

MINUTES
PLANNING & ZONING COMMISSION

The Brandon Planning & Zoning Commission met in regular session at 6:30 p.m. on April 6, 2023 at the Brandon City Council Chambers.

Roll call was taken. Members present were Commissioners Brian Heidbrink, Thomas Nichols, Brookes Noem, Chuck Parsons, Rob Schoeneman and Alica Thiele. Also present were Building Official Paul Clarke, City Engineer Tami Jansma and Development Director Patrick Andrews. Absent: Alderman Tim Jorgenson, Mayor Harry Buck and City Administrator Bryan Read.

Vice-chairperson Alica Thiele chaired the meeting.

Commissioner Nichols moved Commissioner Parsons seconded to approve the agenda. Motion carried.

Commissioner Heidbrink moved Commissioner Nichols seconded to approve the consent calendar which contained the following items: a plat of Burkman's Addition Tract 2; a plat of Dawley's Addition Tract 1A and a plat of Lynx Addition Tract 1. Motion carried.

Commissioner Nichols moved Commissioner Parsons seconded to approve the minutes of the March 16, 2023 regular meeting. Motion carried.

A Home Occupation Permit Application was presented for 1107 E. Lark Street. Applicant Steve Reid, 1107 E. Lark Street, was present for discussion. Steve is requesting to open a home-based business of applying cerakote or hydrographics, accessories (optics, grips, lights, etc.) to firearms and selling firearms & accessories. There will be no items for retail purchase (no inventory stored on-site), Steve will obtain his FFL from the State, has cameras on the property for security, customers by appointment only.

Dan Mostek, 1112 E. Lark Street, was present for discussion. Dan questioned the hours Steve would be available for customers – Steve explained it would be Monday-Friday from 6:00pm-9:00pm and weekends 9:00am-6:00pm. Dan further questioned that a Type 07 license is the manufacture of firearms other than destructive devices. What qualifies as the manufacture of firearms. Dan asked the Commission to deny the application.

Julie Gottsleben, 1101 E. Lark Street, was present for discussion. Julie has concerns with a business of this nature being located in a residentially zoned neighborhood as it relates to increased traffic, safety and a decrease in property values. Julie asked the Commission to deny the application.

Shari Langner, 1108 E. Lark Street, was present for discussion. Shari is opposed to the home business and asked the Commission to deny the application.

John Carlson, 501 S. 8th Avenue, was present for discussion. John is opposed to the home business and asked the Commission to deny the application.

Colin Barron, 1109 E. Lark Street, was present for discussion. Collin is opposed to the home business and asked the Commission to deny the application.

Dan Plut, 1012 E. Aspen Blvd., was present for discussion. Dan asked the Commission to put restrictions on the applicant's business if approved, but is overall opposed to the home business.

James Roby, 1113 E. Lark Street, was present for discussion. James is opposed to the home business and asked the Commission to deny the application.

Jill Barron, 1109 E. Lark Street, was present for discussion. Jill has concerns with this business involving retail sales, and is opposed to the home business.

Kevin Lawrence, 609 S. Splitrock Blvd., was present for discussion. Kevin is opposed to the home business and asked the Commission to deny the application.

John Blok, 408 S. 8th Avenue, was present for discussion. John is opposed to the home business and asked the Commission to deny the application.

Cody Hillestad, 313 S. 7th Avenue, was present for discussion. Cody has purchased a gun from someone selling from their home, similar to what Steve is proposing. Cody supports the approval of the application.

Commissioner Nichols questioned the applicant about the possibility of selling ammunition. Steve will not be storing anything on site, therefore any ammunition would need to be ordered at the time the gun is ordered.

Commissioner Heidbrink asked the applicant to explain the process one would go through to purchase or transfer a gun through his business.

Collin Barron asked why the applicant feels his rights are more important than all the neighbors opposing the home business being proposed.

Dan Mostek added that cerakote chemicals are very volatile.

Commissioner Parsons moved Commissioner Heidbrink seconded to deny the application as presented. Motion carried.

Discussion held on IN-Institutional District as it pertains to sports venues/events centers.

Patrick Andrews, Development Director, presented a draft ordinance. Concerns with for-profit businesses operating out of a park or in an Institutional District. Tom Green, Brandon Valley Hockey Association, was present for discussion. A public hearing will be scheduled for May 4, 2023.

Discussion held on IN-Institutional District as it pertains to Best Management Practice Facilities (BMP). Patrick Andrews, Development Director, presented a draft ordinance. Tami Jansma, City Engineer, explained when a BMP facility is required. Staff will reevaluate the "accessory structure" language as it pertains to a BMP.

Discussion held on cell towers. Patrick Andrews, Development Director, presented information pertaining to allowing cell towers within the city limits of Brandon. It was the consensus of the Commission to leave the current City Ordinance as is.

Discussion held on swapping setbacks in industrial zoning districts. Tye Doll, Hegg Construction, 909 S. 5th Avenue, was present for discussion. Patrick Andrews, Development Director, presented a draft ordinance. A public hearing will be scheduled for May 4, 2023.

Building permits for March were presented: #20230012 - #20230025. No action required.

At 9:06 p.m. having no further business, Commissioner Parsons moved Commissioner Noem seconded to adjourn the Planning & Zoning Commission meeting. Motion carried.

Respectfully Submitted,

Melissa Labahn
Recording Clerk

Patrick Andrews
Development Director