

AGENDA

NEW BRIGHTON PLANNING COMMISSION
REGULAR MEETING

TUESDAY, MAY 15, 2012

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) April 17, 2012

5. Report on Council Action: Gina Bauman, City Council Member

6. Public Hearings

(A) Rodney Griffen requests a special use permit to permit construction of a detached garage in excess of 624 SF at 818 7th AVE NW.

7. Announcements

(A) Welcome new Commissioner Paul Banker

(B) Work session tentatively scheduled for June 6th (start time 6:30)

(C) Temporary Sign Enforcement has begun

8. Adjourn: _____

PLANNING COMMISSION PROCEEDINGS

Regular Meeting – April 17, 2012 7:00 p.m.

Present: Chairperson Bruce Howard, Commissioners Steve Danger, Erin Nichols-Matkaiti, Mike Shardlow and Greg Meyers

Absent: None

Also Present: Janice Gundlach-City Planner, Paul Jacobsen-Councilmember and Katie Bruno-Office Assistant.

Agenda Review: There were no changes to the agenda.

Minutes: Minutes from January 17, 2012 were presented and approved.

Council Action: Councilmember Jacobsen introduced himself to the commission, and expressed his gratitude to them for their service to the City. Councilmember Jacobsen reported that the council recently adopted an ordinance amending the City Code related to commission term limits and attendance. Term limits are now consistent among all commissions; four terms, with an optional additional term. The attendance policy was relaxed slightly as well. The council has interviewed all but one commission applicant, and a resolution making appointments will be forthcoming.

Public Hearing:

- (A) Jack Buxell on behalf of Crossroads of New Brighton requests an amendment to the Planned Residential Development located at 2287 Palmer Drive, requesting the expansion of the surface parking area by an additional 26 parking stalls.

City Planner Janice Gundlach reported that the applicant is requesting an amendment to the Planned Residential Development approved in 1978. The property consists of a 108 unit age restricted apartment complex. The amendment would be to permit construction of a 26 stall surface parking lot expansion to the south. The request attempts to address on-site parking shortages, namely visitor parking. The issue became much more important when “no parking” areas were designated on Palmer Drive and Robin Lane.

The site is still under-parked according to minimum standards. The proposed hedge to shield headlights to the south and towards Thorndale Ave. is an appropriate design and meets the landscaping standards. Public Safety provided comments on the fire department access to the site and suggests opening up an access onto Thorndale Ave. At a minimum the current access should be repaired and kept clear of snow. Engineering will require submission of the Rice Creek Watershed District permit to ensure minimum storm water requirements are met.

In addition to the design requirements, the stated principals of the Planned Development requirements of Zoning Code Section 7-070 must be met. Staff finds conformance with those principals based on the following:

- The site is currently in need of additional parking.
- The expanded parking lot design will greatly reduce, if not eliminate, on-street parking.
- The effect of the decreased parking setbacks to the side and side street will be offset by the proposed landscaping.
- Any negative effects of decreased parking setbacks will be outweighed by elimination of unsafe on-street parking & an enhanced southerly entrance.

Planner Gundlach reported there are two issues addressed in the planning report; opening up a Thorndale Ave access, and enhancing the southerly entrance. There is a concern that the expanded parking will not be utilized due to it's proximity to the front door. The new access and enhanced entrance aim to make the parking area more inviting and accessible to visitors, so they therefore use it. Opening up the Thorndale Ave access also addresses some fire access issues. Staff has discussed these two issues with the architect. Generally, the ownership is opposed to opening up an access onto Thorndale Ave for fear it will create a “cut-thru” in the neighborhood to

Palmer Dr. then Silver Lake Road. Staff understands this concern and isn't recommending the access as a condition of approval; However, the area should be repaired and kept clear of snow so that a fire truck can access the back of the building. Staff is also recommending a visitor call box be installed so that visitors do not need to walk to the front of the building to get in. Staff recommends the Commission recommend approval to the City Council, based on the following conditions:

- The parking lot expansion is built in accordance with the submitted plans.
- The entrance on the south side of the building is enhanced to promote use of the expanded parking by visitors of Crossroads.
- The Civil Engineering comments on surface water are met.
- Submission of the Rice Creek Watershed District permit to the City prior to commencing work.
- The fire truck access from Thorndale is repaired (the bollards) and maintained (the pavers) as necessary, and snow is kept clear, to ensure appropriate access is available in the event of an emergency.

Commissioner Nichols-Matkaiti asked how long it will take for the hedge to grow, and what the expected height of the hedge will be. Planner Gundlach reported that it will take some time for the hedge to grow, the proposed materials is for over 100 burning bushes in two gallon containers. It was noted that the property owners will need to maintain the hedge.

Commissioner Shardlow asked if the fire truck access will invite others to travel through. Planner Gundlach reported the bollards are there to deter through traffic, and the curbs are not surmountable.

Commissioner Danger asked if there are plans for additional lighting. Planner Gundlach reported that the existing lights are sufficient to light the expended parking area as well.

Commissioner Meyers asked if there will be any changes to the front parking lot. Planner Gundlach reported no changes are proposed for the front parking area.

Chair Howard asked what required parking would be if the facility was built today. Planner Gundlach reported that based on an apartment building with 108 units, 143 parking stalls would be required. Currently there are 68 parking stalls, with the additional 26 proposed stalls, the total will be 94 parking stalls. Planner Gundlach noted that at the time the building was built, the parking requirements were met, needs have changed over the years.

Marlett Foster; 2287 Palmer Dr. stated that she is in support of the additional parking.

Janet Harrison, representing Metroplex Management stated that the management company is in favor of the project. Commissioner Meyers asked Ms. Harrison if the management could designate some of the stalls as "Visitor Parking." Ms. Harrison confirmed that they could.

Commissioner Shardlow expressed concern with the height of the shrubbery related to safety issues. Ms. Harrison noted the hedge would not be that high.

Marilyn Wegscheider; 2287 Palmer Dr. expressed her thoughts that additional parking is necessary and commented that the current lighting in the parking lot is very good.

Tony Kromrey; 2066 Palmer Dr. stated that when the building was built the assumption was that most residents wouldn't drive. Mr. Kromrey stated that he thinks a back door access is a good idea, and many of the other issues can be addressed internally.

Carol York; 2287 Palmer Dr. stated that at times she has been unable to find a spot in the parking lot; having to park in the adjacent parking lot at the bank.

Vivian Ceasar; commented that it is difficult to plan a party due to the limited parking.

Chairperson Howard suggested commissioners discuss the access issue. Commissioner Shardlow stated he thinks it could be addressed at a future time if deemed necessary. Commissioner Danger commented that the residents have done an excellent job demonstrating the need for additional parking. Commissioner Danger suggested the management install signs designating parking for residents and visitors. Commissioner Danger agreed the access issue can be addressed in the future. Commissioner Nichols-Matkaiti and Meyers agree the access can be addressed if the need is evident.

Chair Howard asked Planner Gundlach if there would be any reason the access issue could not be addressed in the future. Planner Gundlach responded that would be a change to the PRD, requiring a review process.

Planner Gundlach recommended that the condition requiring a call box remain, noting the additional enhancement options could be up to the owner's discretion. Janet Harrison explained that the property management is not in

favor of a rear call box, as they prefer to have visitors utilize the front entrance. Ms. Harrison also commented that a call box may be difficult to install; as there are space limitations.

Commissioner Danger agreed with Planner Gundlach, that guest may be less likely to use the rear lot if there is not a secure access. One of the residents suggested adding a call box at a side entrance, as there is more space there. Planner Gundlach clarified that the call box would be mounted on the exterior, and there would be no need to expand the entrance.

Commissioner Nichols-Matkaiti asked if there are any ADA requirements for the southerly entrance. Planner Gundlach stated that the Building Official will review that as part of the overall plan review.

Motion by Commissioner Danger, seconded by Commissioner Nichols-Matkaiti to close the Public Hearing.

Approved 5-0

Motion by Commissioner Shardlow, seconded by Commissioner Meyers to approve staff recommendation.

City Planner Gundlach clarified that the call box requirement is one of the conditions of the resolution.

Commissioner Nichols-Matkaiti suggested removing condition number 2 related to lighting; as it seems the area is currently adequately lit.

Planner Gundlach stated that this is the time to require a call box, stating that if in the future, the residents desire to remove the call box, that could be reviewed through a request for an amendment to the PRD.

Chair Howard clarified that the motion is to recommend the City Council approve the request with the following five conditions:

- The parking lot expansion is built in accordance with the submitted plans.
- The entrance on the south side of the building is enhanced to promote use of the expanded parking by visitors of Crossroads.
- The Civil Engineering comments on surface water are met.
- Submission of the Rice Creek Watershed District permit to the City prior to commencing work.
- The fire truck access from Thorndale is repaired (the bollards) and maintained (the pavers) as necessary, and snow is kept clear, to ensure appropriate access is available in the event of an emergency.

Approved 5-0

- (B) The City of New Brighton requests consideration of amendments to the 2030 *New Brighton Comprehensive Plan* regarding transportation and surface water updates.

City Planner Gundlach reported that the Metropolitan Council has amended their regional transportation plan; state statute requires that the New Brighton update our comprehensive plan as well. The City wants to take this opportunity to amend the surface water management plan, as it is part of the comprehensive plan. It was recommended the item be tabled until the July 17th Planning Commission meeting.

Chairperson Howard asked for comments; there were none.

Motion by Commissioner Danger, seconded by Commissioner Shardlow to table the item to the July 17, 2012.

Approved 5-0

- (C) The City of New Brighton requests consideration of a preliminary and final plat of New Brighton Exchange 1st Addition for the redevelopment area located north of I-694, west of I-35W, south of 14th ST NW, and east of Old Highway 8 NW.

City Planner Gundlach reported that City staff is requesting preliminary and final plat approval for an amended NEW BRIGHTON EXCHANGE 1ST ADDITION plat. The plat covers the area on the east side of Old Highway 8 NW, within the New Brighton Exchange Redevelopment Area. The original preliminary plat was reviewed and approved in February of 2011. The City Council approved the final plat in July of 2011. The plat was never recorded as final title issues were being resolved. An amended plat is necessary in order to resolve an environmental issue with the MPCA. The amended plat creates Outlot A – G and dedicates right-of-way.

7 new outlots will be platted in addition to dedication of roadway for Northwest Parkway and a portion of 14th ST NW. All the data is shown on the amended plat and it has been sent to the Ramsey County Surveyor for approval. Staff recommends the Commission recommend the City Council approve the amended preliminary and final plat of NEW BRIGHTON EXCHANGE 1ST ADDITION, creating outlots A – G and dedication of public right-of-way. Chair Howard asked how the outlots are determined. Planner Gundlach stated it is a complicated process; the attempt is to eliminate gaps and overlaps in legal descriptions and provide outlot boundaries that correspond to environmental realities. This is beneficial when it comes time to sell off the lots. Planner Gundlach added any redevelopment will require a new plat.

Motion by Commissioner Nichols-Matkaiti, seconded by Commissioner Meyers to close the Public Hearing.

Approved 5-0

Motion by Commissioner Shardlow, seconded by Commissioner Danger to approve staff recommendation

Approved 5-0

Other Business: None

Adjournment:

Motion by Commissioner Nichols-Matkaiti, seconded by Commissioner Shardlow to adjourn the meeting.

5 Ayes, 0 Nays, Motion Carried,

Meeting adjourned at 8:36 PM

PLANNING REPORT

DATE: May 10, 2012
CASE: SP2012-001
SUBJECT: Special Use Permit to Permit Construction of a Detached Garage in Excess of 624 Square Feet
APPLICANT: Rodney Griffen

REQUEST & BACKGROUND

The applicant is requesting consideration of a Special Use Permit to allow construction of a new detached garage in excess of 624 SF at 818 7th Ave NW. The property currently contains an existing detached garage measuring 20' x 12' or 240 SF and a 12' x 12' or 144 SF shed. With this proposal the existing 12' x 12' shed would be relocated and a new 26' x 32' garage would be constructed in generally the same location, meeting the required 5' side yard setback. The existing 240 SF detached garage would be removed. There is no attached garage on the property and with the proposed garage and the shed the property will comply with the maximum allotment of accessory structures, which cannot exceed 1,664 SF.

ATTACHMENTS

A - Resolution
B - Project Location Map
C - Zoning Map
D - Aerial Photograph
E - Neighborhood Notification Map
F - Applicant Narrative
G - Special Use Permit Criteria Worksheet
H - Proposed Elevations
I - Existing & Proposed Conditions Survey

FINDINGS

Section 4-530. Accessory Buildings in Residential Districts
Section 8-130. Special Use Standards

SITE CHARACTERISTICS

Location:	818 7 th AVE NW
Lot Size:	11,396 SF or 0.26 Acres
Topography:	Generally Flat
Comprehensive Plan Designation:	Low Density Residential
Zoning:	R-1, Single Family Residential
Surrounding Land Uses:	
North:	Single Family
South:	Single Family
East:	Single Family
West:	Single Family

SPECIAL USE PERMIT ANALYSIS

Zoning Code Section 4-530 (K) states that accessory buildings exceeding 624 square feet in size shall be subject to approval of a Special use Permit under Section 8-110 through 8-130 and subject to compliance with the following conditions (*staff responses in italics*):

1. Roof and exterior color and material must be consistent and complimentary with the principal structure.

Staff finds this criterion to be met. The applicant has stated in the narrative provided that the exterior colors will match the existing home. The applicant shall also use matching or complimentary building materials.

2. If deemed necessary by the City Council, landscape screening shall be provided to lessen visual impact from adjacent properties.

Staff has not received any comments from adjacent properties and has no reason to recommend requiring any landscape screening. The total accessory building square footage on the property will not be unusually high and the proposed garage will be located in the rear yard having minimal impact from the street. The garage will meet required 5' side and rear yard setbacks.

3. No commercial or home occupation activity shall be conducted within the accessory building.

The applicant has been informed of this standard and has indicated compliance will be met.

In addition to the standards noted in Section 4-530 (K), Section 8-130 states that no special use shall be recommended by the Planning Commission unless it shall find (*staff responses in italics*):

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

Staff finds this criterion to be met. As of the drafting of this report, staff has not received any comments to this proposal. The garage size is not unusual and should not impact the health, safety, moral, or comfort of the general public.

- 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.

Staff finds this criterion to be met. Use of a detached garage of this size is a common attribute for residentially-used properties.

- 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.

Staff finds this criterion does not apply as the entire area is fully developed.

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

Staff finds this criterion to be met as the existing driveway will be utilized for the proposed garage. The existing driveway will need to be extended an additional 20', but will still fully comply with the 50% hardcover rule for residential properties.

- e. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it located.

Staff finds this criterion to be met. The proposed garage addition meets all required setbacks and will not place the lot out of compliance with impervious surface (50%), structural coverage (30%), or height standards (30'). The proposed garage will measure less than 15' to the peak.

Thus, staff has determined the proposed garage meets all Special Use Permit standards as noted above.

STAFF RECOMMENDATION

Adopt the attached Resolution recommending approval of the Special Use Permit, subject to the following conditions:

1. The garage is constructed consistent with the plans submitted and attached to this report.
2. The exterior materials and colors match/compliment the home.
3. No commercial or home occupation activity shall be conducted within the proposed garage or any other accessory buildings on the property.
4. The existing shed is relocated in a manner meeting 5' side and rear yard setbacks.



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 Rodney Griffen to permit construction of an a new detached garage whereby the total square footage would exceed 624 s.f. at approximately 832 SF at 818 7th AVE NW, and

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

1. An application for a Special Use Permit was received on April 20, 2012.
2. A public hearing notice was published in the New Brighton Bulletin on May 2, 2012.
3. Public hearing notices were mailed to property owners within 350' of the applicant's property on May 3, 2012.
4. The Planning Commission, pursuant to published and mailed notices, held a public hearing on May 15, 2012 where all interested parties were heard.
5. The Planning Commission recommended approval on May 15, 2012.

WHEREAS, the Planning Commission makes the following Findings of Fact with respect to the Special Use Permit (SP2012-001):

1. The property is zoned R-1, Single Family Residential.
2. The property is guided in the Comprehensive Plan for Low Density Residential.
3. The property is legally described as follows:

Lot 22, Block 2, REDMOND ADDITION, Ramsey County, Minnesota
4. The applicant has proposed to construct a new detached garage whereby the total square footage will exceed 624 SF at 832 SF.
5. The Planning Commission considered the proposal in accordance with Zoning Code Section 4-530 (1) (E) which requires approval of a Special Use Permit for any accessory building in excess of 624 square feet.
6. The Planning Commission considered the proposed Special Use Permit in accordance with Zoning Code Section 4-530 (1) (K) which requires that the garage meet the following conditions:
 - a. Roof and exterior color and material must be consistent and complimentary with the principal structure.
 - b. If deemed necessary by the City Council, landscape screening shall be provided to lessen visual impact from adjacent properties.
 - c. No commercial or home occupation activity shall be conducted within the accessory building.
7. 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.
8. The Planning Commission found all Special Use Permit criteria of Sections 4-530 and Section 8-130 to be met, based on the following findings:
- a. The garage will be less than 1,064 SF.
 - b. The total of all accessory buildings on the property will be less than 1,664 SF.
 - c. The applicant will construct the garage with materials that will match/compliment the existing home.
 - d. The applicant will not use the proposed garage for any commercial or home occupation activity.
 - e. Including proposed garage, the existing garage, and the existing shed the property will comply with the maximum accessory structure allotment of 1,664 SF.
 - f. All existing setbacks, proposed setbacks, hardcover, heights, and structural coverage requirements comply with the R-1 lot standards.

NOW THEREFORE BE IT RESOLVED, that based upon the above findings of fact the application for a Special Use Permit (SP2012-001) is hereby recommended to the City Council for approval, subject to the following conditions:

- 1. The garage is constructed consistent with the plans submitted and attached to this report.
- 2. The exterior materials and colors shall match/compliment the home.
- 3. No commercial or home occupation activity shall be conducted within the proposed garage or any other accessory buildings on the property.
- 4. The existing shed is relocated in a manner meeting 5' side and rear yard setbacks.

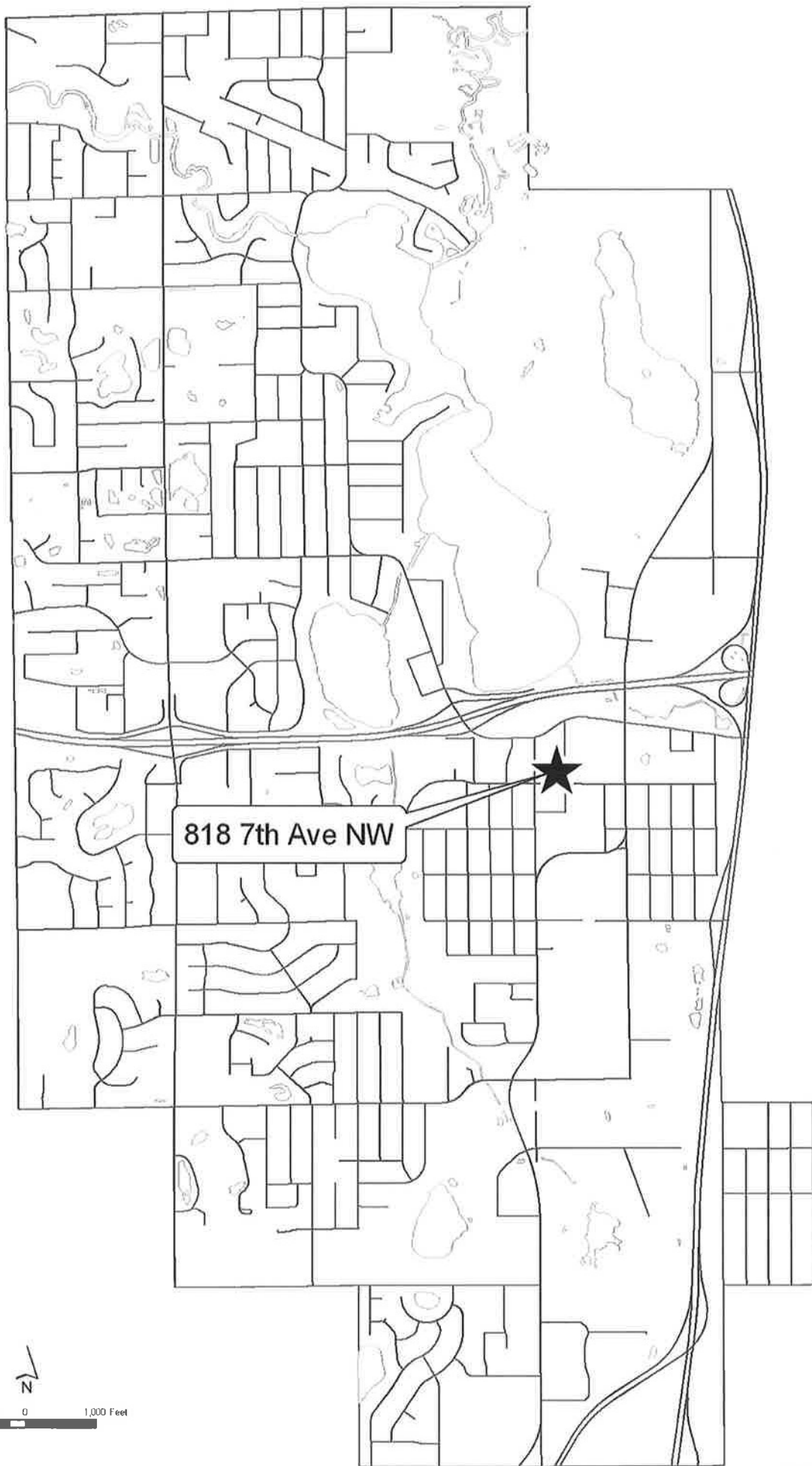
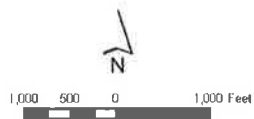
Adopted this 15th day of May, 2012.

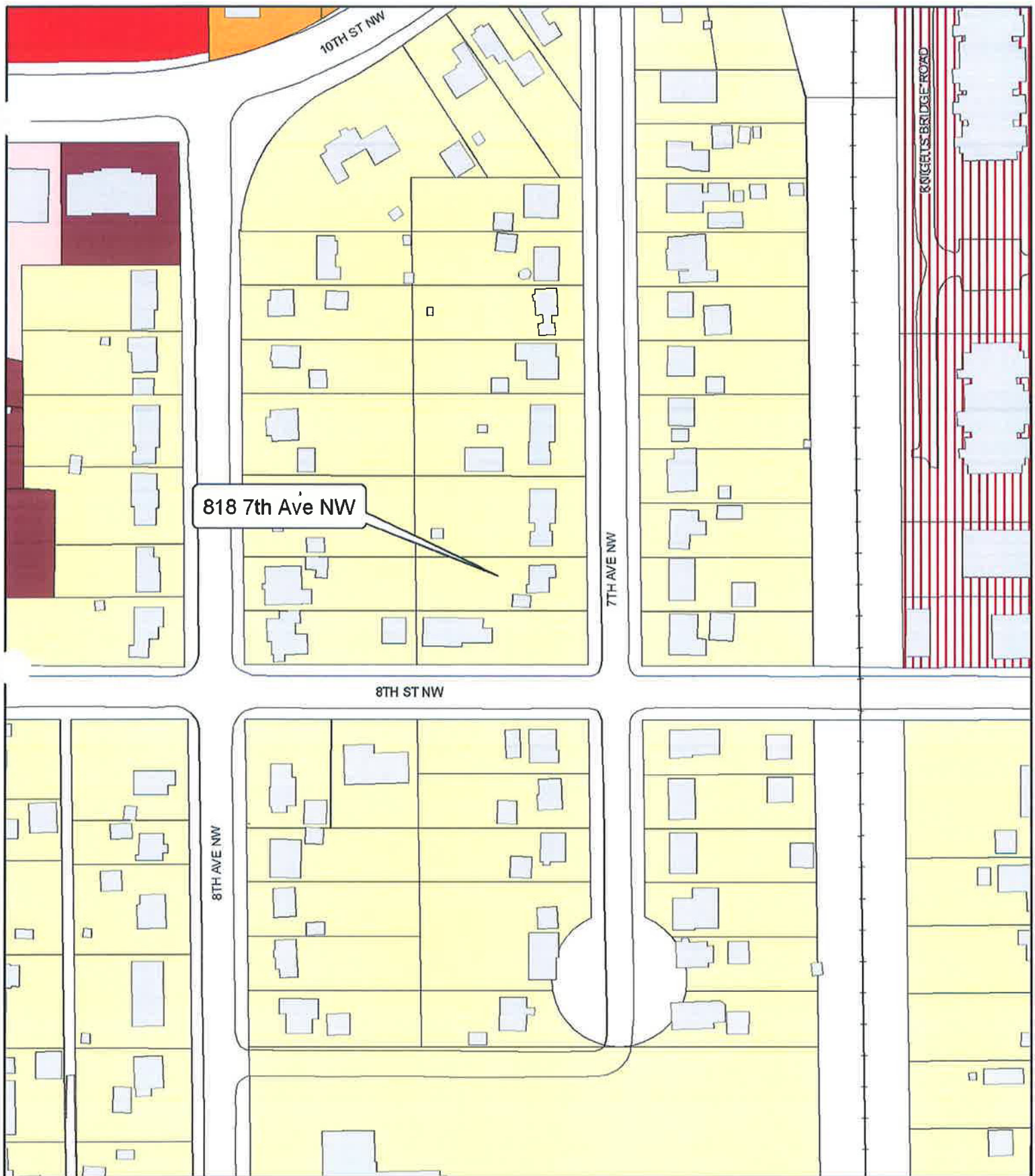
Bruce Howard, Planning Commission Chair

ATTEST:

Janice Gundlach, City Planner

Location Map - 818 7th Ave NW





- B-1, Limited Business
- B-3, General Business
- B-4, Downtown Business
- R-1, Single Family Residential
- R-3A, High Density Residential
- R-3B, High Density Residential



Current Zoning
 818 7th Ave nw
 R-1, Single Fam. Residential



7th Ave NW

8th St. NW

818 7th Ave NW

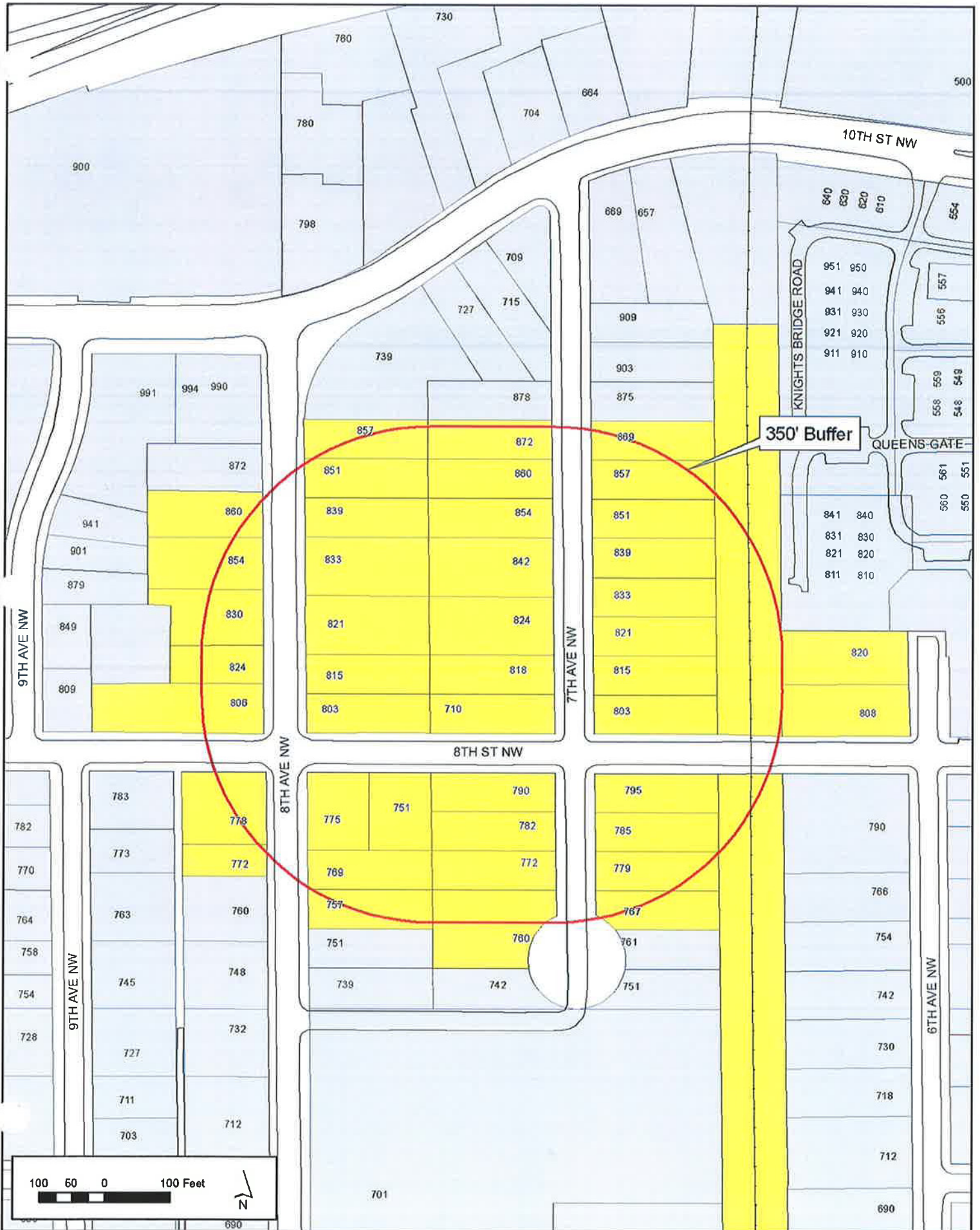
2011 Aerial Photo

25 12.5 0 25 Feet



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350' Mailing Buffer - 818 7th Ave NW



I plan to Relocate shed
to back of lot will ~~put~~ it on
concrete tubes and intall flight
anchors If ~~it~~ ~~it~~ need bc will
Remove shed

Plan to tere down garage
the siding on materials list
will be changed to blue
to match the house
garage will be built on aproved
Floating Slab

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.

*the work would be done during
day time hours so as not to bother any
body Job site will be kept clean*

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.

*this garage will used for parking and storage
it will replace old garage and look nicer*

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.

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

driveway provide

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

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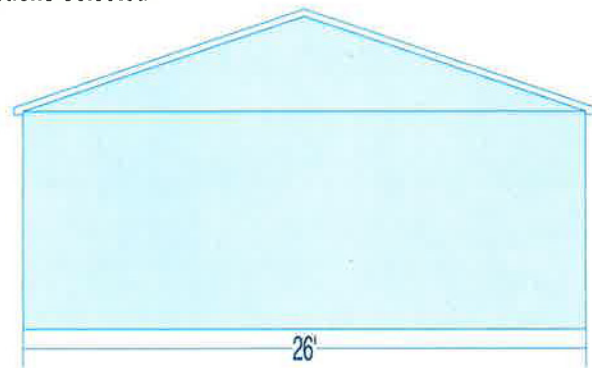
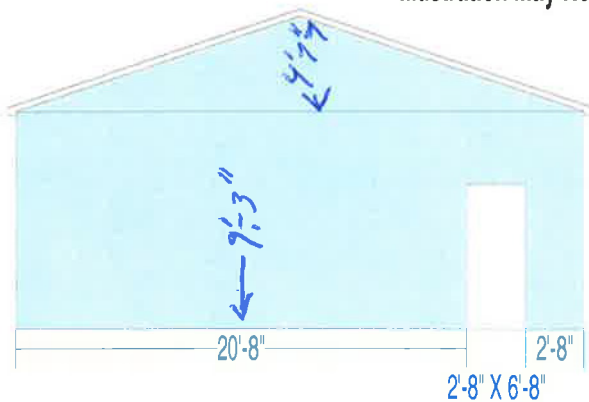
Design # 59200



Page 2 of 2
4/20/2012

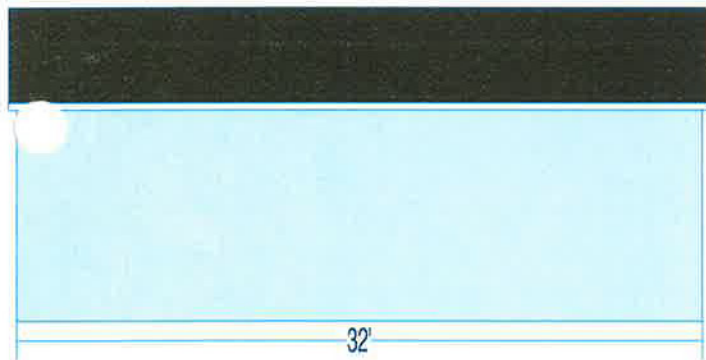
*** Here are the wall configurations for your design.

Illustration May Not Depict All Options Selected

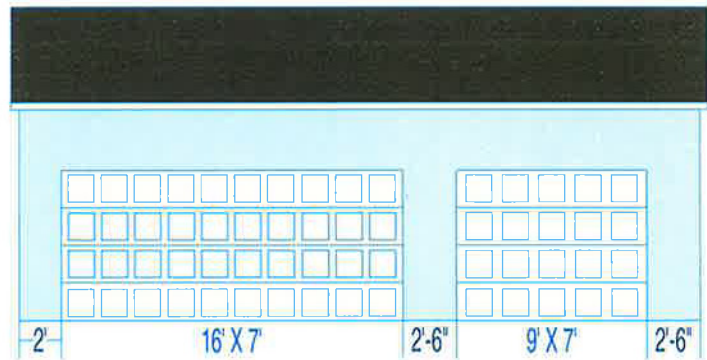


Gable Front View

(1) - CP1 FLUSH STEEL DOOR PH 32X80 RH SB



Eave Front View



Eave Back View

(1) - 16X7 WHITE INSUL RAISED PNLEZSETTORSN M4SV
(1) - 9X7 WHITE INSUL RAISED PNLEZSETTORSN M4SV

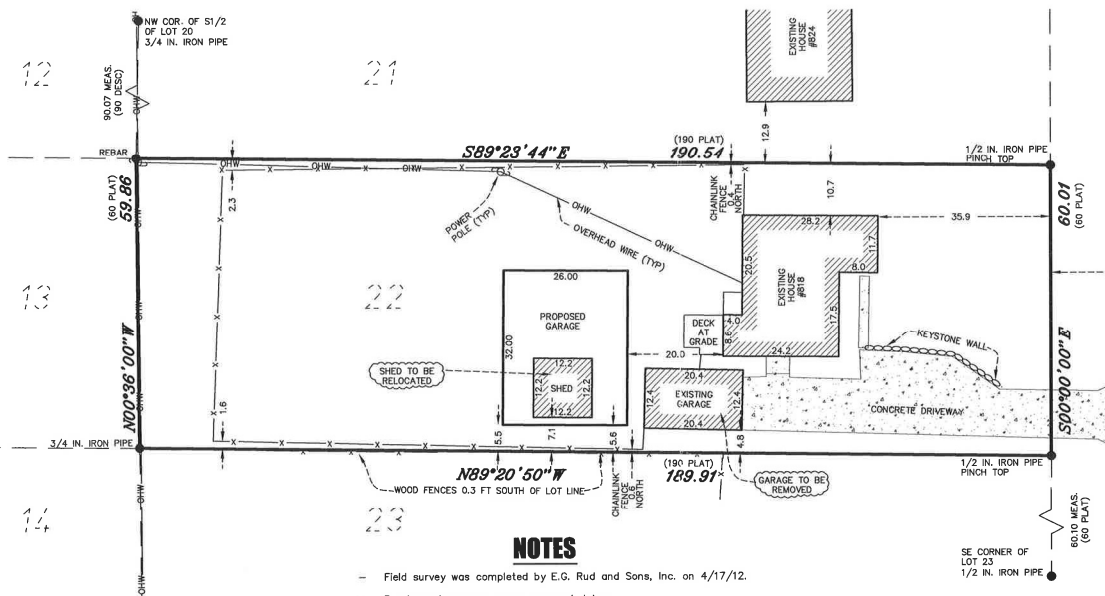
Building Size: 26 feet wide X 32 feet long X 10 feet high

Approximate Peak Height: 14 feet 8 inches (176 inches)

Menards provided material estimates are intended as a general construction aid and have been calculated using typical construction methods. Because of the wide variable in codes and site restrictions, all final plans and material lists must be verified with your local zoning office, architect and/or builder for building design and code compliance. Menards is a supplier of construction materials and does not assume liability for design, engineering or the completeness of any material lists provided. Underground electrical, phone and gas lines should be located and marked before your building plans are finalized. Remember to use safety equipment including dust masks and sight and hearing protection during construction to ensure a positive building experience.

CERTIFICATE OF SURVEY

for RODNEY GRIFFEN
of 818 7TH AVENUE NW
NEW BRIGHTON, MN 55112



LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED (PLAT)
- DENOTES MEASUREMENT PER RECORD PLAT

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 4/17/12.
- Bearings shown are on an assumed datum.
- 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.

Lot 22 Block 2, REDMOND ADDITION, Ramsey County, Minnesota.

- Denotes Iron Set
- Denotes Iron Found

Scale 1"= 20'

Job No. 12166LS

Bearings shown are on an assumed datum.

Drawn By: BAB

Project Manager: JER

I hereby certify that this plan, survey 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. Dated this 20th day of April, 2012.

License No. 41578

E.G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 341-9200 Fax (651) 341-8701