

CITY BOARD OF ADJUSTMENT
MINUTES MAY 1, 2024

| Name | Title | 01/03/2024 | 02/07/2024 | 03/06/2024 | 04/03/2024 | 05/01/2024 | 06/05/2024 | 07/03/2024 | 08/07/2024 | 09/04/2024 | 10/02/2024 | 11/06/2024 | 12/04/2024 | |
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| Josh Sayer | Chair | C | C | C | 1 | 1 | | | | | | | | |
| Oscar Heinrich | Vice Chair | C | C | C | 1 | 1 | | | | | | | | |
| George Warmer | Member | C | C | C | 1 | A | | | | | | | | |
| Michael Bruschwein | Member | C | C | C | 1 | 1 | | | | | | | | |
| Chris Hayes | Member | C | C | C | 1 | 1 | | | | | | | | |
| Dave Hagstrom | Member | C | C | C | 1 | 1 | | | | | | | | |
| Brian Roush | Member | C | C | C | E | 1 | | | | | | | | |
| | | | | | | | | | | | | | | |
| TOTAL NUMBER OF APPLICATIONS 2024 | | 01/03/2024 | 02/07/2024 | 03/06/2024 | 04/04/2024 | 05/01/2024 | 06/07/2023 | 07/06/2023 | 08/02/2023 | 09/06/2023 | 10/04/2023 | 11/01/2023 | 12/06/2023 | TOTAL |
| Variance | | - | - | - | 1 | 1 | | | | | | | | 2 |
| Appeal | | - | - | - | - | | | | | | | | | |

Chairman Josh Sayer called the meeting to order at 6:00 PM.

Attending:

Nicole Cromwell, Zoning Coordinator; Brenda Berns, Planning Clerk PCSD
Applicant’s Agent; Taylor Kasperick, Performance Engineering

Public Comment

Chair Sayer opened the public comment period and asked if there was anyone wishing to speak during the public comment portion of the meeting. There were none.

Approval of Meeting Minutes

Meeting minutes for April 3, 2024 – Approved by motion. Board member Hagstrom made a motion, seconded by Board member Heinrich to approve the minutes.

Disclosure of Exparte Communications - None

Disclosure of Site Visits – Board member Heinrich visited the site of Variance 1374

Disclosure of Conflict of Interest - None

Public Hearings

City Variance 1374 – 3245 & 3275 Conrad Rd. – A variance request for property located at 3245 & 3275 Conrad Rd in a Heavy Commercial (CX) zone district. The applicant is requesting to locate some of the off-street parking in front of the building. This is a variance from Section 27-409 – Table 27-400.6 (B.6) requiring surface parking to be in the side or rear yard to allow parking in the front yard of property in a Heavy Commercial (CX) zone. The legal description of the property is Lots 1 and 2, Block 1 of Tierra Yellowstone Subdivision, a 2.022-acre parcel of land. Submitted by Karen Husman, Planner I.

Nicole Cromwell gave a brief overview of the applicants request for the variance.

Karen Husman presented picture slides of the general area and subject property. Karen stated some of the neighboring properties have in front of the business.

Recommendation

Planning staff recommends conditional approval and adoption of the recommended findings of the review criteria for Variance 1374.

a) There is a hardship with the property that is not applicable to other lands in the same district.

The proposed commercial building, featuring both retail and warehouse areas, incorporates front parking to cater to retail needs while ensuring unobstructed drive aisles for convenient access by large trucks handling incoming and outgoing shipments.

b) Denying the variance might deprive this owner of similar rights enjoyed by others in the area.

The board has granted two previous variances to allow parking in front of a building in the CX zone. One was for a new Costco Warehouse on Zoo Drive and another on 3160 S. Frontage Rd. Several older developments in the area do have at least some parking in front of buildings on Conrad Rd.

Section 27-1627.E –

- 1) The variance is to allow 12 surface parking spaces in front of the building. No other variance is intended or implied.
- 2) The variance is limited to this legally described lot.
- 3) Minor modification of the site plan allowed.
- 4) Building permit to be acquired within 1 year, construction to be completed within 2 years.
- 5) Any additional structures will comply with zoning.
- 6) All other zoning regulations will be met.
- 7) Failure to begin or complete will void the variance.
- 8) These conditions run with the land.

Board Discussion

Board member Heinrich asked for clarification regarding Project Recode and the subject property.

Karen advised that most of the properties in the development were established prior to Project Recode.

Applicant's Agent

Taylor Kasperick, Performance Engineering Applicant's agent.

Mr. Kasperick mentioned that their current space has become too small for their needs, prompting them to consider constructing their own facility. Their vision includes incorporating manufacturing at the rear while dedicating the front for retail, thus facilitating customer access through a showroom. Additionally, they intend to lease out any unused space on the North side. The building's design necessitates a sufficient turning radius for large trucks, which is the primary reason for seeking a variance. This variance would permit front access to mitigate congestion at the rear of the building. Details regarding landscaping and signage are yet to be finalized, but they assure compliance with current guidelines.

Motion

Motion made by Board member Hayes, seconded by Board Member Heinrich to Approve City Variance 1374 and adopt the staff recommended findings and conditions. Motion was carried with a unanimous voice vote.

Other Business: There was no other business.

ADJOURNMENT: The meeting adjourned at 6:19PM.

ATTEST: Draft to be approved by a motion at the next regularly scheduled meeting.

Brenda J Berns, Planning Clerk