

PLANNING COMMISSION
Wednesday, March 16, 2022
6:00 pm

#1 Call to Order

Planning Commission Chair Duval 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, Gorham, and Duval. Commissioner Kallroos was noted as absent. Also noted as present was Community Development Director Chanski. Swanson Haskamp Consultant Jennifer Haskamp attended in person and Consultant Michael Lamb joined the meeting remotely.

#3 Pledge of Allegiance

Commission Chair Duval opened the meeting with the Pledge of Allegiance to the flag.

#4 Approval/Change of Agenda

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

#5 Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND GORHAM, DULY CARRIED, TO APPROVE THE MINUTES FROM THE FEBRUARY 16, 2022 REGULAR MEETING AND THE FEBRUARY 23, 2022 WORKSHOP.

#6 Old Business

6a. Public Hearing and Recommendation for the Proposed Zoning Code and Zoning Map

Community Development Director Chanski announced the final draft of the zoning code has now been completed after fifteen months of work. He indicated Ms. Haskamp will be giving a review of the code by section, highlighting the changes.

Ms. Haskamp stated she is excited to be here to deliver a finished product. She reviewed the schedule, an outline of the Zoning Code with key changes and updates.

- 515-1. TITLE (515-1-1 through 515-7). No significant changes
- 515-2. ZONING DISTRICTS (515-2-1 through 515-2-21). Full Re-write
- 515-3. ALLOWED USES (515-3-1 through 515-3-16, and Appendix A). New Table, modifications to sections
- 515-4. General Building, Development, and Design Standards (515-4-1 through 515-4-13). Update and Revise
- 515-5. Rules and Administration. Reorganization, significant changes to PUD.

- 515-6. Rules and Definitions (515-6-1 through 515-6-3). Reorganization, new definitions

Swanson Haskamp Consulting showed a video they created for the rewrite of the Zoning Code.

The Chair opened the public hearing at 6:34 p.m.

The Chair recognized Vicky Kinney, Lakeshore, who disagrees with the requirement of a garage in the building standards. She said she would suggest it be changed to require a storage building instead for flexibility, especially for small or tiny homes.

The Chair recognized Mike Murphy, 8371 Greenwood Rd., Baxter, who expressed his displeasure in the restrictions he has experienced on a recent project to construct a garage.

Commissioner Duval asked Community Development Director Chanski and Ms. Haskamp to explain the section on garages. A variance would need to be applied for to eliminate the garage requirement. However, a variance cannot be granted for “use” of the property, only for dimensional limitations.

Commission discussion took place.

The Chair closed the public hearing at 6:59 p.m.

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND WOODWARD, DULY CARRIED, TO RECOMMEND APPROVAL OF THE ZONING CODE AND ZONING MAP AS PRESENTED.

Community Development Director Chanski explained this will go to the City Council for a first ordinance reading on Monday, March 21st. He stated if approved, it will then be at the April 4th City Council meeting for the second ordinance reading and consideration for adoption. There is a one week waiting period prior to a second reading, thus making the Zoning Code effective April 11, 2022.

#7 New Business

7a. Interim Use Permit for Commercial Greenhouse

Community Development Director Chanski gave a brief review of the application from Steven Zelinske, owner of Yesterday's Gone, to construct a commercial greenhouse using a double layer 6 mil. flexible rolled material. He explained that commercial greenhouses were approved in 2020 but it did not allow the rolled material. He said the topic of rolled material went before the City Council on March 7, 2022 at the request of Mr. Zelinske, which was approved at that meeting. He stated this would be for approval of the Interim Use Permit to allow the commercial greenhouse, which will be in use year-round.

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

The Chair recognized Steven Zelinske, 15965 CR 25, who asked what the next step would be if the City Council does not adopt the Zoning Code. Community Development Director

Chanski indicated that the current code would still be in place, and the rolled material would not be permitted.

The Chair recognized Mike Murphy, 8371 Greenwood Rd., Baxter, indicated he has a similar material on a structure that is not permitted, and he feels it should be.

The Chair closed the public hearing at 7:23 p.m.

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND GORHAM, DULY CARRIED, TO RECOMMEND APPROVAL OF THE INTERIM USE PERMIT TO CONSTRUCT A COMMERCIAL GREENHOUSE AT YESTERDAY'S GONE BAR AND RESTAURANT, CONTINGENT UPON THE APPROVAL OF THE ZONING CODE AND ZONING MAP BY THE CITY COUNCIL.

7b. Interim Use Permit for Short Term Rental

Community Development Director Chanski gave a review of the application and details of a request submitted by Ms. Kelly Woodman for an Interim Use Permit to operate a short-term rental at 704 Fir Street.

The Chair opened the public hearing at 7:46 p.m.

The Chair recognized Kelly Woodman, 2431 Cottagewood Dr., Nisswa, who stated she would like to use her property for short-term rental opportunities versus a single-family rental.

The Chair closed the public hearing at 7:48 p.m.

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND ERICKSON, DULY CARRIED, TO RECOMMEND APPROVAL OF THE INTERIM USE PERMIT SUBMITTED BY KELLY WOODMAN TO OPERATE A SHORT-TERM RENTAL AT 704 FIR STREET UPON THE REINSPECTION BY THE BUILDING INSPECTOR AND FIRE MARSHAL AND UNDER THE CONDITION THE TERM OF OPERATION MUST COMPLY WITH THE ZONING CODE IN EFFECT AT THAT TIME AND IN THE EVENT OF A LAPSE OF RENTAL LICENSING WOULD PROMPT CITY STAFF TO CONTACT THE PROPERTY OWNER.

#8 Public Forum

The Chair opened the public forum at 7:58 p.m.

No one came forward.

The Chair closed the public forum at 7:59 p.m.

#9 Community Development Director's Report

Community Development Director Chanski gave the following updates:

- Ordinance No. 1527 First Reading of the Zoning Code will go to the City Council March 21st – Second reading will be held April 4th
- Ordinance No. 1524 First Reading to amend Section 320 Administrative Citations will go to the City Council March 21st – Second reading will be held April 4th

- Ordinance No. 1525 First Reading to repeal and replace Section 425 Rental Housing Maintenance Code will go to the City Council March 21st – Public hearing and second reading to be held April 4th
- Ordinance No. 1526 First Reading to repeal and replace Section 450 Property Maintenance Code will go to the City Council March 21st - Second reading to be held April 4th

#10 Commissioner's Questions/Comments

None

#11 Adjourned at 8:05 p.m.

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

Michael Duval, Planning Commission Chair

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