

MINUTES OF PLANNING COMMISSION MEETING

August 1, 2016

Pursuant to due call and notice thereof, a special Planning Commission meeting was held at City Hall on the 1st day of August, 2016 at 6:30 PM

THE FOLLOWING MEMBERS WERE PRESENT: Chairperson Dean, Commissioner Borgstrom, Commissioner Sannes, Commissioner Tinsley and Commissioner Torkelson

THE FOLLOWING WERE ABSENT: Commissioner Ferris

THE FOLLOWING WERE ALSO PRESENT: Community Development Director Mike Martin, Admin Assistant Weigel, Mark Anderson, Jason Farnsworth, Marty Gritz and Jerry Dalmann.

CALL TO ORDER: Chairperson Dean called the meeting to order at 6:30 PM.

PUBLIC HEARING – Caribou Enterprise Variance: Community Development Director Martin explained the tenant of the Caribou Enterprises building, Domino's Pizza at 501 S. Mantorville Avenue has been undergoing significant remodeling and would like to add a walk-in cooler to the west side of their building. The variance is requested because the rear setback requirement in a C-2 District when abutting a residential use is 30 feet. The variance would allow Domino's to build within 5 feet of the property line if approved. The current building is already within the setback; however, it was built before the current zoning code was adopted.

Chairman Dean opened the public hearing.

Jason Farnsworth – 18 5th St SW: Mr. Farnsworth asked for clarification if the variance was for the whole building or just the freezer. Martin stated that No, the building will not be expanded.

Marty Gritz – 958 15th St NE, Mason City, IA: Owner of Domino's Pizza since 2008. When Mr. Gritz started the store in Kasson he had less than \$10,000 a week in sales and now he is almost doubles that at \$18,000 a week. They are in need of a bigger cooler to hold all the food and the space where the current cooler is will be used to produce pizza. A new oven is also being purchased that will allow them to make 200 pizzas per hour, where they currently can only do 100-120 per hour. Mr. Gritz is willing to invest in the \$70,000 oven because he believes in this area and anticipates sales to grow and will to need hire more people. The oven and cooler are the biggest part of this remodel.

Jerry Dallman – 808 Jefferson Ave S., Eyota, MN: Mr. Dallmann is the owner of the building and built the building for a convenience store in 1978. The pine trees were removed this spring because of their age and now there is enough room to drive through there or put a drive through in there now. When a building is older it gets obsolete and you have to make changes to make it work for small businesses. Mr. Dallmann asked the Commissioners to take a closer look at this request. The building will be painted a new sign will be put up and it's going to look nice.

Commissioner Borgstrom asked what the layout of the cooler would be and where the compressor would sit. Marty Gritz answered that the compressor would sit on the roof of the building not on the top of the cooler itself. There was discussion around where the compressor could be placed and placing a sound barrier on the north, south and west sides.

Mark Anderson – 405 1st Ave SW: Mr. Anderson wanted to bring up a statement that was heard often during the Shopko project “We don’t know that”. Mr. Anderson has since tried to sell his home near Shopko and couldn’t get anyone to even make an offer on it; he has kept it as a rental property. He wanted to know what will happen to the property value of Mr. Farnsworth’s home if this variance is allowed and the cooler now goes within 5 feet of the property line. **Commissioner Borgstrom** responded by saying that this is a unique situation because this building predated our zoning code and no precedence is being set. **Mr. Farnsworth** asked about having a buffer or fence put up also. There is a fence at Subway but not at Domino’s. **Martin** reminded Commissioners that this is the time to put any type of conditions on that they would want.

Chairman Dean closed the public hearing.

RECOMMENDATION – Caribou Enterprise Variance: **Commissioner Borgstrom** stated that sound barriers would need to be provided two feet above the compressor on the north, south and west sides along with moving the compressor to the front portion of the building (far east side). Also the compressor should be in the required set back. **Commissioner Sannes** expressed his concern for the resident, Mr. Farnsworth. **Jason Farnsworth** commented that everyone is worried about selling, if I go to sell no matter what it’s still the back of a building; it’s going to be closer now. **Commissioner Torkelson** stated that as long as Mr. Farnsworth is okay with it, he’s okay with it and it sounds like they are willing to work together. **Commissioner Tinsley** clarified that the request is to go within 5’ of the property line. **Martin** stated if this building comes down the variance goes away and the process would have to start over again. The variance is only for the 16’ where the cooler will be. **Mr. Farnsworth** clarified that if the building was to come down one day and they were to rebuild they would have to be in the proper setbacks. **Martin** confirmed that yes, if there was a residential home adjacent to the commercial property they would be forced to comply with the proper setbacks. **Commissioner Torkelson** reminded everyone that this is a cooler, not a building. There is potential to remove it without causing any structural damage to the existing building. **Commissioner Tinsley** asked if the cooler would need any special type of fire rating and **Martin** stated that the City Inspector, Jay Kruger would be the one to inform the tenant of that if in fact that was needed. **Commissioner Tinsley** noted that an enlargement does not bring the project into conformance. There is more room because of multiple tenants and there is potential to expand within the building. **Chairperson Dean** commented that he would be okay with it as long as the compressor can be moved and there can be a sound barrier. **Jason Farnsworth** wanted clarification that the variance is only for this not for anything else and not for any other part of the building. **Martin** clarified that nothing about a variance is automatic per the Supreme Court.

MOTION RECOMMENDING THAT THE COUNCIL APPROVE THE VARIANCE TO CARIBOU ENTERPRISES with the stated conditions made by Commissioner Borgstrom, seconded by Commissioner Sannes with Borgstrom, Torkelson, Dean and Sannes voting Aye and Tinsley voting Nay.

ADJOURN: Since the agenda had been met the meeting was adjourned at 7:14 pm.

ATTEST:

Krista Weigel
Administrative Assistant

Michael Martin
Community Development Director