

# Board of Adjustment Agenda Memo

**From:** Ryan Miller, City Planner

**Meeting:** July 10, 2023

**Subject:** Ultimate Collision Variance – Expansion of a Non-conforming use and elimination of required foundation plantings – 2311 Minnesota Drive

**Person(s) Responsible:** Ryan Miller, City Planner

## **Summary:**

Clark Drew Construction, Inc. has submitted a request for variances related to an expansion project at 2311 Minnesota Drive. The contractor is preparing plans for an expansion of the business, which is considered a non-conforming use and therefore limited to an expansion of 25% of gross floor area so long as all yard, height, parking and landscaping requirements are met. The proposal is to expand beyond the allowable 25% gross floor area and requests the elimination of foundation plantings.

## **Item Details:**

Ultimate Collision is located at 2311 Minnesota Drive in a Business B-4 highway zoning district. The B-4 district allows for automobile service stations, however, that use shall not include uses defined by the motor vehicle repair shop such as body repair and painting. The motor vehicle repair shop use is only allowed in the B-3, I-1 and I-2 zoning districts.

The expansion plans include the demolition of an existing accessory structure (garage) which has already occurred and the expansion of the primary structure into the same area. The original primary structure is approximately 7,000 square feet and the now demolished detached garage totaled 2,000 square feet. Therefore, the allowable expansion for a non-conforming use would be  $(7,000 + 2,000 \times 0.25)$  2,250 square feet for a total size after expansion of 11,250. The proposed size of the new structure will be 12,867 square feet.

Additionally, the expansion must meet all yard, height, landscaping and parking and loading regulations. The proposal will meet yard, height and parking regulations. The parking area along the east property line will be removed and a five-foot landscape area will be added as required for development in commercial and industrial districts. Parallel parking will be added along this five-foot landscape area and will therefore maintain the sufficient parking to meet the minimum parking regulations. Three additional trees, along with other landscape features, will be planted in the front landscape area between the driveways. The applicant is seeking to eliminate the requirement for a three-foot foundation planting strip along the front of the building.

**Options and Recommendation:**

The Board of Adjustment has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Table until a future meeting

Staff recommends approval.

**Supporting Documentation:**

1. Hearing Notice
2. Location Map
3. Variance Application
4. Site Plan
5. Renderings