

# MEMO



**TO:** Planning Commission  
**FROM:** James Kramvik, Assistant Planner  
**DATE:** April 15, 2022  
**RE:** Conditional Use Permit for Auto Body Shop - 124 8<sup>th</sup> Ave NE

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Jesse Hopkins has submitted a request on behalf of Shannon's Auto Body at 124 8<sup>th</sup> Ave NE (PID 41190512) for a Conditional Use Permit to operate an auto body shop in the B-4 (General Business) District.

## Findings of Fact

1. 124 8<sup>th</sup> Ave NE is located in B-4 (General Business) District. The operation of an auto body shop in a B-4 District requires a Conditional Use permit per Section [515-63-6.B](#) of the Zoning Code provided that it meets the following criteria.
  - a. The entire area other than occupied by buildings or structures or planting shall be surfaced with bituminous or concrete which will control dust and drainage. The entire area shall have a perimeter curb barrier, a storm water drainage system and is subject to the approval of the City Engineer.
    - i. The entire parking surface in an improved surface. The parking area does not have a perimeter curb barrier but will be subjected to review by the City Engineer as part of the building permit submittal. The applicant is not proposing any changes to the existing parking lot.*
  - b. All painting shall be conducted in an approved paint booth. All paint booths and all other activities of the operation shall thoroughly control the emission of fumes, dust or other particulated matter so that the use shall be in compliance with the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 1-15, as amended.
    - i. The Building Official and City Engineer will review the paint booths as part of the building permit submittal and will ensure that it meets all MPCA regulations.*
  - c. The emission of odor by a use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota regulations APC, as amended.
    - i. The Building Official will review mitigation measures for odor emissions as part of the building permit review and ensure that it meets all MPCA regulations.*
  - d. All flammable materials, including liquids and rags, shall conform with the applicable provisions of the Minnesota Uniform Fire Code.
    - i. The Fire Marshall will review the storage of flammable liquids and rags and ensure that it meets the provisions of the Minnesota Uniform Fire Code.*

- e. All outside storage shall be prohibited except for customer automobiles and trucks awaiting repair.
  - i. The applicant is proposing to screen any inoperable vehicles awaiting repair behind a chain link fence with privacy slats. The screened areas are depicted on the attached site plan.*

As of this writing no one has contacted the Community Development Department with concerns about the Conditional Use Permit application for the proposed auto body shop.

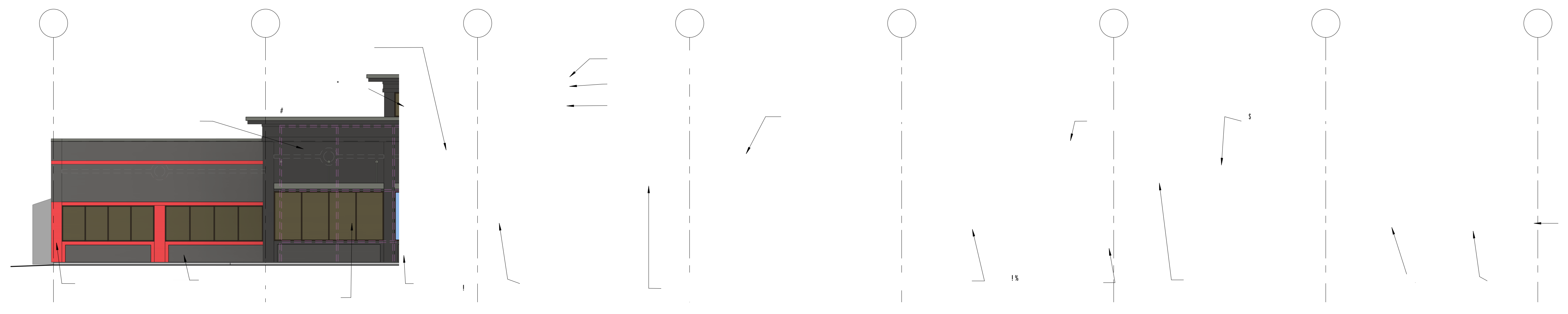
Staff Opinion

Staff recommends approval of the Conditional Use Permit for the operation of an auto body shop at 124 8th Ave NE (PID 41190512).

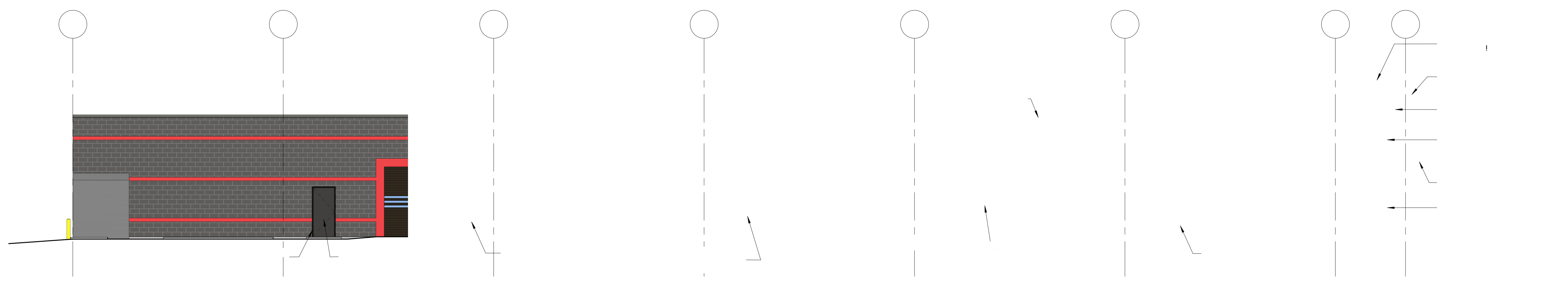




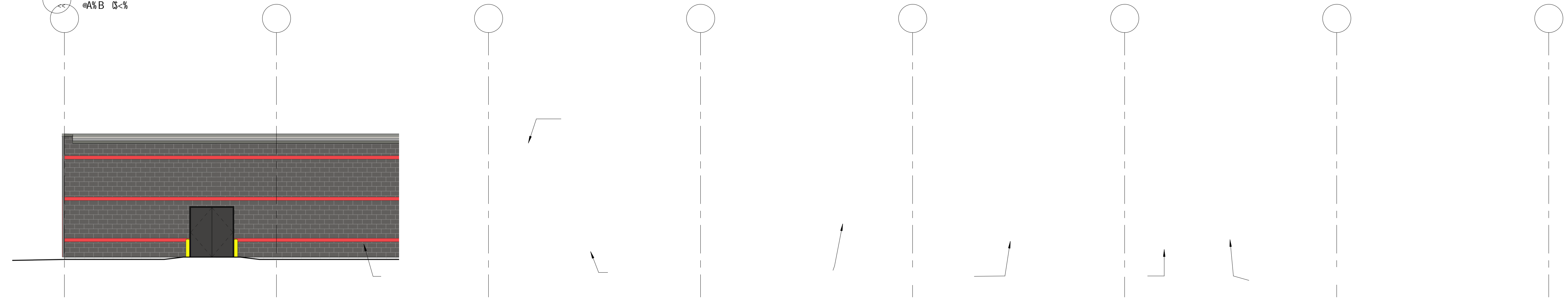




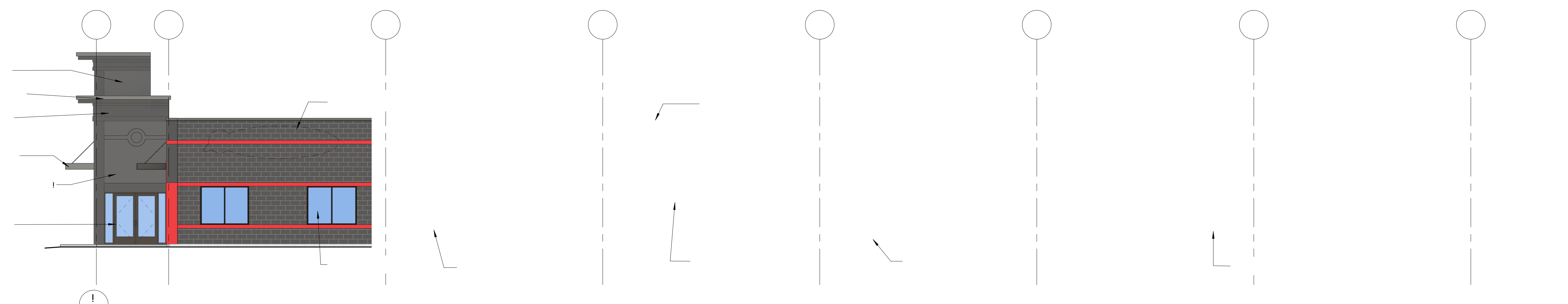
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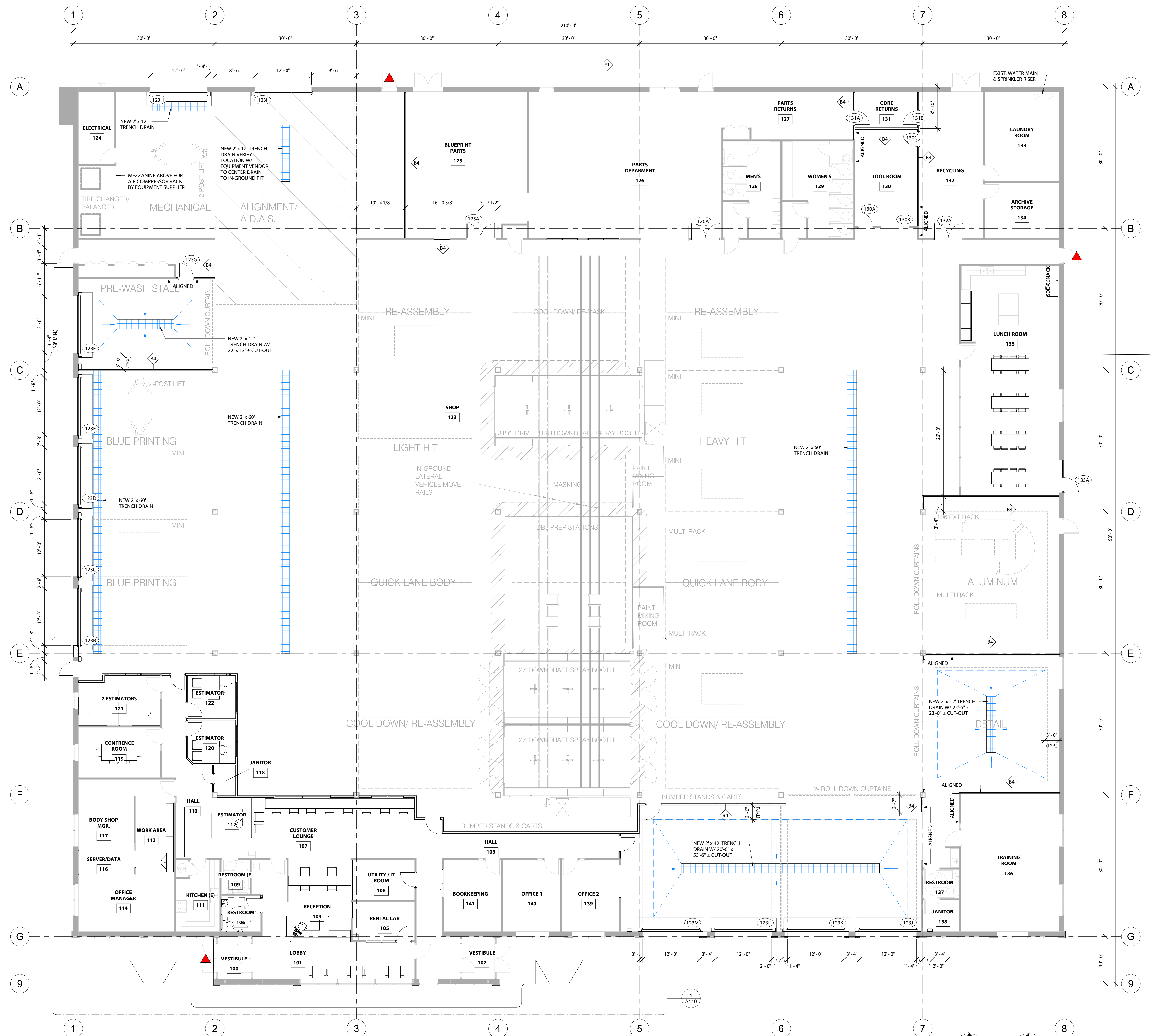
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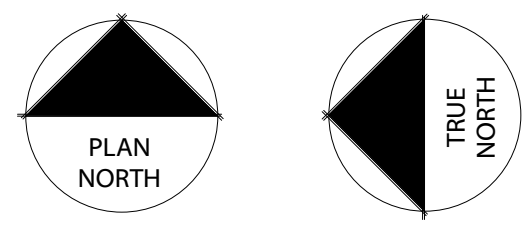
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1 LEVEL 01 NEW FLOOR PLAN  
A100 1/8" = 1'-0"



**SHANNON'S AUTO BODY**  
 124 8TH AVE  
 BRAINERD, MN 56401

PRELIMINARY

PRINTED: 3/24/2022 11:31:18 PM

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

PROJECT NUMBER: 3905  
ISSUED:

REVISION	DATE

OVERALL FLOOR PLAN

**A100**

**NOTICE OF HEARING**

TO WHOM IT MAY CONCERN:

Notice is hereby given that Shannon Christian has submitted a request on behalf of Shannon’s Auto Body for a Conditional Use Permit to operate an auto body repair shop at 124 8<sup>th</sup> Ave NE. The property included in this application is described as:

*LOT 3 BLOCK 1 EXCEPT MINERALS  
BAKKEN'S ADDITION  
P.I.N. 41190512  
Section 19, Township 45, Range 30*

The property is zoned B-4 (General Business) District, and Zoning Ordinance Section 63-6.(B) allows for the operation of an auto body repair shop as a Conditional Use in B-4 Districts, provided it meets the required provisions as listed under 63-6(B). A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, April 20, 2022 in the Council Chambers at Brainerd City Hall, 501 Laurel Street, to consider the Conditional Use Permit request.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2309.

Dated this 6<sup>th</sup> day of April 2022



David C. Chanski, MPA  
Community Development Director

Publication Date: April 10, 2022