

PLANNING COMMISSION

Wednesday, July 20, 2022

6:00 pm

#1 Call to Order

Planning Commission Vice Chair Woodward called the meeting of the Brainerd Planning Commission to order at 6:00 pm in the City Hall Council Chambers.

#2 Roll Call

Noted present were Commissioners Woodward, Erickson, Yeager, and Gorham. Commissioners Duval and Kallroos were noted as absent. Also noted as present was City Administrator Bergman and Community Development Director Kramvik.

#3 Pledge of Allegiance

Commissioner Yeager opened the meeting with the Pledge of Allegiance to the flag.

#4 Approval/Change of Agenda

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND GORHAM, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

#5 Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND GORHAM, DULY CARRIED, TO APPROVE THE MINUTES FROM THE JUNE 15, 2022 REGULAR MEETING.

#6 Old Business

None

#7 New Business

7a. Variance from Fence Height Setback Standards – 401 Holly Street

Community Development Director Kramvik explained the details of the request from the property owner of 401 Holly Street. He said the applicant would like to construct a 6' wood privacy fence up to the sidewalk with no setback requirements.

The Vice Chair opened the public hearing at 6:08 pm.

The Vice Chair recognized Jessie Hartman, 401 Holly Street, who distributed photos of the property to the Commission and gave a brief history of the process he followed to obtain a fence permit.

The Vice Chair recognized Mary Aegerter, 615 N 5th Street, who is against the variance to allow a 6' fence to meet the sidewalk. She stated that she would be in favor of a 4' fence instead of the proposed 6' fence.

The Vice Chair recognized Chuck Marohn, 616 N. 4th Street, who owns property that abuts 401 Holly Street and stated the fence was constructed against city ordinance. He said the details of his concerns have been provided in the memo included in the packet.

The Vice Chair recognized Krista Soukop, 606 Bluff Avenue, who is the president of the Northside Neighborhood Association and is speaking on behalf of the group. She stated that the residents are not in favor of the variance to allow tall fences up to the sidewalk.

The Vice Chair recognized Zach Skarolid, 703 5th Street N., who stated he is in favor of approving the variance due to the safety and security of pets and children. He said he is also on a corner lot and should be able to use that corner as a secure yard space.

The Vice Chair closed the public hearing at 6:33 pm.

Commission discussion took place.

The Vice Chair recognized Kelsie Randall, 401 Holly Street, who stated that they are going to have a survey to determine property lines.

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND YEAGER, DULY CARRIED, TO RECOMMEND DENIAL OF THE VARIANCE FROM FENCE HEIGHT SETBACK STANDARDS AT 401 HOLLY STREET, AS THE APPLICANT HAS NOT DEMONSTRATED A PRACTICAL DIFFICULTY IN COMPLYING WITH THE ZONING ORDINANCE DUE TO CIRCUMSTANCES THAT ARE UNIQUE TO THE PROPERTY.

7b. Façade Interpretations in New Zoning Code

Community Development Director Kramvik explained that the Commission needs to determine how to interpret the new zoning code definition of façade. He said historically, the front façade was defined as the outermost face of the principal building in the front or side (corner) yard that is part of the foundation and covered by a roof.

The Vice Chair opened the public hearing at 6:52 pm.

The Vice Chair recognized Chuck Marohn, 616 N. 4th Street. He stated he would determine the façade differently on a corner lot, as this is someone else's side yard and another's backyard. He said the front façade could be a garage if the living quarters were built above. The "*good neighbor*" provision should be implemented in the new zoning code, as it was in the previous code.

The Vice Chair recognized Jessie Hartman, 401 Holly Street, who as a contractor, indicated the façade of a principal structure is the leading edge where foundation meets the roofline of a house.

The Vice Chair recognized Kelsie Randall, 401 Holly Street, who commented that the placement of a home built farther back from others in the neighborhood should not determine where neighboring fences are built.

The Vice Chair closed the public hearing at 7:03 pm.

Commission discussion took place.

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND ERICKSON, DULY CARRIED, TO DEFINE FRONT FAÇADE IN THE NEW ZONING CODE AS THE FORWARD MOST PART OF A LIVING STRUCTURE THAT IS CONNECTED BY FOUNDATION, WALL AND ROOF THAT HAS THE ABILITY TO CONCEAL OR BE HEATED, NOT INCLUDING ACCESSORY STRUCTURES OR GARAGES.

7c. Conditional Use Permit – Commercial Daycare Facility – 1002 Laurel St.

Community Development Director Kramvik stated that the property owners have submitted a request to operate a daycare center at 1002 Laurel Street. He indicated there was a previous application submitted in 2019 that did expire the time limit. He reviewed the details of the application, as well as the changes to the zoning requirements.

The Vice Chair opened the public hearing at 7:27 pm.

The Vice Chair recognized Denise Blood, 11315 Leewood Lane, East Gull Lake, who is the property owner. Commissioner Yeager explained to her there is a DEED grant opportunity for small businesses in the River to Rail corridor being handled through BLAEDC and encouraged the applicant to apply.

The Vice Chair closed the public hearing at 7:27 pm.

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND YEAGER, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT AT 1002 LAUREL STREET TO OPERATE A DAYCARE CENTER.

7d. Interim Use – Warming Shelter – 1926 S. 7th St.

Community Development Director Kramvik stated the applicants are returning to the Commission to reapply for an Interim Use Permit for the warming shelter. He indicated there were just a couple adjustments made to the operating hours and the desire to increase the permit from one-year to three-years.

The Vice Chair opened the public hearing at 7:31 pm.

The Vice Chair recognized Ann Hunnicutt, 1822 CR 2, Ft. Ripley, who shared the details of the successful season they had in 2021-2022 and provided the numbers on guest stays.

The Vice Chair recognized Jana Shogren, executive director for Bridges of Hope, who said the reason for the increased length of the permit is to demonstrate a commitment to the project. She explained that this will help in establishing long term fundraising and funding for the shelter.

The Vice Chair closed the public hearing at 7:41 pm.

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND GORHAM, DULY CARRIED, TO RECOMMEND APPROVAL OF THE INTERIM USE PERMIT FOR A WARMING SHELTER AT 1926 S. 7TH ST THROUGH JUNE 30, 2025 WITH THE CONDITION IF THE BRAINERD POLICE DEPARTMENT DETERMINES THE FACILITY HAS BEEN USED IN A DISORDERLY MANNER AND UPON RECOMMENDATION OF THE POLICE CHIEF, THE INTERIM USE PERMIT SHALL BE BROUGHT BEFORE THE CITY COUNCIL FOR REVIEW

AND CONSIDERATION FOR SUSPENDING OR REVOKING THE PERMIT AT THE NEXT AVAILABLE CITY COUNCIL MEETING.

#8 Public Forum

The Vice Chair opened the public forum at 7:44 pm.

No one came forward.

The Vice Chair closed the public forum at 7:46 p.m.

#9 Community Development Director's Report

Community Development Director Kramvik gave the following updates:

- Brainerd Lakes Area Economic Development Corporation (BLAEDC) will be administering the Main Street Revitalization Grant Program through MN Department of Employment and Economic Development (DEED) for applicants located in the River to Rail District.

#10 Commissioner's Questions/Comments

None

#11 Adjourned at 7:47 p.m.

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND GORHAM, DULY CARRIED, TO ADJORN.

Theresa Woodward, Planning Commission Vice Chair