special Use Permit for Harold W. Erks on behalf of Harbon Montessori School to allow operation of a Montessori school out of the existing New Brighton Christian Church located at 1500 29th AVE NW.

7. Adjourn: _____

PLANNING COMMISSION PROCEEDINGS

Regular Meeting – January 15, 2013 7:00 p.m.

Present: Chairperson Bruce Howard, Commissioners Paul Banker, Steve Danger, Erin Nichols-Matkaiti, Greg Meyers, and Verne McPherson

Absent: Mike Shardlow

Also Present: Janice Gundlach-City Planner and Gina Bauman-Councilmember

Agenda Review: There were no changes to the agenda.

Minutes from November 20, 2012:

Motion by Commissioner Nichols-Matkaiti, seconded by Commissioner Danger, to approve the November 20, 2012 meeting minutes as presented.

Approved 6-0.

Council Action: Councilmember Bauman explained the Council certified the levy in December at 0% which included 1% pay raises for employees with steps in 2013. She indicated the Council would be going paperless in 2013 for their meeting packets and each Councilmember received an iPad. Councilmember Bauman stated the EDC was speaking with Pulte Homes; in addition, APi was expanding their corporate campus. She noted the Council would be having a retreat on Saturday, January 19th to discuss goals for the coming year.

Public Hearing:

- (A) Consideration of a Site Plan for Dental Properties, LLC, allowing for construction of a 7,556 SF dental office building and associated surface parking and other improvements at 850 County Road D West.

City Planner Janice Gundlach reported the applicant is seeking Site Plan approval to develop 850 County Road D West with a new orthodontic clinic of approximately 7,556 SF. The site is zoned B-3 and office was a permitted use in this zoning district. The proposal includes a 6,000 SF clinic with attached two car garage, enclosed trash/recycling room and a 2,400 SF basement to serve as mechanical, laundry, storage, lunch, and meeting rooms. The proposal includes construction of surface parking, lighting, and landscaping. All minimum standards have been met and a public hearing was not required. Staff reviewed that all landscaping requirements were met. She then discussed the proposed exterior materials and reviewed the building elevations with the Commission.

Planner Gundlach explained the property at 850 County Road D West was formerly used as a Godfather's Pizza restaurant, which was demolished several years ago. In 2010, a Site Plan and Special Use Permit were processed for a retail strip building of approximately 12,000 SF, which included a drive-thru and liquor store. That proposal was never developed and the 2010 land use approvals were allowed to expire. Staff recommended approval of the Site Plan as submitted, subject to the following conditions:

1. Incorporation of the comments contained in the Interoffice Public Works/Engineering Memo dated 1/9/2013, attached to this report.
2. The existing ground sign at the NE corner of the property must be removed prior to issuance of any permits.
3. The applicant must meet ground and wall sign requirements of Zoning Code Section 9-080 and obtain Permanent Sign Permits for all ground and wall signs.
4. All proposed lighting shall comply with Zoning Code Section 11-010(6).

Commissioner Danger asked if the building would have signage. Planner Gundlach indicated the applicant did not have wall or ground signs included in the site plan.

Chairperson Howard questioned if the berm was a new addition to the site. Planner Gundlach reviewed the location of the berm noting this would be an additional amenity to the site would provide screening to the adjacent residential properties to the north.

Andrew Wall, orthodontic clinic representative, commented the berm would shelter the clinic from the residential neighborhood and would provide greater privacy for clients.

Commissioner Meyers asked if this was a new location for the clinic. Mr. Wall explained this would be a relocation from the City of St. Anthony.

Commissioner Nichols-Matkaiti inquired why the site was proposing to have a play structure. Mr. Wall stated this would provide siblings with a space to play during longer appointments.

Motion by Commissioner McPherson, seconded by Commissioner Danger, to approve staff recommendation.

Approved 6-0.

Other Business: None.

Adjournment:

Motion by Commissioner Danger, seconded by Commissioner Banker, to adjourn the meeting.

6 Ayes, 0 Nays, Motion carried.

Meeting adjourned at 7:19 PM

PLANNING REPORT

DATE: March 13, 2013
CASE: LP2013-002, NC2013-001
SUBJECT: Site Plan & Nonconforming Use Permit to Allow a 7,040 SF Addition at 2023 Old Highway 8 NW
APPLICANT: Norm Wells Architect PA on behalf of MJN Enterprises, aka Cheetah Precision

REQUEST & BACKGROUND

The applicant is requesting consideration of a Site Plan to allow construction of a 7,040 SF addition to the southwest corner of the existing industrial building at 2023 Old Highway 8 NW. Included in the request is construction of an additional parking area consisting of 38 parking spaces. The purpose of the addition is to house an additional machine to provide new services to existing customers and to allow the flexibility to acquire new customers as the business continues to expand operations. A Nonconforming Use Permit is required due to an existing rear yard setback that is less than required by the Zoning Code. The proposed addition is on the opposite side of the building as the rear yard. The proposed addition meets all minimum site plan requirements; however considerations must be made with regard to off-street parking, which is examined in the Site Plan Analysis section below.

Cheetah Precision has been in New Brighton since 1979. Most recently, in late 2007- early 2008 a large addition was constructed connecting the existing two buildings. At that time, the roadway serving Cheetah Precision and the adjacent office use was vacated and additional land was acquired for development and used as proof of parking. During the land use approvals in 2007, a Nonconforming Use Permit was approved to accommodate an existing rear yard building setback that is less than required by current code. During the plat recording process in 2008, the County returned right-of-way to the State (for I-35W) that now requires review and approval of a different Nonconforming Use Permit from what was originally approved in 2007.

ATTACHMENTS

A – Resolution
B – Project Location Map
C – Zoning Map
D – Aerial Photo
E – Neighborhood Notification Map
F – Applicant Narrative
G – Interoffice Engineering/Public Works Memo dated 2/14/2013
H – Existing Conditions Survey
I – Sheet A1.0: Site Plan
J – Sheet A1.1: Landscape Plan
K – Sheet A2.0: Proposed Floor Plan
L – Sheet A3.0: Proposed Elevations
M – Sheet C1: Grading, Drainage & Erosion Control Plan
N – Sheet C2: Utility Plan
O – Sheet C3: Existing Conditions & Removals, Curbing & Paving Plan
P – Sheet C4: Details

FINDINGS

Chapter 6, Article 1: I-1, Light Industrial District.
Section 6-390. General Performance Standards.
Section 8-010: Site Plan Approval.
Section 8-460. Regulations as to Type 4 Nonconformities.
Chapter 11: Parking Standards.

SITE CHARACTERISTICS

| | |
|---------------------------------|--|
| Location: | 2023 Old Highway 8 NW |
| Lot Size: | 91,730 SF (2.11 acres) |
| Topography: | Generally flat |
| Comprehensive Plan Designation: | LI, Light Industrial |
| Zoning: | I – 1, Light Industrial |
| Surrounding Land Uses: | |
| North: | various industrial uses |
| South: | industrial use (Thermo King) |
| East: | municipal boundary, I-35W |
| West: | industrial & office uses, private road, Old Highway 8 NW |

SITE PLAN ANALYSIS

The proposed 7,040 SF addition and associated surface parking improvements are necessary to accommodate the existing CNC machine operations business. The existing and proposed use of a machine shop is compliant with I-1, Light Industrial district standards. The following applicable Site Plan considerations must be evaluated:

| Building Setbacks | Required | Existing | Proposed |
|---|-----------------|-----------------|-----------------|
| <i>Front (west-Old Highway 8)</i> | 40' | 195' | N/A |
| <i>Rear (east)</i> | 20' | 14' | N/A |
| <i>Side (south)</i> | 15' | 33' | 15' |
| <i>Side (west-adjacent to 1967 Old Highway 8)</i> | 15' | 39.5' | 15' |

This site has a unique layout with unconventional front, side, and rear yards. Staff considered the required setbacks based on how the yards interacted with adjacent properties. As such, the front yard is the street frontage of the property adjacent to Old Highway 8 NW and the rear yard is opposite the front yard adjacent to I-35W. The rest of the yards are considered side yards and function as such with adjacent properties. The proposed addition at the southwest corner of the site meets applicable side yard setbacks of 15'.

Building Height

The Zoning Code allows a maximum building height of 40'. The proposed addition measures 18', well below the maximum allowed height of 40'.

Floor Area Ratio

The Zoning Code allows a maximum floor area ratio of 0.4 for one-story buildings and 0.6 for two-story buildings. The existing and proposed floor areas are as follows:

Existing northerly building = 10,129 SF

Existing southerly building = 10,100 SF

2007-2008 connection addition = 7,380 SF

Proposed addition = 7,040 SF

TOTAL = 34,649 SF

F.A.R. = total floor area of 34,649 SF / total site area of 91,730 SF = 0.38.

With a proposed F.A.R. of 0.38, the proposed addition meets the maximum floor area ratio allotment of 0.40 for one-story buildings.

Parking Setbacks

| Parking Setbacks | Required | Existing | Proposed |
|---------------------|----------|----------|----------|
| <i>Front (west)</i> | 40' | 160' | 40' |
| <i>Rear (east)</i> | 5' | 7' | 7' |
| <i>Side</i> | | | |
| <i>South</i> | 5' | 5' | 5' |
| <i>North</i> | | 5' | 5' |
| <i>West</i> | | 5' | 5' |

As noted earlier, the yard layouts are somewhat unconventional on this property. Generally, the proposed parking layout meets all required parking lot setbacks. There are three issues worth noting:

- The parking lot in the front yard will be expanded, but still meeting the 40' required front yard setback adjacent to the Old Highway 8 street frontage.
- The expanded front yard parking area will meet a 10' setback to the adjacent northerly property boundary (functioning as a side yard).
- There is no setback required to the property line running through the center of the shared driveway into the applicant's property and 1967 Old Highway 8 NW. During the 2007-2008 street vacation, each half of the driveway was turned back to both properties and shared access easements were dedicated. Section 11-040(7) allows these yards to be exempt from meeting setbacks as long as shared easements have been dedicated.

To conclude, all parking setback standards have been met.

Required # of Off Street Parking Stalls

During the 2007-2008 land use approval process for the 7,380 SF addition connecting the northerly and southerly buildings, 55 parking stalls were determined to be required for the entire site. What was ultimately approved was 35 built parking stalls and 18 proof of parking stalls. The applicant's narrative indicates 35 parking stalls have served the site well.

The proposed addition is 7,040 SF and will consist of manufacturing and warehouse space. Per Zoning Code requirements, calculating parking is based on using 90% of the total gross floor area. This equates to 3,799 SF manufacturing space and 2,537 SF of warehouse space. Manufacturing floor area demands parking at a ratio of 1 stall / 350 SF and warehouse floor area

demands parking at a ratio of 1 stall / 1000 SF. This totals 11 parking stalls for the manufacturing space and 3 stalls for the warehouse space, totaling 14 new parking stalls.

Thus, based on the 55 parking stall requirement for the existing building and a 14 parking stall requirement for the proposed addition, the total site demands 69 parking stalls in total. The proposed addition will be constructed over existing parking stalls. The applicant is also proposing to build parking stalls in the former proof-of-parking area (albeit in a different layout). As such, 26 existing spaces will be retained on site and 38 new spaces will be constructed, for a total of 64 parking spaces, 5 stalls short of the minimum required.

The applicant has not proposed applying for a variance to allow the 5 parking stall shortage. Rather, the applicant suggests the City allow reduced parking as the floor area to worker ratio used for the manufacturing ratio (1/350) does not fit this building well because so much space is taken up by large machines that only one employee operates. Zoning Code Section 11-040(4) allows reduced parking when the applicant can demonstrate unique circumstances to the City Council's satisfaction. As stated in the narrative, the applicant claims the existing 35 stalls serves the site well and they do not anticipate hiring any new employees after construction of the addition.

Additionally, the applicant has indicated they have a hand shake agreement with the adjacent property owner at 1967 Old Highway 8 NW to share the row of parking along their shared property line. This occurs currently, however because of convenience of location of parking stalls and not a shortage of parking stalls. A quick analysis indicates the site at 1967 Old Highway 8 NW has at least 20 excess stalls based on an office use of the approximately 2,800 SF building (13 stalls required, approximately 40 exist). Both property owners would be willing to enter into a shared parking easement should the Commission determine this is necessary by not allowing reduced parking based on the unique circumstances they outlined.

Landscaping

The proposed addition will require compliance with the landscaping standards in Chapter 8 of the Zoning Code, Section 8-010(2)(D), applicable to expansions. Those standards require the following:

- 7 canopy trees (25% can be ornamental at a 2:1 ratio, 50% deciduous/50% coniferous, & not more than 30% of a single species)
- 23 shrubs (1/300 SF of new building floor area)
- No raised parking lot islands w/trees is required as less than 50 new parking stalls are proposed

The applicant proposes the following new landscaping:

- 5 canopy trees (3 deciduous, 2 coniferous) & 4 river birch (2:1 ornamental)
- 23 shrubs

Staff finds the proposed landscaping meets the minimum standards. It is also worth noting that several trees were installed in conjunction with the 2008 addition. The plans note intent to preserve many of these trees.

Lighting

One existing shoebox light fixture will be relocated to the new north wall from the existing north wall. No other lighting is proposed. Being the site is not adjacent to any residential uses, no foot-candle maximum is required, however, all lighting fixtures shall be downward casting and shielded.

Exterior Materials

The applicant is proposing to build the addition with the same materials and colors of the existing building. This consists of decorative concrete masonry units that will be painted to match the existing building. The windows will also match in size and type and the roof structure will be steel to match the existing roof system. These materials meet the minimum standard in Zoning Code Section 6-390(12), which states the street side of the structure shall be brick, stone, tilt-up slabs, architectural metal panels, decorative block, or the equivalent and that the other sides of the structure cannot be raw block. Concrete masonry units meet this requirement.

Public Safety Comments

Police and Fire reviewed the plans and had no comments.

Public Works/Engineering Comments

Public Works reviewed the plans and provided comments in the attached Interoffice Engineering Memo. These comments are minor, however must be implemented into the final plans.

It should also be noted that the applicant has indicated the watershed district may require changes to the Grading, Drainage, and Erosion Control Plan, resulting the in pond getting slightly larger. These revised plans have not been submitted yet as the final design hasn't yet been fully refined. The applicant has indicated with the pond getting larger the site plan will not be impacted, but will result in the loss of some existing trees. The applicant is advised that should the civil plans be revised such that the site plan changes, this change will have to be reviewed by the Planning Commission and City Council, as well on City Public Works/Engineering staff.

NONCONFORMING USE PERMIT ANALYSIS

A nonconforming rear yard setback of 10' exists, when 20' is normally required. This nonconformity is located near the center of the building connection that was approved in 2007-2008. A nonconforming use permit was approved during the 2007-2008 land use process, but for a rear yard setback of 14' when 20' is normally required. That nonconforming setback is located at a corner of the southerly building. Thus, a nonconforming use permit must be considered for the 10' rear yard setback.

Unknown to the applicant and City staff, after the plat in 2007-2008 was sent to the County for recording, the County Surveyor turned back a small piece of right-of-way to the state and not the applicant. The plat assumed this piece was already owned by the applicant as it exists in their rear yard (it lies on the applicant's side of the highway fence). The County Surveyor claimed it was part of a right-of-way dedication from many years ago and was mistakenly turned over to applicant at that time and needed to be corrected with the new plat. This created the rear yard setback nonconformity of 10' when 20' is normally required.

Zoning Code Section 8-460(2) states that permission to allow a nonconformity to remain may only be granted when one or more of the following criteria are found to be met:

- The total number of nonconformities is reduced.
- The impact of any nonconformity upon adjacent premises is reduced to the greatest practical extent.
- The extent of any nonconformity is reduced where practical.

Staff finds that it is not practical to remove or reduce this nonconformity and thus, the third criterion is met. Also, there is no impact to adjacent premises as it is highway right-of-way, with the highway fence at a location where the setback is met. Staff recommends approval of the nonconforming use permit.

STAFF RECOMMENDATION

Staff recommends approval, subject to the following conditions:

1. The proposed addition is constructed consistent with the plans and analysis contained within this report.
2. All ancillary outside storage is removed in conjunction with completion of the addition.
3. Implementation of the recommendations made in the interoffice engineering/public works memo, attached as Exhibit G.



Janice Gundlach, City Planner

**RESOLUTION
PLANNING COMMISSION
CITY OF NEW BRIGHTON**

RESOLUTION MAKING FINDINGS OF FACT AND RECOMMENDING APPROVAL OF A SITE PLAN AND NONCONFORMING USE PERMIT.

WHEREAS, an application has been made by Norm Wells Architect PA on behalf of MJN Enterprises (aka Cheetah Precision) to consider a Site Plan and Nonconforming Use Permit to allow construction of a 7,040 SF addition to the existing industrial building, including construction of additional surface parking.

WHEREAS, the procedural history of the application is as follows:

1. Application for a Site Plan was received on February 1, 2013.
2. It was determined the request was incomplete on February 14, 2013 as a Nonconforming Use Permit would be necessary. The applicant agreed to table the request to the March 19, 2013 Planning Commission agenda.
3. Application for a Nonconforming Use Permit was received on March 1, 2012.
4. The Planning Commission, pursuant to published and mailed notices, held a public hearing on March 19, 2013 and all present were given a chance to freely speak at the hearing.

WHEREAS, the Planning Commission makes the following Findings of Fact with respect to the proposed Site Plan (LP2013-002) and Nonconforming Use Permit (NC2013-001):

1. The property is located at 2023 Old Highway 8 NW.
2. The property is zoned I-1, Light Industrial.
3. The property is guided in the Comprehensive Plan for Light Industrial.
4. The total property area is approximately 2.11 acres.
5. The applicant proposes to construct a 7,040 SF addition at the southwest corner of the existing industrial building, as well as construction of 38 surface parking stalls.
6. The Planning Commission reviewed Site Plan in accordance with Zoning Code Section 8-010, and found all applicable criteria to be met.
7. The Planning Commission, with the finding that all Site Plan criteria have been met, also find the site does have unique circumstances per Zoning Code Section 11-040(4) and therefore allow a reduction of 5 parking stalls from the minimum amount of parking required. Those unique circumstances are as outlined in the written Planning Report dated 3/13/2013.
8. A rear yard setback of 10' exists where 20' is normally required and is considered a nonconformity.
9. The Planning Commission reviewed the Nonconforming Use Permit in accordance with Zoning Code Section 8-460 and found the criteria to be met in that the nonconformity cannot practically be reduced and/or eliminated.
10. The Planning Commission recommended the City Council approve the Site Plan and Nonconforming Use Permit requests.

NOW THEREFORE BE IT RESOLVED that based upon the above findings of fact the application for a Site Plan (LP2013-002) and Nonconforming Use Permit (NC2013-001) is hereby recommended for approval, subject to the following conditions:

1. The proposed addition is constructed consistent with the plans and analysis contained within the written Planning Report.
2. All ancillary outside storage is removed in conjunction with completion of the addition.
3. Implementation of the recommendations made in the interoffice engineering/public works memo, attached as Exhibit G.

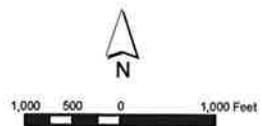
Adopted this 19th day of March, 2013.

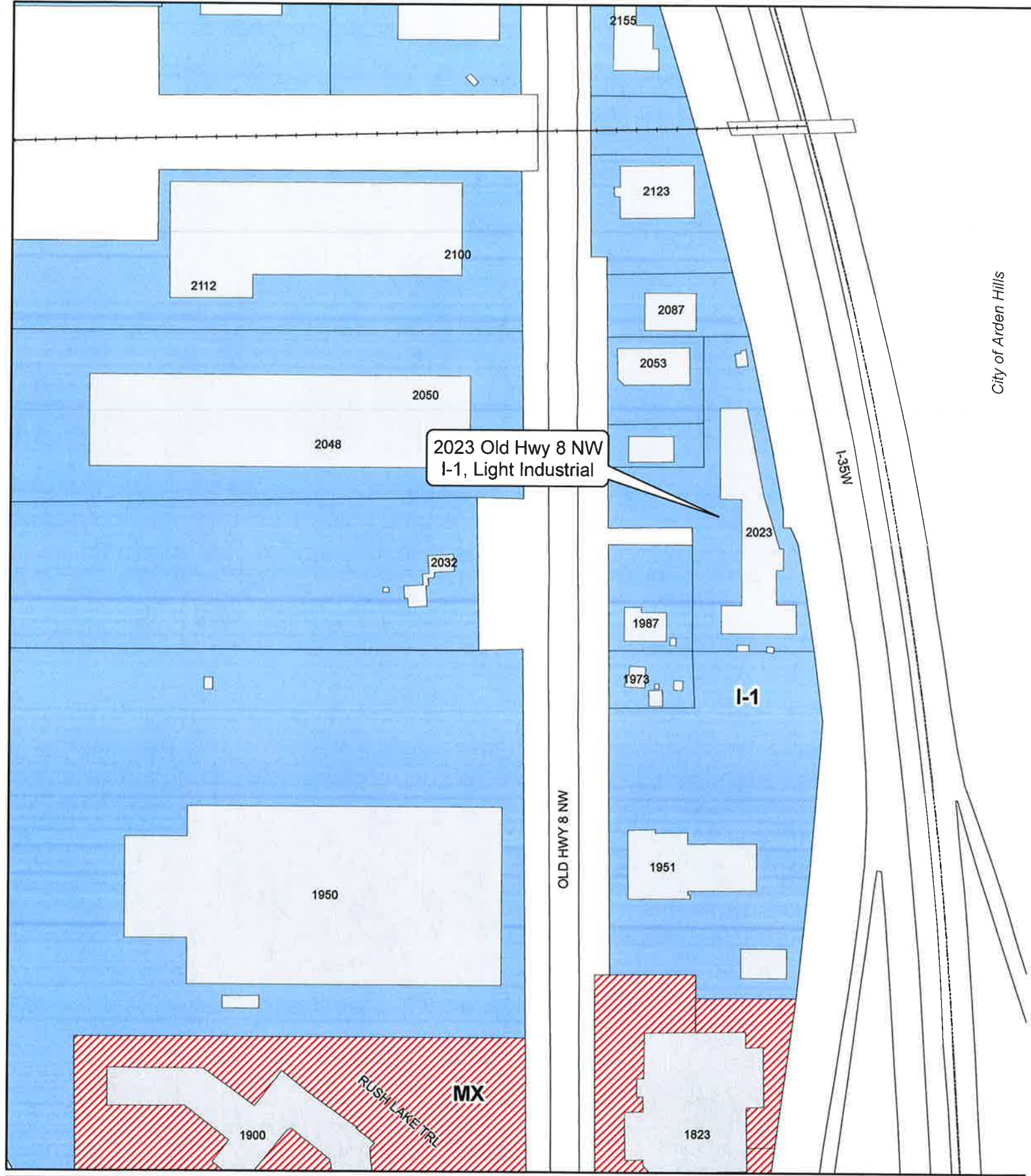
Bruce Howard, Planning Commission Chair

ATTEST:



Janice Gundlach, City Planner

Location Map - 2023 Old Hwy 8 NW





City of Arden Hills

-  I-1, Light Industrial
-  MX, Mixed Use

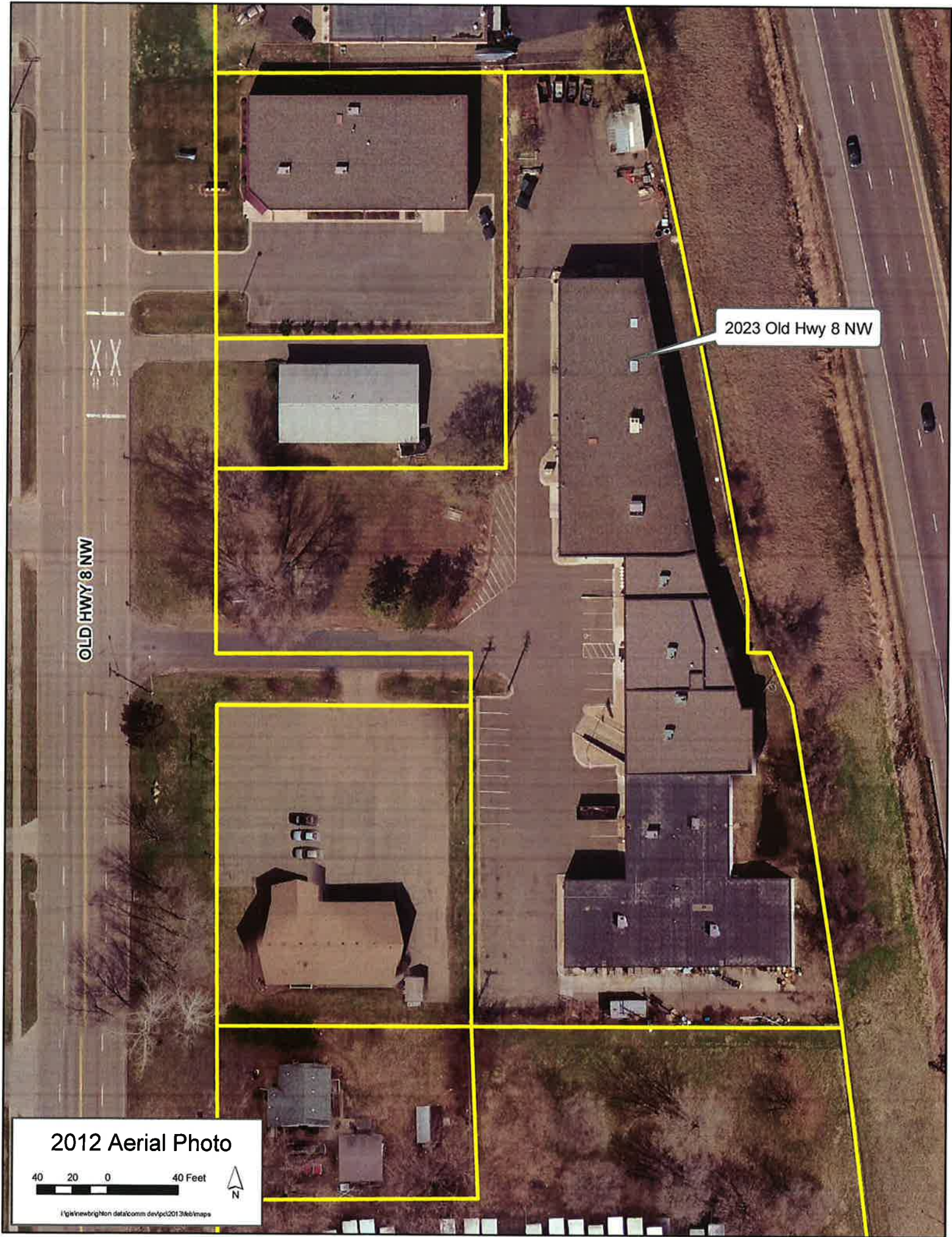


80 40 0 80 Feet

Current Zoning

2023 Old Hwy 8 NW

I-1, Light Industrial



2023 Old Hwy 8 NW

OLD HWY 8 NW

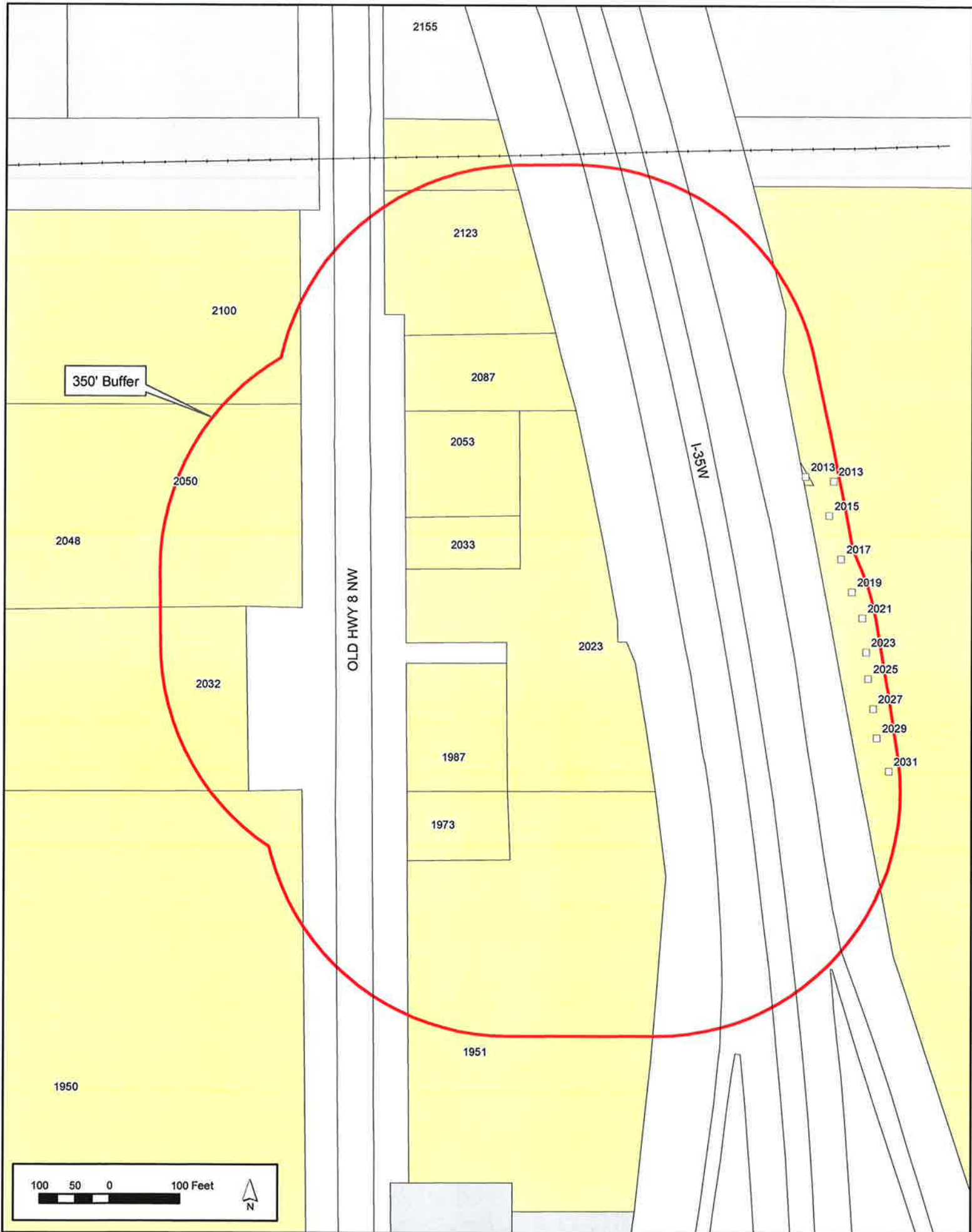
2012 Aerial Photo

40 20 0 40 Feet



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350' Mailing Buffer - 2023 Old Hwy 8 NW



CHEETAH PRECISION EXPANSION NARRATIVE

Norm Wells Architect PA
623 Seventeenth Avenue NW
New Brighton, MN 55112

January 31, 2013

Attention: Janice Gundlach, New Brighton City Planner
New Brighton City Planning Commission
New Brighton City Council
New Brighton City Hall
803 Old Highway 8 NW
New Brighton, MN 55112

Cheetah Precision, located at 2023 Old Highway 8, is proposing to construct a 7,040 SF addition to the Southwest side of the existing building. The building expansion is necessary to allow the addition of large CNC equipment to provide new services to existing customers and to allow the flexibility to acquire new customers as the business continues to expand operations.

This will be the third construction project to expand the physical plant since 1994 when the North building was constructed. The most recent expansion was completed in 2008 when the North and South buildings were connected to provide a unified physical plant and allow the addition of new and larger equipment in an efficient environment to provide better service to customers. Cheetah Precision has been located at this location since the company started business in 1978.

The proposed addition will be constructed of the same materials and colors of the existing building. Walls will be decorative concrete masonry units that match the existing walls. The new walls will be painted the same color as the existing walls. Windows will match existing windows in size and type. The roof structure will be steel and will be a flat roof to match the existing roofs. Exterior lighting will consist of relocating an existing shoebox fixture to the new North wall that extends from the existing West wall, and placing a new shoebox fixture that matches existing fixtures on the new North wall that extends beyond the previously described wall. Light fixtures are indicated on the Site Plan and the Building Elevations.

A new parking area with parking for 38 vehicles will be constructed on land West of the existing building. This property was purchased at the time of the 2008 expansion and was used as proof of parking for a future expansion. The two parcels were combined and a new plat was made of the new parcel. This is shown on the property Survey which was recently completed and is submitted as part of this Site Plan Review.

Because of the extensive drainage system developed for the 2008 construction, there is little land available for landscaping. The Cheetah property takes water from several adjacent properties and allows it to ultimately filter into the I35W drainage area. In order to comply with Watershed District requirements, as well as MNDOT requirements, a large sophisticated system was developed and has been working well since its construction. The majority of the system is located at the East side of the property and there is no opportunity for additional landscaping in this area.

The focus of the proposed landscaping is at the West side of the new parking area. There are several existing mature trees that will be saved if the new drainage requirements allow. A new rain garden will be

CHEETAH PRECISION EXPANSION NARRATIVE

constructed West of the new parking area and this area will be landscaped with plantings that comply with the City Landscaping requirements. The proposal is to place a hedge of Green Mountain Boxwood conifers along the West side of the parking area to screen the off street parking from Old Highway 8. The area surrounding the rain garden will be landscaped with over story trees, both deciduous and coniferous, clumps of River Birch will also be placed at the rain garden edge, and shrubbery will be added to base of the existing monument sign to soften the impact of the sign in the area. The mix of existing mature trees with the proposed new plantings around the necessary rain garden will provide an attractive appearance of this property from Old Highway 8.

A second rain garden is proposed along the West wall of the expansion area and will wrap around the South wall of both the expansion and existing building to control water runoff of the expansion area. This will be a relatively long and narrow rain garden with little opportunity for additional landscaping. The trees that were added in 2008 should be able to be saved. The amount of bituminous surface around the South and West walls will be reduced to construct the necessary rain garden.

The required parking for the existing building was calculated to be 55 spaces when the 2008 expansion was approved. The project was approved with 38 parking spaces and 18 proof of parking spaces where the new parking area will be constructed. Since 2008 the 38 parking spaces have served the building well. The new parking area has a capacity of 38 vehicles, 26 existing spaces will be retained and 23 spaces will be eliminated with the expansion construction. This means there will be a total of 64 parking spaces on the Site after this expansion is constructed, 38 new and 26 existing. The increase of spaces from 38 currently to 64 upon completion of this project is significant and we feel is more than adequate for the new building size.

The parking requirement for manufacturing areas is one space per 350 SF of manufacturing area, and one space per 1,000 SF of storage area. For the proposed expansion of 7,040 SF the parking requirement for the expansion area is $7,040 \text{ SF} \times .9 = 6,336 \text{ SF}$ total area used for parking calculations. Of that area 3799 SF will be manufacturing and 2537 SF will be storage and material handling. Dividing 3799 by 350 equals 10.85, or 11 parking spaces for the manufacturing area and 2537 by 1000 equals 2.537, or 3 parking spaces for the storage and material handling area, for a required total parking of 14 spaces for the expansion, and a total of 69 spaces for the entire facility. This means the Site does not meet the parking requirements of the Zoning Ordinance as there is enough room for 64 spaces on the Site, a shortage of 5 parking spaces.

Given the size of machines currently being used for manufacturing in this facility we propose the requirement of 350 SF per parking space for this facility should be re-evaluated. The Floor Plan shows two rectangles indicated as CNC machines, one with an area of 814 SF, the other with an area of 770 SF. These are representative of the size of machines that are used in this facility. Each machine is operated by one employee which means that one parking space is required for each machine, while the City parking requirement is for 4 parking spaces for the area of these machines. There are similarly sized machines in other portions of the building. We are proposing to consider increasing the area per parking space from 350 SF to a larger number, in the 500 SF to 700 SF per parking space for the expansion area only, which more accurately represents the manufacturing process of this facility. No increase in employees is contemplated for this expansion.

If 500 SF per parking space is allowed the number of parking spaces for the expansion area is reduced to 11, which means 66 parking spaces should be provided. If 600 SF per parking space is allowed the number of

CHEETAH PRECISION EXPANSION NARRATIVE

parking spaces for the expansion area is reduced to 9, which equals the number of parking spaces provided, 64. If 700 SF per parking space is allowed the number of parking spaces for the expansion area is reduced to 8, which means 63 parking spaces should be provided, one less than what is capable of being provided.

Zoning Code Section 11-040, Special Circumstances, paragraph 4 Other Uses, states that "Other uses or unique circumstances not specifically mentioned here shall be determined on an individual basis. Factors to be considered shall include: size of building, type of use, number of employees, The applicant shall be responsible for collecting, assimilating and presenting the data to support of the request. The data must be documented to the City's satisfaction."

The increase in parking from the current 38 to the proposed 64, an increase of 26 spaces, is significant and should serve this facility well based upon the past history of parking on this Site. The management team at Cheetah Precision is confident that 64 parking spaces will serve the employees and customers in the manner in which they have been served in the past, if not better than the past.

The foregoing information is the data that supports this request and we respectfully submit this information for your review and discussion. Also included is a spread sheet with the scenarios described in this narrative.

The Floor Area Ratio (FAR) for this property is 0.4. Checking the FAR by dividing the total floor area, including this expansion, of 34,649 SF by the total area of the Site, 91,729.5 SF results in a FAR of 0.37773 which complies with the required FAR. This also means that no further expansion can occur on this site without the addition of more land.



interoffice

MEMORANDUM

to: Janice Gundlach, City Planner
from: Craig Schlichting, Civil Engineer II
subject: Cheetah Precision
date: February 14, 2013

The Engineering Department has reviewed the site plan for Cheetah Precision and we offer the following comments:

Streets-Parking Lot

1. Portions of the existing pavement along Mounds Avenue and the near the site improvements will be removed/replaced with the parking lot/building additions. The proposed curb is B-style and it is recommended the curb is extended from the parking lot addition to Old Highway 8.
2. A note shall be added to the plans indicating that the contractor must contact Mark Herrick in the Engineering Department at 651-638-2054 for inspection of all street and utility work.
3. The engineer shall verify the location of all small utilities prior to construction to avoid potential conflicts with the proposed excavation of the filtration basin.
4. A maintenance plan should be provided to the City for the proposed filtration basin.
5. The existing retaining wall will need to meet loading requirements per the City of New Brighton building official.

Storm Sewer-Grading

1. The Civil plans need to indicate how the roof drainage will be discharged to the proposed filtration basin/green areas. Additional outfall protection may be necessary at the outlet based on the actual design.
2. The HWL of the proposed filtration basin should be shown on the plans. The engineer shall also provide the appropriate plantings/seed for these features.
3. A rock construction entrance and concrete washout area need to be added to the plans.
4. A detail of the proposed core drill connecting through the existing retaining wall needs to be provided.
5. A permit will be required from the Rice Creek Watershed District, any soil borings that are required for Watershed submittal should be forwarded to the City for our records.

6. A curb cut should be provided at the 906.80 spot elevation (near the NW corner of the addition), and the overflow spot elevations in the green area should be adjusted to provide an emergency overland overflow around the west and south side of the building.
7. Please submit hydrology information to MnDOT and provide the City with their comments.
8. Add riprap at outfall location as shown in the detail.

Watermain

1. A permit will be required for all water connections and shall be inspected by Public Works.
2. The Fire Marshall/City Code Inspector will review the hydrant and post indicator valve locations and provide comments as necessary.
3. The building utilizes separate domestic and fire service lines. The owner/mechanical engineer will need to verify internal size requirements are met with the proposed addition.
4. The owner/engineer will need to obtain a permit from MnDOLI for watermain construction and internal plumbing design.
5. It is unclear how the building addition will be served, please provide a note and location indicating how the services will be extended.
6. The existing hydrant shall be removed at the tee, and a plug provided. The contractor will need to coordinate specifics of this removal and potential salvage with Scott Boller, PW Supervisor (whom will also inspect the new connection).
7. Additional pavement will be removed for the installation of the new hydrant and removal of the old hydrant, please indicate this on the plans.

Sanitary Sewer

1. The sanitary sewer services are to be considered private and shall be constructed and maintained by the property owners. It is unclear at the time of review how the existing sewer service enters the building addition.

Misc.

1. The owner will need to confirm previous work completed and the new design features meet Rice Creek Watershed District requirements. Any updated drainage calculations for the site should be provided to the City.

CERTIFICATE OF SURVEY

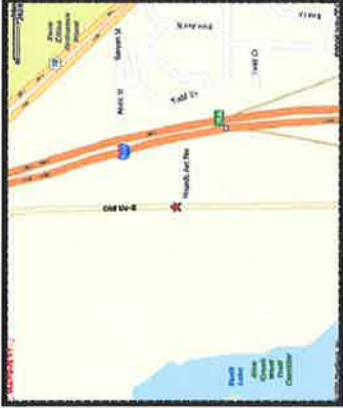
~for~ Norm Wells Architecture
~of~The Cheetah Precision Project

PROPERTY DESCRIPTION:

Lot 1, Block 1, NIEDERHOEFER ADDITION, Ramsey County, Minnesota.

VICINITY MAP

PART OF SEC. 16, TWP. 30, RNG. 23



NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 1/25/13.
- Bearings shown are on Ramsey County datum.
- Curb shots are taken at the top and back of curb.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Due to field work being completed during the winter season there may be improvements in addition to those shown that were not visible due to snow and ice conditions characteristic of Minnesota winters.

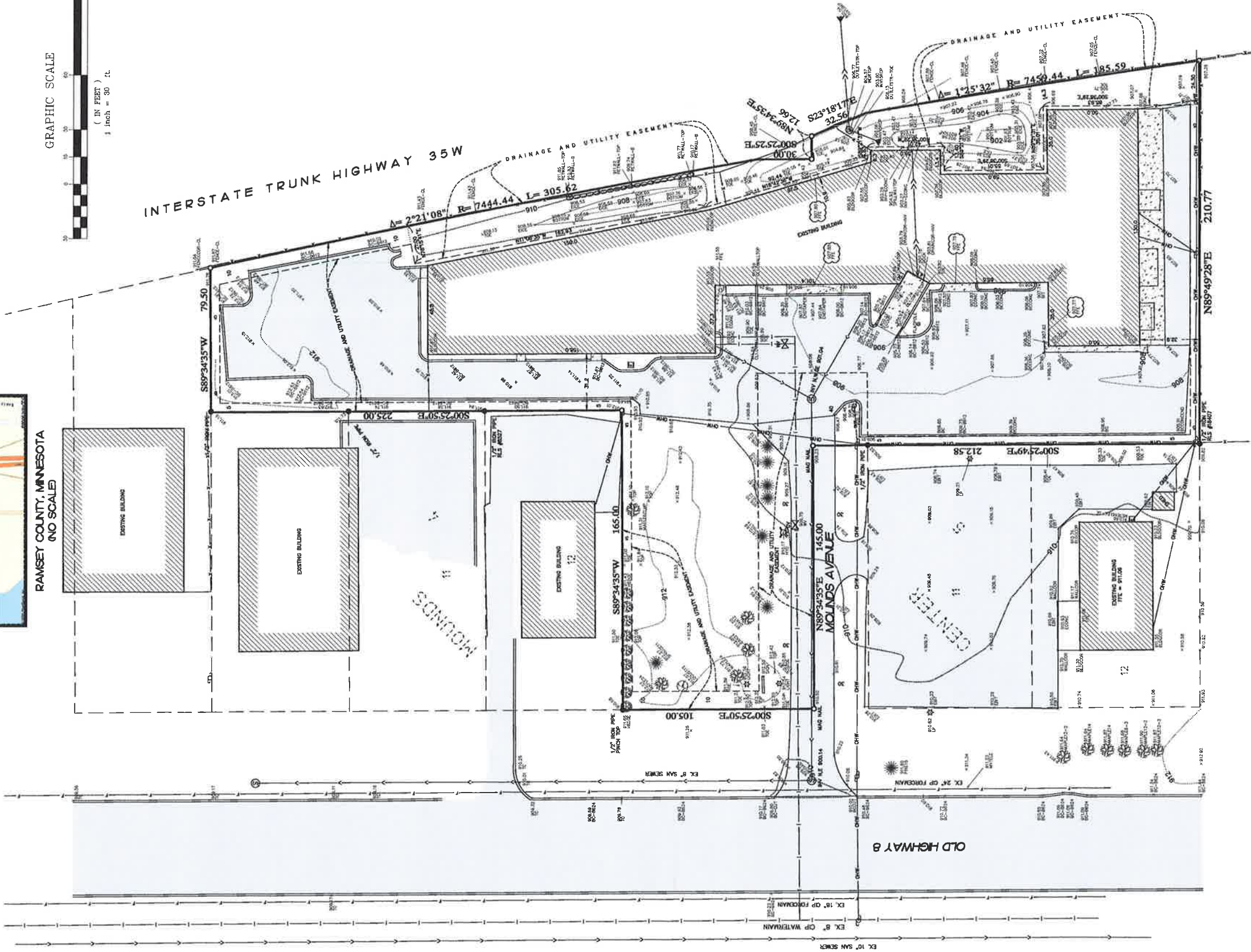
NORTH

RAMSEY COUNTY, MINNESOTA
(NO SCALE)

GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

INTERSTATE TRUNK HIGHWAY 35W



LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578 (UNLESS OTHERWISE NOTED)
- ◄ DENOTES STORM SEWER
- ◄ DENOTES SANITARY SEWER
- ◄ DENOTES EXISTING WATER MAIN
- ◄ DENOTES HYDRANT
- ◄ DENOTES GATE VALVE
- ◄ DENOTES LIGHT POLE
- ◄ DENOTES POWER POLE AND OVERHEAD WIRES
- ◄ DENOTES EXISTING SPOT ELEVATION
- ◄ DENOTES ELECTRICAL BOX
- ◄ DENOTES WOVEN WIRE FENCE
- ◄ DENOTES EXISTING CONTOURS
- ◄ DENOTES CONCRETE SURFACE
- ◄ DENOTES BITUMINOUS SURFACE

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JASON E. RUD

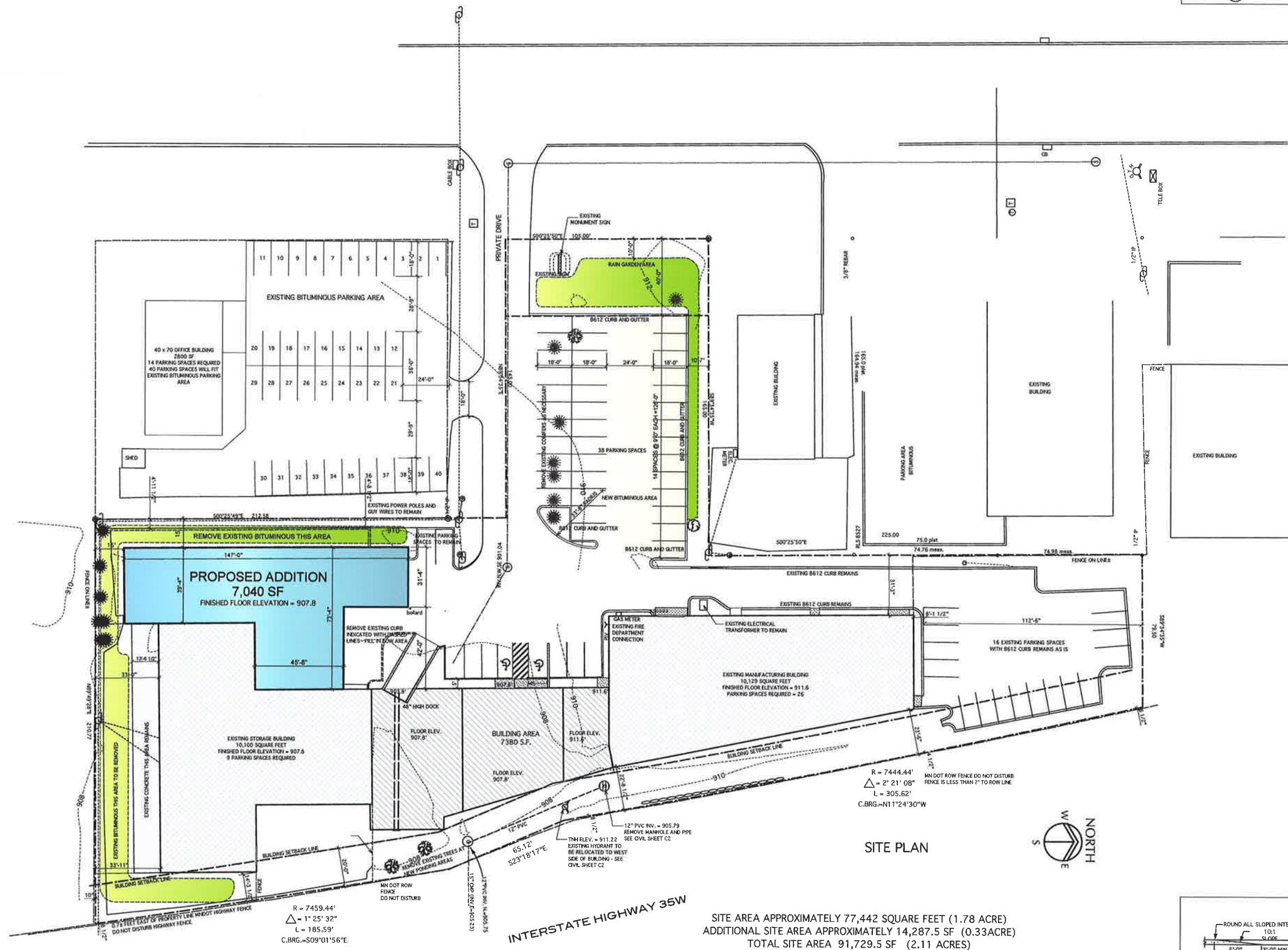
Date: 1/31/2013 License No. 41578

BENCHMARK

TOP NUT OF HYDRANT ON WEST SIDE OF HIGHWAY NO. 8 174 FEET NORTH OF MOUNDS AVENUE. ELEV.=914.26
TOP NUT OF HYDRANT ON WEST SIDE OF HIGHWAY NO. 35W NORTH SIDE OF MOUNDS AVENUE. ELEV.=911.22

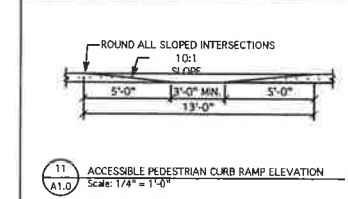
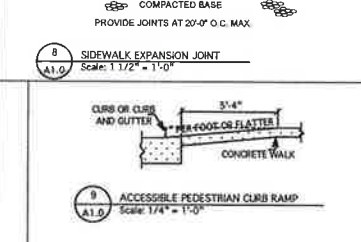
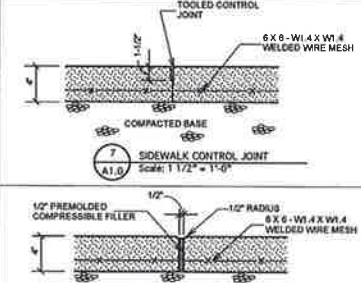
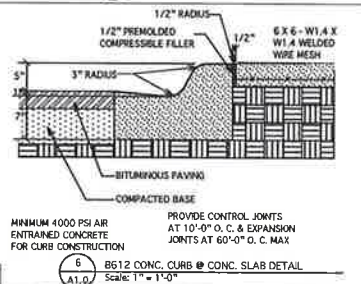
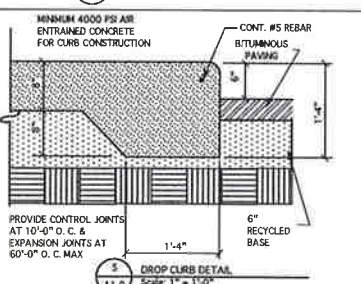
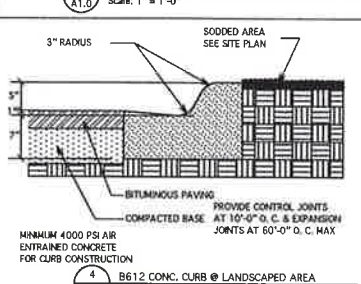
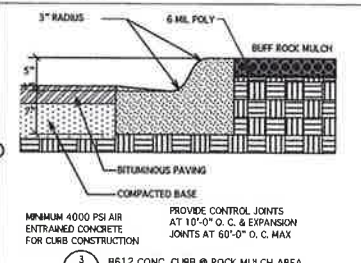
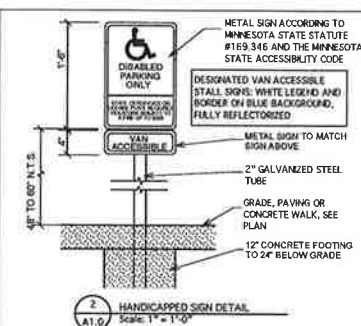
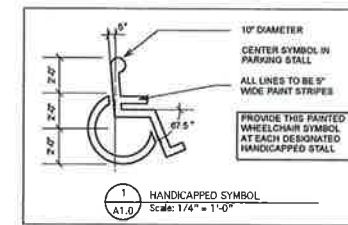
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| CHECK BY: JER | SCANNED | |
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| BY | | |

CHEETAH PRECISION EXPANSION



SITE PLAN

SITE AREA APPROXIMATELY 77,442 SQUARE FEET (1.78 ACRE)
ADDITIONAL SITE AREA APPROXIMATELY 14,287.5 SF (0.33ACRE)
TOTAL SITE AREA 91,729.5 SF (2.11 ACRES)



Norm Wells Architect PA
623 SEVENTEENTH AVENUE NW
NEW BRIGHTON, MN 55112
TELEPHONE 651/6312-8798

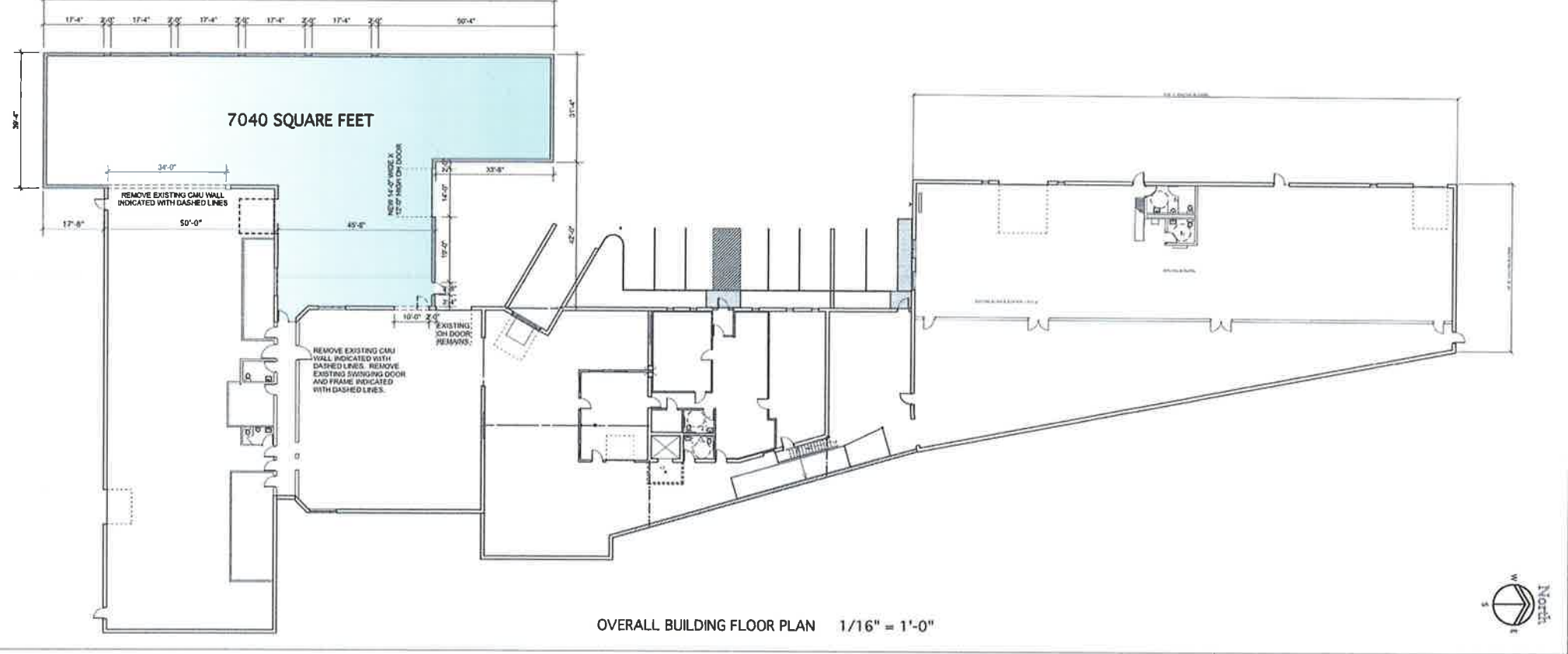


I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.
Norm Wells
Date: License No. 11735

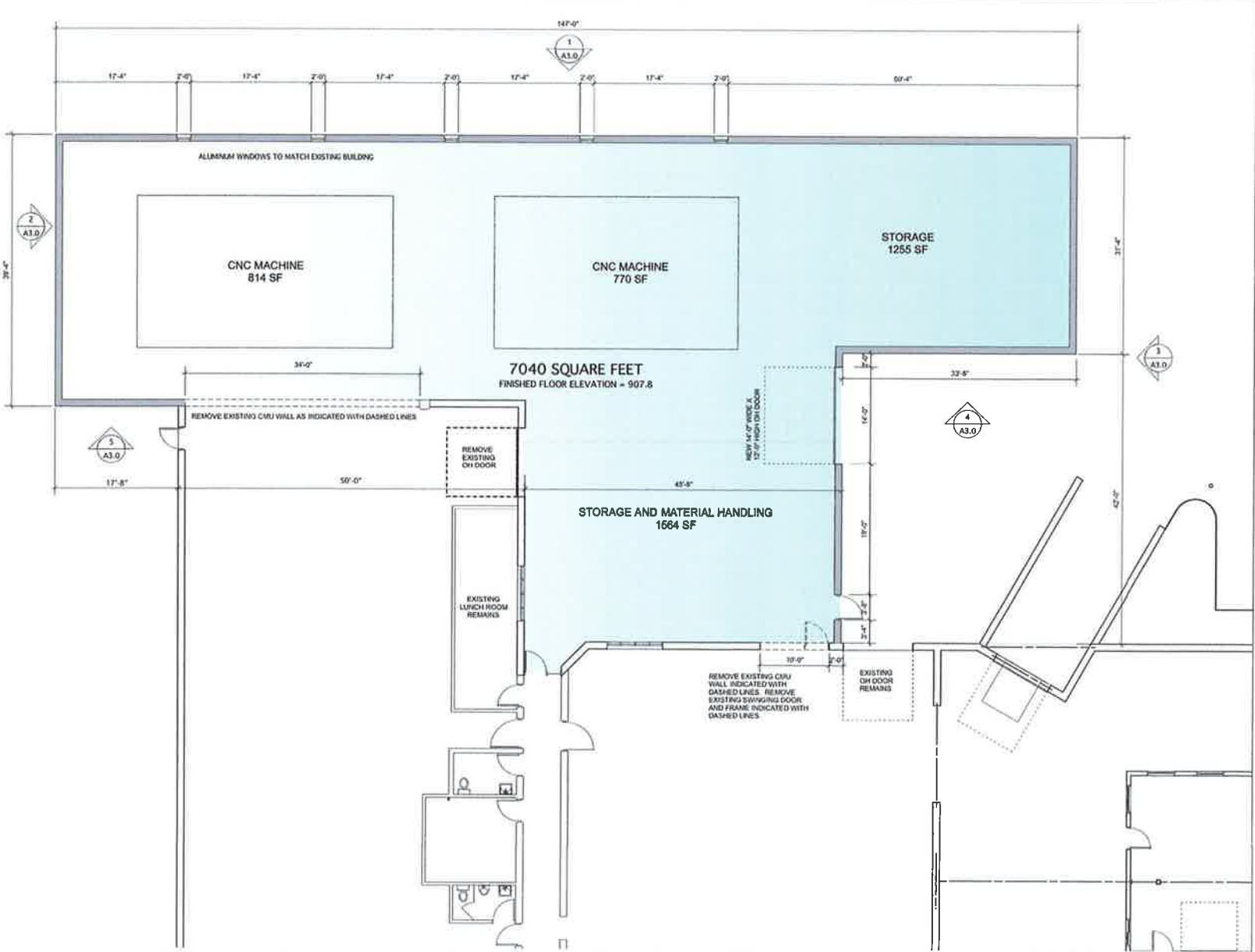
CHEETAH PRECISION
BUILDING EXPANSION PRELIMINARY SITE PLAN
2023 OLD HIGHWAY 8
NEW BRIGHTON, MINNESOTA

Revisions
Date
JANUARY 18, 2013
Final Issue
Date Plotted
Sheet Number

A1.0
OF 4



OVERALL BUILDING FLOOR PLAN 1/16" = 1'-0"



PARTIAL BUILDING FLOOR PLAN 1/8" = 1'-0"

NEW BUILDING AREA = 7,040 S.F.
TOTAL BUILDING AREA = 34,549 S.F.
SITE AREA = 91,729.5 SF
FLOOR AREA RATIO = 0.37773

Norm Wells Architect PA
623 SEVENTEENTH AVENUE NW
NEW BRIGHTON, MN 55112
TELEPHONE 651/631-28798



I hereby certify that the plan was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.
Norm Wells
Date: _____ Reg. No. 11782

CHEETAH PRECISION
BUILDING EXPANSION PRELIMINARY FLOOR PLAN
2023 OLD HIGHWAY 8
NEW BRIGHTON, MINNESOTA

Revisions

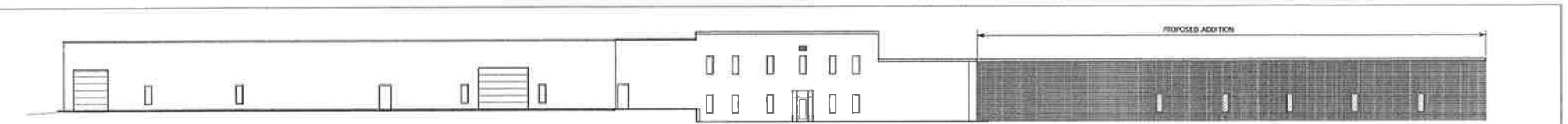
Date:
JANUARY 31, 2013

Final Issue

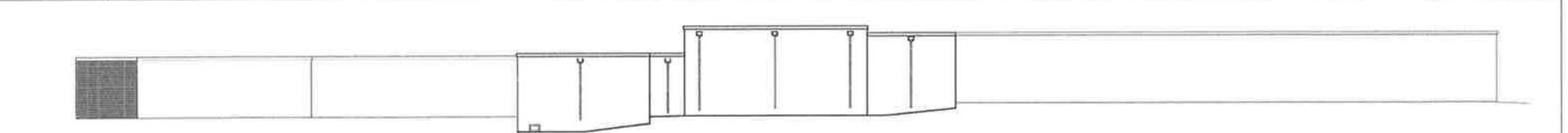
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JANUARY 31, 2013

Sheet Number:

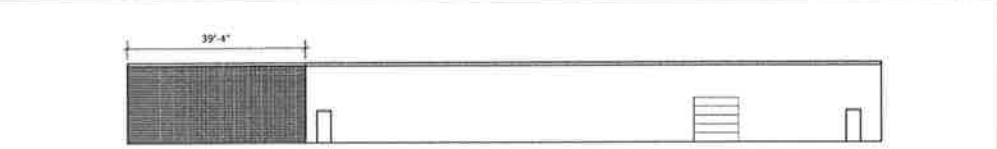
A2.0
OF 4



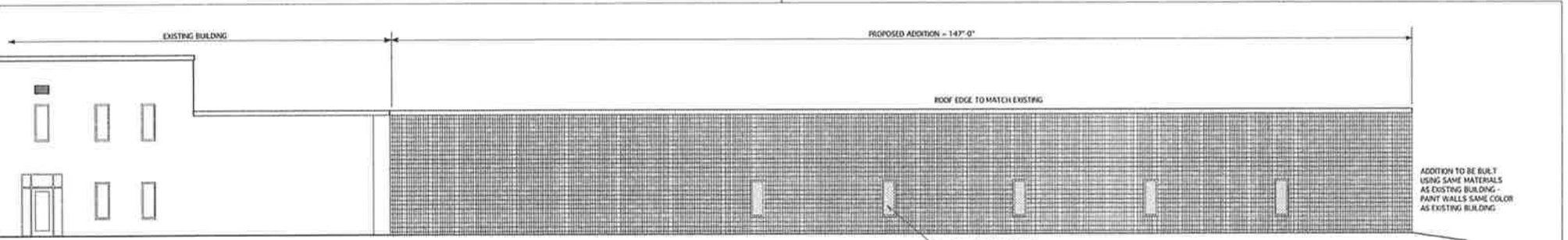
OVERALL WEST ELEVATION 1/16" = 1'-0"



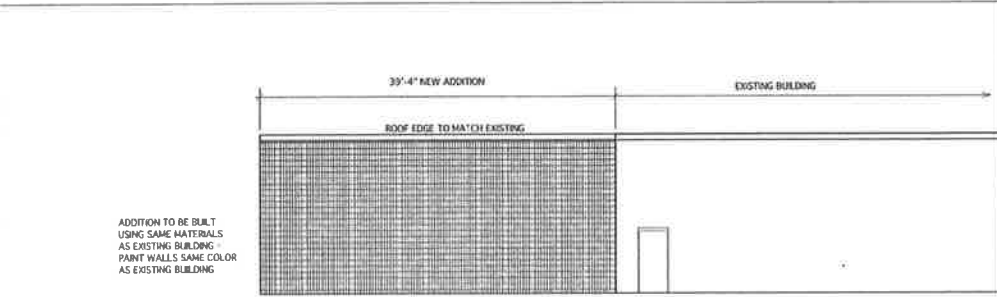
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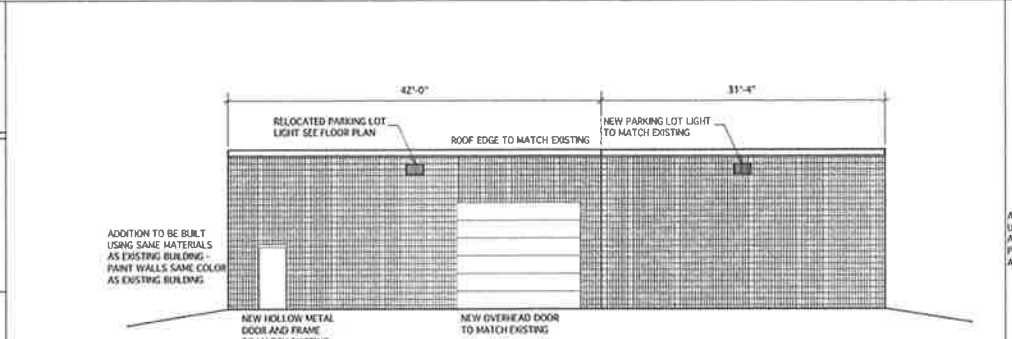
OVERALL SOUTH ELEVATION 1/16" = 1'-0"



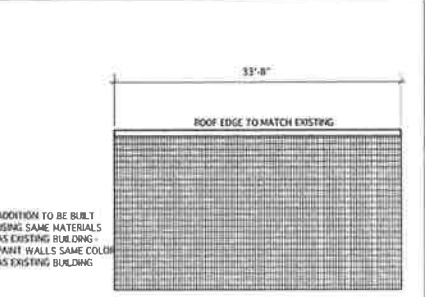
1 PARTIAL WEST ELEVATION
A3.0 Scale: 1/8" = 1'-0"



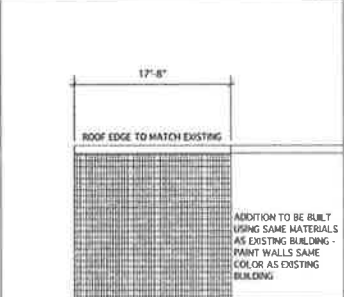
2 PARTIAL SOUTH ELEVATION
A3.0 Scale: 1/8" = 1'-0"



3 PARTIAL NORTH ELEVATION
A3.0 Scale: 1/8" = 1'-0"



4 PARTIAL EAST ELEVATION
A3.0 Scale: 1/8" = 1'-0"



5 PARTIAL EAST ELEVATION
A3.0 Scale: 1/8" = 1'-0"

Norm Wells Architect PA

623 SEVENTEENTH AVENUE NW

NEW BRIGHTON, MN 55112

TELEPHONE 651/6312-8798

2013

NORM WELLS ARCHITECT PA

This is a preliminary drawing and is not to be used for construction without the approval of the architect. The architect is not responsible for any errors or omissions in this drawing.

Norm Wells

License No. 11729

CHEETAH PRECISION

BUILDING EXPANSION BUILDING ELEVATIONS

2023 OLD HIGHWAY 8

NEW BRIGHTON, MINNESOTA

Revisions

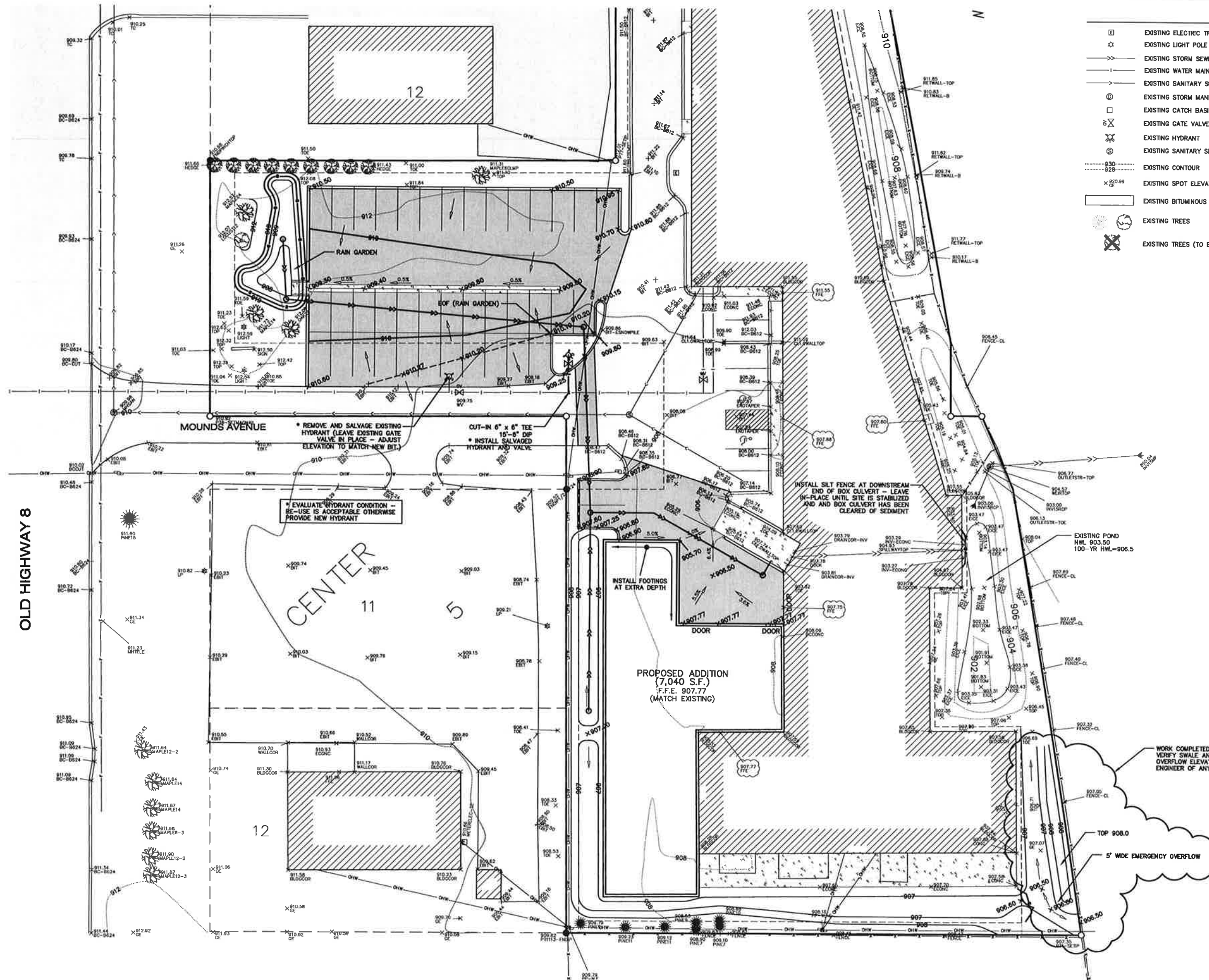
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Final Issue

Date Plotted
JANUARY 31, 2013

Sheet Number
A3.0
OF 4

OLD HIGHWAY 8



LEGEND

- | | |
|---------------------------------|---|
| EXISTING ELECTRIC TRANSFORMER | PROPOSED WATER PIPE |
| EXISTING LIGHT POLE | PROPOSED STORM SEWER PIPE |
| EXISTING STORM SEWER | PROPOSED HYDRANT |
| EXISTING WATER MAIN | PROPOSED CONTOUR |
| EXISTING SANITARY SEWER | PROPOSED SPOT ELEVATION (OUTLINE, BITUMINOUS SURFACE OR GROUND SURFACE UNLESS OTHERWISE INDICATED) |
| EXISTING STORM MANHOLE | PROPOSED SILT FENCE |
| EXISTING GATE VALVE | PROPOSED DIRECTION OF DRAINAGE |
| EXISTING HYDRANT | PROPOSED BITUMINOUS |
| EXISTING SANITARY SEWER MANHOLE | PROPOSED INLET PROTECTION |
| EXISTING CONTOUR | |
| EXISTING SPOT ELEVATION | |
| EXISTING BITUMINOUS | |
| EXISTING TREES | |
| EXISTING TREES (TO BE REMOVED) | |

GENERAL NOTES

- 1) THE INFORMATION SHOWN ON THESE DRAWINGS CONCERNING TYPE AND LOCATION OF EXISTING UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO TYPE AND LOCATION OF UTILITIES AS NECESSARY TO AVOID DAMAGE TO THESE UTILITIES.
- 2) CONTACT GOPHER STATE ONE-CALL AT (851) 454-0002 FOR EXISTING UTILITY LOCATIONS.
- 3) THE CONTRACTOR SHALL FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING SANITARY SEWER, STORM SEWER, AND WATERMAIN AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO THE START OF INSTALLATIONS.
- 3) INSTALLATIONS SHALL CONFORM TO THE CITY ENGINEER'S ASSOCIATION OF MINNESOTA (CEAM) STANDARD UTILITY SPECIFICATIONS (1999 EDITION) AND THE CITY'S STANDARD SPECIFICATIONS.
- 4) CONTRACTOR SHALL NOTIFY CITY OF NEW BRIGHTON PUBLIC WORKS DEPARTMENT AT (851) 638-2050 A MINIMUM OF 24 HOURS PRIOR TO THE INTERRUPTION OF ANY SEWER OR WATER SERVICES TO EXISTING HOMES OR BUSINESSES.
- 5) USE TRAFFIC CONTROL MEASURES IN ACCORDANCE WITH THE PROVISIONS OF "THE MINNESOTA MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES" AS NECESSARY WHENEVER GRADING, UTILITY, OR PAVING OPERATIONS ENCRDACH ONTO ADJACENT STREETS.
- 6) NOTIFY CITY A MINIMUM OF 24 HOURS PRIOR TO ANY INTERRUPTION OF SANITARY SEWER OR WATER SERVICE TO EXISTING HOMES OR BUSINESSES.

DRAWN BY: A.G. C.W.P.
CHECKED BY: C.W.P. PROJ. NO. 13-1392

ORIGINAL DATE: FEBRUARY 14, 2013

| DATE | REVISION DESCRIPTION |
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I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MINNESOTA.

PRELIMINARY

CHARLES W. PLOWE
DATE: 2-14-2013 LC. NO. 18927

CHEETAH PRECISION
NEW BRIGHTON, MN
GRADING, DRAINAGE & EROSION CONTROL PLAN

PREPARED FOR:
NORM WELLS

SITE PLANNING & ENGINEERING

PLOWE
ENGINEERING, INC.
6778 LAKE DRIVE
SUITE 110
LINO LAKES, MN 55014
PHONE: (851) 361-8210
FAX: (851) 361-8701

NORTH
0 10 20
1 INCH = 20 FEET

C1

GRADING, DRAINAGE & EROSION CONTROL

| | |
|--------------------|----------------------|
| DRAWN BY: A.G. | DESIGN BY: C.W.P. |
| CHKD BY: C.W.P. | PROJ. NO. 13-1392 |

ORIGINAL DATE:
FEBRUARY 14, 2013

[illegible]

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY

CHARLES W. HARRY

DATE: 2-14-2013 I.C. NO. 19227

CHEETAH PRECISION
NEW BRIGHTON, MN
EXISTING CONDITIONS & REMOVALS
CURBING & PAVING BY AN

PREPARED FOR:
NORM
WELLS



**SITE PLANNING
& ENGINEERING**

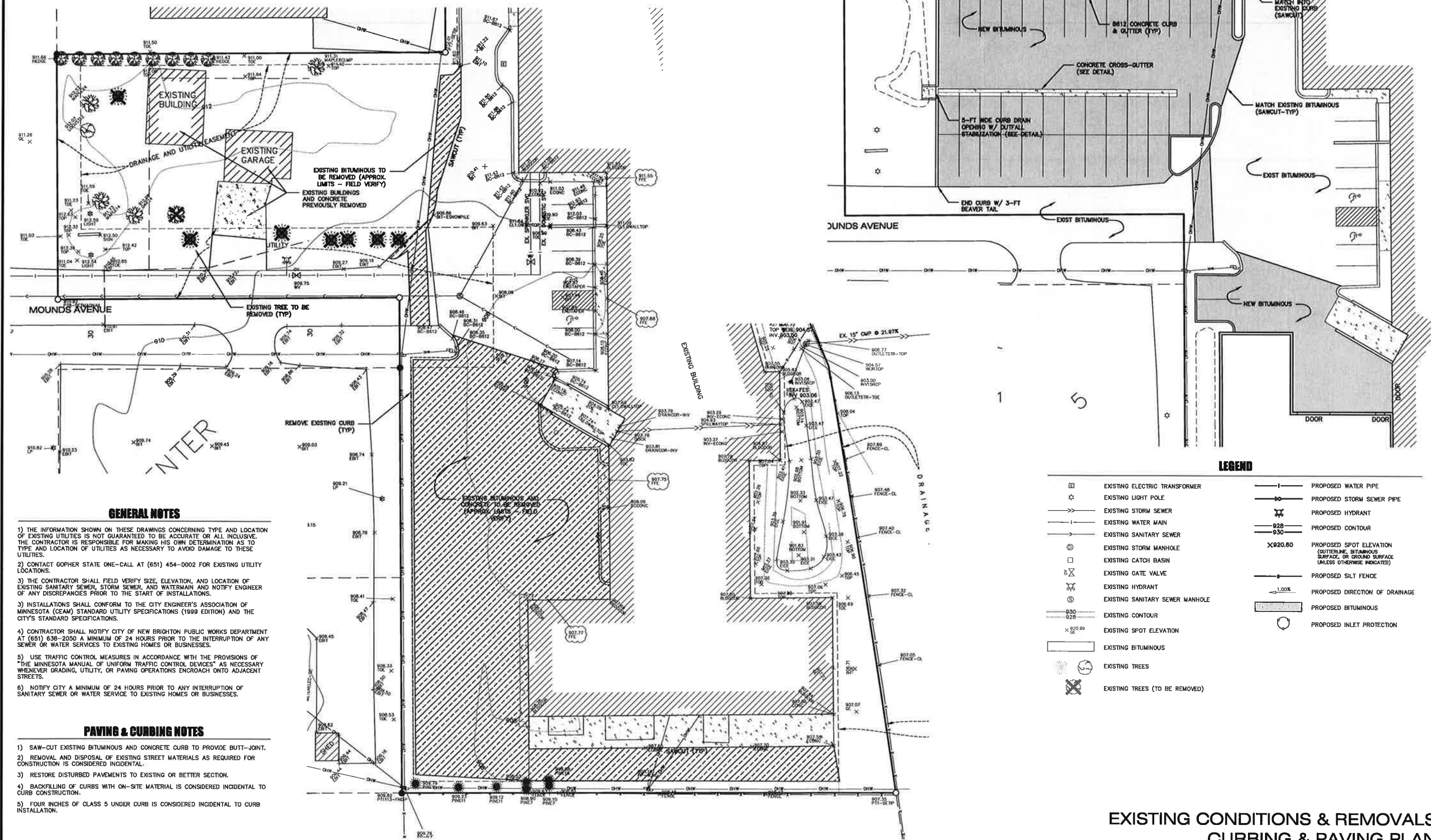
PLOWE
ENGINEERING, INC.
6776 LAKE DRIVE
SUITE 110
LINO LAKES, MN 55014

PHONE: (651) 361-8210
FAX: (651) 361-8701

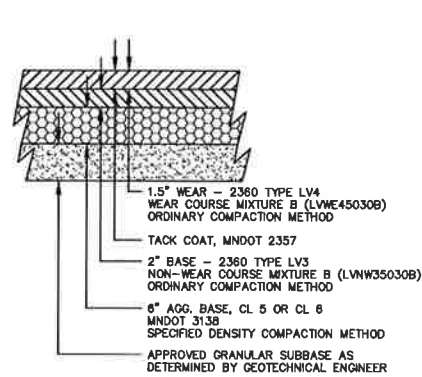
NORTH



C3



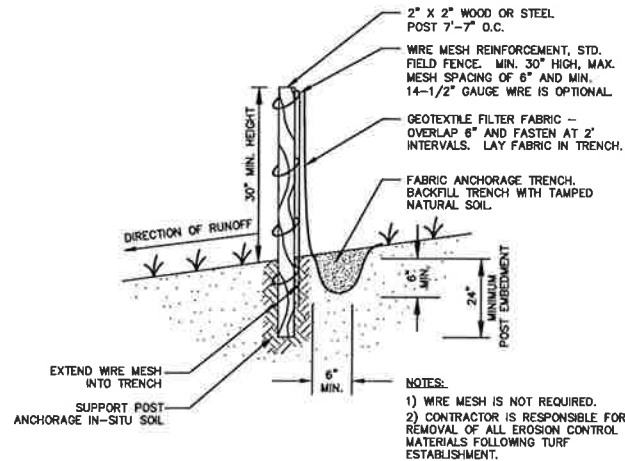
EXISTING CONDITIONS & REMOVALS CURBING & PAVING PLAN



PAVING SHALL CONFORM TO THE LATEST EDITION OF MNDOT'S STANDARD SPECIFICATIONS FOR CONSTRUCTION AND THE CITY'S STANDARDS FOR STREET AND UTILITY CONSTRUCTION.

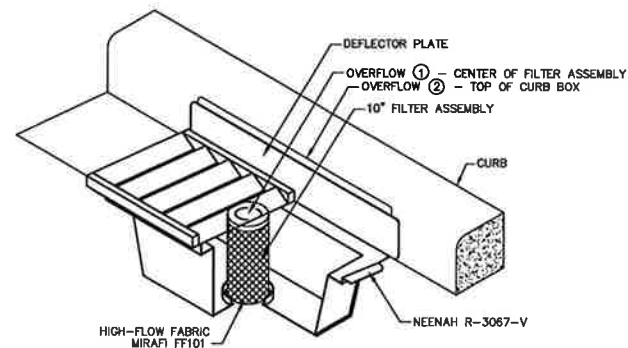
PAVING SECTION SHALL BE REVIEWED AND APPROVED BY GEOTECHNICAL ENGINEER PRIOR TO ANY INSTALLATIONS

BITUMINOUS PAVEMENT
N.T.S.



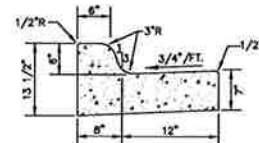
NOTES:
1) WIRE MESH IS NOT REQUIRED.
2) CONTRACTOR IS RESPONSIBLE FOR REMOVAL OF ALL EROSION CONTROL MATERIALS FOLLOWING TURF ESTABLISHMENT.

SILT FENCE
N.T.S.



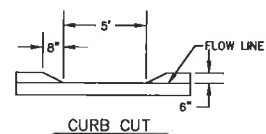
WIMCO INLET PROTECTION
N.T.S.

PROVIDE 4\"/>

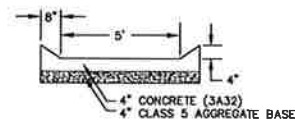


NOTE: FOR MECHANICALLY LAID CURB, SHOE MAY BE TILTED.

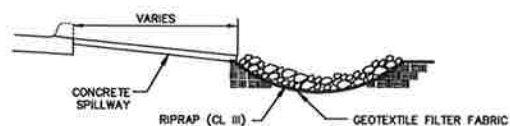
B612 CONCRETE CURB & GUTTER
N.T.S.



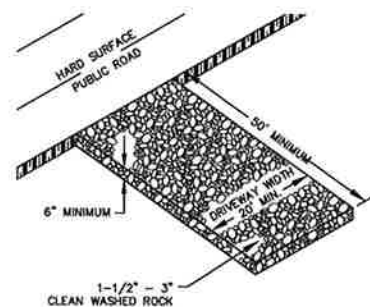
CURB CUT



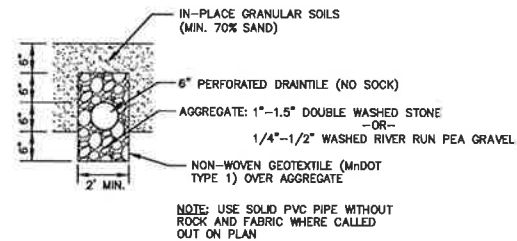
CONCRETE SPILLWAY
TYPICAL SECTION



CURB DRAIN OPENING
N.T.S.



ROCK CONSTRUCTION ENTRANCE
N.T.S.



DRAINTILE
N.T.S.

| | |
|-----------------------|----------------------|
| DRAWN BY: A.G. | DESIGN BY: C.W.P. |
| CHECKED BY: C.W.P. | PROJ. NO. 13-1392 |

ORIGINAL DATE:
FEBRUARY 14, 2013

| DATE | REVISION DESCRIPTION |
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I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY

CHARLES W. PLOWE
DATE: 2.14.2013
L.C. NO. 18227

CHEETAH PRECISION
NEW BRIGHTON, MN
DETAILS

PREPARED FOR:
NORM WELLS

SITE PLANNING
& ENGINEERING

PLOWE
ENGINEERING, INC.
6776 LAKE DRIVE
SUITE 110
LINO LAKES, MN 55014
PHONE: (651) 361-8210
FAX: (651) 361-8701

PLANNING REPORT

DATE: March 14, 2013
CASE: SP2013-001
SUBJECT: Special Use Permit to Permit a Montessori School at 1500 29th AVE NW
APPLICANT: Harold W. Erks on behalf of Harbon Montessori School

REQUEST & BACKGROUND

The applicant is requesting a special use permit to permit operation of a Montessori school out of the existing New Brighton Christian Church located at 1500 29th AVE NW. The property is zoned R-1, Single Family Residential and schools and day cares are listed as specially permitted uses in all residential districts. The proposed school would operate out of the northern portion of the church, occupying existing classroom space on both the first and second levels. The school would also construct a small playground for younger children on the church property, and also plans to utilize the existing Hidden Oaks City Park to the north. The school serves children ages 33 months to 12 years of age, grades pre-school thru fifth grade. The request would be for a maximum of 85 children; however the school doesn't currently serve that many.

The proposed school is Harbon Montessori School, which currently operates out of the United Church of Christ church at 1000 Long Lake Road and has been at this location since 1972. That church wants to use the school's space for their own use and has not renewed their contract, beginning the next school year. The applicant has indicated they would sign a two year lease with New Brighton Christian Church, pending City approval of their use.

ATTACHMENTS

A – Resolution
B – Project Location Map
C – Zoning Map
D – Aerial Photo
E – Neighborhood Notification Map
F – Applicant Narrative
G – Special Use Permit Criteria Worksheet
H – First Level Floor Plan
I – Second Level Floor Plan
J – Existing Conditions Site Plan

FINDINGS

Section 4-030. Special Permit Uses in an R-1 District.
Section 8-130. Special Use Standards.

SITE CHARACTERISTICS

| | |
|---------------------------------|--|
| Location: | 1500 29 th AVE NW |
| Lot Size: | 67,219 SF (1.5 acres) |
| Topography: | generally flat, slopes northwest |
| Comprehensive Plan Designation: | P-QP, Public & Quasi-Public |
| Zoning: | R-1, Single Family Residential District |
| Surrounding Land Uses: | |
| North: | Hidden Oaks City Park |
| South: | single family homes |
| East: | 29 th AVE NW, single family homes |
| West: | single family homes |

SPECIAL USE PERMIT ANALYSIS

The applicant proposes to operate a Montessori school out of the existing church at 1500 29th Ave NW. The students would occupy existing classroom space within the church and would use adjacent Hidden Oaks Park for recreation purposes. The following applicable issues were examined:

Traffic

Nearly all students are brought to the property in private vehicles. The school does offer latch key, which may result in a maximum of four small buses in the morning and four in the afternoon (before and after school care). The school has a contract for latch key with one school for the 2013-2014 school year, which will result in one bus in the morning and one in the afternoon. There are two full access points to the site, providing adequate, functional site circulation for student drop off and general traffic circulation.

Public Works staff was advised of the proposed use, and found no concerns pertaining to local traffic and access.

Off-Street Parking

This site contains approximately 90 parking stalls, all of which would be available for the school as the school and church hours do not overlap one another. Based on Zoning Code requirements for off-street parking for schools and daycares, 85 children would demand approximately 14 stalls plus one stall for each teacher (using the daycare ratio – the school ratio would demand much less). As such, parking should not be problematic.

Public Safety Concerns

The Fire Marshal has done a pre-inspection, including inside the building and out, and found the site to be acceptable from a fire safety standpoint. He requests an additional inspection once the school has fully occupied the space, but before the 2013-2014 school year begins.

Special Use Criteria

Zoning Code Section 4-030(1), regarding specially permitted uses in an R-1 district, states that “colleges, libraries, museums, schools, churches and similar uses provided that no structure shall be nearer than thirty feet to any R-1 or R-2 lot line”. The applicant is proposing to operate a school out of the existing specially permitted church. The existing church meets the 30’ setback to the nearest residential homes to the west. There is another home to the southeast, abutting the church property, however the structure to lot line setback exceeds 30’.

In addition to the structure setback of the specially permitted use, the general health, safety, and welfare standards of Zoning Code Section 8-130 must also be considered. Those criteria, and staff responses (in *italics*), are provided below:

1. That the establishment, maintenance, or operations of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The existing church should fit the proposed school's needs well. Many churches in New Brighton have school or day care uses that operate during the week without issue. The proposed school currently operates out of an existing New Brighton church, and to staff's understanding no complaints have been received. The proposed site offers adequate parking, functional traffic circulations, and adjacent amenities. Because of this, the public health, safety, morals, comfort or general welfare should not be negatively impacted.

2. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

The existing Zoning Code requirement of a 30' structure setback to residential uses exists to provide adequate separation of permitted and specially permitted uses. The existing church meets this setback. Also, the proposed school will occupy space at the northerly end of the church, farthest away from adjacent single family homes. The applicant describes their use as "self-contained highly disciplined" and as such should have a minimal impact on other property within the immediate vicinity.

3. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The area is nearly fully developed. The proposed school should not impact normal or orderly development.

4. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.

The existing church will supply the proposed school with adequate utilities and access roads. To staff's knowledge, the site has adequate drainage with minimal impact to surrounding property.

5. That the special use shall in all other respects conform to the applicable regulations of the district in which it is located.

As outlined in this section, the proposed school will conform to all applicable regulations of the Zoning Code. The building meets setback, adequate off street parking is provided on site, traffic should be manageable and have minimal impact on surrounding property, and the Fire Marshal will ensure fire safety standards are met.

Based on the information provided by the applicant and the special use permit analysis above, staff would recommend approval of the special use permit to operate a Montessori school out of the existing church at 1500 29th AVE NW as all criteria of Section 8-130 have been met.

STAFF RECOMMENDATION

Staff recommends approval, subject to the following conditions:

1. The school serves a maximum of 85 students.
2. Any substantial change to bus traffic, as represented in the written Planning Report, shall require an amendment to the special use permit.
3. The Fire Marshal conducts a final safety inspection once the school has fully occupied the space, but prior to the start of the 2013-2014 school year.



Janice Gundlach, City Planner

**RESOLUTION
PLANNING COMMISSION
CITY OF NEW BRIGHTON**

RESOLUTION MAKING FINDINGS OF FACT AND RECOMMENDING APPROVAL OF A SPECIAL USE PERMIT.

WHEREAS, an application has been made by Harold W. Erks on behalf of Harbon Montessori School requesting a special use permit to allow operation of a school out of the existing church located at 1500 29th AVE NW, known as New Brighton Christian Church, and

WHEREAS, the procedural history of the application is as follows:

1. An application for a Special Use Permit was received on February 25, 2013.
2. A public hearing notice was published in the New Brighton Bulletin on March 6, 2013.
3. Public hearing notices were mailed to property owners within 350' of the applicant's property on March 8, 2013.
4. The Planning Commission, pursuant to published and mailed notices, held a public hearing on March 19, 2013 where all interested parties were heard.
5. The Planning Commission recommended approval on March 19, 2013.

WHEREAS, the Planning Commission makes the following Findings of Fact with respect to the Special Use Permit (SP2013-001):

1. The property is zoned R-1, Single Family Residential.
2. The property is guided in the Comprehensive Plan for P-QP, Public and Quasi Public.
3. The property address is 1500 29th AVE NW.
4. The applicant is proposing to operate a Montessori school out of existing classrooms at the New Brighton Christian Church at 1500 29th AVE NW. The use would serve up to 85 students, grades pre-school thru fifth.
5. The proposal includes construction of a small playground on the church property, use of Hidden Oaks City Park to the north for recreation, and latch key services. The majority of students would be brought to the site in a private car, however up to four small buses would drop latch key students off in the morning and after school.
6. The school would have access to all 90 surface parking stalls, as the school and church hours do not overlap.
7. The Planning Commission considered the proposal in accordance with Zoning Code Section 4-030(1) which requires a 30' setback for all structures in specially permitted zoning districts from all property boundaries abutting R-1 and R-2 property.
8. The Planning Commission reviewed the proposal in accordance with the following Special Use Permit conditions of Zoning Code Section 8-130:
 - a. That the establishment, maintenance, or operations of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
 - b. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

- c. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
 - d. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
 - e. That the special use shall in all other respects conform to the applicable regulations of the district in which it is located.
9. The Planning Commission found all Special Use Permit criteria of Sections 4-030(1) and Section 8-130 to be met, based on the following findings:
- a. The proposed school and existing church hours of operation do not overlap.
 - b. The structure to lot line setback of 30' is met with the existing church and the nearby residential homes to the west and southeast.
 - c. Site circulation and access points will serve the traffic demand generated by the proposed school well.
 - d. Adequate off-street parking is provided on site.

NOW THEREFORE BE IT RESOLVED that based upon the above findings of fact the application for a Special Use Permit (SP2013-001) is hereby recommended to the City Council for approval, subject to the following conditions:

- 1. The school serves a maximum of 85 students.
- 2. Any substantial change to bus traffic, as represented in the written Planning Report, shall require an amendment to the special use permit.
- 3. The Fire Marshal conducts a final safety inspection once the school has fully occupied the space, but prior to the start of the 2013-2014 school year.

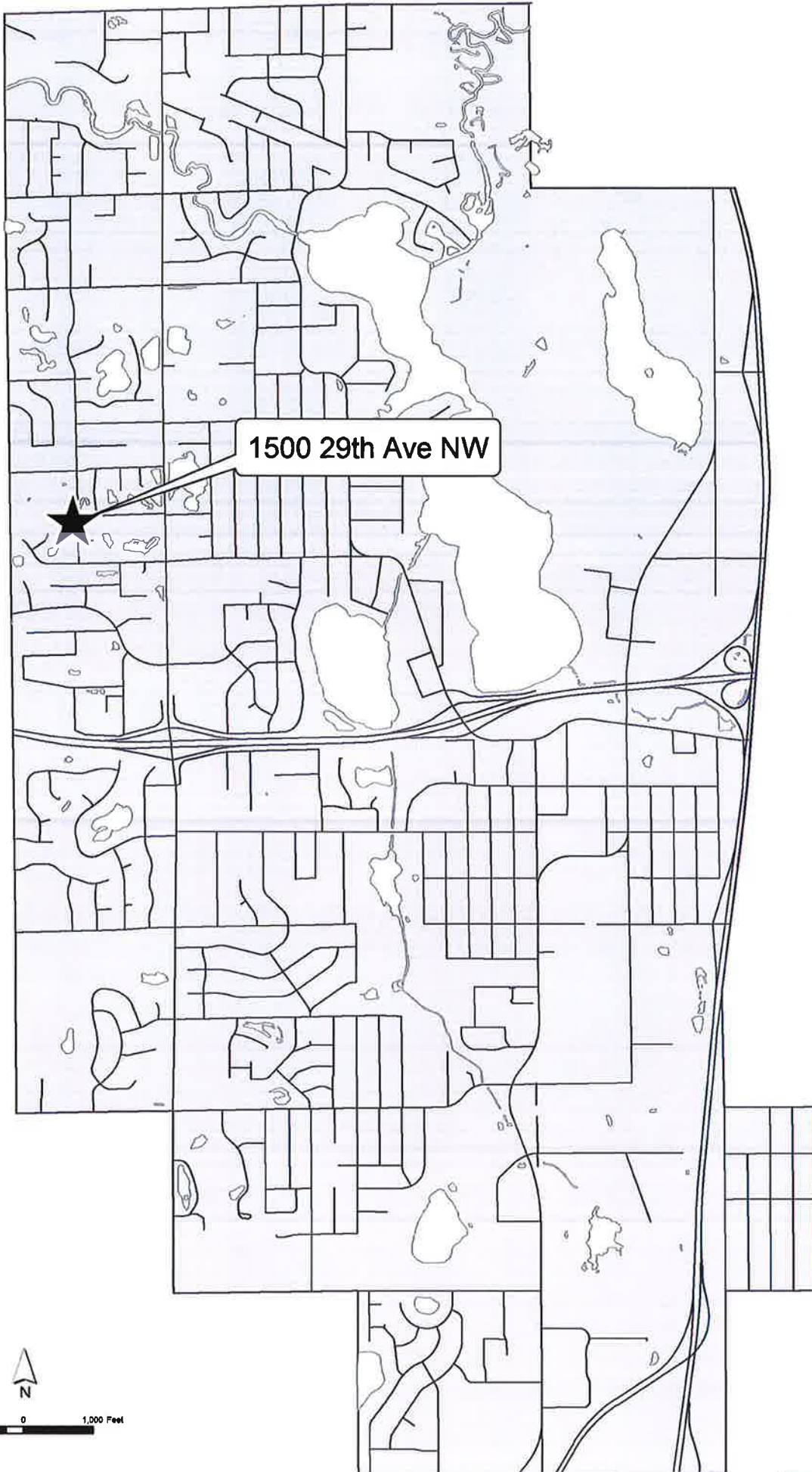
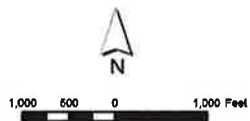
Adopted this 19th day of March, 2013.

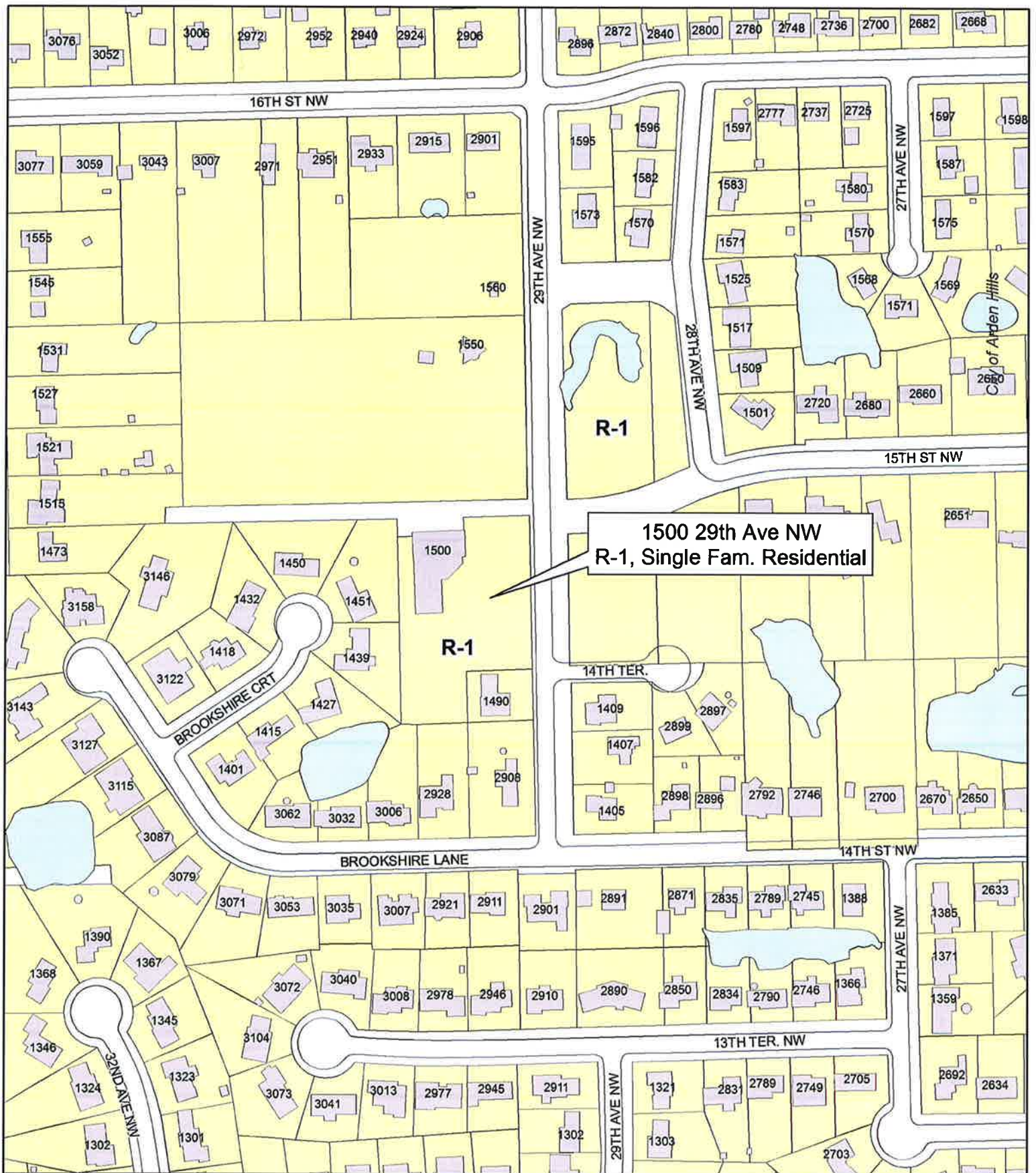
Bruce Howard, Planning Commission Chair

ATTEST:

Janice Gundlach, City Planner

Location Map - 1500 29th Ave NW





 R-1, Single Family Residential



80 40 0 80 Feet



Current Zoning
1500 29th Ave NW
R-1, Single Fam. Residential



1500 29th Ave NW

29TH AVE NW

14TH TER NW

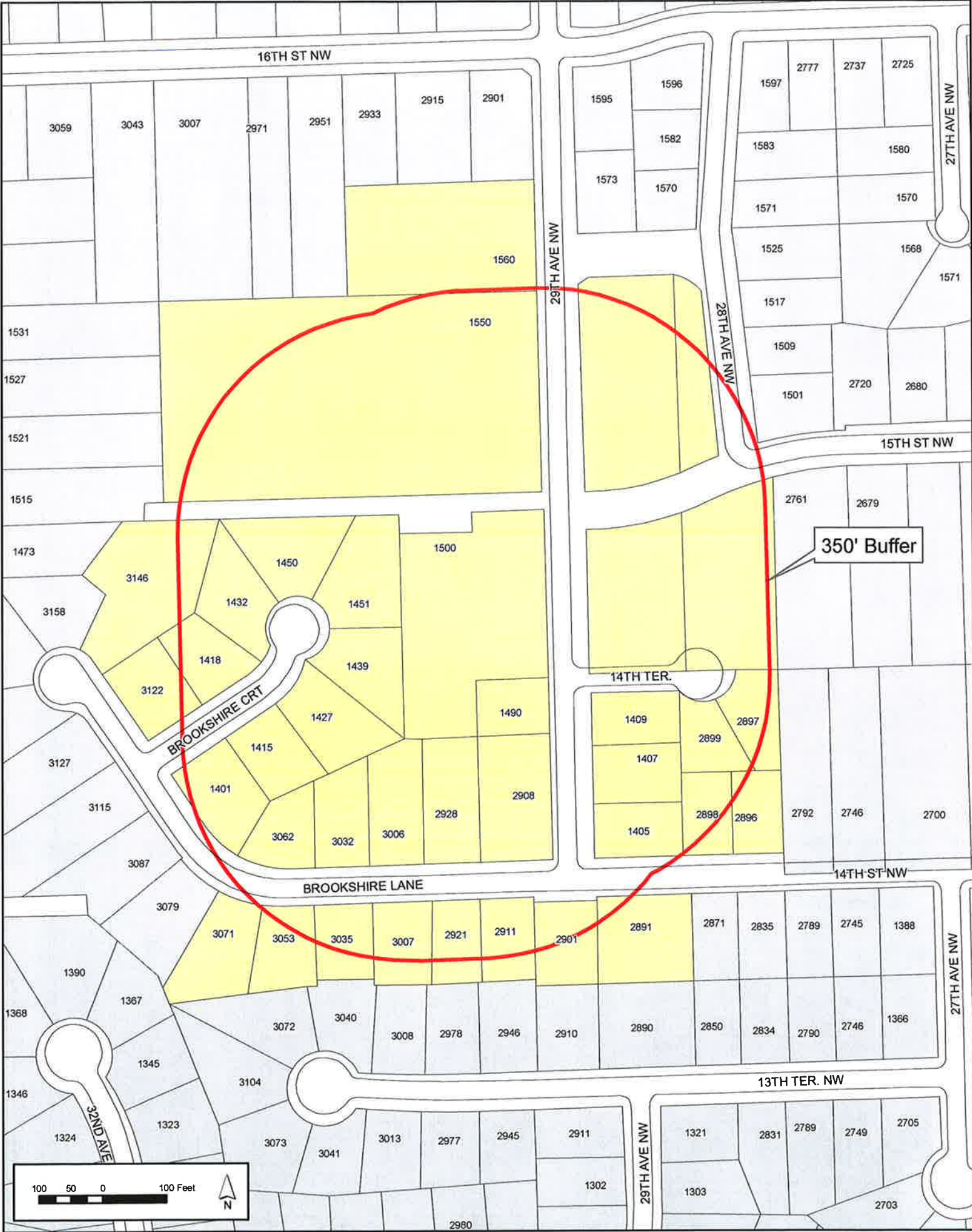
2011 Aerial Photo

40 20 0 40 Feet



L:\gis\newbrighton\data\comm dev\pc2013\map\maps

350' Mailing Buffer - 1500 29th Ave NW





HARBON MONTESSORI SCHOOL

2349 15TH ST. N.W.

NEW BRIGHTON, MN 55112

651/631-1918

FEBRUARY 22, 2013

CITY OF NEW BRIGHTON:

WE HEREBY SEEK APPROVAL TO LEASE SPACE IN THE NEW BRIGHTON CHRISTIAN CHURCH, 1500 29TH AVE. N.W., NEW BRIGHTON, FOR CONTINUED OPERATION OF HARBON MONTESSORI SCHOOL WHICH HAS SERVED QUALITY MONTESSORI EDUCATION FOR 41 YEARS.

HARBON CURRENTLY OPERATES IN THE UNITED CHURCH OF CHRIST, 1000 LONG LAKE RD, NEW BRIGHTON, WHERE IT HAS BEEN SINCE INCEPTION IN 1972. OUR CURRENT LEASE EXPIRES ON JUNE 30, 2013, AND CURRENT CHURCH MANAGEMENT WANTS THEIR OWN USE OF THE SPACE AND THUS WILL NOT RENEW OUR CONTRACT.

THIS FINE SCHOOL HAS VERY PROUDLY AND SUCCESSFULLY SERVED OVER 5,000 STUDENTS AND WE PLAN TO CONTINUE THIS PROCESS. OUR CURRICULUM CONSISTS OF READING, MATH, HISTORY, SCIENCE, GEOGRAPHY, MUSIC, AND ART.

THE FACILITY AT THE PROPOSED NEW LOCATION LENDS ITSELF WELL TO OUR PROGRAMS. THE CLASSROOM ARE WELL LIGHTED AND CHEERFUL. FOR FIRE SAFETY, ALL AREAS WALK OUTSIDE AT GROUND LEVEL. KIP LAMOTTE, FIRE MARSHALL, HAS INSPECTED AND APPROVED THE FACILITY. THE PARKING LOT HAS TWO EASILY ACCESSIBLE ENTRANCES AND EXITS WITH 95 PARKING SPACES. WE NEED ONLY 35. HIDDEN OAKS CITY PARK IS ADJACENT ON THE NORTH SIDE WITH EXCELLENT PLAY AREA FOR OUR STUDENTS. THE PEACEFUL SETTING IS A GREAT INDUCEMENT FOR CONTINUED EXCELLENCE IN EDUCATION!

WE ANXIOUSLY AWAIT YOUR APPROVAL!

RESPECTFULLY,

HAROLD W. ERKS
PRESIDENT
HARBON MONTESSORI SCHOOL

Special Use Permit Criteria Worksheet

A special use permit cannot be approved unless the Planning Commission and City Council find that the following criteria have been met. Please provide a response on how/why your project meets the below stated criteria. Use additional sheets if necessary and consult with the City Planner at the time of your Pre-Application Meeting as some items may not be applicable for your project.

1) That the establishment, maintenance, or operations of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

HARBON MONTESSORI SCHOOL IS IN COMPLIANCE WITH ALL HEALTH AND SAFETY REGULATIONS. TRUTH, HONESTY, RESPECT, AND EXTREMELY HIGH MORAL CONDUCT CONSTANTLY GUIDE OUR QUALITY EDUCATIONAL PROGRAMS TO INSURE NO ENDANGERMENT.

2) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

THE SCHOOL OPERATES COMPLETELY AS A SELF-CONTAINED HIGHLY DISCIPLINED UNIT WHICH WOULD INSURE ABSOLUTLEY NO NEGATIVE IMPACT TO THE COMMUNITY. PROPERTY VALUES MAY INCREASE DUE TO OUR PRESENCE.

3) That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

THE PRESENCE OF HARBON SCHOOL WOULD IN NO WAY IMPEDE BUT MAY ENCOURAGE THE NORMAL AND ORDERLY DEVELOPMENT AND IMPROVEMENT OF THE SURROUNDING PROPERTY.

4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.

HARBON SCHOOL REQUIRES NO ADDITIONAL ACCESS ROADS, UTILITIES, DRAINAGE AND/OR NECESSARY FACILITIES. THOSE PROVIDED ARE MORE THAN ADEQUATE.

5) That the special use shall in all other respects conform to the applicable regulations of the district in which it is located.

HARBON MONTESSORI SCHOOL HAS A 41 YEAR TRACK RECORD OF SUCCESSFULLY SERVING QUALITY EDUCATIONAL PROGRAMS IN A SIMILAR SETTING WITH STRICT CONFORMITY TO THE APPLICABLE REGULATIONS OF THE DISTRICT IN WHICH IT IS LOCATED.

PRESCHOOL
PLAYGROUND
30' X 25'

EXITS

EXITS

EXITS

EXITS

SLIX3

EXITS

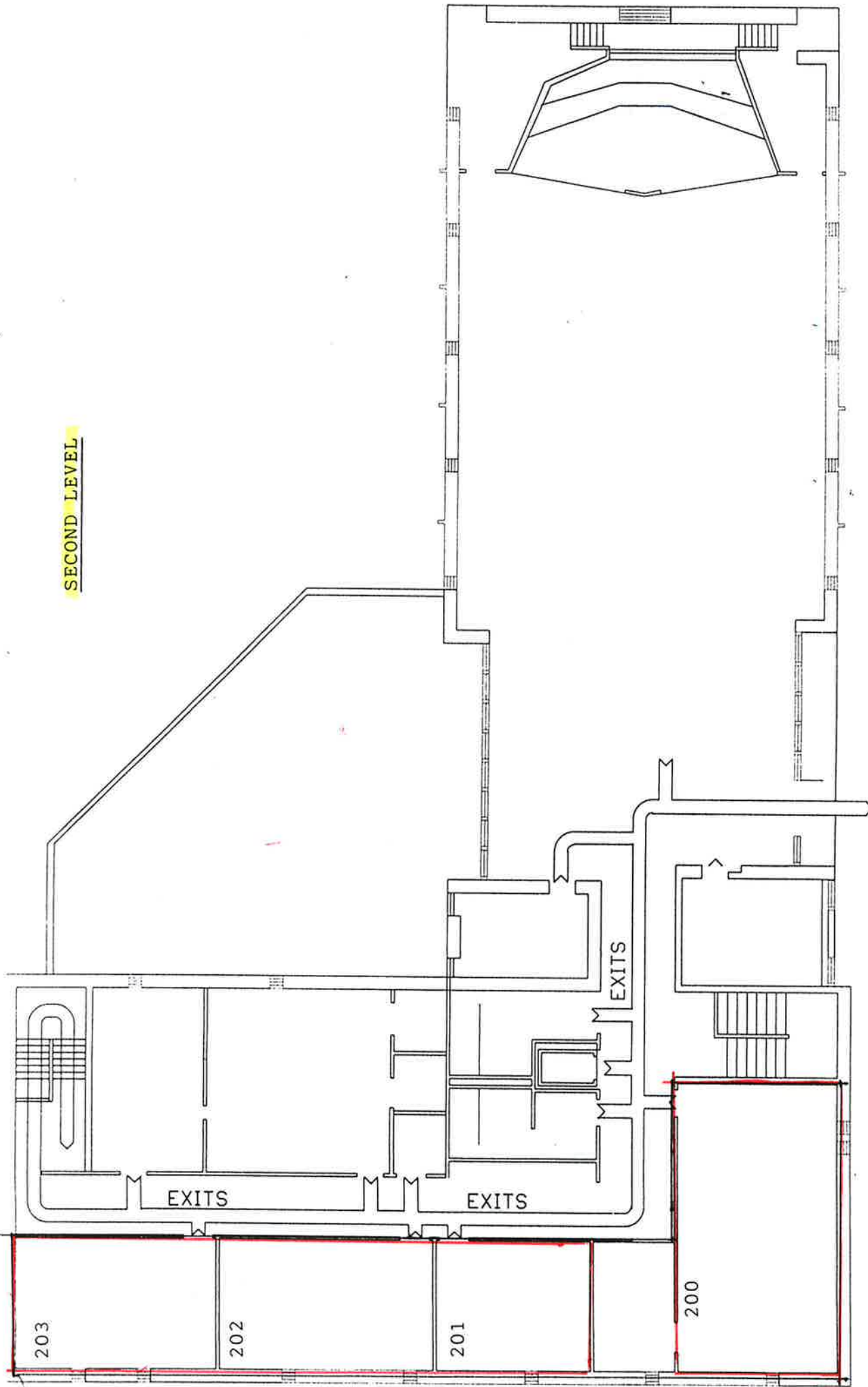
EXITS

EXITS

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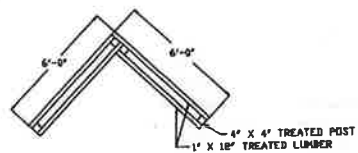
B. K. Zell

SECOND LEVEL

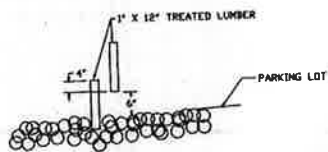


1376 sq. ft.

3126 Total



WEIR DETAIL

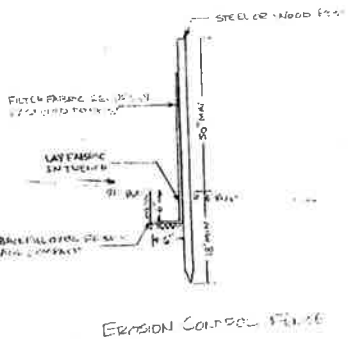
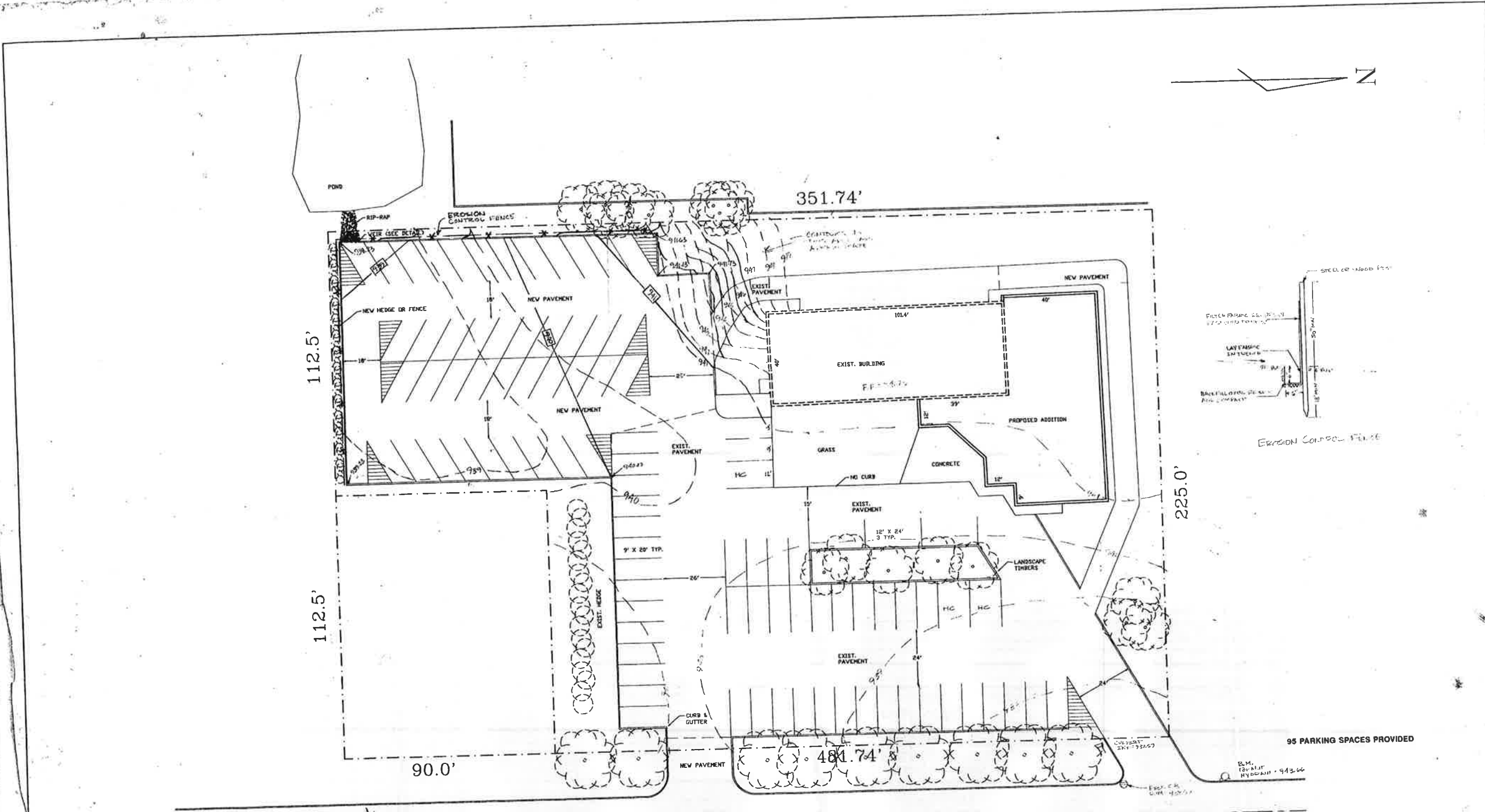


-CHURCH COPY-

9/12/90

I hereby certify that these plans and specifications were prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the State of Minnesota.
Mark A. Vanden Brink 4/24/90

- NOTES:
- 1) INSTALL EROSION CONTROL FENCE BEFORE COMMENCING GRADING OPERATIONS.
 - 2) RIP-RAP (8" - 12") 5' WIDE TO BE ON PLACE BEFORE PAVING PARKING LOT.
 - 3) ALL DITCHES SHOWN TO BE CURED AFTER GRADING IS COMPLETED.
 - 4) REMOVE EROSION CONTROL AFTER COMPLETION OF SEED ESTABLISHMENT AND PAVING.



95 PARKING SPACES PROVIDED

BUILDER'S ALLIANCE
REMODELING AND RECONSTRUCTION SPECIALISTS
10115 40TH AVE. N. PLYMOUTH, MN
525-1400

SITE/GRADING PLAN
SCALE: 1" = 20'

CHURCH ADDITION - EDUCATIONAL WING
1500 29TH AVE. N.W.
NEW BRIGHTON, MN
NEW BRIGHTON CHRISTIAN CHURCH

PROJECT NAME/TITLE
SHEET ADDRESS
CITY, STATE ZIP
OWNER: