

PLANNING COMMISSION
Wednesday, May 19, 2021

#1 Call to Order

Planning Commission Chair Duval called the meeting of the Brainerd Planning Commission to order at 6:00 p.m. in the City Hall Council Chambers.

#2 Roll Call

Noted present were Commissioners Woodward, Erickson, Gorham, and Duval. Commissioners Kallroos, Foley, and Yeager were noted as absent. Community Development Director Chanski and Assistant Planner Kramvik were also noted as present.

#3 Pledge of Allegiance

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

#4 Approval/Change of Agenda

MOVED AND SECONDED BY COMMISSIONERS GORHAM AND WOODWARD, DULY CARRIED, TO AMEND THE AGENDA BY MOVING NEW BUSINESS DISCUSSION OF SOBER HOMES BEFORE OLD BUSINESS.

#5 Approval of Minutes

MOTION AND SECONDED BY COMMISSIONERS ERICKSON AND GORHAM, DULY CARRIED, TO APPROVE THE MINUTES FROM THE APRIL 21, 2021 MEETING.

MOVED AND SECONDED BY COMMISSIONERS GORHAM AND WOODWARD, DULY CARRIED, TO AMEND THE MINUTES FROM THE APRIL 28, 2021 WORKSHOP TO REFLECT THE DECISION OF SECTION 515-66-4, # 11, OF THE TRANSIENT FOOD UNIT OVERLAY DISTRICT REGARDING THE NUMBER OF FOOD TRUCK UNITS ALLOWED PER PROPERTY.

Upon review of the audio from the April 28, 2021 workshop, it was determined there were no recommended changes at this time to the ordinance regarding the number of food trucks per property. The minutes that were provided in the packet remain unchanged.

#6 New Business

6a. Discussion – Sober Homes

Community Development Director Chanski gave a brief update of the history of the sober home topic that was initiated in 2017 and the regulations determined by the FFHA (Federal Fair Housing Act).

The Chair invited the meeting attendees to speak regarding the sober home topic and recognized the following:

- Mr. Steve Suer, 450 Tyrol Drive, Brainerd – spoke in favor of the sober home program, but indicated he is concerned about the allowed number of occupants that may reside in the home. He also read an ordinance from the City of St. Paul regarding their policies on sober homes and expressed concern regarding the number of sober homes within a proximity of each other.
- Ms. Jan Lambert, 426 Tyrol Drive, Brainerd – spoke about her concern of the occupancy level of the home.
- Mr. Dale Anselment, 462 Tyrol Drive, Brainerd – spoke regarding the problem with traffic and vehicles parked on the street. He has had issues with snow plowing last winter, and there are too many parked on the street.
- Mr. Bob Tautges, 8853 Paradise Beach Road, Brainerd – works with the residents in the chemical dependency program and spoke highly of Sheila Haverkamp and the work she does to help the residents. He said there is a large support group within the home and Ms. Haverkamp works hard to follow the required ordinances and city codes.
- Ms. Sheila Haverkamp, 12950 Knollwood Drive, Baxter - property owner and the sober house program director, gave a review of the details of the program and her involvement with the residents.
- Mr. Bruce Janowiec, 448 Tyrol Drive, Brainerd – agreed with Mr. Suer on the positive aspects of the program but fears that his property will lose value due to over concentration of sober houses in one area. He suggested being pro-active to regulate the number of sober homes that may be in one area.

Community Development Director Chanski went through the requirement process of sober houses, which is regulated through the Rental Housing Program and State Building Codes.

Commission discussion took place.

Community Development Director Chanski will work with the City Attorney regarding answers to the questions brought forth and how the FFHA would relate to the City ordinances.

#7 Old Business

7a. Final Plat – Lot 1, Block 1 Myrha Addition to Brainerd Oaks

Community Development Director Chanski gave a brief review of the request for a final plat in Brainerd Oaks. He stated the preliminary plat was approved by the City Council on May 3, 2021.

MOVED AND SECONDED BY COMMISSIONERS WOODWARD AND ERICKSON, DULY CARRIED, TO RECOMMEND APPROVAL OF THE FINAL PLAT FOR LOT 1, BLOCK 1 MYRHA ADDITION TO BRAINERD OAKS.

7b. Text Amendment – Section 515-66: Transient Food Unit Overlay District

Community Development Director Chanski stated the workshop discussion resulted in three areas of Section 515-66 that could be amended. The Commission suggested the following revisions:

- Operating Times – amend to 7:00 am – 11:00 pm
- Operating Areas – amend to allow transient food units in any commercial district, except B-1 and any industrial district including Central Lakes College and the Franklin Arts Center.
- Distance from Restaurants and Bars – amend to eliminate this restriction

Commissioner Duval indicated there is an error in the draft ordinance under section two: Lincoln Arts Center should be Franklin Arts Center. He also asked about the addition to the ordinance of the property owned by Central Lakes College and ISD181. Community Development Director Chanski stated these were added to the ordinance draft.

The Chair opened the public hearing at 7:19 p.m.

No one came forward.

The Chair closed the public hearing at 7:19 p.m.

MOVED AND SECONDED BY COMMISSIONERS GORHAM AND WOODWARD, DULY CARRIED, TO RECOMMEND APPROVAL OF THE PROPOSED ORDINANCE TO AMEND SECTION 515-66 TRANSIENT FOOD UNIT OVERLAY DISTRICT AS PRESENTED.

7c. Zoning Code Update – Traditional Neighborhood & Downtown Character Areas

The Chair welcomed Jennifer Haskamp and Michael Lamb, consultants with Swanson Haskamp, to have further discussion with the Commission regarding the traditional neighborhood and downtown character areas for the new zoning code. The purpose of the meeting tonight is to refine these areas as they conclude the annotated outline.

Mr. Lamb reviewed the existing outline of sections in our code versus the proposed outline, which is significantly condensed and simplified. There was discussion on traditional neighborhood districts, town center, and town core.

Commission discussion took place.

#8 Public Forum

The Chair opened the public forum at 8:40 p.m.

No one came forward.

The Chair closed the public forum at 8:40 p.m.

#9 Community Development Director's Report

Community Development Director Chanski made the following announcements:

- City Council approved the preliminary plan and variance request for Lots 24-40 and Outlot C, Block 9 in Northtown
- City Council approved the outdoor patio resolution and Conditional Use Permit requests for CC's Bar at 121 Washington Street NE and O'Neary's at 305 S. 7th Street
- City Council chose to uphold the Planning Commission's recommendation to not proceed with the requested amendment to Section 900 of the City Code
- Reminder of the Special Meeting taking place on Wednesday, May 26th at 7:00 pm to consider the Country Manor development
- A developer interested in a downtown project is anticipated to be a part of the June 16th Planning Commission meeting

#10 Commissioner's Questions/Comments

None

#11 Adjourned at 8:50 p.m. to Special Meeting on Wednesday, May 26, 2021 at 7:00 p.m.

Michael Duval, Planning Commission Chair