

PLANNING COMMISSION
Wednesday, February 18, 2015

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

Noted present were Commissioners Pritschet, Parks, Hayden Shaw, Norwood, Straw, and Cole. Commissioner Plantenberg was noted absent. Also present was City Planner Ostgarden.

#2 Approval/Amendment of Agenda

MOTION AND SECONDED BY COMMISSIONERS PRITSCHET AND NORWOOD, DULY CARRIED, TO APPROVE THE AGENDA AS AMENDED.

#3 Approve minutes of the workshop and regular meeting of January 21, 2015

MOTION AND SECONDED BY COMMISSIONERS PRITSCHET AND NORWOOD, DULY CARRIED, TO APPROVE THE MINUTES FOR THE WORKSHOP AND REGULAR MEETING OF JANUARY 21, 2015.

#4 NEW BUSINESS

a. Brew Pubs, Microbreweries and Taprooms/Tasting Rooms

City Planner Ostgarden stated in the past several years there have been many new breweries, taprooms, and micro distilleries that have been proposed or have begun operating in Minnesota. He stated we do not have them in our community and have not had a request for one, but these types of activities are not permitted in the current Zoning Ordinance. He stated this is a preemptive step to have it in the Zoning Ordinance before getting an application.

City Planner Ostgarden reviewed the memo provided to the Commission on the background of these types of activities in Minnesota, current City of Brainerd requirements, and Zoning Districts to permit brew pubs, micro-breweries, and taprooms/tasting rooms. He also reviewed the B-3 District language and draft language and definitions to be included in different districts. He stated he is suggesting these established as permitted uses in the B-3, B-4, B-5, B-6 and Mixed Use District and as a conditional use in the B-2 District. He stated the I-1 can also be amended to allow taprooms and brew pubs. He stated he would also like to have someone involved in this industry review the draft language.

Discussion was held regarding the draft language and how/where it should be allowed.

The Commission all agreed with moving forward with the draft language and also suggested input from someone involved in the industry.

Commissioner Pritschet suggested additions to the definitions to allow a brewery to sell to local establishments.

b. Outdoor Areas for Serving Alcohol

City Planner Ostgarden stated at this time there is no language to allow outdoor areas for serving alcohol. He reviewed the draft language to allow outdoor serving as a conditional use and parameters under which the service is allowed. He noted the language states non-enclosed areas and includes language for where alcohol is served and not served. He noted detailed requirements can be made through the conditional use permit process.

Discussion was held regarding the eight foot fence requirement and other language to help prevent passing alcohol to someone else.

The Commission agreed to modify the language to remove the eight foot fence requirement and change the language to state that it cannot prevent a public hazard and then through the conditional use permit process requirements can be established.

The Commission agreed to move forward with the draft language with the one amendment.

c. Mobile Food Units

City Planner Ostgarden stated for the past couple of years the City Council has allowed food trucks to operate in Brainerd on a temporary basis to see how it works. The trial period will expire in June. He stated he requested from the City Council how they would like to move forward. The majority of the City Council was in favor of moving forward with the current language, and there were a couple members that spoke on an expansion.

City Planner Ostgarden reviewed where food trucks are allowed and the times they can operate. He stated there is only one food vendor that has taken advantage of this. He noted we have had inquiries for trailers, but the current language is for trucks only.

City Planner Ostgarden stated there has been a lot of discussion about the “fairness” of these types of operations as they compare to local businesses. If there is a change in where food trucks are allowed, it will probably bring up this discussion again. He stated he has provided information to show a 300 foot buffer around restaurants where food trucks could not operate which is an option if the language is changed.

Commissioner Pritschet stated the Council had discussion about the generator noise and the difference between the distance from a restaurant and an event.

Discussion was held regarding changing it to mobile food units to allow and different time options.

The Commission agreed to move forward with draft language with the change to mobile food units, language regarding decibel levels for the generators, time of 11:00am to 7:00pm and 11:00pm to 2:00am.

d. Complete Streets Policy Review

City Planner Ostgarden stated the City Council was given a recommendation from the Walkable Bikeable City Committee to adopt a Complete Streets Policy. He stated this means that in the process of road design and reconstruction, it would include looking at the ability to accommodate all means of users on that thoroughfare, not just cars but walkers, bicyclist, transit, and any user of the corridor. He stated it also addresses an environment that is ascetically pleasing.

City Planner Ostgarden reviewed the legislation that was passed in 2008 regarding complete streets. He stated it changes the mindset of how to look at construction and what should automatically be include in the process.

City Planner Ostgarden reviewed portions of the proposed policy. He stated this is a policy, it is not an ordinance or a law. He stated he's looking for a recommendation from the Planning Commission on adoption of the policy

Discussion was held and questions were asked, one regarding how the needs are balanced. It was recommended to change the wording that "items shall be included" could be changed to "shall be considered".

Further discussion was held regarding the wording so as to not make it seem like it has to be included, but yet that it needs to be something more than just considered. Language was suggested to read "bicyclists, transit, and pedestrian transportation user needs shall be considered in street construction..."

MOTION AND SECONDED BY COMMISSIONERS COLE AND PRITSCHET, DULY CARRIED, TO RECOMMEND APPROVAL OF THE PRESENTED COMPLETE STREETS POLICY WITH THE LANGUAGE AMENDMENTS TO ITEM 4 UNDER POLICY.

Further discussion was held regarding language on consideration versus included and also increased enforcement of maintaining sidewalks to be clear of snow and ice. It was agreed to remove the word increased. The motioners agreed to amend the motion.

#5 PUBLIC FORUM – Time allocated for citizens to bring matters not on the agenda to the attention of the Planning Commission – Time limits may be imposed.

Mr. Steve Shepherd brought forward concerns with the outdoor serving area requirements in particular the fence height as it would be an expense to change what he currently has.

Mr. Bob Sullivan stated he has concerns with a couple items that were discussed tonight including the outdoor serving along with food trucks.

Both residents were asked to send in their concerns in writing and to also attend the public hearing that will be held regarding these issues.

#6 OLD BUSINESS

NONE

#7 **Commissioners' Questions/Comments**

Commissioner Hayden Shaw stated there will be a special meeting on March 23 regarding the South 6th Street project and she encouraged Commissioners to attend. City Planner Ostgarden noted they will be discussing the Riverfront Plan also that night.

#8 **City Planner's Report**

None.

#9 **Adjournment**

As there was no further business the meeting adjourned at 8:03 p.m.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

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