

PLANNING COMMISSION
Wednesday, February 13, 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 Jay, Lambert, Norwood and Cole. Commissioner Plantenberg were noted absent. Commissioner Pritschet arrived at 6:17 p.m. Also present was City Planner Ostgarden.

Commissioner Jay welcomed new Commission Member James Norwood.

#2 Approval/Amendment of Agenda

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

#3 Approve minutes of the regular meeting of January 9, 2013

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND COLE, DULY CARRIED, TO APPROVE THE MINUTES FOR THE REGULAR MEETING OF JANUARY 9, 2013.

#4 NEW BUSINESS

a. Public Hearing – Variance 1201 Brook Street – Harvey Doucette

The Public Hearing was opened at 6:02 p.m.

City Planner Ostgarden stated the owner desires to construct an additional twenty-six (26) foot by forty (40) foot accessory structure where two (2) accessory structures, one twenty-five (25) feet by forty (40) and the other twenty-six (26) by forty (40) feet, already exist. He noted the lot size is one hundred twenty-two and one-half (122.50) feet wide by three hundred forty (340) feet deep which is larger than a standard lot in the city.

City Planner Ostgarden stated the Zoning Ordinance only allows two accessory structures in a Single Family Residential District. He noted with the uniqueness of this lot and the building being located on the north end of the property, the additional building will be secluded and will not be visible from Brook Street. He stated the accessory building will only be seven (7) percent of the total lot area where the Zoning Ordinance permit up to ten (10) percent. The total lot coverage including the dwelling will be far less than the permitted sixty (60) percent. He also noted the pitch of the roof on the proposed building will be 5/12, making the height approximately 11-1/2 feet to midpoint which is less than the maximum height allowance and will match the current accessory structure.

Mr. Harvey Doucette, 1201 Brook Street, gave a review of what the current accessory buildings are used for and how they plan to use the new accessory structure. He also noted as City Planner Ostgarden stated that it will only less than the 10% allowed total lot area coverage.

Commissioner Jay asked if the shed in the back corner will be removed. Mr. Doucette stated it will be removed prior to construction of the proposed building.

The Public Hearing was closed at 6:18 p.m.

Commissioner Lambert read the findings-of-fact into the record as follows: 1. The property is zoned R-1 (Single Family Residential) District; 2. The variance is to allow a third accessory building on the lot; 3. The lot size is 122.5' wide by 340' deep or 41,560 square feet. The lot is unique in that it has considerably more depth and lot area than a typical single family lot in the city; 4. The total square footage of all accessory buildings is 3,080 square feet is less than the maximum 10% lot area coverage for accessory buildings; 5. Total lot coverage is limited to 50% of lot area or 20,280 square feet. Total lot coverage is less than 6,000 square feet; 6. The roof pitch is 5/12 and the garage height will be approximately 11-1/2 feet. This will match the height of the existing accessory building; 7. The character of the locality will not be adversely affected because: (a) The accessory building placement will not be visible from a public street, (b) Dwellings along Brook Street are located along the street setback line creating a distance of over 200' to the nearest adjacent dwelling along Brook Street, (c) The dwelling to the north is buffered by woodlands and wetland; 8. An additional accessory building is not contrary to the Comprehensive Plan Goals and Strategies; 9. A small accessory building will be removed prior to construction of the proposed accessory building; 10. There are no City or agency concerns; 11. There is no neighborhood opposition.

Additional findings-of-fact: 12. The petitioner spoke in favor, no one spoke in opposition.

MOTION AND SECONDED BY COMMISSIONERS COLE AND LAMBERT, DULY CARRIED, TO RECOMMEND APPROVAL OF VARIANCE 377 TO ALLOW A THIRD ACCESSORY BUILDING ON A SINGLE FAMILY LOT WITH THE TWELVE (12) FINDINGS-OF-FACT.

b. Public Hearing – Conditional Use Permit South 9th Street between Pine Street and Quince Street – ISD #181

The Public Hearing was opened at 6:29 p.m.

City Planner Ostgarden stated this request is an amendment to Conditional Use Permit 238 to allow the expansion of the parking lot located on South 9th Street between Pine Street and Quince Street. City Planner Ostgarden stated additional District employees will be relocated to the Washington Education Services Building (WESB) requiring an expansion of the parking to allow for ninety-seven off-street parking spaces. Off-street parking was a condition of the original CUP issued in 2005 and would be based on the number of staff located in the building versus the standard ratios applied to off-street parking.

City Planner Ostgarden stated the existing buildings located on the site will be moved and staff from those building will also relocated to the WESB. He noted providing the additional off-street parking will prevent a chaotic parking situation from occurring and also prevent day to day right-of-way congestion. He also stated when there are school function or community events in the

building there will still be on-street parking and providing off-street parking for these types of events would not be practical.

City Planner Ostgarden stated a few outstanding issue would include finalizing a stormwater plan which will be handled through sheet drainage as noted in preliminary discussions, landscaping which is not shown on the current site plan, a lighting plan, and possibilities of sidewalks along Pine Street. He stated other than these few outstanding issues, there are no other City Departmental concerns.

Commissioner Lambert asked if there have been complaints from the neighborhood regarding on-street parking. City Planner Ostgarden stated a couple of years ago there were complaints, but after meetings with the School District and additional notification to the neighborhood when events were going to occur, there have been no additional complaints.

Mr. Earl Wolleat, Director of Buildings and Grounds for ISD 181, first addressed the issue of complaints from the neighborhood noting after telling employees not to park on South 9th Street there haven't been complaints in last couple of years. He then reviewed possible plans for landscaping around the parking lot noting he would like to keep the planned sidewalk in the center island for safety purposes and add trees or shrubs at the end corners of the sidewalk. He discussed the plan to use sheet drainage for stormwater runoff noting it will go to the greenspace to the south of the parking lot. He also reviewed the lighting plans and handicap parking. He stated the School District will meet all City requirements on landscaping, lighting, and stormwater.

A new site plan was submitted to the Commission from Hy-Tec Construction.

The Public Hearing was closed at 7:02 p.m.

Commissioner Norwood read the findings-of-fact into the record as follows: 1. The property is located in an R-1 (Single Family Residential) District and school uses are permitted as a conditional use in this zoning district; 2. In 2005 the School District was granted a CUP to permit the Washington School now the Washington Education Services Building to be used for District administrative purposes, community related school functions and general community events; 3. In 2005 it was determined that off-street parking will be provided to meet the day to day District staffing needs. A fifty-nine (59) space off-street parking lot was built to accommodate District staff parking; 4. Additional staff is planned to be located at the WESB requiring the need for additional off-street parking; 5. The District is proposing to add forty-six (46) employees at the WESB increasing the total to ninety-four (94) employees and the parking lot expansion will create ninety-seven (97) spaces; 6. It is understood that providing off-street parking will not meet the demand for school related functions and community events; 7. There are no residential uses on the block and the lot will be screened to buffer the lot from residential uses located across the street; 8. The area has some transition with the District owning two blocks and an industrial use located to the east; 9. The use is consistent with Zoning Ordinance Intent and Purpose section in that: (a) The additional off-street parking will protect the neighborhood in that the expansion does not result in a loss of residential dwellings and the expansion will prevent a chaotic parking situation from occurring on a day to day basis, (b) The off-street parking permits the reuse of an existing historical and significant building in the community, (c) The additional off-street parking will help prevent right-of-way congestion on a day to day basis; 10. There are no agency concerns

and the only City department concern is a stormwater plan has not been approved by the City;
11. There is no neighborhood opposition.

Additional findings-of-fact: 12. The petitioner spoke in favor, no one spoke in opposition.

The Commission agreed to the following conditions:

Submittal of a:

1. Lighting plan.
2. Landscaping plan identifying trees around the periphery of the lot and trees/shrubs on the ends of the interior islands.

The Commission also agreed to not require a sidewalk along Pine Street which would require removal of trees which provide adequate screening and the sidewalk in the center island should remain as planned for safety purposes.

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND PRITSCHET, DULY CARRIED, TO RECOMMEND APPROVAL OF THE AMENDMENT OF CONDITIONAL USE PERMIT 238 FOR THE EXPANSION OF THE PINE STREET PARKING LOT WITH THE TWELVE (12) FINDINGS-OF-FACT AND TWO (2) CONDITIONS.

c. 2012 Year End Review

City Planner Ostgarden stated the Commission was interested in seeing a recap of the activities from the past year. Those activities were:

- Zoning Ordinance Language
 - Amended the Zoning Ordinance regarding nonconforming buildings and property
 - Discussed a requirement for single family garage construction
 - Discussed regulations on camper top storage
 - Interpreted the definition of “building height”
 - Interpreted the definition of “restaurant”
- Variances/Conditional Use Permits/ Interim Use Permits
 - Considered five (5) variances, three (3) conditional use permits and one (1) interim use permit request
- Rezoning
 - Considered two (2) rezoning requests
- Nonconforming Building Use
 - Heard a request to permit reuse of a building with a nonconforming use
- Off Street Parking Requirements
 - Recommended approval for a parking deferment at the East Brainerd Mall
- Surveys
 - Heard a presentation on three (3) community surveys
- Other
 - Had a presentation on the Stormwater Pollution Prevent Plan (SWPP)
 - Initiated discussion about using golf carts on city streets
 - Initiated discussion about a possible land exchange between Brainerd and Baxter
 - Recommended submittal of a Smart Growth America grant

Heard a presentation from a Capstone Project student regarding suggestions for Brainerd's future

- Workshop
Held a February workshop

Commissioner Cole asked for a historical review of conditional use permits and variances to see if the number of applications have increased over the years.

#5 **OLD BUSINESS**

a. **Report on 1st City Council Strategic Planning Meeting**

Commissioner Pritschet stated the City Council met with the Department Heads and representatives from BLAEDC. The first step was to get a mission statement and the Council has it narrowed down to two options. The next step is for the Council to rate certain issues/projects based on priority and long term versus short term. He stated the point of these meetings is to determine what we are doing, who we are doing it for, and how will it be accomplished.

Discussion was held regarding the Commission's role in this planning and the importance of knowing what is a priority for the Council and what is the Council's vision.

#6 **Commissioners' Questions/Comments**

Commissioner Lambert asked about Safe Routes to School and what would need to be done to possibly double fines in those "safe zones" if there is an injury. City Planner Ostgarden stated he would look into this further.

Commissioner Jay stated he still has concerns about the lowering of the manholes along College Drive and asked City Planner Ostgarden to speak to the Engineering Department.

Commissioner Jay asked about the status of the mobile food truck issue. City Planner Ostgarden stated there is a meeting on Friday between area restaurants, the food truck owner, and the City Council committee. At this time there has not been definitive direction taken by the City Council on what they want to do.

Commissioner Jay stated he feels there should be snow removal times in school zones and it should not be done at the beginning of the school day.

#7 **City Planner's Comments**

City Planner Ostgarden pointed out a couple articles included in the packet:

- Our Town – Creating Livable Communities for All Ages
- Toward the Walkable City

Commissioner Jay stated he feels "small house districts" should be looked into more and noted they are not just for senior citizens. This led to discussion on median house prices in Brainerd along with the average income and employment in Brainerd.

City Planner Ostgarden asked the Commission to refer to the map he handed out earlier showing Brook Street. He stated when the Zoning Map review was done the map got modified to bring the manufactured house zoning came all the way up to Brook Street. He stated that will be brought forth at the next meeting to correct that error.

Commissioner Lambert asked about discussion on the review of the Comprehensive Plan. City Planner Ostgarden stated this is an item that will hopefully be reviewed by the City Council during their strategic planning sessions but encouraged the Commission to bring this forward to the Council.

#8 **Adjournment**

As there was no further business the meeting adjourned at 7:47 p.m.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

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