



AGENDA
Planning Commission
In-Person / Electronic Meeting

New Brighton City Hall; 803 Old Hwy 8 NW
City Council Chambers
April 19, 2022 | 6:30 p.m.

Attend the meeting in Person: Members of the public and the Planning Commission may attend the meeting in person. Attendees are required to wear masks and comply with social distancing parameters regardless of vaccination status.

Watch the meeting electronically: To observe the meeting electronically, visit [the City website](#) or tune into CTV Channel 8023 (CenturyLink) or Channel 16 (Comcast).

Join the meeting electronically: Members of the Planning Commission may attend the meeting remotely pursuant to MN Statutes 13D.021. If you need to interact with our public officials or staff but are not comfortable attending the meeting in person, you may join the meeting electronically. Visit:

<https://us02web.zoom.us/j/89862402361?pwd=MWtPeIRNTGt2RmR2TktwSkM0R1VHdz09>

(no app needed) or use your Zoom app to join by entering: Meeting ID: 898 6240 2361 and Passcode: 867530.

I. Call to Order

II. Roll Call*

- | | |
|---------------------------------|------------------------------|
| ▪ Chair Todd Biedenfeld | |
| ▪ Commissioner Liza Allen | ▪ Commissioner Tim McQuillan |
| ▪ Commissioner Youssef Enanaa | ▪ Commissioner Eric Nelsen |
| ▪ Commissioner Jeanne Frischman | ▪ <vacant position> |

III. Approval of Agenda

IV. Approval of Minutes

1. March 15, 2022

V. Report from City Council Liaison

* A quorum of the City Council may be present.

VI. Public Hearings

- 1. Special Use Permit:** Request from Richard Brickner to authorize replacement of an existing detached garage with new detached garage exceeding 624 square feet on the property at 1233 12th Avenue NW – PID 20-30-23-31-0011
- 2. Special Use Permit:** Request from Mark Beisswenger to amend a previously approved area of special control governing signage on the Beisswenger's Hardware Store site at 1823 Old Highway 8 – PIDs 16-30-23-33-0011 & 16-30-23-33-0012

VII. Business Items

1. None

VIII. Adjournment



**MINUTES
PLANNING COMMISSION
March 15, 2022 City Hall
Council Chambers 6:30 p.m.**

I. Call to Order

The hybrid meeting was called to order at 6:30 p.m. by Commissioner Frischman.

II. Roll Call

Members Present.....Commissioners Liza Allen (attending via Zoom), Todd Biedenfeld, Youssef Enanaa, Jeanne Frischman, Tim McQuillan, and Eric Nelsen (arrived at 6:41 p.m.)

Members Absent.....Chairperson Erin Nichols-Matkaiti

Also PresentBen Gozola (Assistant Director of Community Assets and Development), and Councilmember Abdullahi Abdulle (attending via Zoom)

III. Approval of Agenda

Motion by Commissioner McQuillan, seconded by Commissioner Biedenfeld, to approve the March 15, 2022 agenda as presented.

Approved 6-0.

IV. Approval of Minutes

Minutes from December 21, 2021

Motion by Commissioner Biedenfeld, seconded by Commissioner Nelson, to approve the December 21, 2021 meeting minutes as presented.

Approved 6-0.

V. Report from City Council Liaison

Councilmember Abdulle provided the Commission with an update from the City Council. He thanked the Commissioners for their willingness to serve the community. He thanked Chair Nichols-Matkaiti for her 12 years of service on Planning Commission. He reported the Council passed a new personnel policy which now allows up to 80 hours of paid parental leave. He stated the Council approved an electric vehicle charging infrastructure program that would place EV charging stations within City parks and at City facilities. He reported the City Council received an update from Ramsey County Attorney John Choi at its last worksession meeting.

VI. Public Hearing

(A) Special Use Permit: Request from Northwest Holding Inc. to authorize outdoor storage screened by an 8-foot fence on the property at 100 9th Avenue SW – PIDs 32-30-23-21-1005 and 32-30-23-21-0009.

Assistant Director of Community Assets and Development Gozola reported Northwest Holding Inc, on behalf of the Interstate Development Corporation who is purchasing the property, is seeking a Special Use Permit to authorize outdoor storage for the proposed new tenant ABC Supply Company, Inc. Staff provided further comment on the request and recommended approval of the Special Use Permit, based on the findings of fact and subject to the following conditions:

1. Engineering comments in the 3/10/22 Engineering Memo shall be addressed to the satisfaction of the City Engineer.
2. While lighting changes are not proposed, any lighting issues that arise with this use change over shall be addressed by the applicant in compliance with code requirements.
3. The applicant shall work with the City Engineer on the design aspects of new curbing at each of the entryways to be widened, and secure a right-of-way permit prior to completion of such work.
4. The applicant shall agree to install mitigation measures to contain and prevent materials and garbage from leaving the site should such issues ever be identified as a problem in the future.
5. The applicant agrees to institute mitigation measures as necessary to prevent dirt from leaving the site and tracking into the right-of-way via business related traffic. Should issues arise, the applicant agrees to pay for street sweeping services whenever directed to do so by the City.
6. The applicant shall enter into a storm water management contract with a 3rd party contractor for the ongoing maintenance and operation of the site's storm water pond.
7. Sign changes on the building and/or site shall be reviewed and approved via a separate sign permitting process.

8. The applicant shall hire a fire protection engineer to determine fire suppression needs within the existing building given the change in use, activities, and storage; and shall implement all needed changes to meet code requirements.
9. The applicant shall officially denote the large/primary structure as “Building A”, and the smaller shop building as “Building B” for the purposes of emergency calls, and sign each building accordingly.
10. Knox boxes shall be installed on both buildings, and the applicant shall work directly with the Fire Marshall to resolve all entrance gate/fire department access issues.
11. Applicants must identify locations on the plan for the minimum number of permanent parking spaces required by code prior to eventual Council review. Parking space locations shall not inhibit emergency vehicle movements, must be on a paved surface, and must be permanently striped.
12. Setbacks shall be marked in some manner within proposed storage areas to delineate where stacks must not exceed 6’ in height.
13. Should complaints about sound arise in the future, the applicant agrees to work with the City to investigate and address any such issues. This may include funding a formal sound study to determine if the use is non-compliant with noise standards, and if mitigation measures are needed, construction of a sound wall along a portion of the property’s perimeter to block sound and light from impacted properties.
14. Installation of a new screening fence shall be required. The fence shall be at least 6’ tall and shall not exceed 8’ tall, and shall provide visual screening of proposed outdoor storage from adjacent rights-of-way. If chain link is used, it should be black vinyl covered with slats.
15. The applicant shall work with staff in selecting a mutually agreeable gate design that successfully addresses both screening and safety/security concerns for the properties vehicular entry points.
16. Failure to adhere to these conditions of approval shall be grounds for revocation of the special use permit by the City Council.

Commissioner Biedenfeld asked if the rail spur coming into the property conflicts with having a site plan that shows the space being used as storage. Assistant Director of Community Assets and Development Gozola stated he did not see this as a concern noting the applicant would like to use this space for storage.

Commissioner McQuillan noted the site would be using forklifts to load and unload trucks. He indicated this could get noisy and for this reason he supported the site having a noise wall installed.

Commissioner Frischman questioned if a conversation has been held with the applicant regarding the surrounding intersection. She inquired if the trucks that would be coming to this site would fit under the railroad bridge. Assistant Director of Community Assets and Development Gozola reported Ramsey County has a plan to reconstruct this entire area and he explained staff let the applicant know about this. He indicated the applicant was also made aware of the height of the railroad bridge in order to have trucks routed properly.

Commissioner Enanaa requested further information regarding the parking onsite. Assistant Director of Community Assets and Development Gozola reviewed the locations available on the site for visitor and employee parking. He stated staff did not believe there would be a concern with parking for the proposed use.

The Public Hearing was opened at 7:00 p.m.

The Public Hearing was closed at 7:01 p.m.

Victoria Perbix, Project Manager for Interstate Development, introduced herself to the Commission and thanked them for considering her request. She thanked staff for providing the Commission with a detailed presentation and noted she has reviewed the conditions for approval. She stated she was looking forward to getting ABC Supply Company onto this site.

Commissioner Biedenfeld asked if the applicant supported all of the conditions for approval, in particular #13 which may require the applicant to install a noise mitigation wall. Ms. Perbix indicated if the need were to arise, she would be willing to complete a study and go through this process with the City.

Commissioner McQuillan questioned what type of materials would be stored outside. Ms. Perbix anticipated that it would just be singles that would be stored outside.

Commissioner Frischman asked staff to show an aerial photo of the property that shows the residential area to the west. Assistant Director of Community Assets and Development Gozola reviewed an aerial photo with the Commission. He explained there was a thick line of trees and berm between the residential area and the proposed use. He noted he has not received a complaint from this site since 2018.

Commissioner Nelsen discussed how the previous business was quite slow and questioned if there was concerns with how the new business would change the traffic patterns. Assistant Director of Community Assets and Development Gozola reported staff was not concerned with how the new business would impact traffic.

Motion by Commissioner McQuillan, seconded by Commissioner Enanaa, to recommend the City Council approve the requested special use permit based on the findings of fact listed on page 14 of the report subject to the conditions listed on pages 15 & 16 as may have been amended.

Approved 6-0.

VII. Business Items

(A) Site Plan Review: Request from the City of New Brighton to authorize expansion plans for the existing Public Works facility at 700 5th Street NW – PID 29-30-23-13-0224.

Assistant Director of Community Assets and Development Gozola reported the City of New Brighton is seeking authorization to expand the existing Public Works Building located at 700 5th Street NW. The proposed design will meet all zoning code requirements. Staff provided further comment on the request and recommended approval of the Site Plan Review, based on the findings of fact and subject to the following conditions:

1. DCAD staff shall continue to review updates as they occur. Major changes (i.e. significant footprint changes, setback impacts, etc.) will be brought back through the process while minor changes will be reviewed and approved administratively.
2. Public safety shall continue to review updates as they occur, and may direct plan updates to deal with safety concerns as plans are finalized.
3. Building materials shall be in line with those anticipated and required by code.
4. All lighting shall be directed downward and installed so as to prevent direct light from being detectable at the lot line; lighting is also not to shine directly into the public right-of-way.
5. The applicants shall obtain authorization from the RCWD for their site plan and the proposed improvements.
6. Signage updates shall be reviewed and approved through the City's standard sign permit process.

Commissioner Frischman stated this would be a very attractive building once redone. She thanked staff for the thorough presentation.

Commissioner Biedenfeld asked if the proposed improvements would impact the ability to shift the property line should the adjacent apartment building need more parking. Assistant Director of Community Assets and Development Gozola commented the City understands this agreement and if more space was needed, the salt shed or bins may have to be shifted.

Commissioner Nelsen questioned if the Public Works facility would continue to have solar panels. Assistant Director of Community Assets and Development Gozola indicated this was a priority for the City.

Commissioner Frischman recommended the City pursue solar or other energy efficiency options on this property. Assistant Director of Community Assets and Development Gozola stated the Commission could make this a recommendation to the City Council.

Motion by Commissioner Biedenfeld, seconded by Commissioner Allen, to recommend the City Council approve the proposed site plan based on the findings of fact and conditions listed on page 10 of the report as may have been amended, recommending consideration for energy efficiency upgrades and accommodations not limited to solar.

Approved 6-0.

(B) Recommendations for Chair and Vice Chair for 2022-2023.

Assistant Director of Community Assets and Development Gozola requested the Commission make recommendations to the City Council for the Chair and Vice Chair positions.

Commissioner McQuillan nominated Jeanne Frischman to serve as Chair.

Commissioner Frischman stated she would be happy to serve as the Vice Chair and requested another candidate be considered for Chair of the Planning Commission.

Motion by Commissioner Frischman, seconded by Commissioner Allen, to recommend Todd Biedenfeld serve as the Chair of the Planning Commission for 2022-2023.

Approved 6-0.

Motion by Commissioner Frischman, seconded by Commissioner Allen, to recommend Jeanne Frischman serve as the Vice Chair of the Planning Commission for 2022-2023.

Approved 6-0.

(C) Recognition of Outgoing Commission Members

Assistant Director of Community Assets and Development Gozola stated in the past, City Commissioners have been thanked for their service at an annual volunteer recognition dinner; however, the pandemic (at least for now) has put an end to that practice. Starting in 2022, all outgoing commissioners will be formally recognized for their service via Resolution and an official City letter thanking them for their service. He reported on March 8th, Erin Nichols-Matkaiti was recognized for her 12 years of service to the Planning Commission and was named an honorary ambassador of the City by the City Council. Staff recognizes Erin's contributions to the Commission and City and thanked her for her tremendous service to the City of New Brighton.

Commissioner Frischman thanked Chair Nichols-Matkaiti for being a strong leader and servant for the community.

Commissioner McQuillan thanked Chair Nichols-Matkaiti for elevating the level of work being conducted by the Planning Commission and for taking this group through several difficult planning cases. He stated he hated to see her go but wished her all the best in the future.

Commissioner Allen commented she joined the Planning Commission during COVID. She thanked Chair Nichols-Matkaiti for her service to the City and wished her all the best.

Commissioner Biedenfeld stated 12 years of service to the City of New Brighton was honorable and he truly appreciated this. He thanked Chair Nichols-Matkaiti for her strong leadership through several contentious planning cases and wished her all the best going forward.

Commissioner Enanaa thanked Chair Nichols-Matkaiti for her service to the City and for being a great model for City Commissioners. He stated he appreciated her mutual respect of others and wished her all the best in the future.

Commissioner Nelsen stated he found it very enriching to work with Chair Nichols-Matkaiti, especially the manner in which she ensured all voices were heard prior to offering her own opinions.

Commissioner Frischman reported the Planning Commission now had an open seat and those interested in serving were encouraged to visit the City's website for further information.

VIII. Adjournment

Motion by Commissioner McQuillan, seconded by Commissioner Enanaa, to adjourn the meeting.

Approved 6-0.

Meeting adjourned at 7:43 PM

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ben Gozola", written in a cursive style.

Ben Gozola

Assistant Director of Community Assets and Development



Agenda Section:	VI
Item:	1
Report Date:	4/11/22
Commission Meeting Date:	4/19/22

REQUEST FOR COMMISISON CONSIDERATION

ITEM DESCRIPTION: Special Use Permit: Request from Richard Brickner to authorize replacement of an existing detached garage with new detached garage exceeding 624 square feet on the property at 1233 12th Avenue NW – PID 20-30-23-31-0011
DEPARTMENT HEAD’S APPROVAL:
CITY MANAGER’S APPROVAL:
No comments to supplement this report ____ Comments attached ____

15.99 Deadline: 5/13/21

- Recommendations:**
- **Staff believes the SUP can be approved with conditions.**
 - **Template motions, recommended findings, and suggested conditions can be found on pages 7 & 8.**

- Legislative History:**
- Application received on 3/14/22
 - Planning Commission review scheduled for 4/19/22

Financial Impact: None

Summary: Richard Brickner, owner of the home at 1233 12th Avenue NW, is seeking approval to tear down an existing legal nonconforming detached garage in order to construct a new, larger, detached garage conforming to setbacks. The new garage would be just over 1000 square feet in size, and will include an unfinished upper level currently intended for storage.

- Attachments:**
- 1) *Staff Report*
 - 2) *Engineering Memo*
 - 3) *Draft Resolution*
 - 4) *City Maps*
 - 5) *Applicant’s supporting documentation*

Ben Gozola, AICP
Assistant Director of Community Assets and Development

To: **Planning Commission**

From: Ben Gozola, Assistant Director DCAD

Meeting Date: **4-19-22**

Applicants: **Richard Brickner**

Main Contacts: (same)

Location: 1233 12th Avenue NW

Zoning: **R-1**

Introductory Information

Project: Richard Brickner, owner of the home at 1233 12th Avenue NW, is seeking approval to tear down an existing legal nonconforming detached garage in order to construct a new, larger, detached garage conforming to setbacks. The new garage would be just over 1000 square feet in size, and will include an unfinished upper level currently intended for storage.

History: ▪ None

Request(s): ▪ **The applicant is requesting a special use permit to authorize an accessory structure (detached garage) in excess of 624 square feet.**

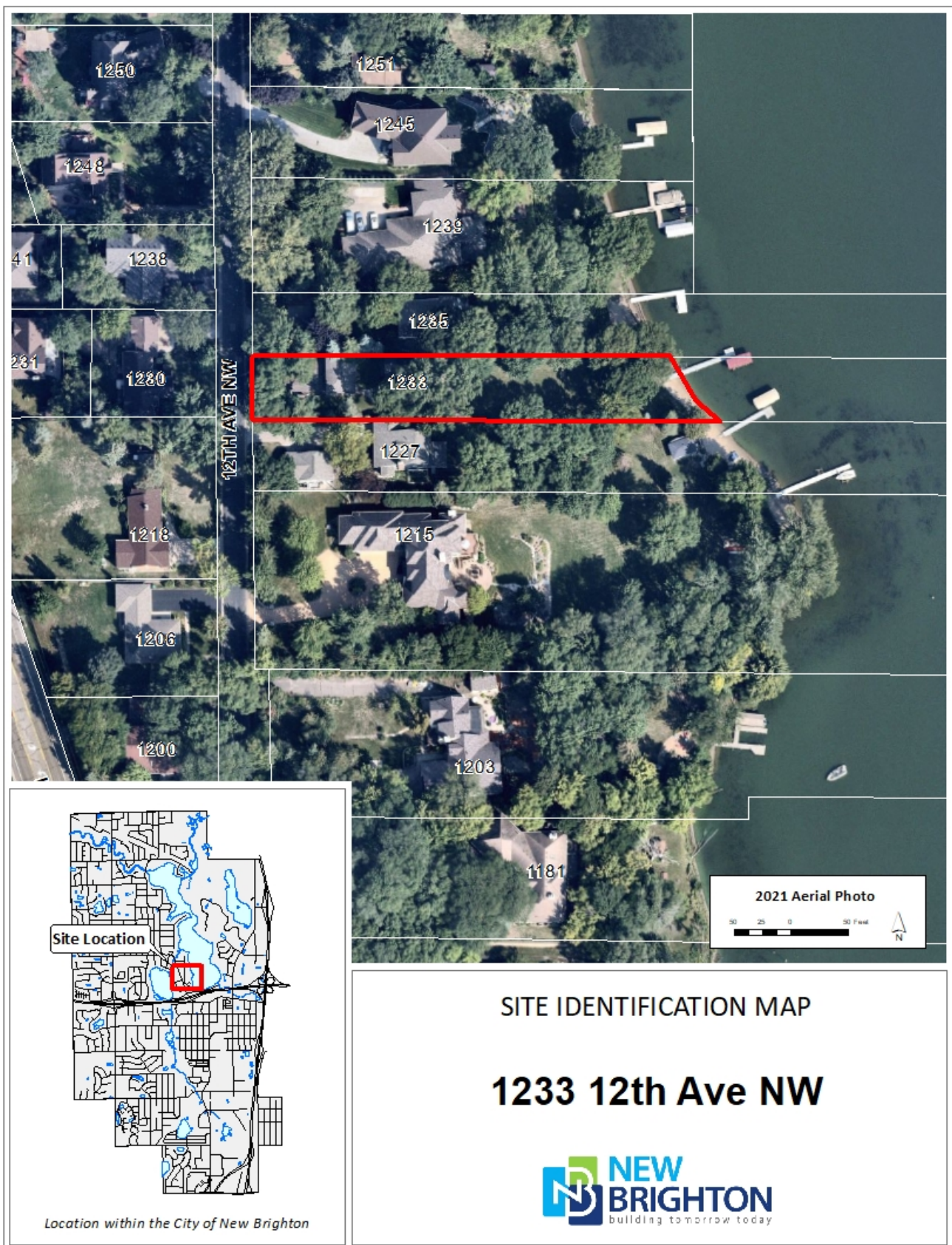
General Findings

Site Data:

- Existing Lot Size \approx 0.48 acres (20,993 sq ft)
- Existing Use – Single Family home with a detached garage
- Existing Zoning – R-1
- Property Identification Number (PID): 20-30-23-31-0011

Comp Plan Guidance:

- The comprehensive plan guides this property for Single Family Residential use. The proposed new/replacement garage is an appropriate use under this zoning classification.



Notable Code Definitions: ▪ **Garage, Private.** *A building used primarily for the storage or care of large motor vehicles including but not limited to automobiles, pickup trucks, and campers*

Applicable Codes: ▪ **Chapter 5, Article 7, Section 4-530 Accessory Buildings in Residential Districts.**

- Sub (1)(B): Requires accessory buildings to complement the existing primary structure in height and materials, and conform to all setback requirements.
- Sub (1)(D): Limits detached garages to 1,064 square feet, and requires an SUP for garages larger than 624 sq ft.
- Sub (1)(E): Establishes special SUP criteria for garages in excess of 624 sq ft.

▪ **Chapter 8, Article 2, Special Use Permit and Variance.**

- Identifies the process by which a special use request is to be reviewed and decided.

Existing & Proposed Setbacks:

R-1	Required	Existing Garage	NEW Garage
Front (12 th Avenue)	30'	67.54'	58.67'
Side (north)	5'	4.86' (nonconforming)	5.25'
Side (south)	5'	21.73'	15.68'
Lakeshore	50'	247'	248'

- The new garage will meet all required setbacks, and will eliminate an existing legal nonconforming setback from the northern property line.

Coverage / Hardcover Analysis:

- Building coverage is not an issue (16.7% out of a maximum of 30%)
- Impervious surface coverage is also not an issue (26.6% out of a maximum 50%).

FAR Analysis:

- There is no FAR requirement in the R-1 zoning district.

Flood Plain Analysis:

- No floodplain concerns at this address

- | | |
|--------------------------|--|
| Shoreland Issues: | <ul style="list-style-type: none"> ▪ This land is within the shoreland overlay district within the City of New Brighton. ▪ The proposed garage will meet required setbacks from Long Lake (50 feet), and will not be within any bluff or shore impact zone. ▪ The proposed garage will not impact shoreland vegetation. |
|--------------------------|--|

- | | |
|-------------------------|--|
| Building Height: | <ul style="list-style-type: none"> ▪ The maximum height of structures in the R-1 district is 2.5 stories or 30 feet, whichever is less. ▪ The proposed garage addition will be conforming to the height maximum. |
|-------------------------|--|

Special Use Permit Review:

- | | |
|--------------------|---|
| In General: | <ul style="list-style-type: none"> ▪ The need for a Special Use Permit is triggered by the size of the garage. All accessory structures in a residential zone in excess of 624 square feet require approval of a special use permit. |
|--------------------|---|

Criteria Analysis:	<p>Zoning Code Section 8-130 contains five standards the City must review prior to making a decision on any specially permitted use. The applicant and staff analysis of these standards is shown below:</p>
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- 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.**

APPLICANT COMMENTS: No response provided.

Staff Analysis: The location of the garage addition conforms to all code requirements and will match the style of existing home. **Criteria met.**

- 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.**

APPLICANT COMMENTS: No response provided.

Staff Analysis: Detached garages are an expected accessory structure in residential districts, and street side garages are the norm on this stretch of 12th Avenue. In fact, there are detached garages closer to the street to the north and south of this property. Finally, investments in properties such as this tend to improve rather than detract from area property values. **Criteria met.**

(cont.)

- 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.**

APPLICANT COMMENTS: No response provided.

Staff Analysis: The surrounding properties are fully developed. The proposed addition will have no impact on future development. **Criteria met.**

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

APPLICANT COMMENTS: No response provided.

Staff Analysis: Public Works/Engineering has reviewed the plans and identified no concerns. For the applicant's benefit, we have suggested that the property's private sewer line be televised prior to construction of the new garage. Should issues be identified, they can be addressed prior to the new garage being built. **Criteria met.**

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

APPLICANT COMMENTS: No response provided.

Staff Analysis: The proposed garage will not bring the property out of conformity in any way. **Criteria met.**

In addition to the standard SUP criteria, Section 4-530(1)(E) establishes the following three additional requirements for this type of request:

- 6. Roof and exterior color and material must be consistent and complimentary with the principal structure.**

Staff Analysis: The applicants plan appears to complement the exterior of the existing home. **Criteria met.**

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

Staff Analysis: Staff sees no reason to recommend additional landscaping for this proposed garage addition. The Planning Commission or City Council can certainly recommend otherwise if deemed necessary.

(cont.)	<p>8. No commercial or home occupation activity shall be conducted within the accessory building.</p> <p><u>Staff Analysis:</u> As a condition of approval, staff is recommending prohibiting commercial and home occupation activities from the oversized garage.</p>
Additional Information:	<ul style="list-style-type: none"> ▪ None.
Engineering Review:	<ul style="list-style-type: none"> ▪ Engineering reviewed the proposed plans and provided the following comment which can be addressed via condition: <i>Although not required as part of the SUP, the engineering department would recommend the homeowner televise their existing sanitary sewer service prior to construction of the new garage. Our records are unclear as to the exact location of the sewer service, however it is reasonable to believe it runs underneath or directly adjacent to the current and future garage foundation. If repairs are needed, or will be needed in the near future, it may be advantageous to address those prior to construction of the new garage.</i>
Public Safety Review:	<ul style="list-style-type: none"> ▪ No comments or concerns
Public Comment:	<ul style="list-style-type: none"> ▪ No comments have been received either for or against this request.

Conclusion:

	<p>The application is requesting a Special Use Permit to authorize construction of a residential garage in excess of 624 square feet.</p> <p><u>Staff Recommendation:</u> Per the analysis outlined in the report, staff is recommending APPROVAL with conditions</p>
Commission Options:	<p>The Planning Commission has the following options:</p> <ul style="list-style-type: none"> A) RECOMMEND APPROVAL OF THE REQUEST based on the applicant's submittals and findings of fact. B) RECOMMEND DENIAL OF THE REQUEST based on the applicant's submittals and findings of fact.

(cont.)	<p>C) TABLE THE ITEM and request additional information.</p> <p>Based on an application date of 3/14/21, the 60-day review period for this application expires on 5/13/21. This deadline can be extended an additional 60 days if more time is necessary.</p>
<p>Template Denial Motion: (not recommended)</p>	<ul style="list-style-type: none"> ▪ “I move that we recommend the City Council deny the requested special use permit based on the following findings of fact:” <ul style="list-style-type: none"> ○ <i>(provide findings to support your conclusion)</i>
<p>Template Approval Motion: RECOMMENDED</p>	<ul style="list-style-type: none"> ▪ “I move we recommend the City Council approve the requested special use permit based on the findings of fact and recommended conditions listed on pages 7 & 8 of the staff report as may have been amended here tonight.”
<p>Suggested Findings of Fact:</p>	<ol style="list-style-type: none"> 1. The subject property is guided for residential use by the comprehensive plan, and a detached garage in excess of 624 square feet can be permitted via a special use permit in the corresponding R-1 zoning district. 2. Construction of the proposed garage will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. 3. The new conforming garage will not be detrimental to uses on the subject property or on surrounding lands. 4. Construction of the proposed garage addition will not have a detrimental impact on area property values. 5. The subject site is adequately served by public utilities, roads, and drainage facilities to accommodate the proposed addition. 6. The special use will be in conformance with all underlying zoning district requirements.
<p>Recommended Conditions:</p>	<ol style="list-style-type: none"> 1. The Special Use Permit shall authorize the location and size of garage as shown on the Certificate of Survey for 1233 12th Ave NW dated March 9, 2022; any changes to the location or size of the garage addition shall require an amendment to this permit. 2. Roof and exterior color and material(s) must be consistent and complimentary with the principal structure. 3. No commercial or home occupation activity shall be conducted within the detached garage.

4. Unless allowed by zoning, no portion of the detached garage shall be maintained as an accessory dwelling unit.
5. Final building plans must show the resulting drainage patterns around the structures will not adversely impact neighboring properties.
6. The applicant is strongly advised (but not required) to televise the home's existing sanitary sewer service line prior to construction of the new garage, and make any necessary repairs at this time.
7. Failure to adhere to conditions of approval shall be grounds for revocation of the special use permit by the City Council.



interoffice

MEMORANDUM

to: Ben Gozola, Assistant Director of Community Assets and Development
from: Dustin Lind, Engineering Supervisor
subject: 1233 12th Avenue NW
date: March 24, 2022

Ben,

Although not required as part of the SUP, the engineering department would recommend the homeowner televise their existing sanitary sewer service prior to construction of the new garage. Our records are unclear as to the exact location of the sewer service, however it is reasonable to believe it runs underneath or directly adjacent to the current and future garage foundation. If repairs are needed, or will be needed in the near future, it may be advantageous to address those prior to construction of the new garage.

RESOLUTION NO. _____
STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF NEW BRIGHTON

RESOLUTION MAKING FINDINGS OF FACT AND APPROVING A SPECIAL USE PERMIT
FOR 1233 12TH AVENUE NW TO AUTHORIZE CONSTRUCTION OF AN ACCESSORY
BUILDING IN EXCESS OF 624 SQUARE FEET

WHEREAS, the City of New Brighton is a municipal corporation, organized and existing under the laws of the State of Minnesota; and,

WHEREAS, the City Council of the City of the New Brighton has adopted a comprehensive plan and corresponding zoning regulations to promote orderly development and utilization of land within the city; and,

WHEREAS, Richard Brickner (the “Applicant”) made application to the City on 3/14/22 for a special use permit to authorize construction of an accessory structure (garage) in excess of 624 square feet for the property at 1233 12th Avenue NW which is legally describe as:

WARRANTY DEED DOC. NO. 661307

Lot 37, Auditor's Subdivision No. 79, Ramsey County, Minnesota, except the Westerly 8 feet thereof and all that port of Lot 42, Auditor's Subdivision No. 79, Ramsey County, Minnesota lying West of the extended West line of Lot 64 and lying South of the extended North line of Lot 37 and lying North of the extended North line of Lot 38.

CERTIFICATE OF TITLE NO. 282411

That part of Lot 42, Auditor's Subdivision No. 79, lying West of the extended West line of Lot 64 and lying South of the extended North line of Lot 37 and lying North of the extended North line of Lot 38

and

WHEREAS, the proposed new garage will meet all required setbacks and will be conforming to codes in every way; and

WHEREAS, staff fully reviewed the request and prepared a report for consideration by the Planning Commission on April 19, 2022; and

WHEREAS, the Planning Commission held a public hearing on the request at the April 19th meeting and considered input from residents; and

WHEREAS, the Planning Commission recommended approval of the request based on the applicant’s submittals and findings of fact; and

WHEREAS, the City Council considered on April 26th, 2022, the recommendations of the Planning Commission, staff, the Applicant's submissions, the contents of the staff report, and other evidence available to the Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of New Brighton hereby approves the requested special use permit based on the following findings of fact:

- 1. The subject property is guided for residential use by the comprehensive plan, and a detached garage in excess of 624 square feet can be permitted via a special use permit in the corresponding R-1 zoning district.*
- 2. Construction of the proposed garage will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.*
- 3. The new conforming garage will not be detrimental to uses on the subject property or on surrounding lands.*
- 4. Construction of the proposed garage addition will not have a detrimental impact on area property values.*
- 5. The subject site is adequately served by public utilities, roads, and drainage facilities to accommodate the proposed addition.*
- 6. The special use will be in conformance with all underlying zoning district requirements.*

BE IT FURTHER RESOLVED, that approval of the special use permit shall be subject to the following conditions:

- 1. The Special Use Permit shall authorize the location and size of garage as shown on the Certificate of Survey for 1233 12th Ave NW dated March 9, 2022; any changes to the location or size of the garage addition shall require an amendment to this permit.*
- 2. Roof and exterior color and material(s) must be consistent and complimentary with the principal structure.*
- 3. No commercial or home occupation activity shall be conducted within the detached garage.*
- 4. Unless allowed by zoning, no portion of the detached garage shall be maintained as an accessory dwelling unit.*
- 5. Final building plans must show the resulting drainage patterns around the structures will not adversely impact neighboring properties.*
- 6. The applicant is strongly advised (but not required) to televise the home's existing sanitary sewer service line prior to construction of the new garage, and make any necessary repairs at this time.*
- 7. Failure to adhere to conditions of approval shall be grounds for revocation of the special use permit by the City Council.*

ADOPTED this 26th day of April, 2022 by the New Brighton City Council with a vote of ___ ayes and ___ nays.

Kari Niedfeldt-Thomas, Mayor

Devin Massopust, City Manager

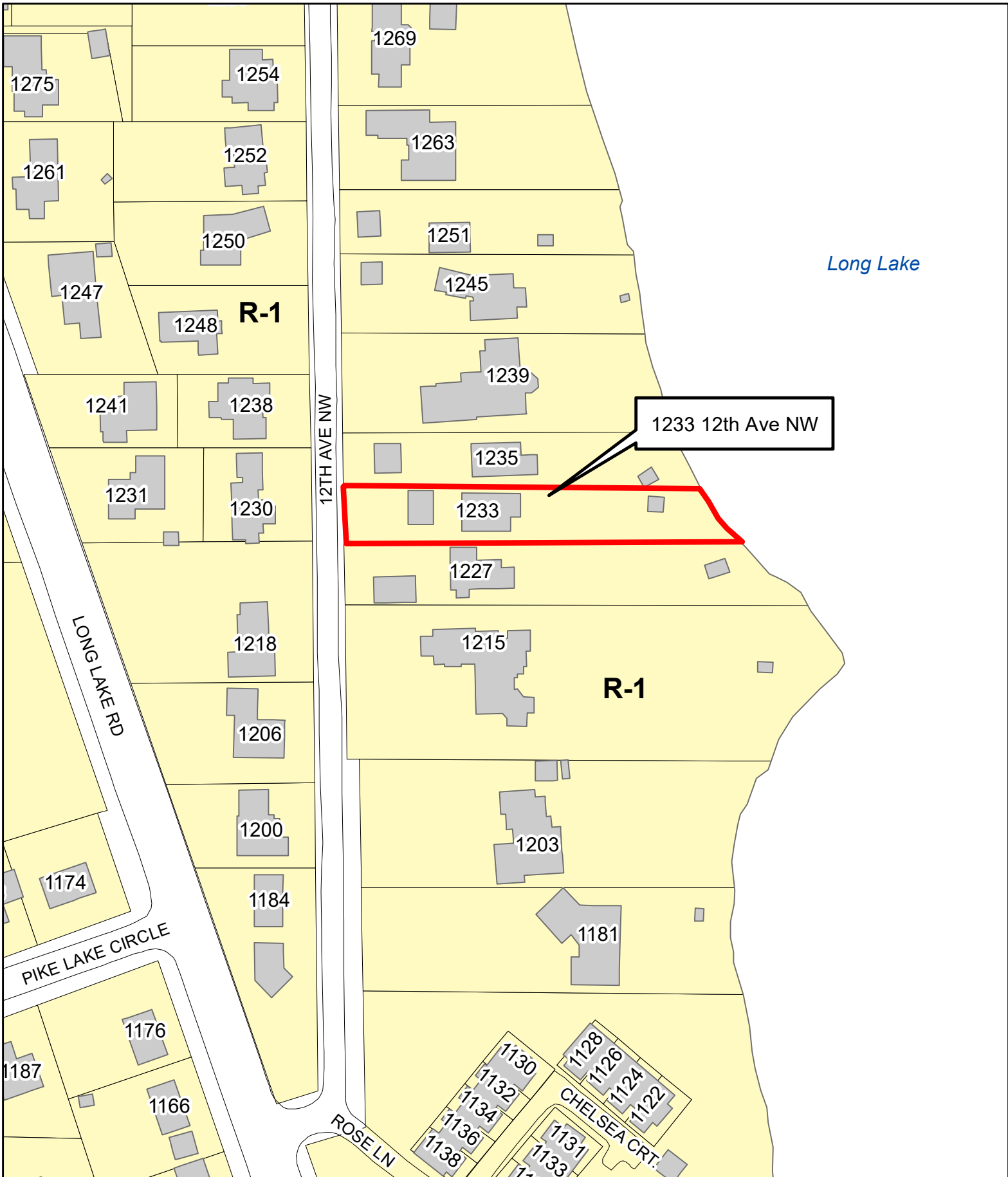
ATTEST:

Terri Spangrud, City Clerk

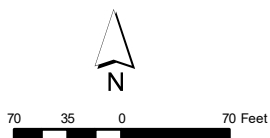
The undersigned Applicants have read, understand and hereby agree to the terms of this resolution and on behalf of himself/herself, his/her heirs, successors and assigns, hereby agree to the conditions set forth above, and to the recording of this resolution and attachments in the chain of title of the property.

Dated _____

Richard Brickner <or authorized representative>



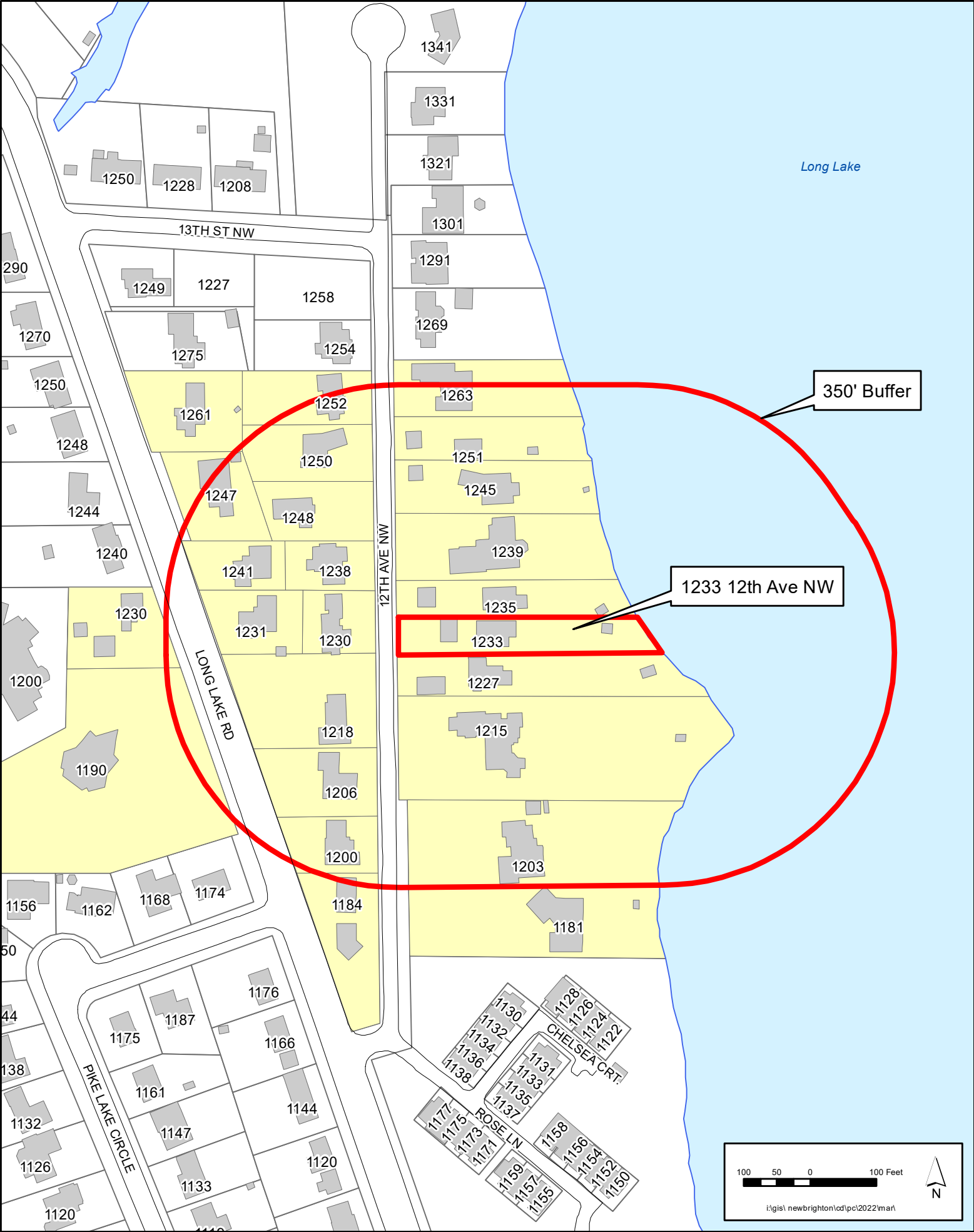
R-1, Single Family Residential



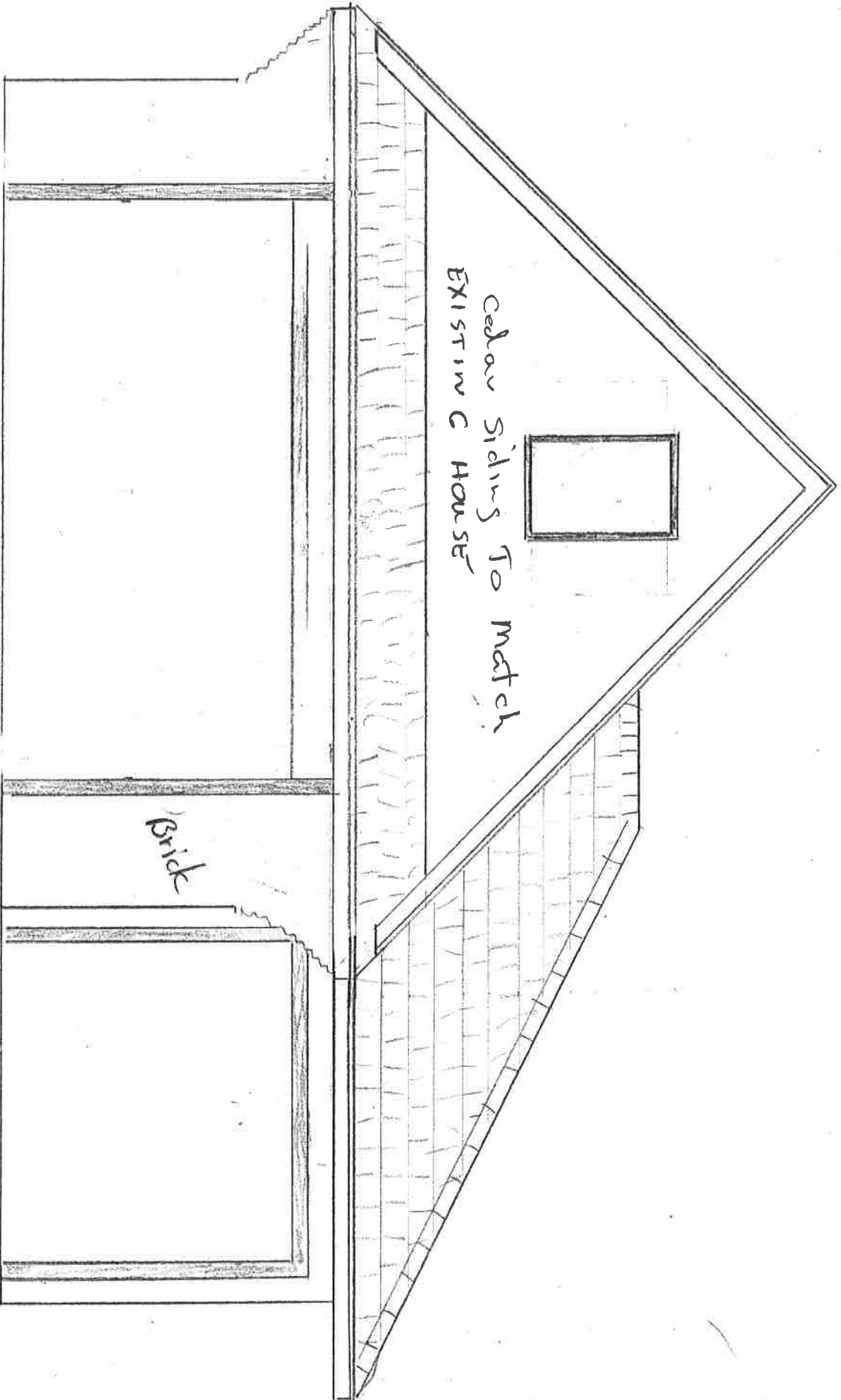
Current Zoning

1233 12th Ave NW
R-1, Single Fam. Residential

1233 12th Ave NW - 350' Mailing List

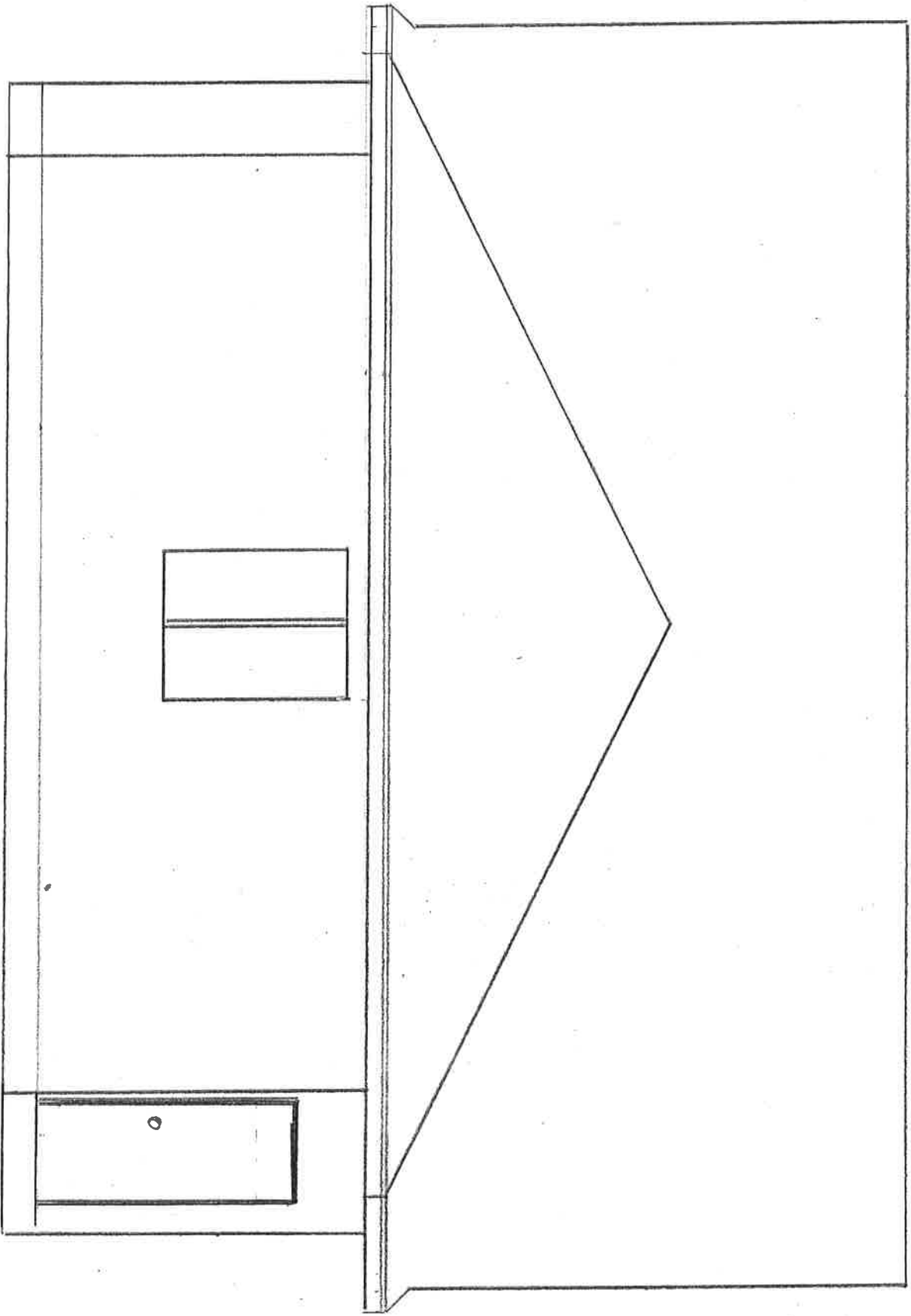


Rick Brickner
1233 12TH AVE NW

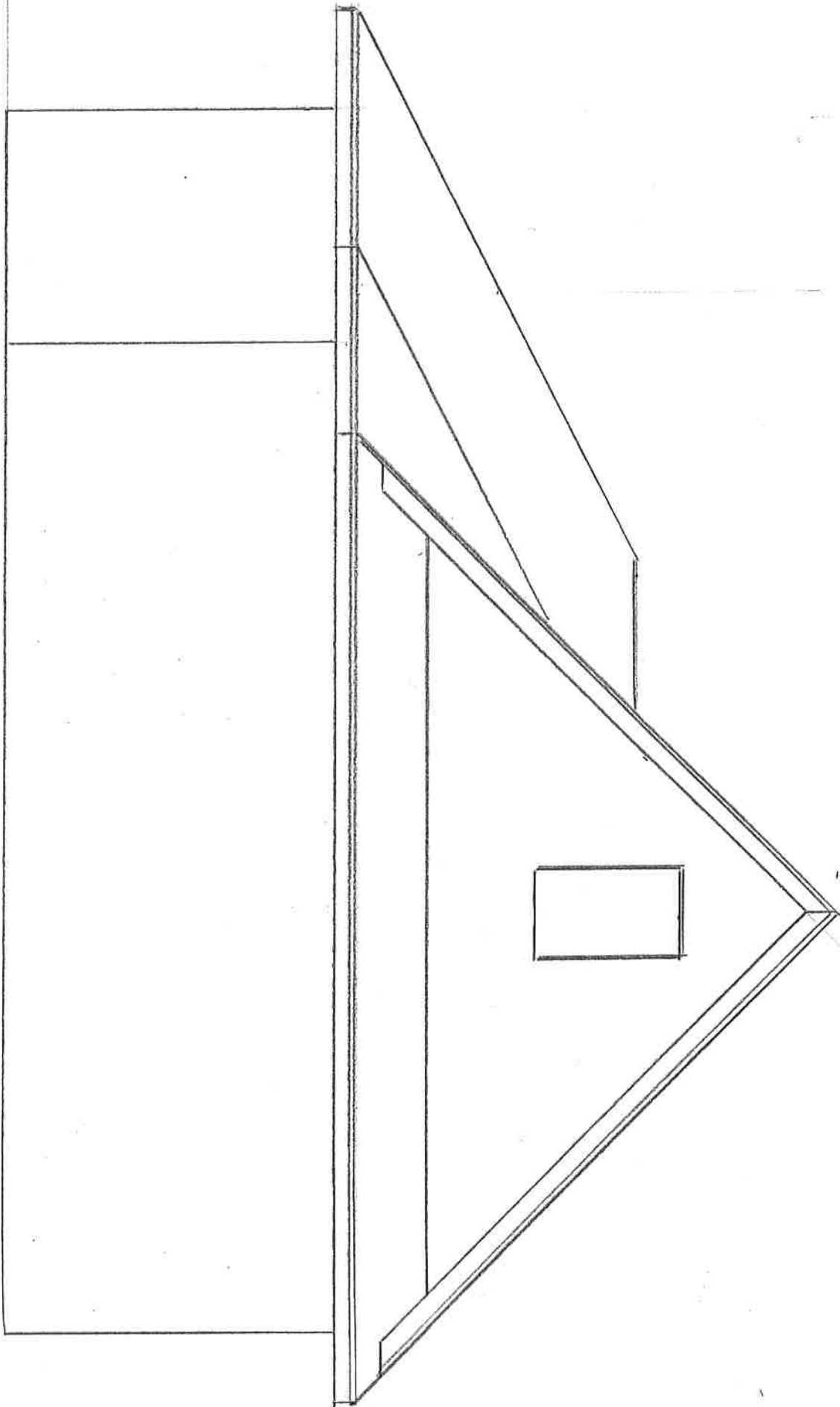


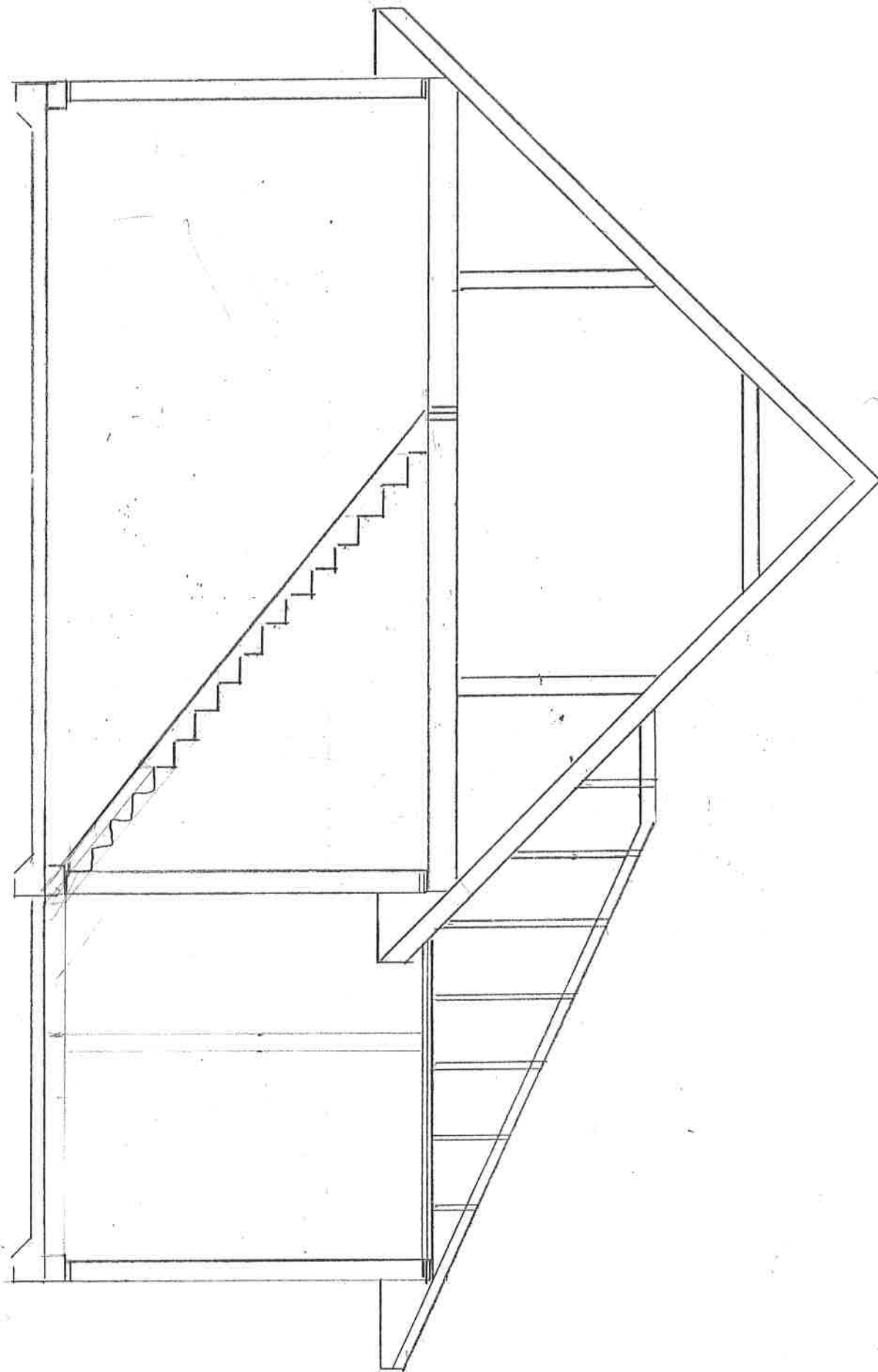
Front

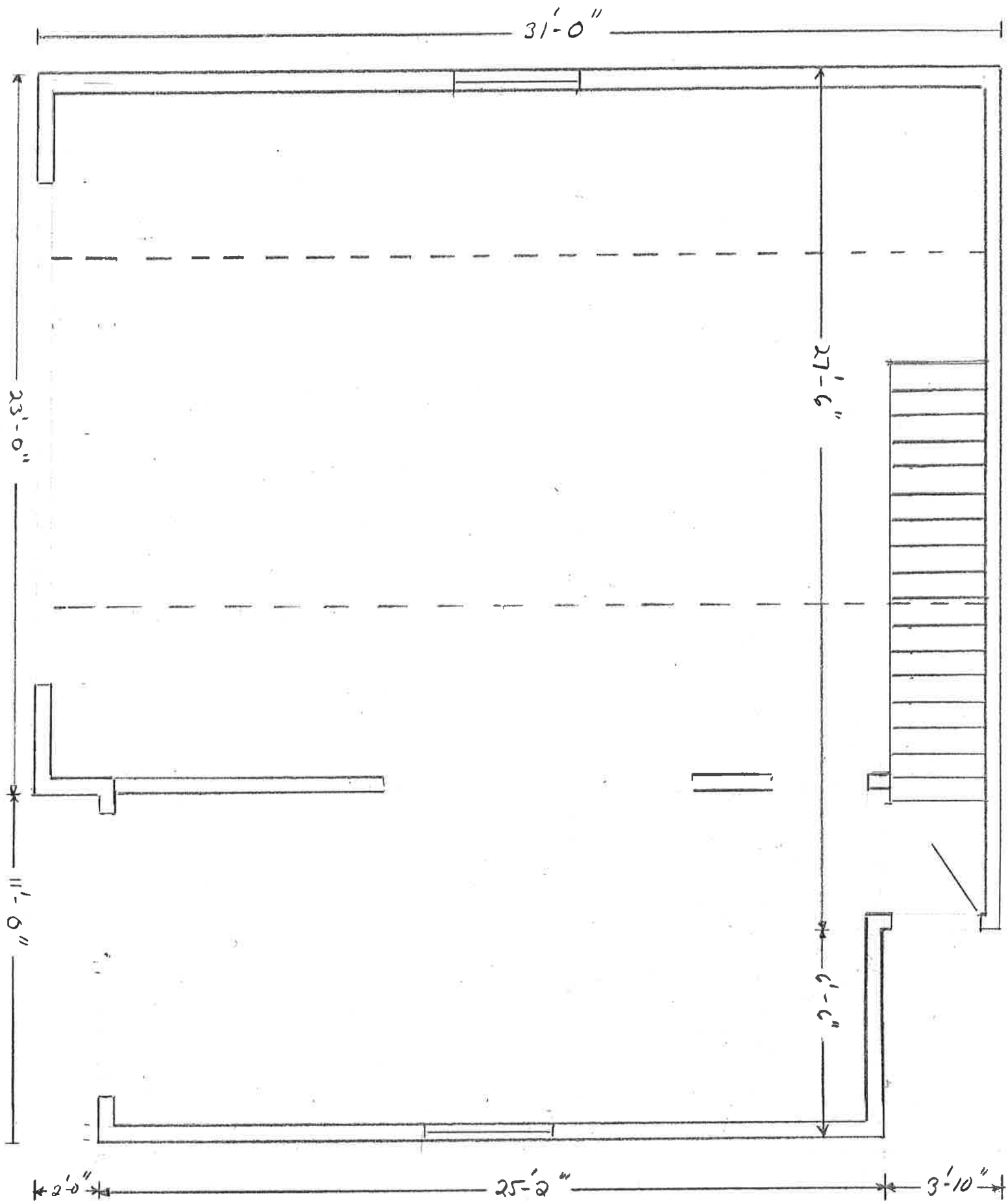
Right side



Back side

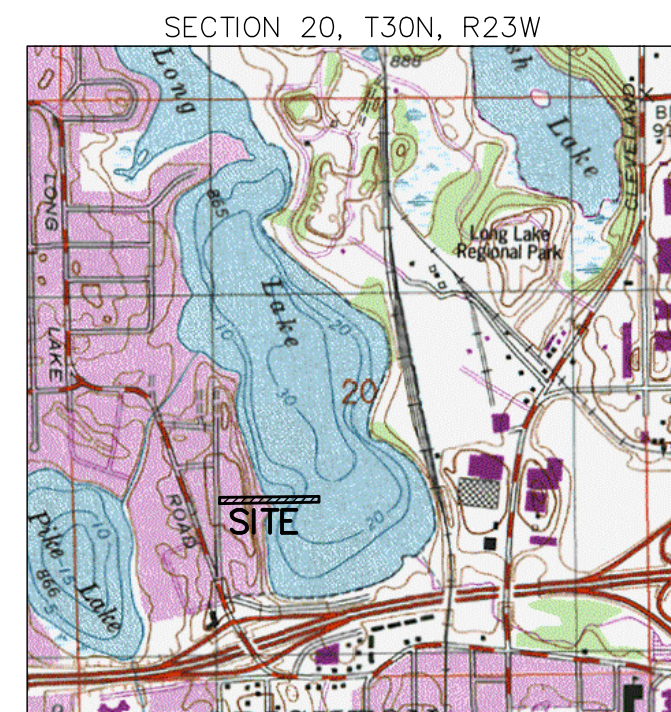






KEMPER & ASSOCIATES INC.
PROFESSIONAL LAND SURVEYORS

721 OLD HIGHWAY 8 N.W.
NEW BRIGHTON, MINNESOTA 55112
651-631-0351
FAX 651-631-8805
email: kemper@pro-ns.net
www.kempersurveys.com



VICINITY MAP
(NO SCALE)

THE BRICKNER RESIDENCE

1233 12TH AVENUE N.W.

CITY OF NEW BRIGHTON, RAMSEY COUNTY, MINNESOTA
(PROPOSED GARAGE PLAN)



EASTERLY SIDE OF 1233 12TH AVENUE N.W.
CITY OF NEW BRIGHTON, RAMSEY COUNTY, MINNESOTA

1" = 20'
1" ON EQUALS 20 FEET
BASIS FOR BEARINGS:
RAMSEY COUNTY
COORDINATE SYSTEM
(NAD83, 1996)
BASIS FOR ELEVATION:
MINNESOTA DEPARTMENT
OF TRANSPORTATION
STATION "6285 D" IN
THE SOUTHEAST CORNER
OF BRIDGE #389
5TH AVENUE N.W. OVER
INTERSTATE 694.
ELEV.=894.660 (NAVD88)
(VIA REAL TIME GPS
MEASUREMENTS UTILIZING
MINNESOTA DEPARTMENT
OF TRANSPORTATION
VRS NETWORK)

LEGAL DESCRIPTIONS

WARRANTY DEED DOC. NO. 661307

Lot 37, Auditor's Subdivision No. 79, Ramsey County, Minnesota, except the Westerly 8 feet thereof and all that part of Lot 42, Auditor's Subdivision No. 79, Ramsey County, Minnesota lying West of the extended West line of Lot 64 and lying South of the extended North line of Lot 37 and lying North of the extended North line of Lot 38.

CERTIFICATE OF TITLE NO. 282411

That part of Lot 42, Auditor's Subdivision No. 79, lying West of the extended West line of Lot 64 and lying South of the extended North line of Lot 37 and lying North of the extended North line of Lot 38.

AREA SUMMARY

PORTION OF SUBJECT PROPERTY UP TO THE ORDINARY HIGH WATER LEVEL OF LONG LAKE = ±20,993 SQ. FT. OR ±0.48 ACRES

PORTION OF SUBJECT PROPERTY BELOW THE ORDINARY HIGH WATER LEVEL OF LONG LAKE = ±28,835 SQ. FT. OR ±0.66 ACRES

LEGEND

- PP ○ POWER POLE
- FH ○ FIRE HYDRANT
- WV ○ WATER VALVE
- EM [] ELECTRIC METER
- GM [] GAS METER
- AC [] AIR CONDITIONER
- MB [] MAIL BOX
- SL [] SIGN
- OH — OVERHEAD UTILITY LINES
- X900.36 EXISTING SPOT ELEVATION
- (M) DENOTES DIMENSION MEASURED DURING THE COURSE OF THIS SURVEY
- (R) DENOTES RECORD DIMENSION AS PER AUDITOR'S SUBDIVISION NO. 79

FLOODPLAIN NOTE:
SUBJECT PROPERTY LIES WITHIN FLOOD ZONES "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND "AE" (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD). BASE FLOOD ELEVATIONS DETERMINED ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 27123C0004G, DATED JUNE 4, 2010, RAMSEY COUNTY, MINNESOTA. THE BASE FLOOD ELEVATION IS SHOWN TO BE 869 (NAVD88).



CERTIFICATION
I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
Mark D. Kemper
MARK D. KEMPER, PLS 18407
DATED THIS 31st DAY OF MARCH, 2022

PREPARED FOR:
RICK BRICKNER
1233 12TH AVENUE N.W.
NEW BRIGHTON, MN 55112
763-245-9507
rick@bricknerbuilders.com

SHEET 2 OF 2

HARDCOVER SUMMARY
EXISTING HOUSE FOOTPRINT=1,596 SQ. FT.
EXISTING FRONT PORCH & STEPS=196 SQ. FT.
EXISTING REAR DECK=389 SQ. FT.
EXISTING LAKE HOUSE FOOTPRINT=127 SQ. FT.
EXISTING LAKE HOUSE DECK=175 SQ. FT.
REMAINING EXISTING BITUMINOUS DRIVEWAY=1,028 SQ. FT.
REMAINING EXISTING CONCRETE WALKS=243 SQ. FT.
PROPOSED GARAGE FOOTPRINT=1,009 SQ. FT.
PROPOSED CONCRETE APRON & WALKS=249 SQ. FT.
PROPOSED BITUMINOUS DRIVEWAY INFILL=564 SQ. FT.
TOTAL PROPOSED IMPERVIOUS SURFACE COVERAGE= 5,586 SQ. FT.
(26.6% OF PROPERTY AREA TO OHW)

ZONING REQUIREMENTS

ZONED R-1 - SINGLE-FAMILY RESIDENTIAL DISTRICT
SUBJECT TO SHORELAND REGULATIONS
MINIMUM LOT AREA - 10,000 SQ. FT.
MINIMUM LOT WIDTH - 45 FEET AT FRONT LOT LINE
- 75 FEET AT BUILDING SETBACK LINE
MAXIMUM BUILDING COVERAGE - 30%
MAXIMUM IMPERVIOUS SURFACE COVERAGE - 50%
MAXIMUM HEIGHT - 2 1/2 STORIES OR 30 FEET, WHICHEVER IS LESS
BUILDING SETBACKS:
FRONT - 30 FEET
SIDE - 5 FEET
ORDINARY HIGH WATER LEVEL - 50 FEET
ACCESSORY BUILDINGS:
AN ACCESSORY BUILDING OR DETACHED GARAGE SHALL NOT BE LOCATED WITHIN THE FRONT YARD
THE COMBINED SIZE OF ANY ATTACHED AND DETACHED ACCESSORY STRUCTURES OR GARAGES SHALL NOT EXCEED 1,064 SQ. FT.
AN ACCESSORY BUILDING OR DETACHED GARAGE MAY BE CONSTRUCTED UP TO A MAXIMUM OF 1,064 SQ. FT.
NO ATTACHED GARAGE SHALL EXCEED 1,064 SQ. FT.
(AS PER CITY OF NEW BRIGHTON ZONING CODE)



GARAGE AT 1233 12TH AVENUE N.W.
CITY OF NEW BRIGHTON, RAMSEY COUNTY, MINNESOTA



WESTERLY SIDE OF 1233 12TH AVENUE N.W.
CITY OF NEW BRIGHTON, RAMSEY COUNTY, MINNESOTA



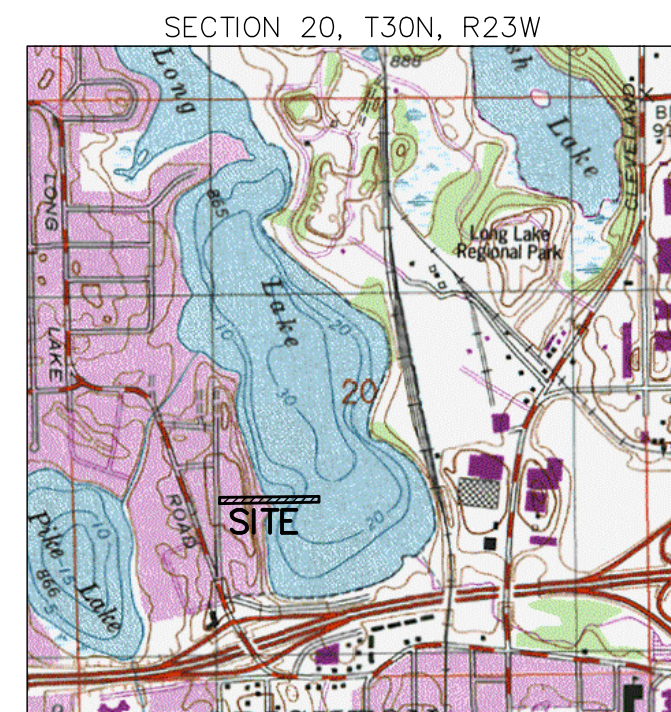
VIEW OF LONG LAKE FROM
1233 12TH AVENUE N.W.

CERTIFICATE OF SURVEY

22009 (22009SP1.DWG) D.B. TODD HOLLEN

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VICINITY MAP
(NO SCALE)

THE BRICKNER RESIDENCE

1233 12TH AVENUE N.W.

CITY OF NEW BRIGHTON, RAMSEY COUNTY, MINNESOTA

(EXISTING CONDITIONS FEBRUARY 2022)



EASTERLY SIDE OF 1233 12TH AVENUE N.W.
CITY OF NEW BRIGHTON, RAMSEY COUNTY, MINNESOTA

0 10 20
1 INCH EQUALS 20 FEET

BASE FOR BEARINGS:
RAMSEY COUNTY
COORDINATE SYSTEM
(NAD83, 1996)

BASE FOR ELEVATION:
MINNESOTA DEPARTMENT
OF TRANSPORTATION
STATION "6285 D" IN
THE SOUTHEAST CORNER
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5TH AVENUE N.W. OVER
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ELEV.=894.660 (NAVD88)

(VIA REAL TIME GPS
MEASUREMENTS UTILIZING
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LEGEND

- PP ○ POWER POLE
FH ○ FIRE HYDRANT
WV ○ WATER VALVE
EM [] ELECTRIC METER
GM [] GAS METER
AC [] AIR CONDITIONER
MB [] MAIL BOX
[] SIGN
— OH — OVERHEAD UTILITY LINES
X900.36 EXISTING SPOT ELEVATION
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Mark D. Kemper
MARK D. KEMPER, PLS 18407
DATED THIS 28TH DAY OF FEBRUARY, 2022

PREPARED FOR:
RICK BRICKNER
1233 12TH AVENUE N.W.
NEW BRIGHTON, MN 55112
763-245-9507
rick@bricknerbuilders.com

HARDCOVER SUMMARY

HOUSE FOOTPRINT=1,586 SQ. FT.
FRONT PORCH & STEPS=196 SQ. FT.
REAR DECK=399 SQ. FT.
GARAGE FOOTPRINT=631 SQ. FT.
LAKE HOUSE FOOTPRINT=127 SQ. FT.
LAKE HOUSE DECK=175 SQ. FT.
BITUMINOUS DRIVEWAY=1,225 SQ. FT.
CONCRETE WALKS, STEPS & APRON=416 SQ. FT.

TOTAL IMPERVIOUS SURFACE COVERAGE=4,765 SQ. FT.
(22.7% OF PROPERTY AREA TO OHW)

ZONING REQUIREMENTS

ZONED R-1 - SINGLE-FAMILY RESIDENTIAL DISTRICT
SUBJECT TO SHORELAND REGULATIONS

MINIMUM LOT AREA - 10,000 SQ. FT.
MINIMUM LOT WIDTH - 45 FEET AT FRONT LOT LINE
- 75 FEET AT BUILDING SETBACK LINE

MAXIMUM BUILDING COVERAGE - 30%
MAXIMUM IMPERVIOUS SURFACE COVERAGE - 50%
MAXIMUM HEIGHT - 2 1/2 STORIES OR 30 FEET, WHICHEVER IS LESS

BUILDING SETBACKS:
FRONT - 30 FEET
SIDE - 5 FEET
ORDINARY HIGH WATER LEVEL - 50 FEET

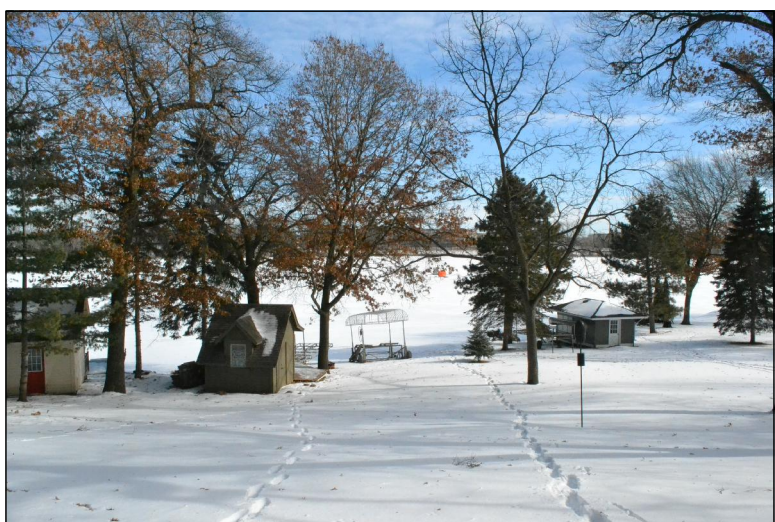
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(AS PER CITY OF NEW BRIGHTON ZONING CODE)



GARAGE AT 1233 12TH AVENUE N.W.
CITY OF NEW BRIGHTON, RAMSEY COUNTY, MINNESOTA



WESTERLY SIDE OF 1233 12TH AVENUE N.W.
CITY OF NEW BRIGHTON, RAMSEY COUNTY, MINNESOTA



VIEW OF LONG LAKE FROM
1233 12TH AVENUE N.W.

CERTIFICATE OF SURVEY

22009 (22009.DWG)

D.B. TODD HOLLEN

SHEET 1 OF 2

KEMPER & ASSOCIATES, INC. (C)



City of New Brighton Application Form

(Land use applications, Subdivision applications, and vacation requests will not be considered complete and will not be accepted until all property owners have signed)

I. Property Owner #1

Richard Brickner 1233 12th Ave NW, New Brighton, MN. 55112
 (name) (mailing address) (st) (zip)

763-245-9507 — vick@bricknerbuilders.com
 (phone #) (fax #) (email)

Signature: Richard Brickner

II. Property Owner #2 *For more than two owners, please provide their information and signature(s) on a separate sheet.*

 (name) (mailing address) (st) (zip)

 (phone #) (fax #) (email)

Signature: _____

III. Please identify the request(s) for which you are applying:

- ☐ **LAND USE APPLICATION** (subject to MN State Statute 15.99 timelines)
- | | |
|---|--|
| <input type="checkbox"/> Variance | <input type="checkbox"/> Non-conforming Use Permit |
| <input checked="" type="checkbox"/> Special Use Permit | <input type="checkbox"/> Grading Permit |
| <input type="checkbox"/> Site Plan Review | <input type="checkbox"/> Moving/Relocating Structures Permit |
| <input type="checkbox"/> Zoning Code Amendment / Rezoning | <input type="checkbox"/> Sign Permit |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Other: |

FEES

Fees for individual application types are established on a yearly basis by the City Council.

- ☐ **SUBDIVISION APPLICATION** (subject to MN State Statute 462.358, subd. 3b timelines)
- | | |
|---|---|
| <input type="checkbox"/> Administrative Lot Split / Minor Subd. | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> PUD or PRD | <input type="checkbox"/> Final Plat |

Please see the attached fee schedule for the applicable costs (and possibly escrow requirements) for your request(s)

- ☐ **GENERAL APPLICATION** (not subject to any state mandated timelines)
- | | |
|--|--|
| <input type="checkbox"/> Right of Way Vacation | <input type="checkbox"/> Municipal Site Work Authorization |
| <input type="checkbox"/> Easement / Utility Vacation | <input type="checkbox"/> Zoning Letter |
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Deadline Extension Request | <input type="checkbox"/> Other: |

Briefly describe your request below (If additional space is needed, please attach a narrative to this application)

Tear down old Garage and build new garage That would
Match House

IV. Property & Contractor Information:Street Location/Address of Property: 1233 12th AVE NWProperty Identification Number (PID): 203023310011 Zoning District: ResLegal Description (From Deed or Certificate of Title): ☒ Please see attached

Lot: _____ Block: _____ Addition: _____

Property described is by: ☐ Abstract ☐ Torrens – Certificate #: _____

Location of Certificate: _____

Architect (if applicable): _____ Phone: _____

Surveyor/Engineer (if applicable): Kemper & Assoc, INC. Phone: 651-631-0351

Builder (if applicable): _____ Phone: _____

V. Main Contact Person

- ☒ Property Owners
☐ Other (if other, please fill out the information below)

Title (Position or relation to property owners): _____

Richard Brickner 1233 12th Ave NW, New Brighton, MN 55112
 (name) (address) (st) (zip)
763-245-9507 (phone #) (fax #) vick@bricknerbuilders.com (email)

VI. Notice of Fees

As set forth in the City Fee Schedule and pursuant to applicable law, the property owner shall be responsible to reimburse the city for all related miscellaneous costs incurred pursuant to the processing of this application. Note that these reimbursements may exceed the amount of the original land use application fee. Such expenses may include, but are not limited to, direct city payroll and overhead costs, fees paid to consultants and other professionals, and the cost of printing, mailing, and supplies. These miscellaneous fees are due immediately upon notification by the City. The City shall provide, upon request, an itemized statement of the various expenses incurred by the City. The City may withhold final action on a land use application and/or rescind prior action until all miscellaneous fees are paid. The City may require additional deposits, if deemed necessary. The property owner agrees to allow city staff and commission members to access the property per this application for inspection.

I acknowledge that I have read the above statement and fully understand that I am responsible for all costs incurred by the City in the processing and reviewing of this application.

Property Owners Signature: Richard Brickner Date: 2/3/22

ADMINISTRATIVE USE ONLY:

Date Application Received: _____ PC Date: _____

Fee Paid: _____ CC Date: _____

Escrow Paid: _____

Receipt Number: _____

Form Last Updated 03.08.21

LEGAL DESCRIPTIONS

WARRANTY DEED DOC. NO. 661307

Lot 37, Auditor's Subdivision No. 79, Ramsey County, Minnesota, except the Westerly 8 feet thereof and all that part of Lot 42, Auditor's Subdivision No. 79, Ramsey County, Minnesota lying West of the extended West line of Lot 64 and lying South of the extended North line of Lot 37 and lying North of the extended North line of Lot 38.

CERTIFICATE OF TITLE NO. 282411

That part of Lot 42, Auditor's Subdivision No. 79, lying West of the extended West line of Lot 64 and lying South of the extended North line of Lot 37 and lying North of the extended North line of Lot 38

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 Planning Director 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. ✓

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. ✓

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. ✓

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



Agenda Section:	VI
Item:	2
Report Date:	4/11/22
Commission Meeting Date:	4/19/22

REQUEST FOR COMMISISON CONSIDERATION

ITEM DESCRIPTION:	Special Use Permit: Request from Mark Beisswenger to amend a previously approved area of special control governing signage on the Beisswenger's Hardware Store site at 1823 Old Highway 8 – PIDs 16-30-23-33-0011 & 16-30-23-33-0012
DEPARTMENT HEAD'S APPROVAL:	
CITY MANAGER'S APPROVAL:	
No comments to supplement this report	Comments attached

15.99 Deadline: 5/10/22

- Recommendations:**
- Staff believes the SUP can be approved with conditions, but the Commission's recommendation will hinge on your view of whether the proposed change "provides sound identification" and whether the change has positive or negative impacts on aesthetic enhancement
 - Template motions, recommended findings, and suggested conditions can be found on pages 12 - 14.

- Legislative History:**
- Application received on 3/11/22
 - Planning Commission review scheduled for 4/19/22

Financial Impact: None

Summary: Mark Beisswenger, owner of Beisswengers Hardware Store at 1823 Old Highway 8, would like to amend the property's existing SUP which authorized an "area of special control" for signage on the site. By code, SUP's may be issued for any "Scenic Area, Shopping Center, or Renewal Area" to authorize a specialized sign plan for the site allowing for sizes and numbers of signs that would otherwise be prohibited. This application is only seeking an amendment to the design of the primary pole sign on the property. All other previously approved signage would remain the same.

- Attachments:**
- 1) *Staff Report*
 - 2) *Draft Resolution*
 - 3) *City Maps*
 - 4) *Applicant's supporting documentation*

A handwritten signature in black ink, appearing to read "Ben Gozola", positioned above a horizontal line.

Ben Gozola, AICP

Assistant Director of Community Assets and Development

To: Planning Commission

From: Ben Gozola, Assistant Director DCAD

Meeting Date: 4-19-22

Applicants: Mark Beisswenger

Main Contact: Marianne Johns, Electro Signs

Location: 1823 Old Highway 8

Zoning: MX

Introductory Information

Project: Mark Beisswenger, owner of Beisswengers Hardware Store at 1823 Old Highway 8, would like to amend the property's existing SUP which authorized an "area of special control" for signage on the site. By code, SUP's may be issued for any "Scenic Area, Shopping Center, or Renewal Area" to authorize a specialized sign plan for the site allowing for sizes and numbers of signs that would otherwise be prohibited. This application is only seeking an amendment to the design of the primary pole sign on the property. All other previously approved signage would remain the same.

History:

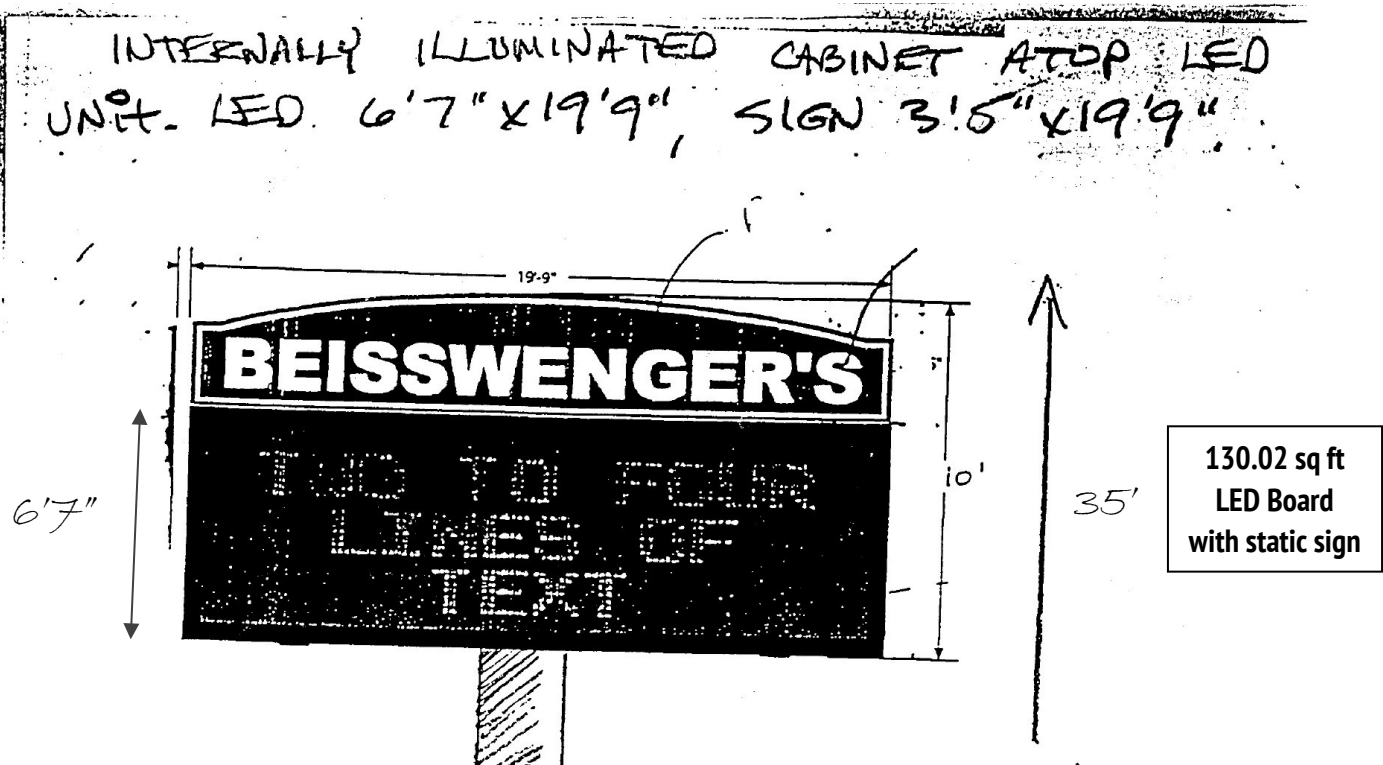
- On January 24, 2006, the City approved Resolution 06-017 which authorized an "area of special control" for signage on the property at 1823 Old Highway 8. The SUP authorized an overall sign plan for the Beisswengers "renewal area" that was unique and tailored to this site.
- As part of the 2006 deliberations, the applicant was seeking a 268 square foot pole sign to advertise to the highway, but subsequent negotiations resulted in the sign design that exists today (curved top with the "Beisswengers" name across the top over a reader board). The sign as approved is under 200 square feet in size.
- Per the staff report from 2006, "*Any Comprehensive Sign Plan, when approved by City Council, shall constitute the permitted signs for that area and any future change to the plan shall be submitted under special permit procedure and when adopted shall become part of that plan.*" As the applicant would like to amend one of the signs in the approved plan, an SUP amendment is required.

Request(s):

- The applicant is requesting a special use permit amendment to authorize changes to the previously approved pole sign at 1823 Old Highway 8.



EXISTING Sign as Constructed (approved via SUP in 2006)



PROPOSED Replacement Sign



**Summary of
Existing &
Proposed Signs:**

- The **EXISTING sign** face is approximately 19’ 9” in width, and 10’ in height, and includes rounded corners at the top which reduces the overall size of the sign.
 - The existing LED board on the current sign is 6’ 7” x 19’ 9” in size, or 130 square feet in size.
 - The internally illuminated “Beisswenger’s” cabinet sign above the LED board is approximately 3’ 5” x 19’ 9” less the rounded corners at both ends. Our best estimate for this portion of the sign is 64 square feet.
 - Total size of the existing sign would therefore be 194 square feet, upon which 130 square feet is subject to a changing message.
- The **PROPOSED sign** face would be 20’ in width, and 10’ in height, for a total of 200 square feet.
 - The entirety of the sign would now be a dynamic sign capable of a changing message.
 - The internally illuminated “Beisswenger’s” would be eliminated.
 - The sign face would increase in size from approximately 194 square feet to 200 square feet.
- No change in height is requested. Both the existing and proposed signs would not exceed 35’ in height from the bottom of the pole to the uppermost point of the sign.

General Findings

Site Data:

- Existing Lot Size ≈ 4.05 acres (3.16 acres + 0.89 acres)
- Existing Use – Beisswengers Hardware Store
- Existing Zoning – MX
- Property Identification Numbers (PIDs): 16-30-23-33-0011 and 16-30-23-33-0012

**Comp Plan
Guidance:**

- The comprehensive plan guides this property for Mixed Use Regional. The proposed amendment to the existing sign is appropriate provided the current SUP is approved for amendment.

Notable Code Definitions:

- **Billboard.** *A free-standing sign that directs attention to a business, commodity, service, or entertainment not exclusively related to the premises where the sign is located or to which it is affixed, or a structure designed to display or support such a sign*
- **Dynamic Sign.** *A sign that exhibits any characteristics of movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign.*
- **Electric Sign.** *Any sign containing electrical wiring, and/or is defined as dynamic, but not including signs illuminated by an exterior light source.*
- **Freeway Sign.** *Any sign which is oriented in such a way as to primarily display its contents to persons traveling on interstate highway I-35W and I-694 and Trunk Highway 88.*
- **Luminance.** *The measure of the light emanating from an object with respect to its size and is the term used to quantify electronic sign brightness.*
- **Nit.** *A measure of luminance.*
- **Sign.** *Any letter, number, symbol, configuration or combination thereof designed and displayed to attract the attention of the public while on public streets, highways, or walkways*
- **Structure.** *Anything erected, the use of which requires more or less a permanent location on the ground or attachment to something having a permanent location on the ground.*

Potentially Applicable Codes:

- **Chapter 9, Article 1, Section 9-040 General Sign Provisions Applicable to All Districts**
 - Outlines sign standards applicable Citywide
- **Chapter 9, Article 1, Section 9-041 Areas of Special Control**
 - Allows the City to approve a Special Use Permit (SUP) to create a unique sign plan allowable within an identified “area of special control.” The approved sign plan may deviate from standard sign restrictions, but must be amended should future changes be desired.
- **Chapter 9, Article 1, Section 9-045 Billboards**
 - General standards for Billboards within the City of New Brighton.

(cont.)	<ul style="list-style-type: none"> ▪ <u>Chapter 9, Article 3, Commercial and Industrial Zoned Districts</u> <ul style="list-style-type: none"> ○ Outlines general standards for signage within the City’s commercial and industrial zoning districts. Unless otherwise amended by SUP or variance, these are the standards commercial signs must adhere to.
<i>Existing & Proposed Setbacks:</i>	<ul style="list-style-type: none"> ▪ The existing pole sign had never been surveyed since its installation in 2006, so staff requested the applicant have the sign surveyed to ensure the proposed new sign will be meeting setbacks. The survey was provided on 4/14/22, and we can now confirm the new sign will meet all required setbacks.
<i>Coverage / Hardcover Analysis:</i>	<ul style="list-style-type: none"> ▪ There are no building coverage or impervious surface coverage standards for MX zoned properties.
<i>FAR Analysis:</i>	<ul style="list-style-type: none"> ▪ There will be no change to FAR on this site as a result of the proposed sign amendment.
<i>Flood Plain Analysis:</i>	<ul style="list-style-type: none"> ▪ No floodplain concerns at this address
<i>Shoreland Issues:</i>	<ul style="list-style-type: none"> ▪ This land is within the shoreland overlay district (1000 feet) from Long Lake. ▪ The proposed sign will meet required setbacks from Long Lake (50 feet), and will not be within any bluff or shore impact zone. ▪ It is arguable that the existing parcel is legal nonconforming to the maximum 50% impervious surface coverage for parcels within the shoreland district, but the existing conditions are acceptable as a legal nonconformity (the parcel was developed in 2006, and the shoreland district was adopted in 2016). As the proposed sign change will not change ground level impervious surface, this will not be an issue for this application.
<i>Building Height:</i>	<ul style="list-style-type: none"> ▪ The maximum height of structures in the MX District is 40 feet. The proposed new sign will not exceed this maximum height.

**Performance
Standards:**

- General performance standards for uses within the City are being met (i.e. there are no odor, noise, lighting, or similar problems on site).
- The specific performance standards for the MX district are also being met with the potential exception of Section 6-570 (4) which states “Outdoor storage of materials, equipment, or products is prohibited.” In visiting this site to complete our analysis, staff witnessed multiple examples of outdoor storage in violation of this standard.



- (cont.)
- Review of aerial photos since 2006 does not suggest that outdoor storage is a continuous problem on this property, and we suspect our site visit occurred during a seasonal change-over of inventory. Regardless, we would like to take this opportunity to remind the landowner that outdoor storage (with the exception of the approved outdoor greenhouse areas) is prohibited.
 - Special attention should be given to the area in and around the enclosure in the NE corner of the property as aerials suggest outdoor storage is most prevalent in this area over the course of a year.

Special Use Permit Review:

In General:

- The need for a Special Use Permit is triggered by the applicant’s desire to have signage in numbers and sizes that would otherwise not be permitted by code. In 2006, the City already determined this “renewal” area was an appropriate location for a specialized sign plan, so this discussion should focus on whether the proposed change to the pole sign is appropriate in the context of both the site and the other approved signs on the property.

NOTE: unlike other SUPs, what constitutes “appropriate” in a case like this can be largely subjective for some review criteria. Accordingly, staff provides recommending findings when facts are clear, but only observations and items to consider when opinion appears to be the driving decision factor.

Criteria Analysis:

Zoning Code Section 8-130 contains five general standards the City must review prior to making a decision on any specially permitted use. The applicant and staff analysis of these standards is shown 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.**

APPLICANT COMMENTS: *We are replacing the existing sign. This will not no negative effect on the public. [sic]*

Staff Analysis: The existing pole sign has had no negative impact on the public health, safety, or welfare. Provided the new sign meets code requirements for dynamic signs, this should continue to be the case. **General criteria met with conditions.**

(cont.)

- 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.**

APPLICANT COMMENTS: *Replacing the existing sign will not change or diminish any other property.*

Staff Analysis: The applicant's main contact can provide greater clarification on this point, but staff is inclined to believe that LED screens circa 2006 are very different from LED screens circa 2022. Graphics capability has certainly excelled past the black & white dot matrix messages of the past, as has the ability to control lighting and graphics to minimize impacts on surrounding areas. As part of the new design, the faces of the new sign would be angled to improve viewing from the highway, so impacts to the immediately adjacent north and south properties will be mitigated. **General criteria met.**

- 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.**

APPLICANT COMMENTS: *The replacement sign will not obstruct or hinder anything in the surround area. [sic].*

Staff Analysis: The surrounding properties are fully developed. The proposed addition will have no impact on future development. **General criteria met.**

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

APPLICANT COMMENTS: *The replacement sign will use existing utilities and access. There will be not change. [sic]*

Staff Analysis: The replacement sign will have no impact on services to this property. **General criteria met.**

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

APPLICANT COMMENTS: *The sign shall be programmed to comply with all codes and applicable regulations.*

Staff Analysis: As a condition of any approval, the applicant understands the sign's distance to the eastern property line must be surveyed. As part of the future sign permit application, a to-scale site plan based on the survey shall be provided showing the proposed sign faces meet setback standards. If the existing sign does not meet setbacks, the sign pole must be relocated or the applicant must return and request a variance from setback provisions.

(cont.)

Furthermore, as already agreed to by the applicant, the sign will need to be program to comply with all codes and applicable regulations for dynamic signs.

General criteria met with conditions.

In addition to the standard SUP criteria, Section 9-041(4) of the Sign Code establishes the following additional standards for SUP's requesting to authorize an area of special control for signage. Per code, the Planning Commission shall only recommend approval of this SUP upon finding:

6. The sign plan provides sound identification, reduction of clutter, and aesthetic enhancement.

Staff Analysis: This criteria is largely subjective, so staff would offer the following points for the Commission to discuss in order to form your recommendation:

- The existing sign clearly includes the name "Beisswenger's" 24-7 atop the sign to clearly identify the business on the property, whereas the new sign is entirely LED and could incorporate any message over each sign face.
 - Does this change meet the requirement for "sound identification" under this review criteria?
 - If not or if this a concern to the Planning Commission, would the applicant agree to a condition that a certain percentage of the new LED sign always say "Beisswenger's" (or the applicable business name) to meet the sound identification standard?
- One pole sign being replaced by another pole sign will have no effect on the "reduction of clutter."
- The existing sign is parallel with Highway 96 so as to be visible from all adjacent roadways. The new sign is proposed to be *angled* to increase visibility from the freeway. While the proposed angles will help to address potential concerns from the hotel to the south and the business to the north, it will arguably make this sign harder to view from or near the intersection of Old Highway 8 and Hwy 96.
 - Will this change will be a positive, negative, or neutral aesthetic change to the property?

How commissioner's view the above questions should guide your recommendation on this criteria.

(cont.)	<p>7. That the sign plan is sensitive to and compatible with physical circumstances of the site and buildings.</p> <p><u>Staff Analysis:</u> The only change to the previously-approved sign plan is the size and configuration of the primary pole sign on the property. While such changes do trigger an SUP review for the purposes of “site identification” and “aesthetic enhancement,” staff does not believe the proposed change impacts previous findings under this criteria. If a pole sign in the present location was sensitive to the site and compatible with the building in 2006, the proposed replacement pole sign in 2022 would be too. Criteria met.</p> <p>8. That the sign plan is not detrimental to public safety.</p> <p><u>Staff Analysis:</u> Provided the new sign meets code requirements for dynamic signs, staff is not concerned about impacts to public safety. Criteria met with conditions.</p> <p>9. That the sign plan will not impede the normal and orderly placement of signs on surrounding properties.</p> <p><u>Staff Analysis:</u> The new pole sign should have no impact on signage on surround lands. Criteria met.</p>
Additional Information:	<ul style="list-style-type: none"> ▪ None.
Engineering Review:	<ul style="list-style-type: none"> ▪ Engineering reviewed the proposed new sign and did not have comments or concerns.
Public Safety Review:	<ul style="list-style-type: none"> ▪ No comments or concerns
Public Comment:	<ul style="list-style-type: none"> ▪ While staff fielded a number of phone calls just inquiring what was being done, none of the callers chose to provide comments for or against the change upon learning what was being done. ▪ No written comments have been received either for or against this request.

Conclusion:

The applicant is requesting a special use permit amendment to authorize changes to the previously approved pole sign at 1823 Old Highway 8

Staff Recommendation: Per the analysis outlined in the report, staff believes the final decision will come down to the Planning Commission’s view on whether the proposed change “provides sound identification” and whether the change has positive or negative impacts on aesthetic enhancement.

Commission Options:

The Planning Commission has the following options:

- A) RECOMMEND APPROVAL OF THE REQUEST based on the applicant’s submittals and findings of fact.
- B) RECOMMEND DENIAL OF THE REQUEST based on the applicant’s submittals and findings of fact.
- C) TABLE THE ITEM and request additional information.

Based on an application date of 3/11/22, the 60-day review period for this application expires on 5/10/22. This deadline can be extended an additional 60 days if more time is necessary.

Template Denial Motion:

- “I move that we recommend the City Council deny the requested special use permit based on the following findings of fact:”
 - *The proposed change to remove the business name from the sign negatively impacts sound identification of the site as required for approval of a Special Use Permit for an area of special signage control. and/or*
 - *The proposed change to angle both sides of the sign and amend the design of the sign do not provide aesthetic enhancement of the site as required for approval of a Special Use Permit for an area of special signage control.*

Template Approval Motion:

- “I move we recommend the City Council approve the requested special use permit based on the findings of fact and recommended conditions listed on pages 13 & 14 of the staff report as may have been amended here tonight.”

***Suggested Findings
of Fact:***

1. The City's sign code allows applicant's to request a Special Use Permit to authorize an area of special control governing signage within renewal areas of the City.
2. The City previously approved a special use permit in 2006 establishing an area of special signage control for this site which included a smaller pole sign at the same location as the proposed new sign.
3. Construction of the proposed new sign will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
4. The new sign will not be detrimental to the use on the property or to uses on surrounding lands.
5. Construction of the proposed sign will not have a detrimental impact on area property values.
6. The subject site is adequately served by public utilities, roads, and drainage facilities to accommodate the proposed addition.
7. The new sign will be in conformance with all underlying zoning district requirements.
8. Provided conditions are followed, the proposed new sign will continue to provide sound identification of the site.
9. The proposed new design for the pole sign will not have a negative impact on the aesthetics of this site.
10. The proposed pole sign location functions well amongst the physical characteristics of this site.
11. The proposed new pole sign will not have a detrimental impact on public safety.
12. The proposed new pole sign will not impact placement or visibility of signs on surrounding properties.

***Recommended
Conditions:***

1. The Special Use Permit shall authorize revisions to the pole sign as shown on the Electro Signs plans accompanying this application. All other on-site signage shall maintain consistency with the originally approved 2006 sign plan.
2. The dynamic sign shall adhere to the general standards for such signs outlined in code including but not limited to:
 - a. Message changes may not occur any more frequent than once per 8 seconds. Excluded from this standard are time, temperature, and fuel price signs.

(cont.)

- b. 35 feet of separation from any other sign considered as dynamic.
 - c. Luminance levels must comply with the following: 5,000 nits – 7,000 nits in the daytime hours and not more than 500 nits in the nighttime hours.
 - d. The sign manufacturer must submit certification at the time of Sign Permit issuance that the sign has the mechanical capabilities to control luminance at the levels noted in C above. In no instance shall the sign have the mechanical capabilities to exceed 7,000 nits.
3. To ensure the new sign continues to provide sound identification of the site, the dynamic display shall at all times display the name of the business over at least 30% of the dynamic sign faces.¹
 4. The new dynamic sign shall not be used as a Billboard (advertising things other than the business or what the business sells on the premises) as billboards are not a permitted use in the MX district, nor is one being authorized as part of this SUP.
 5. The final sign height shall not exceed 35' from the ground to the top of the sign.
 6. Failure to adhere to all conditions of approval shall be grounds to revoke the SUP and require removal of the sign. All costs for sign removal and site restoration shall be the responsibility of the landowner in such an event.
 7. The applicant shall obtain a sign permit and all other necessary and approvals from the City and other applicable entities with jurisdiction prior to sign replacement.
 8. Future changes to signs permitted under the 2006 sign plan and this 2022 amendment shall only be permitted through an amendment to this SUP unless all sign signage is amended to conform with underlying zoning standards.
 9. This SUP amendment shall expire in one year from the date of approval if an application for a sign permit is not received during that timeframe, or is not subsequently thereafter approved.

¹ The existing sign being replaced devotes approximately 32% of the sign face to the name of the business on this site.

RESOLUTION NO. _____
STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF NEW BRIGHTON

RESOLUTION MAKING FINDINGS OF FACT AND APPROVING A SPECIAL USE PERMIT
AMENDMENT TO REVISE AN AREA OF SPECIAL CONTROL FOR SIGNAGE AT 1823
OLD HIGHWAY 8 BY AUTHORIZING CHANGES TO THE SITE'S PRIMARY POLE SIGN

WHEREAS, the City of New Brighton is a municipal corporation, organized and existing under the laws of the State of Minnesota; and,

WHEREAS, the City Council of the City of the New Brighton has adopted a comprehensive plan and corresponding zoning regulations to promote orderly development and utilization of land within the city; and,

WHEREAS, the City's zoning code allows property owners to request Special Use Permits to authorize areas of special control for signage within renewal areas of the City; and

WHEREAS, in 2006, the City approved a Special Use Permit via Resolution 2006-017 that authorized an area of special control for signage on the property at 1823 Old Highway 8; and

WHEREAS, Mark Beisswenger (the "Applicant") made application to the City on 3/11/22 for a special use permit amendment to authorize revisions to the previously approved pole sign within the area of special control for the property at 1823 Old Highway 8 which is legally describe as:

Lot 1, Block 1, Beisswenger Hardware Addition, Ramsey County, Minnesota

and

WHEREAS, the proposed new pole sign will be a dynamic sign no taller than 35' with the dimensions of 10' x 20', and

WHEREAS, staff fully reviewed the request and prepared a report for consideration by the Planning Commission on April 19, 2022; and

WHEREAS, the Planning Commission held a public hearing on the request at the April 19th meeting and considered input from residents; and

WHEREAS, the Planning Commission recommended approval of the request based on the applicant's submittals and findings of fact; and

WHEREAS, the City Council considered on April 26th, 2022, the recommendations of the Planning Commission, staff, the Applicant's submissions, the contents of the staff report, and other evidence available to the Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of New Brighton hereby approves the requested special use permit amendment based on the following findings of fact:

1. *The City's sign code allows applicant's to request a Special Use Permit to authorize an area of special control governing signage within renewal areas of the City.*
2. *The City previously approved a special use permit in 2006 establishing an area of special signage control for this site which included a smaller pole sign at the same location as the proposed new sign.*
3. *Construction of the proposed new sign will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.*
4. *The new sign will not be detrimental to the use on the property or to uses on surrounding lands.*
5. *Construction of the proposed sign will not have a detrimental impact on area property values.*
6. *The subject site is adequately served by public utilities, roads, and drainage facilities to accommodate the proposed addition.*
7. *The new sign will be in conformance with all underlying zoning district requirements.*
8. *Provided conditions are followed, the proposed new sign will continue to provide sound identification of the site.*
9. *The proposed new design for the pole sign will not have a negative impact on the aesthetics of this site.*
10. *The proposed pole sign location functions well amongst the physical characteristics of this site.*
11. *The proposed new pole sign will not have a detrimental impact on public safety.*
12. *The proposed new pole sign will not impact placement or visibility of signs on surrounding properties.*

BE IT FURTHER RESOLVED, that approval of the special use permit amendment shall be subject to the following conditions:

1. *The Special Use Permit shall authorize revisions to the pole sign as shown on the Electro Signs plans accompanying this application. All other on-site signage shall maintain consistency with the originally approved 2006 sign plan.*
2. *The dynamic sign shall adhere to the general standards for such signs outlined in code including but not limited to:*
 - a. *Message changes may not occur any more frequent than once per 8 seconds. Excluded from this standard are time, temperature, and fuel price signs.*
 - b. *35 feet of separation from any other sign considered as dynamic.*
 - c. *Luminance levels must comply with the following: 5,000 nits – 7,000 nits in the daytime hours and not more than 500 nits in the nighttime hours.*

- d. The sign manufacturer must submit certification at the time of Sign Permit issuance that the sign has the mechanical capabilities to control luminance at the levels noted in C above. In no instance shall the sign have the mechanical capabilities to exceed 7,000 nits.*
- 3. To ensure the new sign continues to provide sound identification of the site, the dynamic display shall at all times display the name of the business over at least 30% of the dynamic sign faces.*
- 4. The new dynamic sign shall not be used as a Billboard (advertising things other than the business or what the business sells on the premises) as billboards are not a permitted use in the MX district, nor is one being authorized as part of this SUP.*
- 5. The final sign height shall not exceed 35' from the ground to the top of the sign.*
- 6. Failure to adhere to all conditions of approval shall be grounds to revoke the SUP and require removal of the sign. All costs for sign removal and site restoration shall be the responsibility of the landowner in such an event.*
- 7. The applicant shall obtain a sign permit and all other necessary and approvals from the City and other applicable entities with jurisdiction prior to sign replacement.*
- 8. Future changes to signs permitted under the 2006 sign plan and this 2022 amendment shall only be permitted through an amendment to this SUP unless all sign signage is amended to conform with underlying zoning standards.*
- 9. This SUP amendment shall expire in one year from the date of approval if an application for a sign permit is not received during that timeframe, or is not subsequently thereafter approved.*

ADOPTED this 26th day of April, 2022 by the New Brighton City Council with a vote of ___ ayes and ___ nays.

Kari Niedfeldt-Thomas, Mayor

Devin Massopust, City Manager

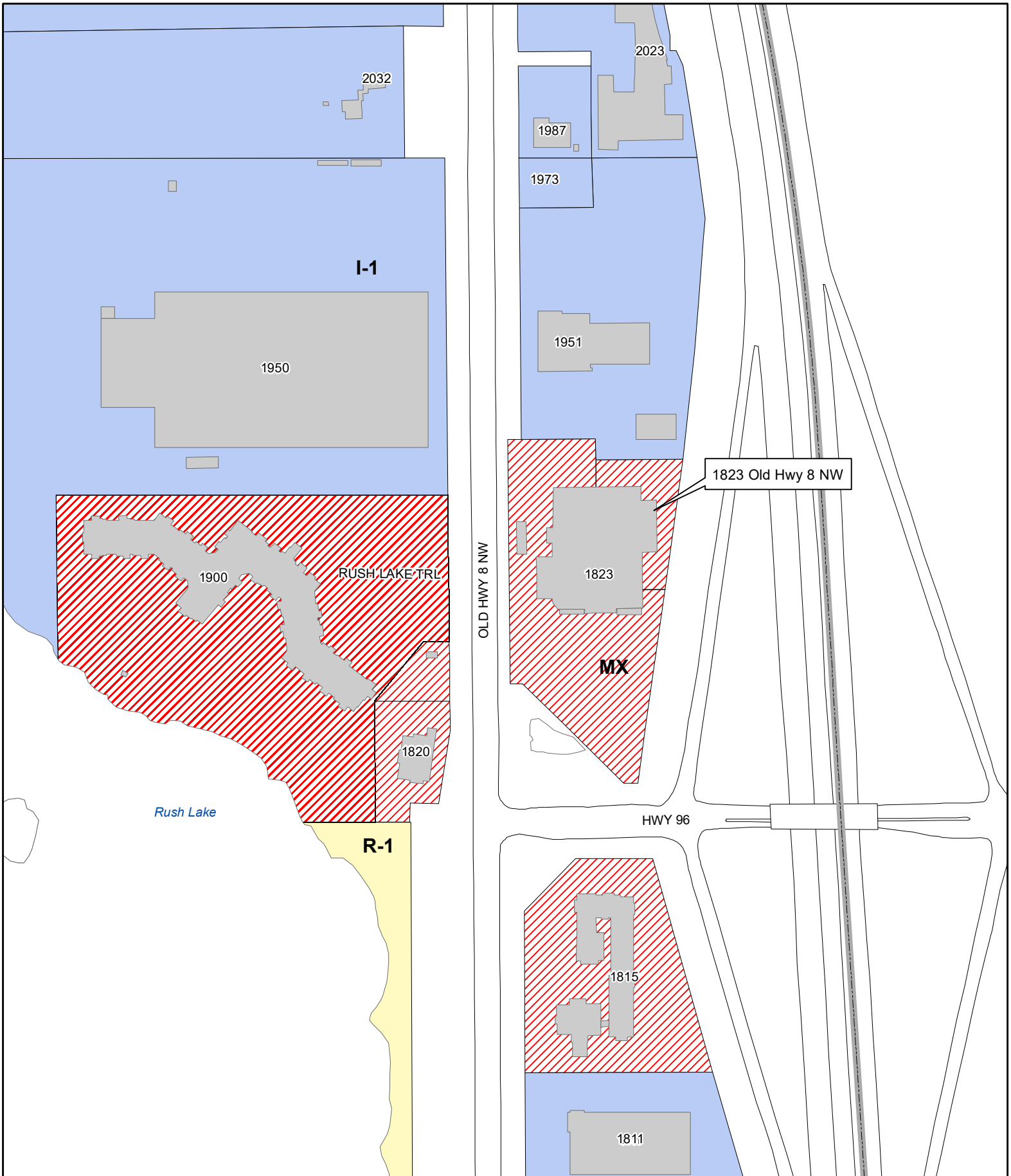
ATTEST:

Terri Spangrud, City Clerk

The undersigned Applicants have read, understand and hereby agree to the terms of this resolution and on behalf of himself/herself, his/her heirs, successors and assigns, hereby agree to the conditions set forth above, and to the recording of this resolution and attachments in the chain of title of the property.

Dated _____

Mark Beisswenger <*or authorized representative*>

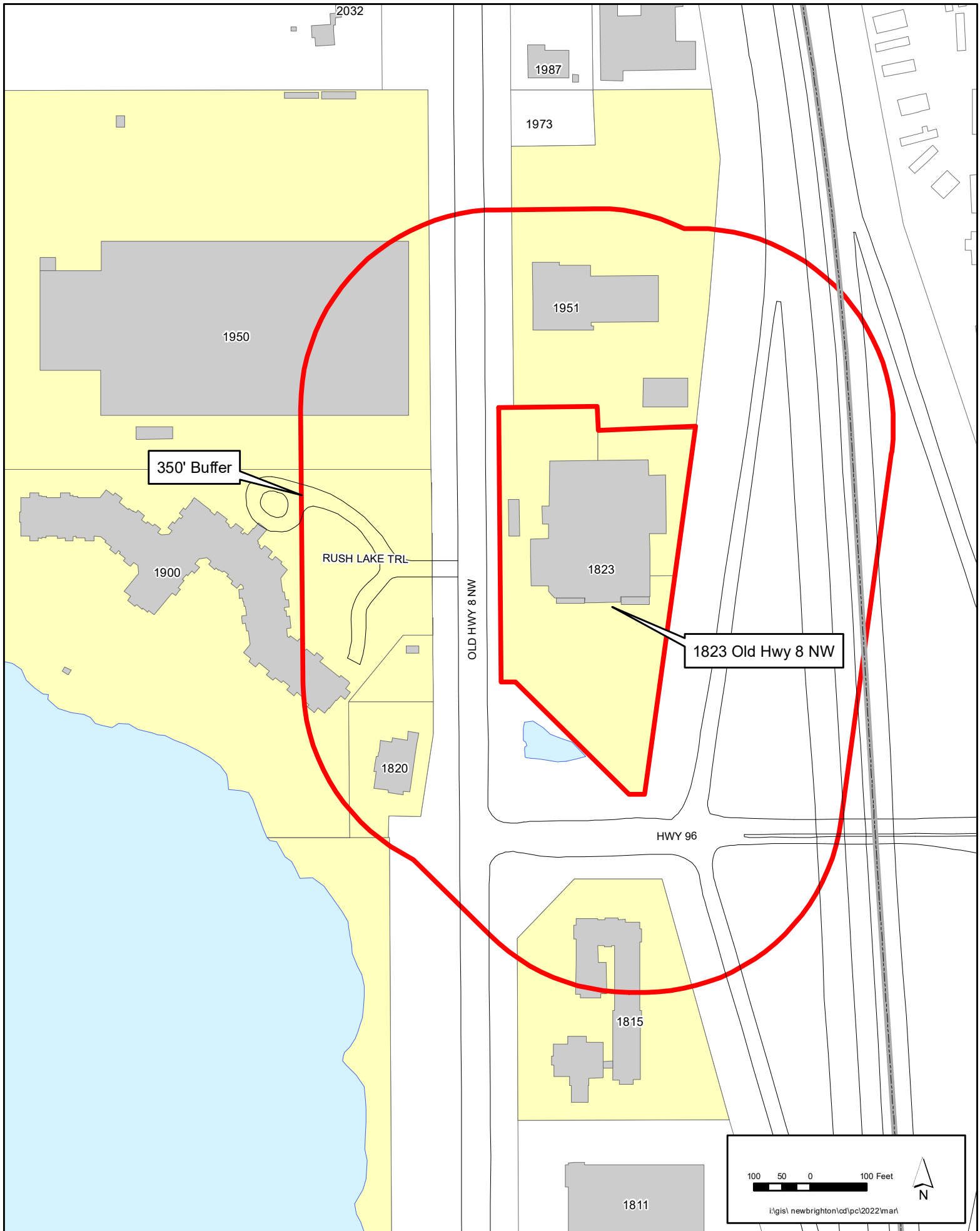


Current Zoning

1823 Old Hwy 8 NW
MX, Mixed Use



1823 Old Hwy 8 NW - 350' Mailing List



Front View Schematic



☐ N/A

Color Key:

Design



Side View



DMC Full Power
When Power
is On

ELECTRO SIGNS
AND DESIGN, LLC
763.785.7968
ElectroSignDesign.com

DESIGN • MANUFACTURE • INSTALL • REPAIR interior & exterior signage
1680 99th LN NE • Suite C • Blaine, MN 55449 • (Office) 763.785.7968 • ElectroSignDesign.com

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PRODUCTION QUESTIONS? PLEASE CONTACT YOUR SALES REPRESENTATIVE

REVIEW CAREFULLY, THIS REFLECTS FINISHED PRODUCT

Please Approve, sign and return by: _____
If approval or missing information is not received by due date, the production schedule for your order may change which will affect your ship date.

Approve Change

Color
Spelling
Size

☐ ☐ ☐

Client Approval Required

Sign off

YOU MUST SIGN AND DATE
BEFORE PRE-PRODUCTION
RELEASES TO PRODUCTION

Prepared For:

Beisswenger's

Project Name/#

DMC

Sales Rep

Craig Helzmann

Rendering #

Beisswenger Plyon



35'

CERTIFICATE OF SURVEY

~for~ BEISSWENGERS HARDWARE
~of~ 1823 OLD HIGHWAY 8 NW
NEW BRIGHTON, MN



NORTH

GRAPHIC SCALE



1 INCH = 50 FEET

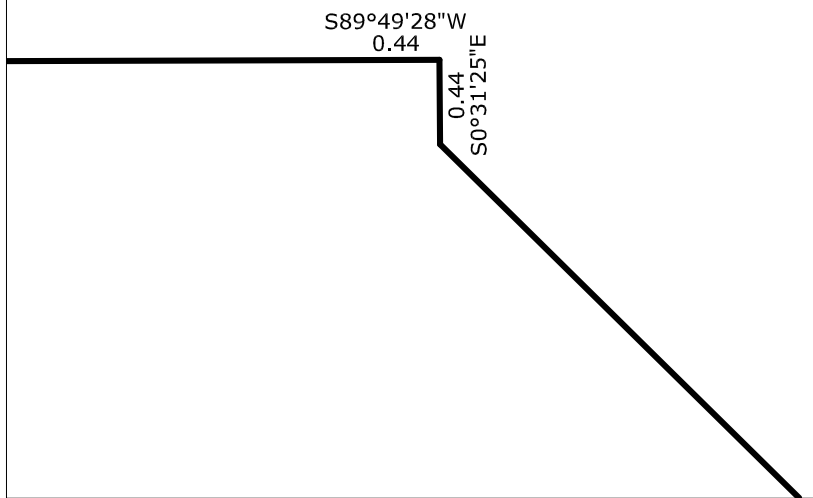
LEGEND

- DENOTES IRON MONUMENT FOUND
- x — DENOTES FENCE

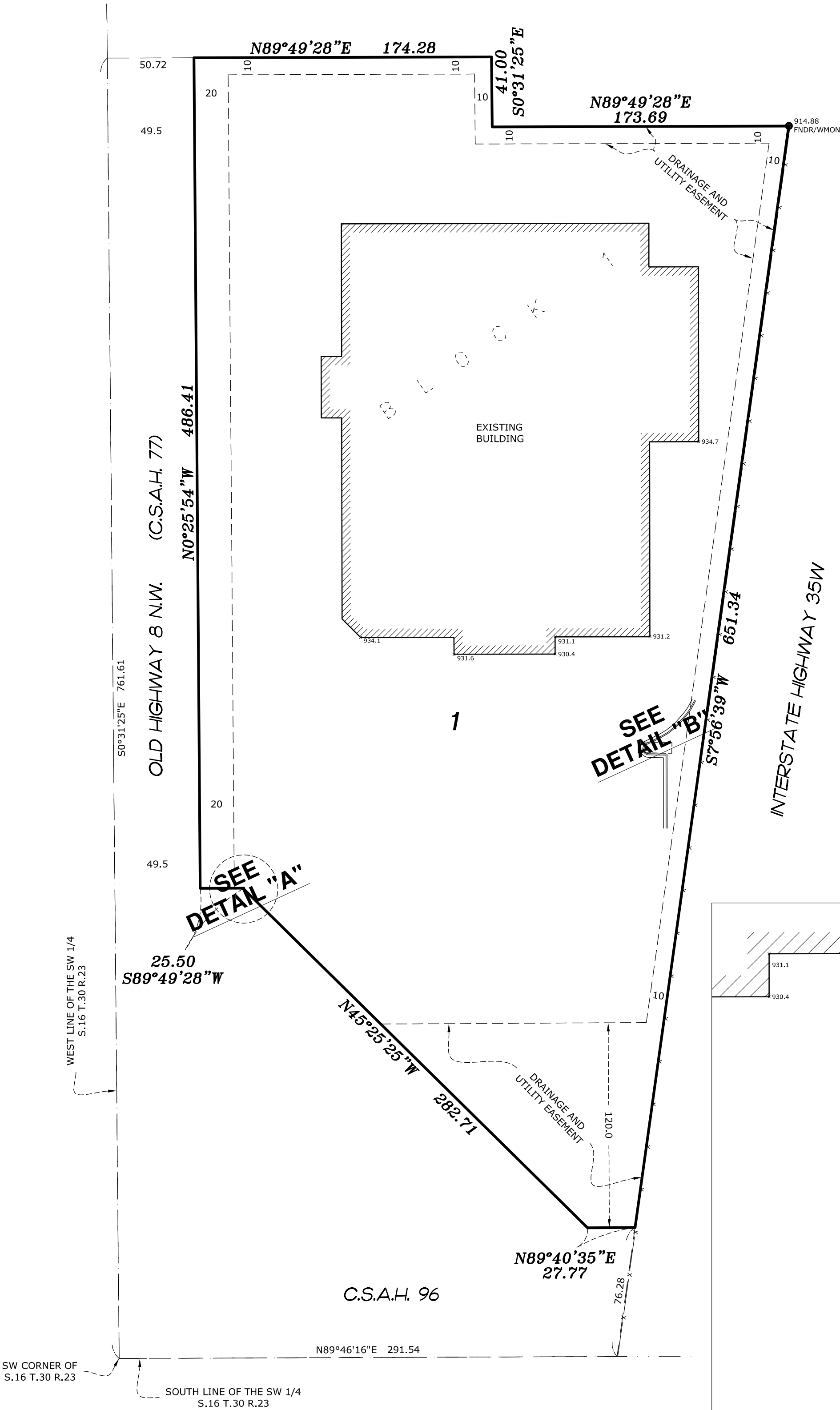
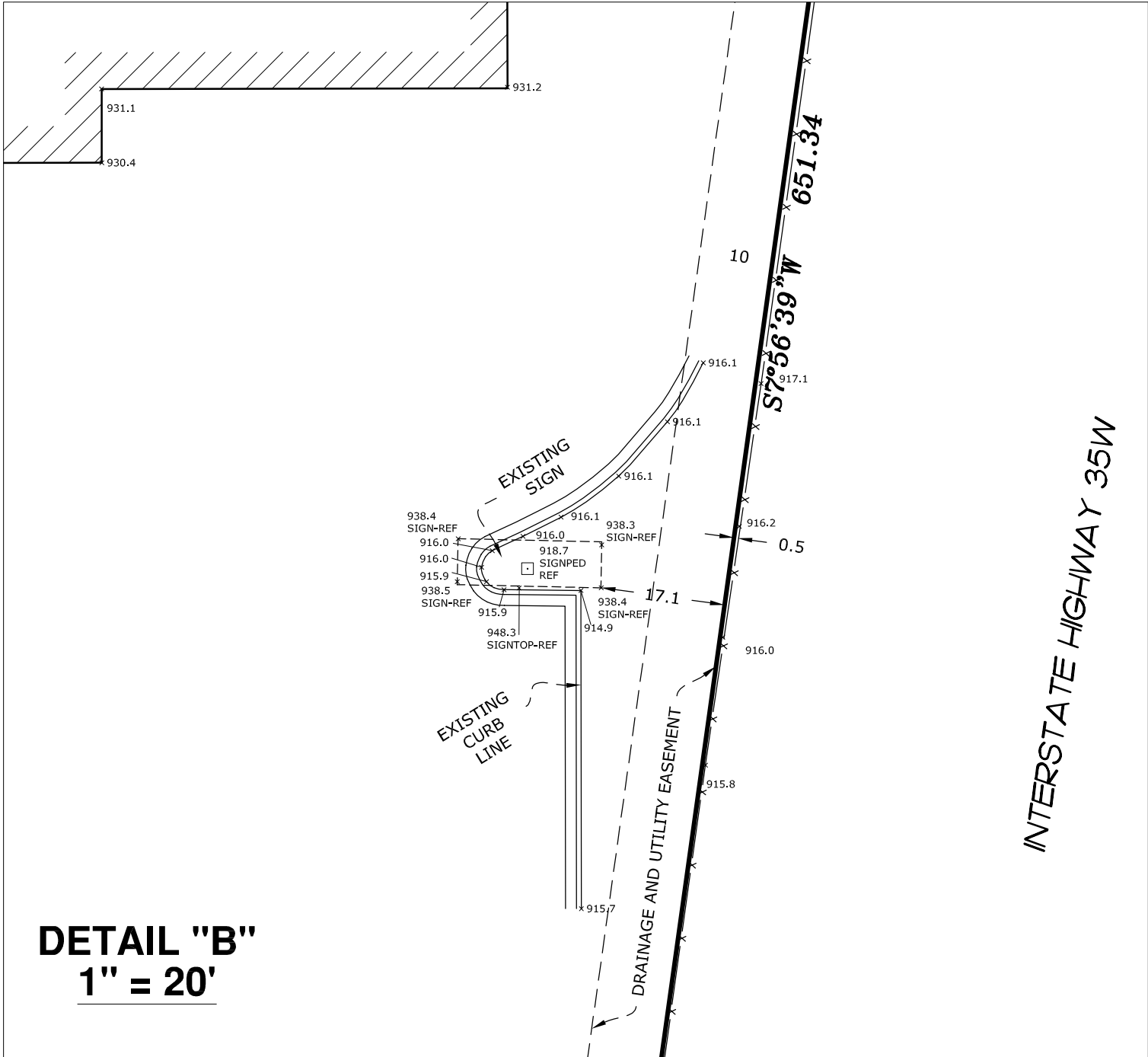
NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 04/11/22.
- Bearings shown are on Ramsey County datum.
- Curb shots are taken at the top and back of curb.
- The purpose of this survey was to locate the existing sign and adjacent improvements. Additional improvements exist on site which have not been located at this time.

DETAIL "A"
1" = 1'



DETAIL "B"
1" = 20'



Lot 1, Block 1, BEISSWENGER HARDWARE
ADDITION, Ramsey County, Minnesota.



E.G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701

www.egrud.com

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: 04-14-22 License No. 41578

DRAWN BY:	RAF	JOB NO:	220365AB	DATE:	04-08-22
CHECK BY:	JER	FIELD CREW:	JR		
1	04-13-22	ADDED FIELD INFO.		RAF	
2					
3					
NO.	DATE	DESCRIPTION		BY	



City of New Brighton Application Form

(Land use applications, Subdivision applications, and vacation requests will not be considered complete and will not be accepted until all property owners have signed)

I. Property Owner #1

Mark Beisswenger 1823 Old Hwy 8 NW New Brighton MN 55112
 (name) (mailing address) (st) (zip)
 651-398-4622 mark@beisswengers.com
 (phone #) (fax #) (email)

Signature: 

II. Property Owner #2 *For more than two owners, please provide their information and signature(s) on a separate sheet.*

(name) (mailing address) (st) (zip)
 (phone #) (fax #) (email)

Signature: _____

III. Please identify the request(s) for which you are applying:

- ☐ **LAND USE APPLICATION** (subject to MN State Statute 15.99 timelines)
- | | |
|---|--|
| <input type="checkbox"/> Variance | <input type="checkbox"/> Non-conforming Use Permit |
| <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Grading Permit |
| <input type="checkbox"/> Site Plan Review | <input type="checkbox"/> Moving/Relocating Structures Permit |
| <input type="checkbox"/> Zoning Code Amendment / Rezoning | <input checked="" type="checkbox"/> Sign Permit |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Other: |
- ☐ **SUBDIVISION APPLICATION** (subject to MN State Statute 462.358, subd. 3b timelines)
- | | |
|---|---|
| <input type="checkbox"/> Administrative Lot Split / Minor Subd. | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> PUD or PRD | <input type="checkbox"/> Final Plat |
- ☐ **GENERAL APPLICATION** (not subject to any state mandated timelines)
- | | |
|--|--|
| <input type="checkbox"/> Right of Way Vacation | <input type="checkbox"/> Municipal Site Work Authorization |
| <input type="checkbox"/> Easement / Utility Vacation | <input type="checkbox"/> Zoning Letter |
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Deadline Extension Request | <input type="checkbox"/> Other: |

FEES

Fees for individual application types are established on a yearly basis by the City Council.

Please see the attached fee schedule for the applicable costs (and possibly escrow requirements) for your request(s)

Briefly describe your request below *(if additional space is needed, please attach a narrative to this application)*

Remove and replace EMC

IV. Property & Contractor Information:Street Location/Address of Property: 1823 Old Hwy 8 NWProperty Identification Number (PID): 163 023 330 011 Zoning District: _____Legal Description (From Deed or Certificate of Title): ☐ *Please see attached*Lot: 1 Block: 1 Addition: Beisswenger Hardware AddProperty described is by: ☐ Abstract ☐ Torrens – Certificate #: _____

Location of Certificate: _____

Architect (if applicable): _____ Phone: _____

Surveyor/Engineer (if applicable): _____ Phone: _____

Builder (if applicable): _____ Phone: _____

V. Main Contact Person☐ Property Owners☒ Other (if other, please fill out the information below)Title (Position or relation to property owners): Office Manager - Sign Contractor

<u>Marianne Johns</u>	<u>9990 Goodhue Street NW</u>	<u>Blaine</u>	<u>MN</u>	<u>55449</u>
(name)	(address)		(st)	(zip)
<u>763-785-7968</u>			<u>office@electrosigndesign.com</u>	
(phone #)	(fax #)		(email)	

VI. Notice of Fees

As set forth in the City Fee Schedule and pursuant to applicable law, the property owner shall be responsible to reimburse the city for all related miscellaneous costs incurred pursuant to the processing of this application. Note that these reimbursements may exceed the amount of the original land use application fee. Such expenses may include, but are not limited to, direct city payroll and overhead costs, fees paid to consultants and other professionals, and the cost of printing, mailing, and supplies. These miscellaneous fees are due immediately upon notification by the City. The City shall provide, upon request, an itemized statement of the various expenses incurred by the City. The City may withhold final action on a land use application and/or rescind prior action until all miscellaneous fees are paid. The City may require additional deposits, if deemed necessary. The property owner agrees to allow city staff and commission members to access the property per this application for inspection.

I acknowledge that I have read the above statement and fully understand that I am responsible for all costs incurred by the City in the processing and reviewing of this application.

Property Owners Signature:  Date: 3-8-22

ADMINISTRATIVE USE ONLY:

Date Application Received: _____ PC Date: _____

Fee Paid: _____ CC Date: _____

Escrow Paid: _____

Receipt Number: _____

Form Last Updated 03.08.21