

PLANNING COMMISSION

Wednesday, January 9, 2013

Chairman Mike Jay called the meeting of the Brainerd Planning Commission to order at 6:01 p.m. in the City Hall Council Chambers.

Noted present were Commissioners Cumberland, Plantenberg, Jay, Lambert, and Cole. Noted absent was Commissioner Erickson. Also present was City Planner Ostgarden.

#2 Election of Chair and Vice Chair

City Planner Ostgarden requested nominations for the position of Chair. Commissioner Plantenberg nominated Commissioner Jay for position of Chair.

MOTION AND SECONDED BY COMMISSIONERS PLANTENBERG AND COLE, DULY CARRIED, TO ELECT COMMISSION JAY AS CHAIRMAN OF THE BRAINERD PLANNING COMMISSION.

Commissioner Jay requested nominations for the position of Vice Chair. The Commission agreed to hold over the election of vice chair until the next meeting as not all Commissioners were present.

Commissioner Plantenberg left the meeting at 6:03 p.m.

#3 Approval/Amendment of Agenda

MOTION AND SECONDED BY COMMISSIONERS CUMBERLAND AND LAMBERT, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

#4 Approve minutes of the regular meeting of December 12, 2012

MOTION AND SECONDED BY COMMISSIONERS CUMBERLAND AND COLE, DULY CARRIED, TO APPROVE THE MINUTES FOR THE REGULAR MEETING OF DECEMBER 12, 2012.

#5 NEW BUSINESS

a. Northtown West Site Plan Revisions

City Planner Ostgarden stated Northtown West is an approved seventy-five (75) units Common Interest Community that includes a mix of three (3) and four (4) unit two story buildings. To date eighteen (18) units have been constructed. The new owners are proposing a plan revision that will:

- Reduce the total number of units to sixty-two (62)
- Include an option to construct one (1) story units in addition to the two (2) story units

City Planner Ostgarden stated a new plan has been submitted showing the following changes:

- Outlot J – One (1) four (4) unit building. This building cannot be constructed as this lot has been deeded to the City and a retention pond has been built on the parcel. This will reduce the new total to fifty-eight (58) units.
- Lot One Block One – Two (2) three (3) unit buildings.

City Planner Ostgarden noted there was previous discussion that Outlot 1 would be used for commercial purposes. He also noted with the reduction of units there will be utility infrastructure that will not be used and utilities will need to be stubbed in for two of the units Outlot 1.

City Planner Ostgarden stated the Zoning Ordinance requires a review and approval process when a revision is made to a Planned Unit Development (PUD). He stated he is asking the Commission whether or not the formal procedure is necessary as the number of units are being reduced and the buildings will be reduced to one story.

Discussion was held and the Commission agreed the formal process was not necessary.

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND COLE, DULY CARRIED, TO RECOMMEND TO THE CITY COUNCIL TO WAIVE THE FORMAL CONDITIONAL USE PERMIT REVIEW PROCESS AS THE NUMBER OF UNITS ARE BEING REDUCED AND THE BUILDINGS WILL BE REDUCED TO ONE STORY MAKING IT LESS INTRUSIVE.

b. Mobile Food Units – Draft Ordinance Review

City Planner Ostgarden gave a review of how this issue has come before the Commission. He stated he would like to receive direction from the City Council on where it stood on this position before talking about specific Zoning and City Code language changes. He stated the Commission will need to look at this issue from the “big picture” perspective and discuss and reach a conclusion about whether or not this category of mobile units is an activity that provides a value to the community. He stated the decision should not be based upon how often the unit operates, advertises, functions, etc, as this is for discussion in the future.

City Planner Ostgarden noted the Commission will only have discussion on mobile units on private property. Mobile units on public property or street rights-of-way is a City Council issue.

Commissioner Jay stated he will allow brief comments from the public only on whether or not they think mobile units should be allowed in the City.

The following people spoke on this issue:

- Gary Scheeler, 923 Lakeview Lane – requested this item be discussed at the Safety and Public Works Committee prior to the whole City Council
- Tom Hofius, 722 N 6th Street – mobile units should not be allowed
- Bobbie Lewis, 1210 South 6th Street – mobile units should not be allowed
- Al Gmeinder, 601 Washington Street – mobile units should not be allowed
- Nick Miller, 1672 Fairview Drive – mobile units should be allowed
- Matt Annand, 24079 Co Rd 19, Merrifield – mobile units should be allowed

- Travis Jackson, 1519 Emma Street – mobile units should not be allowed
- Bob Turner, 11427 Easy Street – mobile units should not be allowed

Commissioner Cole stated the Commission needs to see if there is an actual need for this type of business and if there is not a need it should not be approved.

Commissioner Lambert stated if this type of business is on private property for those business owners only may be a possibility, but it should not be open to the public.

Commissioner Cumberland stated there are other types of sales on business properties in town and the market should decide if this type of business will succeed or not. She stated if other types of mobile units want to set up in the city it would be better to have language in place.

Commissioner Jay stated he does envision this as a good thing for Brainerd at this time.

MOTION AND SECONDED BY COMMISSIONERS COLE AND LAMBERT TO RECOMMEND DENIAL OF MOBILE UNITS IN CITY OF BRAINERD ON PRIVATE PROPERTY AS IT IS NOT RIGHT FOR THE CITY AT THIS TIME. COMMISSIONER CUMBERLAND ABSTAINED.

c. Mississippi Riverfront

City Planner Ostgarden stated he has brought this before the Commission to make them aware of what has been happening with community development issues. He stated for years there has been a Riverfront Community that has been meeting. The Mississippi River is one of the most important asset of our community and we have ignored it and underutilized it for far too long. The Riverfront Community has tried to figure out a way to establish a plan for design concepts for the riverfront starting from Washington Street to Little Buffalo Creek and eventually expanding in the future.

City Planner Ostgarden stated there has always been hesitation of doing anything with the riverfront because of the high banks and flooding, but it can be designed to deal with these concerns as other communities have done. He stated his goal is to work with the Committee to put together a draft proposal and present it to the City Council in the near future. There will be an investment, planning, and funding.

Discussion was held regarding this project and community development around the entire City.

d. Year End Review

City Planner Ostgarden requested this be held over to the next meeting to allow for additional information to be provided.

#6 OLD BUSINESS

NONE

#7 **Commissioners' Questions/Comments**

Commissioner Cumberland stated this will be her last meeting on the Commission as Council Liaison as she has been appointed as President of the Council. She stated she will be appointing a liaison to the Commission prior to the February meeting.

Commissioner Jay thanked Commissioner Cumberland for all of the work she has done for the Commission.

#8 **City Planner's Comments**

City Planner Ostgarden stated he found the following articles included in the packet very interesting:

- Public Works "Survey results show what people want from local government"
- "Seven Keys to Stronger Community"

#9 **Adjournment**

As there was no further business the meeting adjourned at 7:09 p.m.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

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