

PLANNING COMMISSION
Wednesday, September 11, 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 Plantenberg, Hayden, Jay, Lambert, Norwood, and Cole. No one was noted absent. Also present was City Planner Ostgarden and City Engineer Hulsether. Commissioner Pritschet arrived at 7:25 p.m.

#2 Approval/Amendment of Agenda

Chairman Jay requested to move item six a, Commissioners' Questions/Comments – speed limits, after item four since the City Engineer is present for item four and can answer questions for item six.

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND PLANTENBERG, DULY CARRIED, TO APPROVE THE AGENDA AS AMENDED.

#3 Approve minutes of the regular meeting and workshop of August 14, 2013

MOTION AND SECONDED BY COMMISSIONERS NORWOOD AND HAYDEN, DULY CARRIED, TO APPROVE THE MINUTES FOR THE REGULAR MEETING OF AUGUST 14, 2013.

#4 NEW BUSINESS

a. Quiet Zones – Presentation by City Engineer Jeff Hulsether

City Engineer Hulsether gave background information on quiet zones such as what they are, how they were established, and what is required to have a quiet zone. He then discussed the specific guidelines and safety measures to establish a secure corridor. He discussed what the City of Brainerd has done regarding Quiet Zones, which primarily has been discussion of the issue. He reviewed what the City of Baxter has done and the relationship that must occur between Brainerd and Baxter meaning the Quiet Zone would have to be established from the west boundary of Baxter to the east boundary of Brainerd.

City Engineer Hulsether stated there has been discussion recently on working with the City of Baxter on a joint request for proposals for a consultant to do a study to find out what the scope and cost will be for a quiet zone designation. He noted a center concrete median was constructed during the SW 4th Street construction along with the appropriate amount of right-of-way to make it quiet zone compliant. He stated there has also been some work done on S 8th Street. He then reviewed upcoming projects and possibilities of crossing upgrades during street reconstruction. He noted the cost for the study would be split with the City of Baxter and would be approximately \$6,000 to \$8,000.

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND PLANTENBERG, DULY CARRIED, TO RECOMMEND TO THE CITY COUNCIL TO PROCEED WITH A QUIET ZONE STUDY.

#6 Commissioners' Questions/Comments

a. Speed Limits

Commissioner Jay stated he has received several comments about speed limit signs not matching, different speed limits going different directions, which has created headaches for law enforcement specifically East River Road and 13th Street SE.

City Engineer Hulsether stated East River Road should all be a 30 mph speed limit, but there are recommended speed limits around corners. He stated he will look at 13th Street SE, it may be signed incorrectly.

Commissioner Jay asked the City Engineer why manholes cannot be made more level on newly reconstructed roads.

City Engineer Hulsether stated because there is still some movement, no matter how much we compact around the round structure there is settlement after construction. He stated the dangerous thing is getting the casting above the blacktop especially for plowing in the winter. He stated they are kept down to about ½ inch at construction and after about a year or two they get a little closer to level but still must maintain that safety margin.

#5 OLD BUSINESS

a. Whittier Property Zoning Ordinance Amendment Process

i. Draft "Community Center" Definition

City Planner Ostgarden stated the Commission chose a definition for community center at its last meeting. He reviewed the definition noting one amendment would be to change the order of uses so there is more emphasis that this is for social, education, and cultural activities.

Discussion was held regarding the language "no alcoholic sales or consumption" along with the order of the wording. The Commission agreed to remove the language regarding alcoholic sales and consumption and changing the order of the wording to place "public and/or nonprofit group offices" after "recreational, social, educational, or cultural activities".

City Planner Ostgarden stated the Commission should consider changing the language also of the "three or more" for those buildings that may only have one or two uses and should "social" be considered a use since anything can be considered social.

Discussion was held regarding the change of the language "three or more". The Commission agreed to keep the language at "three or more".

City Planner Ostgarden verified the changes will be to remove the language of "no alcoholic sales or consumption" and to change the order of the wording to read "three or more of the following uses: recreational, social, educational, or cultural activities and/or public and/or nonprofit group offices".

ii. Draft Conditional Use Permit Language

City Planner Ostgarden reviewed the draft conditional use permit language.

Discussion was held regarding amendments to the draft language. It was suggested to state “public hours are limited...” on number two so it doesn’t restrict staff from being in the building.

Additional discussion was held on excluding specific activities. It was noted this usually is done on a case by case basis through the conditional use permit process.

The Commission agreed to remove item 4 “no alcohol sales or consumption”.

City Planner Ostgarden stated since these will all be reviewed on a case by case basis, it may not be necessary to have specific language on what community centers will be subject to.

An unofficial vote was held regarding merchandise sales language. On a four to two vote it was agreed to keep the language.

The Commission agreed to the following language:

Community Centers Subject to the Following:

1. No individual organization or activity exterior entrances
2. Public hours are limited to 7:00 am to 12:00 am
3. No exterior organization or activity signs
4. Merchandise sales permitted for non-profit and/or non-profit agencies

City Planner Ostgarden asked if the Commission would like to make these amendments to all the residential districts (R-1, R-1A, R-2, and R-3). The Commission agreed.

The Commission agreed to hold a public hearing at the October 9 meeting for Zoning Amendment language change.

b. Small House and Infill Development

i. Draft Conditional Use Permit Language and Draft Infill Standards Review

City Planner Ostgarden stated there should be a unified definition of what infill means in order to continue with the discussion.

Discussion was held regarding a definition of infill. The Commission agreed to the following language:

“Any vacant lot or parcel which meets all of the following: 1) served by public sewers, 2) fronts an existing public street, 3) bounded on one or more sides by lots one acre in size or smaller with residential structures in an otherwise built-up area.”

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City Planner Ostgarden reviewed the draft language. The Commission discussed the draft language.

Commissioner Jay stated he feels accessory uses in a small home that should be removed from the language would be home businesses, licensed day care, and interim uses.

Discussion was held on changing the language. City Planner Ostgarden reviewed the definitions of home businesses and home extended businesses.

The Commission agreed to remove home extended businesses language.

The Commission agreed to the draft design requirement language.

City Planner Ostgarden asked the Commission how they would like to proceed. The Commission agreed to send the information to local contractors and realtors for input.

It was noted that the design requirements will apply to any infill construction not just small homes.

#6 Commissioners' Questions/Comments

b. Methadone Clinic

Commissioner Jay stated he asked for this item to be placed on the agenda because it is starting cause problems. He stated this type of business has never been defined in the zoning ordinance.

City Planner Ostgarden gave an overview of some of the issues that have occurred since the methadone clinic opened. He also noted the uses that occur there technically fit under the allowed uses in a commercial district. He stated he's looking into what, if any, criteria must be met in order for the license to be renewed, which expires in December.

Discussion was held regarding what can be done regarding this concern.

#7 City Planner's Report

City Planner Ostgarden stated on Tuesday, October 1 at 5:00 p.m. there will be a ribbon cutting for the Buffalo Hills Trail. He stated it will be at the Buffalo Hills Park pavilion.

#8 Adjournment

As there was no further business the meeting adjourned to the workshop at 8:12 p.m.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

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