

BRAINERD PLANNING COMMISSION

Wednesday, August 19, 2015

6:00 p.m.

City Hall Council Chambers

1. Call to Order
2. Approval/Amendment of Agenda
3. Approval of minutes of the regular meeting of July 15, 2015.
4. NEW BUSINESS
 - Public Hearing – Rezoning at 614 Tamarac Street from B-4 (General Business) District to R-1 (Single Family Residential) District
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.
6. OLD BUSINESS
 - a. Continuation of Public Hearing – Amend Zoning Ordinance Section 515-62-2: Permitted Uses to allow basement and 1st floor dwellings in the B-3 (Central Business) District
 - b. Mission and By Laws – Drafts to Consider for Adoption
 - c. Shipping Containers – Draft Ordinance Language to Permit in Certain Zoning Districts
 - d. Semi-Tractor Trailer Parking in Residential Areas – Draft Ordinance Language to Permit Parking in Residential Districts
 - e. Presentation – Phillip Haugen, Planning Department Intern Regarding Work Experience
 - f. Comprehensive Plan
7. Commissioners' Questions/Comments
8. City Planner Report

Any individual needing special accommodations please call 218/828-2309

PLANNING COMMISSION

Wednesday, July 15, 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, and Straw. Commissioners Plantenberg and Cole were noted absent. Also present was City Planner Ostgarden.

#2 **Approval/Amendment of Agenda**

City Planner Ostgarden requested to add an item to the workshop agenda regarding South 6th Street Zoning.

MOTION AND SECONDED BY COMMISSIONERS NORWOOD AND PARKS, DULY CARRIED, TO APPROVE THE AGENDAS AS AMENDED.

#3 **Approve minutes of the regular meeting of June 17, 2015**

MOTION AND SECONDED BY COMMISSIONERS PRITSCHET AND PARKS, DULY CARRIED, TO APPROVE THE MINUTES FOR REGULAR MEETING OF JUNE 17, 2015.

#4 **NEW BUSINESS**

a. Public Hearing – Amend Zoning Ordinance Section 515-62-2: Permitted Uses to allow basement and 1st floor dwellings in the B-3 (Central Business) District

City Planner Ostgarden stated a request from a downtown property owner has been received regarding allowing basement and 1st floor residential dwelling units in the B-3 District. He stated the property owner has empty buildings that are difficult to rent and allowing rentals on the 1st floor would allow a use in a vacant building.

City Planner Ostgarden stated this is a zoning text amendment which requires a hearing and the requirement for notification is publishing the hearing notification in the local paper. He stated he did not prepare a lengthy staff report and explained why he has not done that noting it is a very significant request and he felt the Planning Commission should deliberate on their own and make a decision based on their feelings on the future of the downtown area.

City Planner Ostgarden noted the Commission has the ability to postpone a decision for the purposes of obtaining more public input or the public hearing can be held tonight and a motion can be made to continue the hearing to the August meeting and discuss additional notification.

The Public Hearing was opened at 6:10 pm.

Mr. David Pueringer, 616-1/2 Front Street, stated he owns approximately 26% of the buildings in the downtown core area. He stated because of changes, it is getting more difficult to fill buildings with businesses in the downtown area and many of the businesses are not financially strong. He stated he would like to be able to put an apartment in the back of the store, possibly for the business owner. He noted there are demands for apartments. He is proposing a

dual use with a business in the front and apartment(s) in the back and even the possibility of an apartment building which will bring more people downtown.

Commissioner Parks asked what percentage would be residential and commercial. Mr. Pueringer stated he would like to keep about 60% to remain commercial.

City Planner Ostgarden asked if there is any proposal to have the entire first floor converted to residential use. Mr. Pueringer stated he would like to make them as a dual use so it wasn't only residential or only commercial.

Mr. Ed Menk, owner of EL Menk Jewelers in downtown, stated he agrees with Mr. Pueringer that downtown is changing. He stated this is a major change and all the parameters need to be set looking at the future to make it a positive change. He requested the Commission to postpone any decision for additional discussion, a notification to all downtown property and business owners, and possibly research of what other cities have done.

MOTION AND SECONDED BY COMMISSIONERS PARKS AND PRITSCHET, DULY CARRIED, TO CONTINUE THE PUBLIC HEARING TO THE AUGUST 19, 2015 MEETING AND TO DIRECT STAFF TO NOTIFY ALL DOWNTOWN PROPERTY AND BUSINESS OWNERS ALONG WITH THE CHAMBER.

Commissioner Parks asked staff to also check with other cities and how they handle residential units downtown. He also noted possibly the history of how the zoning was established downtown.

Discussion was held regarding future discussion regarding this request.

#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.

None

#6 **OLD BUSINESS**

a. Mission and By Laws – Drafts to Consider for Adoption

City Planners Ostgarden stated members of the Minnesota Chapter of the American Planning Association recommended the Planning Commission establish a mission statement as well as by laws. He stated a draft has been provided to the Planning Commission that was taken from the State Chapter and tailored it to our needs. He noted the by-laws can always be amended in the future.

Discussion was held regarding the by-laws. The Commission agreed to hold this over to the August 19, 2015 meeting to allow the Commission to further review the draft presented.

b. Shipping Containers – Information About Allowing in Commercial Districts

City Planner Ostgarden stated currently we permit shipping containers in the industrial district. He stated he was approached by a commercial property owner who has a tenant that is running out of space and would like to use a shipping container for storage since they have space on the

property to do it. He asked if the Commission would be interested in allowing shipping containers in a commercial district for storage.

Commissioner Parks asked if it would be a specific type of shipping container or would a semi-trailer without the wheels be defined as a shipping container.

Commissioner Hayden Shaw asked what districts this would be proposed in. City Planner Ostgarden stated he felt it wouldn't be appropriate in B-1, B-2, or B-3 but could be considered in B-4 and B-5.

City Planner Ostgarden noted the Building Code has changed to allow fences up to seven feet tall without a permit, so the Commission may want to consider changing the Zoning Ordinance to allow seven foot fences in these districts to provide some screening.

The Commission agreed to direct staff to draft language to bring back to the Commission for review. It is noted Commissioner Norwood spoke against allowing these as it is basically a non-permitted accessory structure although could possibly be done as an interim use.

#7 **Commissioners' Questions/Comments**

None

#8 **City Planner's Report**

City Planner Ostgarden stated the City Council is reviewing the City Code regarding what is allowed in the right-of-way noting garage sale signs are not allowed in the right-of-way. He reviewed a Supreme Court decision regarding regulation of signs noting it determined that you cannot regulate on content of the sign but only location, length of time and size. He stated this will change what can be regulated as you cannot differentiate between signs.

#9 **Adjournment to Workshop**

As there was no further business the meeting adjourn to the workshop in the 2nd Floor Conference Room at 7:04 p.m.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

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Brainerd Planning Commission Workshop
July 15, 2015

Chairman Hayden Shaw called the workshop of the Brainerd Planning Commission to order at 7:10 p.m. in City Hall Conference Room.

Present: Dave Pritschet, Dale Parks, Sarah Hayden Shaw, James Norwood, and Matt Straw.

Others Present: City Planner Mark Ostgarden

a. Semi-Tractor Trailer Parking in Residential Areas and Residential Vehicle Parking in Residential Areas

The Planning Commission discussed the semi-tractor trailer parking and received comments from residents in attendance. City Planner Ostgarden was asked about weight versus axels and how the residential streets would handle the weight.

The Commission agreed on the potential to allow trailer cabs and regulation on idling and directed City Planner Ostgarden to draft language to bring back to the August 19, 2015 meeting.

b. Downtown Building Signage

City Planner Ostgarden reviewed the current language on building and freestanding signs along with the history regarding banners. He noted information that was received from other cities regarding what they provide for signs.

Discussion was held regarding:

- Banner regulation
- Number of signs
- Signs for past businesses
- Enforcement of signs/banners
- Off-premise signs
- Signs in the right-of-way

Commission direct the City Planner to request information from the City Attorney regarding the Supreme Court decision and the City's ability to require removal of obsolete signs and signage on private property. City Planner Ostgarden stated he will also look into excessiveness of banners and signs installed illegally.

c. Off-Street Parking

Held over to the August 19, 2015 workshop.

d. Comprehensive Plan

Commissioner Hayden Shaw stated she feels the Commission should be spending more time with the Comprehensive Plan and keeping it up to date and asked the Commission to spend some time reviewing the Plan and make note of updates and changes. She stated she would like to review this again next month at a workshop.

It was suggested to review one section at a time. Further discussion was held regarding in-house review and hiring a firm to review. City Planner Ostgarden noted staff is reviewing options for getting public input.

e. South 6th Street Zoning

City Planner Ostgarden gave a brief review of South 6th Street zoning and the changes that were made during the city wide zoning map changes noting a residential area that was rezoned to commercial. He stated he feels it was a mistake and stated we are not ready to have this much land zoned commercial in this area and it's creating too many non-conformities. He noted there is another request to rezone a parcel along South 6th Street back to residential.

Discussion was held regarding how to change the zoning including a mixed use type of zoning.

The meeting adjourned at approximately 5:50 p.m.

Respectfully submitted

Mark Ostgarden AICP
City Planner

STAFF REPORT TO THE PLANNING COMMISSION

August 12, 2015

APPLICANT/LOCATION:	Lakes Area Habitat for Humanity for property it owns at 714 Tamarac Street
REQUESTED ACTION:	Rezone property from B-4 (General Commercial) District to R-1 (Single Family Residential) District
AREA:	132'x100'=13,200 square foot lot
ADJACENT USES:	North: Single Family Residential East: Undeveloped South: Undeveloped West: Single Family Residential
ADJACENT ZONING:	North: B-4 (General Commercial) District East: R-2 (Medium Density Residential) District South: B-4 (General Commercial) District West: B-4 (General Commercial) District

PETITION EVALUATION

The property is a vacant parcel at the east end of Tamarac Street. During the community wide Zoning Map review process in 2011, land along the South 6th Street corridor, which included property on Tamarac Street to South 7th Street was rezoned from a residential district to a B-4 (General Commercial) District to promote commercial development. The lot proposed to be zoned R-1 was zoned as R-3 a (Medium to High Density) Residential. It was understood when this occurred that the commercial zoning would create nonconforming uses along the corridor as most uses are residential and not permitted uses in a B-4. However, it was thought that commercial zoning was the best long term land use for this part of the South 6th Street corridor.

In compliance with Section 515.09 of the Brainerd Zoning Ordinance, the Planning Commission shall conduct a Public Hearing regarding this request. To assist the Planning Commission in evaluating the suitability of this requested change, following are guidelines and a staff review of issues associated with the application to consider in the review process.

1. The proposed action's consistency with the specific policies and provisions of the official City Comprehensive Plan.

LAND USE GOAL #3: Plan for the orderly, efficient and fiscally responsible growth of residential development in Brainerd.

Strategies

Continue to guide residential growth in an orderly and compact manner so that new developments can be effectively served by public improvements and that the character and quality of the city's existing neighborhoods can be maintained and enhanced.

Encourage development of low density and high-density family housing units in those areas designated on the adopted Land Use Plan.

Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost effective provision of city services.

Support the redevelopment of vacant and abandoned sites within the urban core.

2. The proposed use's compatibility with present and future land uses of the area.

The attached section of the Future Land Use Map identifies this lot as well as all of Tamarac Street and the South 6th Street corridor as Low to Medium Density Residential Land use. One and two family units are specified as appropriate future land uses.

3. The proposed use's effect upon the area in which it is proposed.

Rezoning the property will permit it to be used for residential use, which is the predominate land use pattern along South 6th Street in this area.

4. Traffic generation of the proposed use in relation to capabilities of streets serving the property.

Neighborhood Street capacity will not be negatively affected by this individual change.

5. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.

There should be no negative impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.

PLANNING DEPARTMENT REVIEW

Attached is the area Existing Land Use Map, Future Land Use Map, Zoning Map prior to 2011 and the current Zoning Map. Rezoning the property to R-1 will permit single family use of the property. This is the 2nd individual lot rezoning request for the South 6th Street corridor within the last year. Should the rezoning occur, the Planning Commission should consider addressing the zoning along the corridor a high priority.

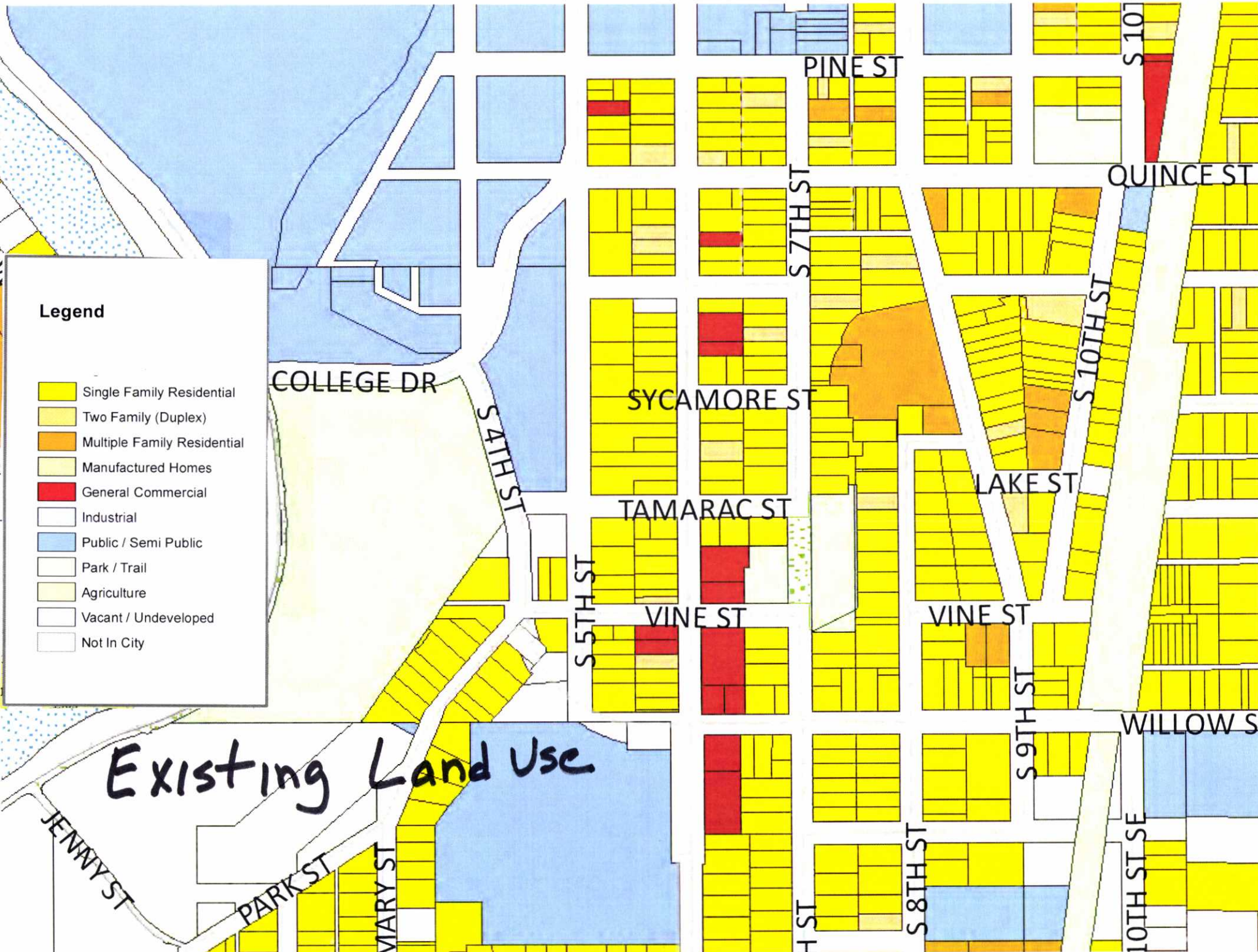
PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission can consider a recommendation on this request at its August 19, 2015 meeting. The City Council can receive the Planning Commission recommendation and can consider an Ordinance First Reading on TUESDAY, September 8, 2015 and an Ordinance Second/Final Reading on September 21, 2015.

Respectfully submitted,



Mark Ostgarden AICP
City Planner

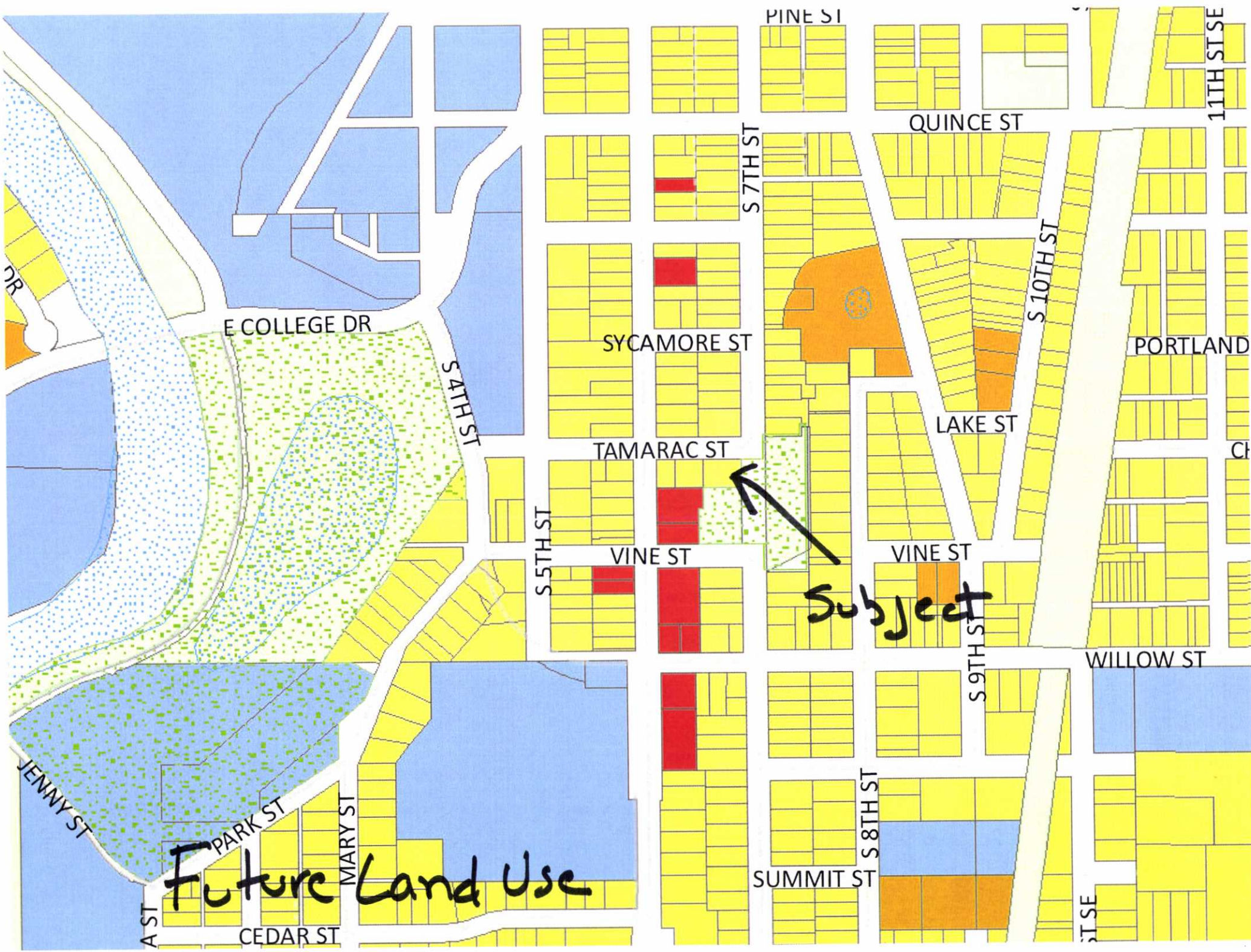


Legend

- Single Family Residential
- Two Family (Duplex)
- Multiple Family Residential
- Manufactured Homes
- General Commercial
- Industrial
- Public / Semi Public
- Park / Trail
- Agriculture
- Vacant / Undeveloped
- Not In City

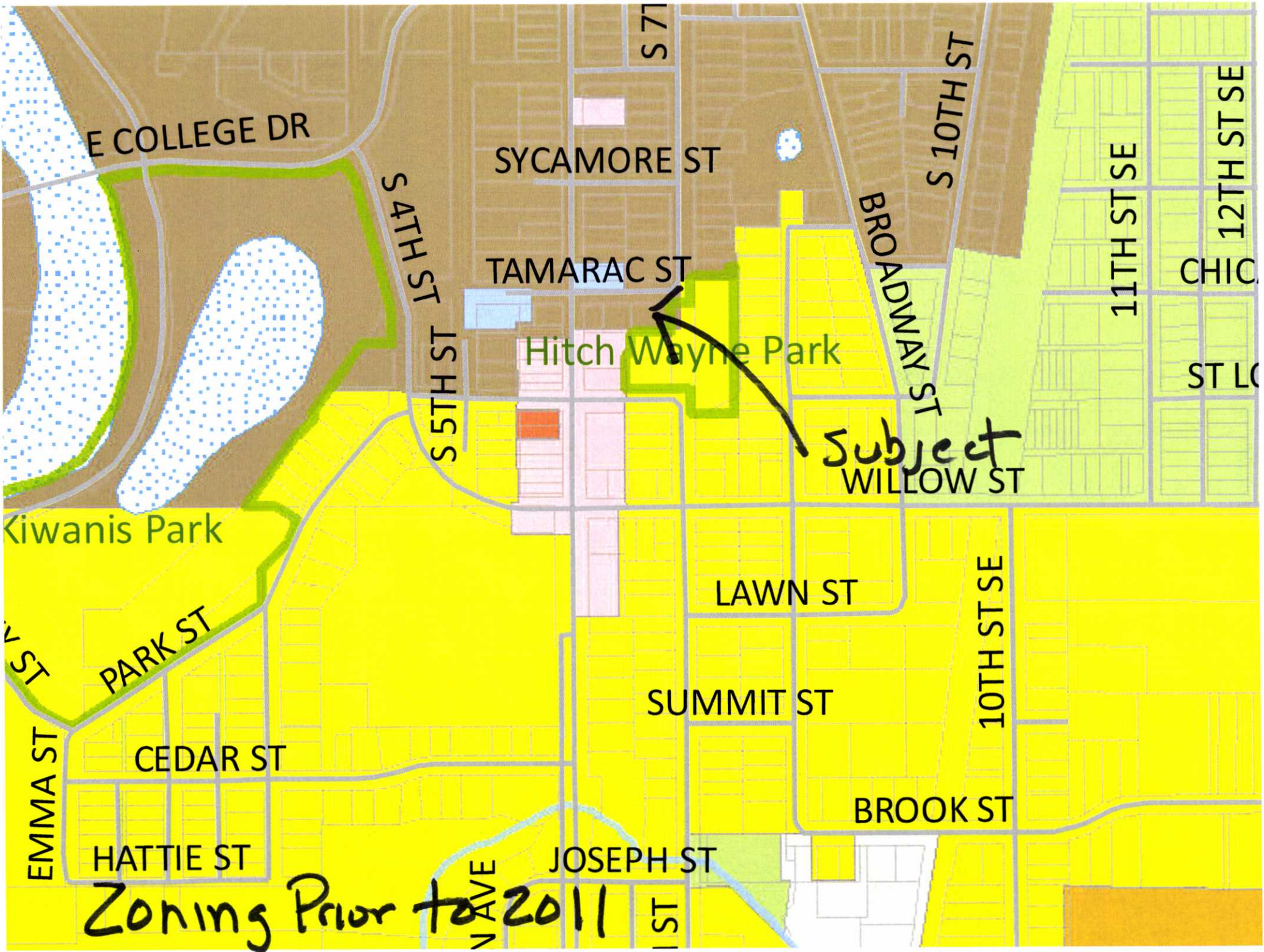
Existing Land Use



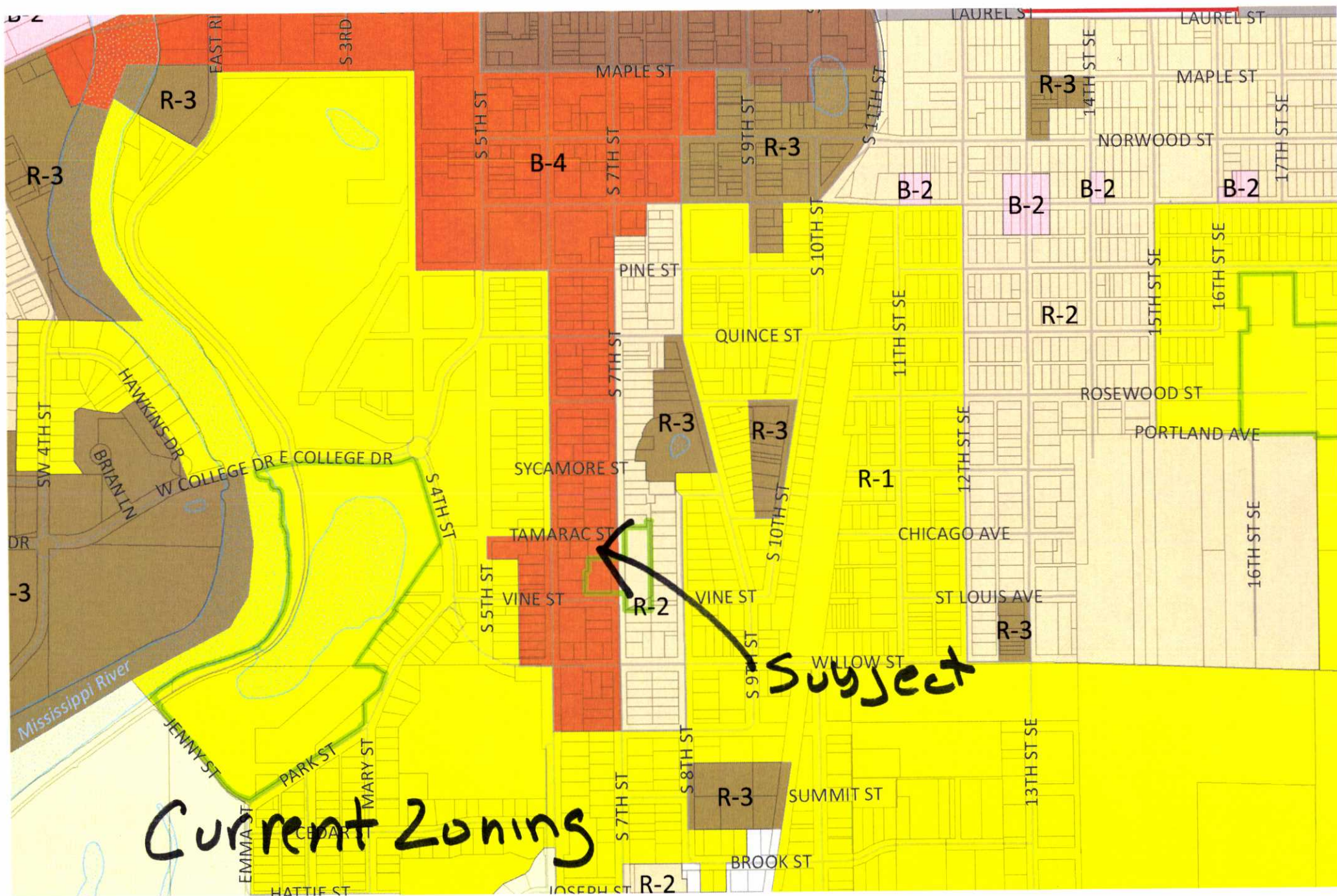


Future Land Use

Subject



Zoning Prior to 2011



NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Lakes Area Habitat for Humanity; PO Box 234, Brainerd, MN 56401, is requesting to rezone the properties at 614 Tamarac Street, Brainerd, MN 56401 from B-4 (General Business) District to R-1 (Single Family Residential) District.

Permitted uses in B-4 District include:

Government and public buildings, utilities and/or structures; financial institutions; hospitality businesses; liquor sales, on and off sale; office business-clinic; office business-general; personal services; recreational business-indoor; restaurants-sit down, take out or delivery; retail businesses contained within a principal building; business or trade school when conducted entirely within a building; places of worship and related buildings; theaters-except drive-in; cultural facilities; repair services; on-site service businesses; pawn shops; music, art, decorating, photography and dance studios; taxi or bus dispatch sites; adult uses as regulated by Section 33 of this Ordinance; essential services as regulated by Section 36 of this Ordinance; equipment rental (indoor).

Conditional Uses in B-4 District include:

Armories; automobile and truck repair-major and minor (including body shops); commercial car washes; hospitals; motor vehicle fuel sales; outdoor sales and/or rental lot; Planned Unit Development (PUD) as regulated by Section 11 of this Ordinance; outdoor dining facilities accessory to a restaurant; small engine and boat repair; animal hospital or clinic and kennels; light manufacturing; radio and television studios; outdoor storage as an accessory use; colleges and universities; auto dealership; commercial day care facilities as regulated by Section 29 of this Ordinance; Department of Human Services (DHS) licensed drug and alcohol treatment and recovery facilities and unlicensed drug and alcohol treatment and recovery facilities that are substantially the same in character as a DHS licensed program of longer duration but not to exceed eighteen(18) months.

Permitted uses in the R-1 District include:

Detached single family dwellings; public recreation areas and related accessory buildings and structures; residential facilities serving six (6) or fewer persons in a single family detached dwelling; essential services as regulated by Section 36 of this Ordinance.

Conditional Uses in an R-1 District include:

Off-premise surface parking lots and parking ramps subject to provisions of Section 22 of this Ordinance; Bed and breakfast subject to provisions of Section 31 of this Ordinance; Non-profit and not-for-profit offices located in buildings owned by the Brainerd Independent School District, not used for classroom education and subject to minimum requirements; Planned Unit Developments as regulated by Section 11 of this Ordinance; Government and public regulated utility buildings and structures necessary for the health, safety and general welfare of the community; Public and private schools; Hospitals; places of worship and related buildings.

The property is legally described as follows:

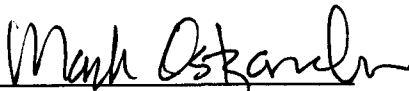
*E 132 ft of Lots 9 thru 12 Block 287 Incl
Section 24 Township 45 Range 31
P.I.N. #09196287009Y889*

(over)

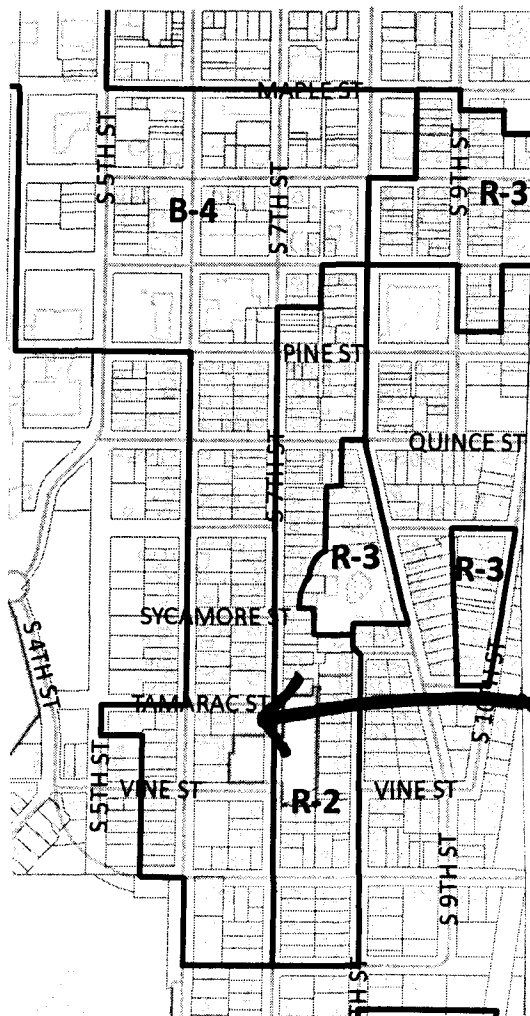
A Public Hearing will be conducted by Brainerd Planning Commission at 6:00 p.m. Wednesday, August 19, 2015 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider rezoning the property in accord with the City of Brainerd Zoning Ordinance.

Any individual needing special accommodations please call (218) 828-2309.

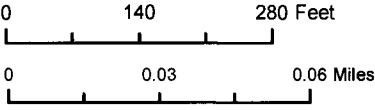
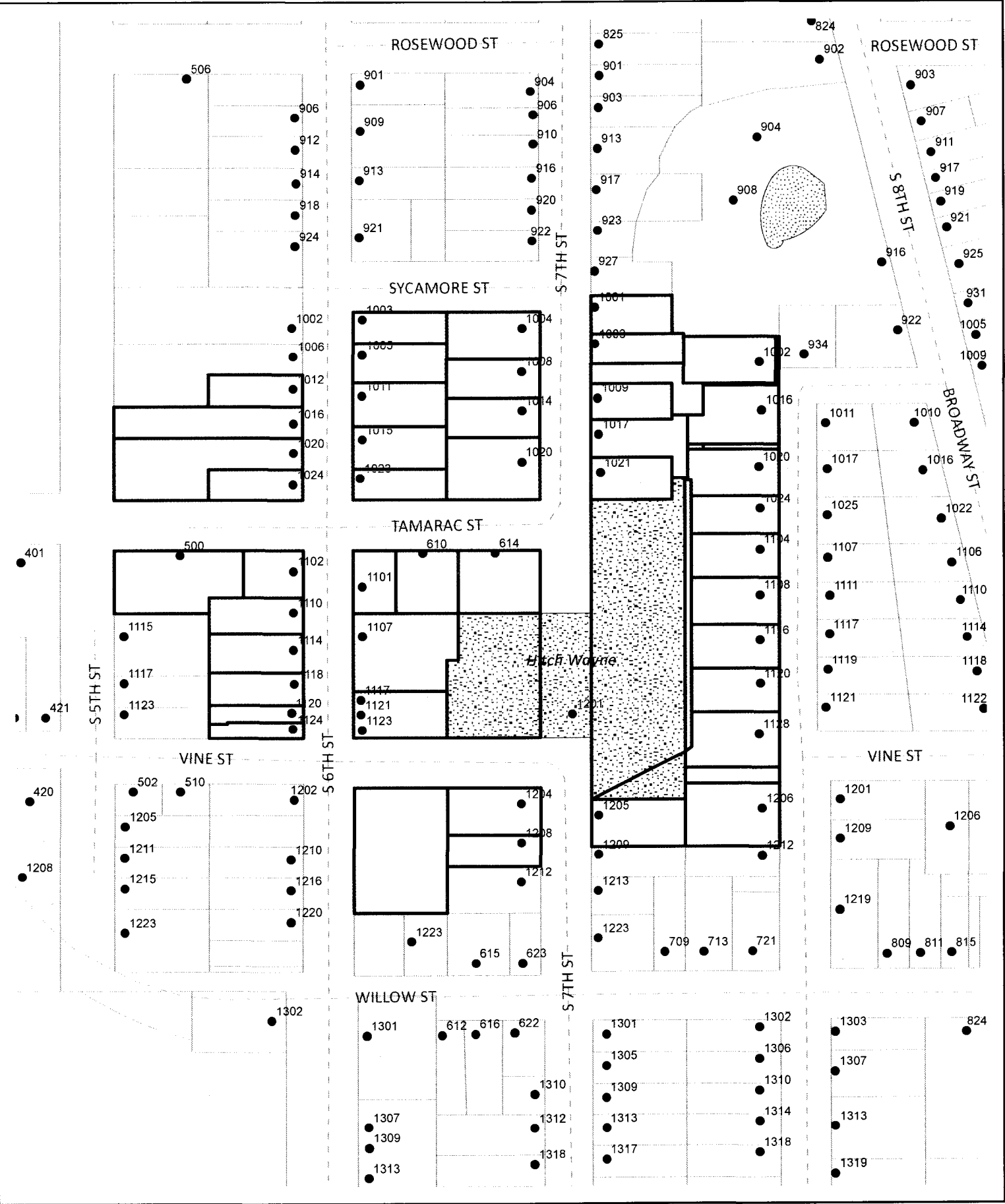
Dated this 5th day of August, 2015


Mark Ostgarden AICP
City Planner

Publication Date: August 7, 2015



Subject
Property



Rezoning - 614 Tamarac St

APPRCL	TXNAME	TXADR1	TXADR2	TXADR3	PHYSADDR
09196269007Z009	ALBRECHT, WILLIAM H & LORI J	1008 7TH ST S	BRAINERD, MN 56401		1008 7TH ST S
09182000901G009	BANKS, TRAVIS E & TRACY L	15359 SHELLISA LN	BRAINERD, MN 56401		1009 7TH ST S
09196285007Z009	BILLMAN, ROBERT L & IRENE	17318 SMITH RD	BRAINERD MN 56401		1110 6TH ST S
09196287009Y889	BRAINERD HOUSING & REDEVELOPMENT	AUTHORITY	324 EAST RIVER RD	BRAINERD, MN 56401	614 TAMARAC ST
09196269005Y009	CAOQUETTE, MARVEL H TRUST 3-6-06	1014 S SEVENTH ST	BRAINERD, MN 56401		1014 7TH ST S
09196287001Z009	CITY OF BRAINERD	CITY ADMINISTRATOR-CITY HALL	501 LAUREL ST	BRAINERD, MN 56401	
09182000901A009	CITY OF BRAINERD	CITY ADMINISTRATOR-CITY HALL	501 LAUREL ST	BRAINERD, MN 56401	
091820010190009	CITY OF BRAINERD	CITY ADMINISTRATOR-CITY HALL	501 LAUREL ST	BRAINERD, MN 56401	
091820010230009	CITY OF BRAINERD	CITY ADMINISTRATOR-CITY HALL	501 LAUREL ST	BRAINERD, MN 56401	
09196319010Z009	CLUEVER CONSTRUCTION INC	12674 KNOLLWOOD DR	BAXTER MN 56425		1204 7TH ST S
09182000901I009	DANDANELL, ROBERT J & SHARON L	1021 7TH ST S	BRAINERD MN 56401		1021 7TH ST S
09196287017Z889	DK INVESTMENTS LLC	1107 6TH ST S	BRAINERD, MN 56401		1107 6TH ST S
09182000901D009	FAIRCHILD, LAURA	223 3RD ST NE	CROSBY, MN 56441-1640		1001 7TH ST S
09196285010Y009	FEDERAL NATIONAL MORTGAGE ASSOC	14221 DALLAS PKWY SUITE 11201	DALLAS, TX 75254-2916		1102 6TH ST S
09186002008Y009	FELSKE PROPERTIES LLC	1021 INDUSTRIAL PARK RD	BRAINERD, MN 56401		1016 8TH ST S
09196285005Z009	FORLAND, BENJAMIN	13955 OLIVEWOOD DR	BAXTER, MN 56425		1114 6TH ST S
09186002007Z009	FRAUNE, PAUL R	13657 STATE HIGHWAY 210	BRAINERD, MN 56401		1020 8TH ST S
09186002008Z009	FRAUNE, PAUL R	13657 STATE HIGHWAY 210	BRAINERD, MN 56401		
09196271005Z009	FRISCH REVOCABLE TRUST	RAYMOND & CAROLYN FRISCH TRUSTEES	1016 SOUTH 6TH ST	BRAINERD, MN 56401	1016 6TH ST S
09196269013Z009	GORDON, KARI L & DAVID A	1414 7TH ST S	BRAINERD, MN 56401		1003 6TH ST S
09196269017Z009	GRANHOLM, JUSTIN A	1011 6TH ST S	BRAINERD MN 56401		1011 6TH ST S
09182000901H009	H & H PROPERTIES OF MINNESOTA	4689 ASHLEY RD	BAXTER, MN 56425		1017 7TH ST S
09196269023Z889	H & H PROPERTIES OF MN LLC	4689 ASHLEY RD	BAXTER, MN 56425		1023 6TH ST S
09182000901F009	HARRAH, JAMES B	1002 S 8TH ST	BRAINERD MN 56401		1002 8TH ST S
09196271001Z009	HEAGERTY, SAMANTHA	1024 6TH ST S	BRAINERD, MN 56401		1024 6TH ST S
09182001015Z009	HOLDER, JEFF A & WENDY L	5340 MEADOWVIEW RD	BRAINERD, MN 56401		1206 8TH ST S
09196269001Z009	JOHNSON, BARBARA A	1020 S 7TH STREET	BRAINERD MN 56401		1020 7TH ST S
09186002004Z009	JOHNSON, CHARLES L & SUSAN L	1104 S 8TH ST	BRAINERD MN 56401		1104 8TH ST S
09196287022Z009	KNUTSON, LARRY & MAXINE	9609 N KIMBLE LN	PEQUOT LAKES MN 56472		
091860020060009	KUNDE, ETHEL I & STEWART R	1024 8TH ST S	BRAINERD MN 56401		1024 8TH ST S
09196287013Z009	LEASE, DAVID V & SHIRLEY CALDERONE	1101 S 6TH ST	BRAINERD, MN 56401		1101 6TH ST S
09196285003Z009	LEONARD, BRIAN	1118 6TH ST S	BRAINERD, MN 56401		1118 6TH ST S
09196285001Z009	LEONARD, BRIAN	1118 6TH ST S	BRAINERD, MN 56401		1120 6TH ST S
09182001020Z009	MATHISON, SHARON RAE	1021 GARDEN CLUB WAY	LELAND, NC 28451		1128 8TH ST S
09186002003Z009	MICKELSON, DEBORAH A & JOHN E	1108 S 8TH ST	BRAINERD MN 56401		1108 8TH ST S
09186002001Y009	MILES, ZACHARY D	1120 8TH ST S	BRAINERD, MN 56401		1120 8TH ST S
09182001024Z009	MORRIS, JILL S & COLLIN A	202 GILLIS AVE NE	BRAINERD, MN 56401-3134		1205 7TH ST S
09196319013Y009	NORTHERN TIER RETAIL LLC	TAX DEPT	576 BIELENBERG DR STE 200	WOODBURY, MN 55125	1209 6TH ST S
09196269015Z009	OGREN, DENNIS & JOY	P O BOX 2853	BAXTER, MN 56425		1005 6TH ST S
09186002002Z009	PETERSON, RUTH S	1116 S 8TH ST	BRAINERD, MN 56401		1116 8TH ST S
09196271007Z009	PORTER, KEVIN & MEGAN M	1012 6TH ST S	BRAINERD, MN 56401		1012 6TH ST S
09196271003Z009	PUERINGER, DAVID F PUERINGER INVEST	616 1/2 FRONT ST	BRAINERD, MN 56401		1020 6TH ST S
09196269010Z009	RUNBERG, DAVID L & JULIE	1004 S 7TH STR	BRAINERD MN 56401		1004 7TH ST S
09196285001Y009	SAMANDYS LLC	16111 TAMARAC TRAIL	BRAINERD, MN 56401		1124 6TH ST S
09196287009Z009	STANGLER, ERIC	STANGLER PROPERTIES LLC	12640 FAWN LAKE RD	CROSSLAKE, MN 56442	610 TAMARAC ST
09196319008Z009	TAGTMEIER, KAREN	1208 7TH ST	BRAINERD MN 56401		1208 7TH ST S
09196285013Z009	TAMARACK CENTER, LLC	500 TAMARACK ST	BRAINERD, MN 56401		500 TAMARAC ST
09182000901E009	TAX FORFEITED	CROW WING COUNTY AUDITOR	326 LAUREL ST	BRAINERD, MN 56401-3590	1003 7TH ST S
09196269020Z009	VOLK, MICHAEL J & APRIL L	1015 S 6TH ST	BRAINERD, MN 56401		1015 6TH ST S



City Planning Department

City Hall – 501 Laurel Street
Brainerd, MN 56401
218-828-2309/Fax 218-828-2316
www.ci.brainerd.mn.us

Receipt # 9535
Check # 1707
Date Paid: 7/15/15

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

RESIDENTIAL

CONDITIONAL USE PERMIT

☐
☒
☐

(\$250.00)

REZONING

(\$300.00)

VARIANCE

(\$250.00)

COMMERCIAL

☐
☐
☐

(\$400.00 + \$500.00 escrow deposit)

(\$500.00)

(\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 614 Tamarac Street

LEGAL DESCRIPTION: Lot(s): see attached Block: Addition:
(attach description if lengthy)

Property Owner Name: Lakes Area Habitat For Humanity

Street Address: PO Box 234 City: Brainerd State: MN Zip Code 56401

Phone Number: 218-828-8517 Fax: 218-825-4867 E-mail: kevin.pelkey@lakesareahabitat.org

Applicant Name: (If different than Property Owner)

Street Address: City: State: Zip Code:

Phone Number: Fax: E-mail:

Description of Request: To rezone the lot in question from B-4 to residential. An existing home on the property was demolished last year with the intention of rebuilding another single family home on the same property; however, B-4 zoning does not allow residential homes as permissible uses. The property is surrounded by residences and abuts up to a city park. Using this property in any of the B-4 permissible uses is unlikely at any time in the future.

Kevin Pelkey
Property Owner Signature

7-14-15
Date

Kevin Pelkey, Executive Director, LAHFH

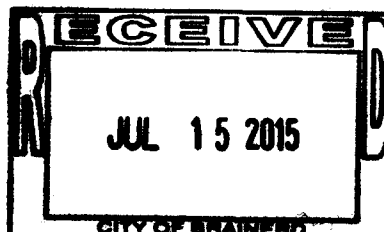
(Please print name)

Applicant Signature

Date

(Please print name)

(OVER)



MEMO

TO: Planning Commission

FROM: Mark Ostgarden, City Planner

DATE: August 10, 2015

RE: Zoning Ordinance Text Amendment – 1st Floor and Basement Residential Use in the B-3 (Central Business) District

The public hearing to continue public input on the proposed 1st floor and basement residential use in the B-3 (Central Business) District Zoning Ordinance Text Amendment submitted by David Pueringer is scheduled for August 19, 2015. Attached is a letter sent to Downtown property owners and businesses.

In considering whether to allow the change there are several issues that affect the decision.

Comprehensive Plan

The initial document that should be reviewed for guidance on the proposal is the Comprehensive Plan.

DOWNTOWN

GOAL: *Support the economic viability and diversification of the Downtown Commercial District.*

Strategies

1. Complete the work underway with business owners, property owners and other stakeholders to implement the Downtown Master Plan for the Downtown Redevelopment District.
2. Retain and attract the appropriate mix of retail/service business activity and housing opportunities in Downtown.
3. Re-focus development efforts to take advantage of the River and the regional Trails to improve the character and access to the Downtown area.
4. Evaluate and recommend improvements to Downtown pedestrian and vehicular traffic flow.
5. Encourage and support innovative housing opportunities in the Downtown area.
6. Promote and improve parking for the Downtown.
7. In addition to private investment, encourage the use of federal, state, local, and other financial resources to promote reinvestment and the rehabilitation of Downtown.

Does the Goal and do the Strategies provide guidance for the Planning Commission in reaching a recommendation?

Strategy #1 references completing the Downtown Master Plan. In 2002 the DAMON FARBER Downtown Master Plan was finalized. The Plan includes many recommendations for Downtown, unfortunately the Plan does not include any recommendations about 1st floor and basement level apartments being an appropriate future land use. Following is a link to the Plan: [Downtown Master Plan](#)

B-3 (Central Business) District Purpose and Future Implications

Does the proposed change support the B-3 (Central Business) District Purpose that reads:

"The purpose of this district is to encourage the continuation of a viable, traditional downtown area by allowing retail, service, office and entertainment facilities and public and semi-public uses as well as the allowance of second-story dwelling units located above such uses."

Will conversions adversely affect the ability to fulfill the stated District purpose?

Community Need

No data has been provided to support the need for B-3, 1st floor and basement apartments. A County Housing and Redevelopment Authority housing study is in progress or may be complete. Many apartments have recently been built in Baxter and the lower priced apartment vacancy rate in Brainerd is very low.

Building Code and Fire Code

Conversion from commercial use to residential use will require addressing Building Code and Fire Code requirements. Mr. Pueringer has met and discussed the conversion concept with the Building Official at which time code requirements were reviewed.

Complying with code requirements is not a primary reason why the text amendment proposal should/should not be approved. It is important however that the Planning Commission have some understanding how the codes affect the conversions. Building Official Tim Caughey will attend the 19th meeting to provide some insight into the code requirements.

Other Cities

There are other Minnesota cities that DO permit 1st floor residential use. Attached is Planning Department research that identifies other cities where it is permitted.

Amendment Options

1. Permit 1st floor and basement residential use as permitted uses.
2. Permit 1st floor and basement residential uses as conditional uses.
3. Permit only 1st floor residential.
4. Permit only 1st floor residential it uses only up to "X"% (i.e. 50%) of a building's rear.
5. Deny the request.

Conclusion and Staff Recommendation

The request is based on a hardship that the owner of several downtown properties has due to vacant storefronts with no immediate commercial leasing opportunities for the space. A decision that could potentially change the entire Downtown land use pattern and affect Downtown's community purpose should not be based on the desires of one individual. The decision should be based on our vision of Downtown's future.

Does the Planning Commission think that permitting this use will create a healthier Downtown and help revitalization efforts or is it a short term solution to a need of one property owner?

The Planning Department has discussed the proposal with the City Administrator, City Engineer, Building Official and Fire Chief. It is our position that permitting 1st floor and basement residential in any form should not be permitted for the following reasons:

1. This use is not clearly specified in the Comprehensive Plan as a Downtown housing strategy. Downtown Goal Strategies #2 and #5 do not provide the guidance needed to support the proposal.
2. The use does not meet the B-3 District purpose specified in the Zoning Ordinance.
3. The Damon Farber Downtown Master Plan does not include it in its recommendations.
4. As a practical matter Building Code and Fire Code will make conversions difficult and perhaps costly.
5. 1st floor and basement residential use will disrupt the continuity of a dense pedestrian oriented street level business area.
6. Downtown does not have the critical mass of businesses and population density that would permit the uses to complement each other.
7. Finally a probably the most significant reason is that allowing the use would be a major policy shift in our vision for Downtown.

August 6, 2015



www.ci.brainerd.mn.us

Dear Downtown Property Owner and Business Owners:

At its August 19, 2015 meeting, the Planning Commission will be continuing a public hearing it opened at its July 15, 2015 meeting. The continuance is to consider public input on a request to amend the Zoning Ordinance to allow 1st floor residential uses in the Downtown (Central Business) District. Currently 1st floor residential use is not permitted and to allow it to occur, a Zoning Ordinance amendment is required.

The Planning Commission invites you attend the meeting and offer any input you desire about the request. If you cannot attend and desire to comment, you may do so by submitting a letter to the City Planning Department Office, 501 Laurel Street or by sending an e-mail to mostgarden@ci.brainerd.mn.us.

The amendment process requires the Planning Commission to recommend action to the City Council, who will make the final decision on the requested amendment. The August 19th hearing is the only required public hearing for this amendment request. It is the City Council's prerogative whether it desires to have public input when it considers final action on the Planning Commission's recommendation. Therefore, if you desire to have input on this request your guaranteed opportunity is on the 19th.

The Planning Commission meeting begins at 6 p.m. in the City Hall Council Chambers, 501 Laurel Street.

If you have any questions about the request, contact Mark Ostgarden using the above e-mail address or by calling 828-2309.

Sincerely,

Mark Ostgarden AICP
City Planner

Minnesota Cities That Allow Apartments with Commercial in Downtown Districts:

Mankato, MN:

Central Business District-Fringe: Apartments provided residential uses are limited to not more than fifty percent (50%) of the ground floor. The entire upper floors may be used for residential purposes. At least percent (50%) of the ground floor, including the portion of the building abutting the street frontage, common area, or plaza, shall be devoted to principal non-residential uses permitted in this district (as a Conditional Use).

Email: For our Central Business District Fringe apartments (may occupy the back half of a building on the ground floor and may occupy the entire upper floor of a building) are listed as a conditional use.

Northfield, MN:

Live/Work:

(A) The residential portion of a live/work use shall not occupy more than 50 percent of the entire square footage of the structure.

(B) The residential portion of the live/work use, if located on the ground floor, shall be completely located behind the commercial portion of the building such that the ground floor street façade is a commercial use and commercial façade.

(C) The residential portion of the live/work use shall have at least one entrance that exits to grade and is separate from any commercial entrance or commercial portion of the structure.

Mixed-use Development: The purpose of mixed use commercial and residential in the commercial districts is to allow for residential opportunities in the second and third floors above, or on the first floor behind, commercial spaces throughout the downtown.

General Standards

(1) Residential units may be located in the floors above or in the space commercial spaces throughout the commercial districts. The residential portion, if located on the ground floor, shall be completely located behind the commercial portion of the building such that the ground floor street façade is a commercial use and commercial façade.

(2) The residential portion of the mixed use shall have at least one entrance that exits to grade and is separate from any commercial entrance or commercial portion of the structure.

Faribault, MN:

Residential uses are permitted in the Central Business District, secondary to ground floor commercial uses, with the maximum number of units based on the lesser of the calculations shown below. In addition to area requirements, all residential uses must provide at least one private parking space per unit within four hundred feet of the main entrance to the building.

(1) The area of the parcel divided by two thousand (2,000), times the number of floors in the building above ground-floor; or

(2) The number of units that satisfy area requirements as follows:

(a) Efficiency and one-bedroom units, 600 square feet

(b) Two-bedroom units, 700 square feet

(c) Three-bedroom units and above, 900 square feet

Winthrop, MN:

Central Business District: Conditional Use: Apartments when located on above the ground floor or located within the rear one half of the ground floor and shall not occupy more than fifty (50%) ground floor area.

Fergus Falls, MN:

Allows multi-family dwellings on the ground floor in their General or Central Business District but requires a conditional use.

Cities that don't allow ground floor residential in their Downtown in MN:

Albertville	Bloomington	Brooklyn Park	Clear Lake	Cleveland	Cloquet
Cold Spring	Coon Rapids	Delano	Eden Prairie	Fairfax	Fairmont
Faribault	Fertile	Hinckley	Hutchinson	Inver Grove Heights	Janesville
Little Falls	Maple Grove	Mapleton	Marshall	Mendota Heights	Minnetonka
Moorhead	New Prague	New Richland	New Ulm	Owatonna	Pequot Lakes
Ramsey	Rochester	Rosemount	St. Peter	St. Paul	Waseca
Watertown	Waterville	Worthington			

Dear Brainerd City Council,

I am very concerned with the huge vacancy factor and empty open stores downtown. Downtown will become more blighted and empty unless we do something about it.

This letter is to request a change in zoning to allow permanent use and changeover of stores in the downtown area to apartments, plus add some dual store and apartment type dwellings. I am also asking that some of the apartments be allowed to use exits and egress windows into the alleys.

Because of the new paradigm shift in shopping habits with more and more business going to the new big box stores, Mom and Pop stores are not doing as well. Also, the planned new large apartment complex and commercial area to be built south of Baxter will make matters worse, Downtown business lease spaces are harder and harder to keep filled, and rents are going lower and lower. I have about 15 commercial spaces and presently have five spaces open. Some of them for over a year and a half. There are more and more spaces coming open downtown, while our taxes keep going up supporting tax increment financing to pay for our competition. . More and more of the stores downtown are used clothing, used furniture shops, or even junk shops. Several of them have closed recently. The last one was Antiques and Accents of South 7th Street which has been there for 15 years. We have no good prospects for that space.

Four of my buildings now face yearly taxes and special assessments of over \$10,000.00 each per year. Our commercial rentals are drying up downtown, and are now reaching a critical mass. This next years property value assessments are even going substantially down, because of decreased revenue, and property values. This eventually will hurt city and county revenue.

A good way to change this and bring people to the remaining businesses would be to allow change over to apartments and dual (store and apartment) use of downtown spaces. We could possibly build units in vacant stores and also perhaps build new apartment buildings downtown in some of the vacant lots. The extra building activity would do a lot to revitalize downtown. Both increase in apartment densities and new buildings would go along way to help pay the taxes that have gone up considerably these last few years, and the extra people would help the remaining restaurants and stores.

More people, more uses, more business, more taxes. We should all win, and downtown can look good again and prosper,

Thank you for your consideration.

Respectfully,

David Pueringer



BRAINERD RESTORATION

To vision, plan and advocate for initiatives resulting in a dynamic and attractive Brainerd Central Business District that is a premier destination for citizens, businesses and visitors.

Dear Planning and Zoning Commission Members:

We understand David Pueringer, a downtown Brainerd building and business owner, would like to modify current city code to allow first-floor residential units in areas they are currently prohibited. We at Brainerd Restoration wish to express our concern over and opposition to this proposed change.

City of Brainerd Zoning Code 515-62-1 states “The purpose of this (Central Business) district is to encourage the continuation of a viable, traditional downtown area by allowing retail, service, office and entertainment facilities and public and semi-public uses as well as the allowance of second-story dwelling units located above such uses.” If first-floor residential units are permitted in the Central Business District, our primary concern is the viable, traditional downtown area of Brainerd will be compromised. Part of that viability hinges on successful mixed-use development, and an imbalance of these spaces threatens the traditional integrity of our downtown.

We also believe reducing the amount of commercial space by allowing first-floor dwellings impedes our ability to attract and retain successful commercial businesses. If the amount of concentrated leasable commercial space is reduced, where are potential businesses going to go? A concentrated commercial district provides a destination for people, and we need to retain that rather than risk losing more businesses to Baxter’s strong commercial corridor.

We understand Mr. Pueringer’s interest is motivated by a desire to fill his vacant commercial units. We have spoken with Mr. Pueringer and expressed our mutual interest in having a more robust commercial district downtown. To attract more business development in downtown Brainerd, an alternative solution could be incentivizing rehabilitation of available historic commercial spaces, including Mr. Pueringer’s. A current example of successful incentives in other communities is reducing permit costs specific to construction projects within historic downtowns. This reduces the initial investment a potential business owner needs to make thus making Downtown Brainerd a more inviting business location.

Another advantage of this type of incentive is, by investing in existing buildings and infrastructure, the City of Brainerd is relieved of the burden of extending and servicing sewer and water to undeveloped areas. Encouraging rehabilitation versus new development that increases demand on the City of Brainerd Utility Department and tax payers is a fiscally responsible approach to creating a vision for future growth.

The Brainerd Downtown Reconstruction Project of 2009 demonstrates the City of Brainerd's commitment to enhancing this crucial portion of our city and has established this area for mixed use development. As a result of this project, the City of Brainerd introduced green space, public seating and gathering spaces, and upgraded exterior lighting. These new amenities for Downtown Brainerd provide a welcoming environment for commercial business and pedestrian traffic consistent with the City's existing definition of a vibrant Central Business District. We have requested working with Mr. Pueringer to find more creative ways to attract businesses and maintain the historic commercial integrity of our downtown rather than changing zoning to allow for residential space, and we request time to do that rather than changing current zoning.

Thank you for your time and consideration,

A handwritten signature in cursive script, appearing to read "Amy Gray".

Amy Gray
Board Secretary
Brainerd Restoration

cc: Mike Angland
Tad Johnson
Mark Ostgarden

Mark Ostgarden

From: Hilborn, Jeff <JHilborn@hubbardradio.com>
Sent: Wednesday, August 12, 2015 11:59 AM
To: Mark Ostgarden
Subject: 1st Floor Residential

Mark, I adamantly oppose 1st Floor Residential use in Downtown District.

Jeff Hilborn
Director of Sales
Hubbard Radio
13225 Dogwood Drive
Baxter, MN 56425
218-822-4450 (direct)
218-828-1119 (fax)
218-820-3213 (cell)
jhilborn@hubbardradio.com

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Mark Ostgarden

From: Gallery <gallery@brainerd.net>
Sent: Wednesday, August 12, 2015 2:38 PM
To: Mark Ostgarden
Subject: (No subject header)

hi mark,

My name is rick bjork, i own the building that houses the gallery , 222 so 7th , downtown.I wanted to weigh in on the planning commission meeting slated for aug.19th.

I think it would be very harmful for the future of buisness in our city and downtown area to allow main level residential housing.Right now we have a hard enough time trying to create a positive retail district to attract tourism and buisness , i feel allowing rental housing on street level would chase buisness away by confusing its purpose.
thank you,

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is given that the City of Brainerd Planning Commission has initiated a public hearing to consider a text amendment of the Brainerd Zoning Ordinance Section 62-2 B-3 CENTRAL BUSINESS DISTRICT Permitted Uses:

V. Residential dwelling units in basements and 1st floor areas.

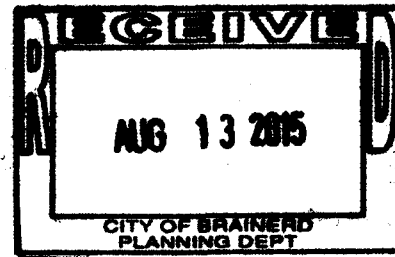
Notice is further given that the Planning Commission of the City of Brainerd will meet in the Brainerd City Hall Council Chambers, 501 Laurel Street, at 6:00 p.m., Wednesday, July 15, 2015 to consider the Text Amendment. A copy of the Text Amendment is on file at the City Planning Department, 501 Laurel Street.

Any individual needing special accommodations please call (218) 828-2309.

Dated this 1st day of July 2015

Mark Ostgarden AICP
City Planner

Publication date: July 3, 2015



August 13, 2015

City of Brainerd Minnesota
Planning and Zoning & City Council

Subject: Planned textural change to the B-3 district in the City of Brainerd, MN

The textural change that is before you would allow first floor and sub first floor (basement) residential use in the district.

You have until early September to consider and act on the petition before you.

Before you act I feel that you need to consider these points.

1. The changes should not be based on a financial hardship expressed by the petitioner.

In my 16 years on the planning commission it was explained to the planning commission by the City Planners as well as the city attorney that any changes to the zoning could not be done based on a petitioner's financial hardship.

2. How will the changes affect the other buildings and businesses located in this area?

I know that there has been a change in the business climate and it has been hard for building owners to fill vacant retail space. This has been a cyclical occurrence in the past and probably will occur in the future. This textural change could affect the current businesses and property owner's values in a way that will not be in their long term interests.

3. Is there a need for more low to moderate cost housing in the city of Brainerd?

This is a question that needs to be asked and researched by HRA, the city planner and others that can collect facts and give their opinion based on the facts.

4. If there is a need for more low to moderate housing in Brainerd is this the location that would be the best suited?

I would refer you to the #3 answer.

5. Will the residential housing be located in the entire area of the buildings in question or just the rear / alley portion?

If you were to grant the textural changes I feel that the area fronting the main streets (Front, Laurel, and 7th Street) should be preserved as retail. By that, I mean that at least the front 20 to 30 feet of space in the buildings need to be retained as the types of occupancy are allowed currently in this district.

6. How will these changes change the public's opinion of the area?

While it may take some time for the public's reaction to this change, the loss of the critical mass of businesses will begin shortly after the housing units come into play. This will make it even more difficult for the remaining businesses and building owners and the City of Brainerd will begin to see a greater loss of identity.

7. Will the textural changes make this area basically an R3 or R4 zone?

When an area becomes a higher density residential area the remaining properties and businesses will begin to be viewed by potential business renters as less desirable. This will most likely be followed by greater and greater conversions to residential.

8. If the textural changes are allowed, will the affected buildings be required to have a sprinkler system installed for fire protection?

In the past, three different fire chiefs have told me that if I were to make significant changes and intensify the uses in my building (The Parker Building on the corner of 7th and Laurel) I would need to sprinkler the entire building. Adding residential space on the first floor and basements would be intensifying the uses of these buildings. My understanding for this is that fire tends to move up and if a fire starts on the first floor or basement it is more difficult to contain and save the building and the adjoining buildings. Because most of the buildings in the R 3 district are built with zero side clearance from the adjoining building this more intense use would be a concern to the adjacent building owners as well as the city.

9. Because the B-3 district has no side and front yard set backs and no requirement for off street parking will you make provisions for additional parking and garbage removal?

Increasing the number of residences in the B3 district would increase the number of vehicles parked on the districts streets and will affect the removal of snow in the winter as well as the cleaning of the streets in the summers. Because there is no front or side yard set backs there will be more public space needed to set

garbage dumpsters and the city will need to deal with the resulting garbage sprawl that will likely happen.

10. Instead of accepting the textural change in the B3 district should the Planning and Zoning Commission and the Brainerd City Council consider either denying the petition or asking the petitioner to extend the deadline?

At this time I would like to see the outcome either a denial or an extension. With some time to consider the ramifications I feel that a compromise could be achieved that would continue the long standing business texture and address the concerns of the building owners.

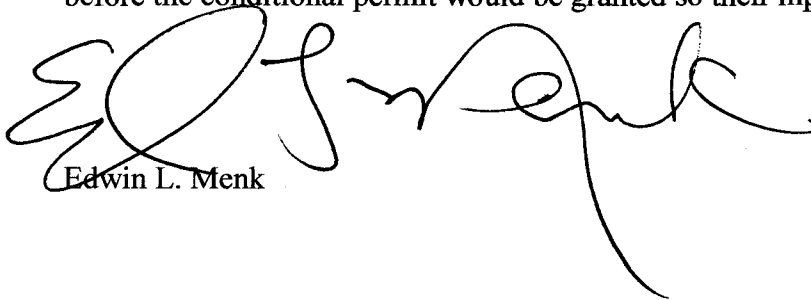
11. Instead of a permitted use as residential would it be more beneficial to the area to allow a conditional use for residential on the first floor and lower levels?

A conditional use permitting process could be put in place safeguarding the interests of the City of Brainerd as well as the property and Business owners in the B3 district.

Included in this conditional use process would be the provision that the front 20 to 30 feet (the exact number of feet to be negotiated in the final draft of the conditional use) of the building remain the same as the current zoning.

Additionally the fire and safety concerns need to be addressed with high emphasis on sprinklers in any additional residential occupancy of this district.

Also included would be the need to notify all properties in the immediate area before the conditional permit would be granted so their input would be obtained.

A handwritten signature in black ink, appearing to read 'Edwin L. Menk'. The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Edwin L. Menk

The City of Brainerd Planning Commission Mission Statement

Recognizing that community planning is a continuing and dynamic process, always subject to societal changes the City of Brainerd Planning Commission has set forth the following mission statement to clarify its role in the planning process.

1. The Commission is charged with reviewing, evaluation and updating the City Comprehensive Plan with the objective to maintain and/or implement the community values defined as quality of life in both a living and working environment. The Commission must then communicate these updates to the City Council.
2. To accomplish the annual review of the Comprehensive Plan, the Commission encourages constructive citizen and staff participation in the public planning process through public hearings and at regular and special meetings, through newsletters, and through neighborhood, area, or district planning meetings.
3. The Commission shall complete studies and recommend long term development plans and policies which are consistent with the Comprehensive Plan and the values of the community which are life enriching, economically beneficial, and environmentally sound.
4. The Commission shall utilize implementation tools such as zoning and land use permits, subdivision approvals, official mapping, capital improvements programming, and housing plans.
5. The Commission shall encourage efficient utilization of existing infrastructure and buildings and innovative and effective management of public and private land.
6. The Commission shall create, with the assistance of the staff, a land use, economic, and demographic information base for use by citizens and developers.
7. Noting that the City of Brainerd is part of a larger community the Commission will encourage joint meetings and sharing of information with commissions and committees within the City and with adjacent Planning Commissions.

Planning Commission Bylaws

Article I. Introduction

Section 1. Purpose

It is the intent of the City of Brainerd Planning Commission to conduct its business and perform its responsibilities and duties in an orderly, efficient, fair and lawful manner. These bylaws are established for that purpose.

Section 2. Application of Bylaws

Unless otherwise specifically indicated, these bylaws shall apply to the transaction and administration of all Planning Commission business and the conduct of all Planning Commission meetings and hearings.

Article II. Offices and Duties

Section 1. Offices Designated

The Commission, at its first regular meeting in January of each year, shall select a Chairperson and Vice Chairperson.

Section 2. Recording of Meetings

The Planning Department shall supply a qualified staff member to perform all general corresponding and recording secretarial duties for the Planning Commission.

Section 3. Duties of Offices

The duties and powers of the office of the Planning Commission shall be as follows:

A. Chairperson

- 1) Preside at all meetings of the Commission
- 2) Call special meetings of the Commission in accordance with the City Ordinance
- 3) Sign documents of the Commission
- 4) See that all actions of the Commission are properly taken
- 5) Cancel or postpone any regularly scheduled meetings
- 6) Order end to disorderly conduct and direct law enforcement to remove disorderly persons from Planning Commission meetings

B. Vice Chairperson

In the event of the absence, disability or disqualification of the Chairperson, the Vice Chairperson shall exercise or perform all the duties and be subject to all the responsibility of the Chairperson.

C. Secretary

A city staff member will be assigned to perform the functions of Secretary. The Secretary shall keep record of the proceedings of every meeting of the Planning Commission.

Section 4. Preparation of the Comprehensive Plan

The Commission shall prepare, adopt and revise from time to time a Comprehensive Plan for the physical development of the City, including proposed public buildings, street arrangements and improvements, public utility services, parks, playgrounds, and other similar developments, the use of property, the density of population, and other matters relating to the physical development of the City. Such plan may be prepared in sections, each of which shall relate to, a major subject of the plan.

Section 5. Means of Executing the Comprehensive Plan

Upon the adoption of the Comprehensive Plan or any section thereof, the Commission shall recommend to the City Council reasonable and practicable means for putting into effect such plan or section thereof in order that the same will serve as a pattern and guide for the orderly physical development of the City and as a basis for the efficient expenditures of the funds thereof relating to the subjects of the plan. Such means shall consist of a zoning plan, the control of subdivision plats, a plan of future streets, coordination of the normal public improvements of the City, a long term program of capital expenditures and such other matters as will accomplish the purpose of the plan.

Article III. Members

Section 1. Number

The Planning Commission shall consist of seven (7) voting members, one of which is a City Council member.

Section 2. Members Appointed.

Voting member shall be appointed by the City Council for three years. Terms shall run from January 1 through December 31. Terms shall be staggered so that there will be continuity of the Commission.

Section 3. Removal

City Council has the power to remove a Commissioner by a 5/7 vote.

Section 4. Voting

A member must be present to vote.

Section 5. Vacancies.

Vacancies shall be filled by appointment of the City Council for the unexpired portion of the term.

Article IV. Meetings and Hearings

Section 1. Notice

Notices of all meetings and hearings of the Planning Commission shall be made in accordance with all statutory and ordinance notification requirements.

Section 2. Meetings

All meetings of the Planning Commission shall be open to the public.

Section 3. Workshops

Workshops and other meetings whose sole purpose is for general information and/or educational purposes will be open to the public. Public testimony may or may not be allowed.

Section 4. Meeting Records

All tapes, minutes, evidence, exhibits, correspondence, maps, plats, etc. shall be made a part of the record, become the property of the City Brainerd, and be maintained as a permanent record.

Section 5. Meetings

A. Date and Time

The Planning Commission shall meet regularly on the third Wednesday of each month at 6:00 pm, or as soon as practical.

B. Location

The Commission shall meet in regular session in the City Hall Council Chambers.

C. Order of Business

- 1) Call to Order
- 2) Approval/Amendment of Agenda
- 3) Approval of Minutes
- 4) New Business
- 5) Public Forum
- 6) Old Business
- 7) Commissioners' Questions/Comments
- 8) City Planner Report
- 9) Adjourn

D. Special meetings

The Chair person, Vice Chairperson, City Council, or Mayor may call for a special meeting at any time. Notice of the time and place shall conform to the Open Meeting Law.

E. Additional Agenda Items

After an agenda has been published, at the discretion of the Chair and approval by the Commission items may be added up to the time of the published meeting.

Section 6. Parliamentary Procedure

All Commission meetings shall be governed by Sturgis Standard Code of Parliamentary Procedure in all cases to which they are applicable and not in conflict with these bylaws, City Code, or other rules this Commission may adopt.

Section 7. Agenda

A. The agenda shall be prepared by the City Planner with the input of the Chair as requested for the Planning Commission meeting and shall close 7 days prior to the meeting.

B. Any Planning Commission member can place an item on the agenda. No item shall be placed on the agenda unless the item is expressed in such a way as to clearly show the subject matter involved.

C. The agenda may be amended during a Planning Commission meeting by a majority vote of the Commission.

- D. The agenda shall generally organize matters to be addressed at the meeting so as to best promote opportunities for effective public input and the timely and efficient performance of Planning Commission responsibilities. Items of business likely to attract the attendance of many persons should generally be placed early on the agenda.
- E. Planning staff shall prepare a written report detailing the request and the ordinance provisions that apply to the matter.

Section 8. Procedure for Public Hearings

Planning staff or consultants, if any, shall summarize for the public the relevant issues of the application contained in the written staff report. The Commission members may direct question to staff regarding the application.

- A. The Chairperson shall call the public hearing to order and declare the time, and prior to taking testimony, shall explain:
 - 1) The order of testimony
 - 2) The purpose and requirements of the public hearing under Minnesota Law
 - 3) That each speaker shall provide their name and address and that public comments should be limited to matters pertinent to the application under review and avoid duplicative testimony. The Chairperson may place reasonable time limits on public comments, depending on the number of persons waiting to testify on the matter.
- B. The applicant and/or representative shall be given an opportunity to present evidence in support of the request and rebut any issues or conditions identified in the staff report
- C. Members of the public, if any, may testify, either in person or through their agent. Written testimony submitted may be read and will be added to the public record.
- D. The applicant shall have an opportunity to answer questions from the Commission.
- F. The Commission may direct questions to the applicant, planning staff, or public to clarify issues but no further testimony may be received from the public.
- G. When all public comment has been received the Commission shall close the public hearing by motion and majority vote of the Commission. The Commission may deliberate and decide the matter. Should the Commission identify relevant facts that remain unknown or disputed the Commission may postpone closing the hearing by motion and majority vote until the Planning Commission's next meeting and refer the issue to planning staff for further fact finding.

Section 9. Protocol for Public Hearings

- A. Everyone who wishes to give testimony shall be given a reasonable opportunity to speak.
- B. All statements or questions should be directed to the chairperson.

- C. All statements should be as factual as possible and should not involve personalities.
- D. Speakers should refrain from repeating what has already been stated.
- E. Each speaker shall provide his or her name and address to the recorder.
- F. The Planning Commission reserves the right to question any speaker.
- G. Written testimony may be received.
- H. No additional testimony may be offered after the close of the public hearing.

Section 10. Communication with Public and Applicant

- A. General. Prior to the public hearing or Commission deliberation, no Commission member shall lobby the merits of a pending case with staff, applicant, Commission member, or the general public.
- B. Disclosures. If a commissioner has discussed the pending case, the commissioner shall disclose the facts relating to such discussion during the public hearing.
- C. Exception. Nothing in this section shall preclude the general information communication by Commission members relating to the general conduct of a meeting or hearing, nor shall anything in this section forbid staff or commissioners from discussing with commissioners an upcoming meeting, so long as the facts or merits of the meeting are not discussed.

Section 11. Quorum

A majority of the Commission members entitled to vote shall constitute a quorum for the transaction of business.

Section 12. Conflict of Interest

Any member of the Planning Commission who shall feel that he or she may appear to have or in fact has, a conflict of interest on any matter that is on the Planning Commission agenda shall voluntarily excuse himself or herself, vacate his or her seat, and refrain from discussing and voting on said matter as a Planning Commissioner.

A conflict of interest is any direct contractual, pecuniary, or other beneficial interest in the outcome of a matter before the Planning Commissioner.

Section 13. Orientation of new Planning Commissioners

To assist new Planning Commission members in learning their responsibilities, and to develop their understanding of the planning process as quickly as possible, they will be required to:

- A. Attend an orientation session with the City Planner, Planning Commission Chair, and City Council member.
- B. Read the Comprehensive Plan and Zoning Ordinance.

Article V. Education, Conference and Convention Policy

The City Council and Planning Commission of the City of Brainerd recognize and accept the concept that the acquisition and maintenance of a body of knowledge and skills are necessary and desirable to perform the job of the Planning Commissioner. Further, both groups encourage and highly recommend periodic attendance at various educational opportunities conferences and conventions.

The following is the policy of the City of Brainerd Planning Commission on educational meetings, conferences, and conventions:

- A. Attendance at educational meetings, conferences, and conventions is subject of availability of funds.
- B. Attendance at educational meetings, conferences, and conventions is voluntary. Planning Commission members are encouraged to attend educational meetings, conferences, and conventions.
- C. Involvement in relevant professional organizations such as APA-MN, office holding, or committee work is considered educational.
- D. Planning Commission members are encouraged to participate in the budget process and to request allocations for educational purposes.

MEMO

TO: Planning Commission

FROM: Mark Ostgarden, City Planner

DATE: August 10, 2015

RE: Zoning Ordinance Text Amendment – Shipping Containers

The Planning Department has done research to determine whether other cities permit shipping containers in other than industrial zoning districts. Attached is information from those cities.

Use of shipping containers is one that raises issues such as graffiti, vandalism, junk, safety, what is being stored, etc. It appears to be the Planning Commission's position that this use could be allowed in some commercial districts without creating negative consequences.

The zones that seem appropriate would be the B-4 (General Business) Districts and MU (Mixed Use District). As suggested by Commissioner Norwood, if permitted it should be by Interim Use Permit (IUP) which would specify the IUP is for the use in operation and it would be limited to the period the use is in operation.

Below, is a list of minimum conditions to consider for a shipping container IUP. Meeting these minimum standards and others that may be appropriate one case by case basis should allow for shipping containers in some commercial districts without creating negative consequences.

SECTION 24 OUTDOOR STORAGE 515-24-5: Shipping/Storage Containers

All shipping/storage containers used for outdoor storage and office space are prohibited except:

- A. In an I-1 or I-2 Zone and limited to one (1) container per property.
- B. By Interim Use Permit in B-4 (General Business) Zone and MU (Mixed Use) Zone subject to:
 - 1. Containers shall not be placed on parking spaces required to meet the site's parking demand.
 - 2. Containers shall be placed to provide sufficient access to the container and any buildings on the site for firefighting purposes.
 - 3. The area of a lot designated for storage containers shall be located immediately adjacent to the principal structure.
 - 4. Containers shall not be stored in the front yard of the property or in the required side or rear yard setback areas.

5. The maximum height permitted shall be eight and one half feet (8½) above the finished grade in any district.
6. The storage container shall be completely enclosed by an eight (8) foot fence or eight (8) foot solid wall made of the same material and the same appearance as the principal structure, and a gate that blocks the view of the storage area. The gate shall be securable.
7. The storage containers must be free of graffiti, posters, bills or advertising signs. All containers must be free of corrosion, rust, rot, holes or leaks. The containers must be painted. Graffiti and other vandalism must be repaired within two (2) weeks of the incident.
8. Containers shall not be connected to utility services.
9. Containers may not be used to store mixed municipal waste or other solid waste or hazardous, flammable, explosive, corrosive or biologically infectious or contagious materials.
10. The area used to park the storage containers shall be located on a lot that allows the units to be moveable.
11. No object may be stacked or stored on top of a storage container.

Shipping Containers

Grand Rapids, MN

Shall be allowed on a temporary basis as an accessory use subject to the following:

1. A permit shall be obtained prior to the arrival and placement of one or more containers on the site. The permit shall be issued for a maximum of twenty-four consecutive months in industrial zones and twelve consecutive months in all other non-residential zones. In unique situations when the lapse of permit and abrupt discontinuance of the land/sea container use will not have a harmful effect upon the principal use of the property, the planning commission may consider approval of a one-time permit term extension, the length of which will be determined by the planning commission, with a maximum extension of no greater than one year in non-industrial permitted areas. The permit shall identify the number of containers to be placed on the site within the set time period. No permit shall be reissued until at least eighteen months has elapsed in industrial zones and six months has elapsed in other non-residential zones since the expiration of the previous container permit.
2. Containers shall not be stacked and shall be placed on a level, stable surface allowing for adequate drainage at all times.
3. Containers shall not be stored in the front yard of the property or in the required side or rear yard setback areas.
4. All non-industrial properties obtaining more than two permits in three years shall screen any containers from the motoring public or residential neighborhoods immediately adjacent to the property where it is located through fencing, walls or landscaping.
5. Containers shall not be placed on parking spaces required to meet the site's parking demand.
6. Containers shall be placed to provide sufficient access to the container and any buildings on the site for firefighting purposes.
7. The recipient of the permit shall be the only party allowed to use the container.
8. The containers shall be limited to a maximum square footage of container storage area not to exceed two percent of the gross area of the site on which the container is located. In no cases shall the footprint of all of the containers on a site exceed 3,200 square feet.

Osakis, MN

1. Outdoor storage and parking of land/sea containers and semi-tractor trailers shall be allowed only in districts where such use is listed as an accessory use. Any other outdoor storage of land/sea containers and semi-tractor trailers is prohibited.
2. They can only be parked or placed for a period of up to one hundred twenty consecutive days per calendar year.

3. All land/sea containers and semi-tractor trailers used for outdoor storage shall be parked on a surface covered with one of the following: concrete, bituminous, one hundred (100) percent class five crushed rock or crushed concrete.
4. Land/sea containers shall not be stored and semi-tractor trailers shall not be parked in the required front yard setback area or in a required side yard setback area abutting a residential district. Outdoor storage of land/sea containers and parking of semi-tractor trailers shall not be allowed on required parking spaces.

Clear Lake, MN

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Lakeville, MN

1. Semi-tractor trailers used strictly for storage purposes must be certified by the State of Minnesota and display a current inspection certification decal issued by a state certified mechanic. Trailers with out-of-state license plates must show proof of federal inspection requirements.
2. Land/sea containers cannot be stored and certified semi-tractor trailers cannot be parked in the required front yard setback area or in the required side yard setback area abutting a residential district or major and minor roadways.
3. Parking of land/sea containers and certified semi-tractor trailers is not allowed on required parking spaces unless the required parking spaces have been deferred.
4. They can only be parked or placed for a period of up to one hundred twenty consecutive days per calendar year.
5. Screening is required in a commercial district if abutting a residential district.

Rochester, MN

1. Storage containers are a permitted accessory use only within their general commercial district that permit exterior storage or display as specified by the applicable zoning district standards and site appearance standards. A Site Development Plan review and zoning certificate is required for the placement of any storage container in any zoning district so long as the storage container is not part of an approved Site Development Plan.
2. Storage containers may be located within the buildable area of a lot and setback from any public right-of-way 25 feet. Storage containers and the container storage area shall not be located on any part of a yard between the front or side street lot line and the principal structure or building. Storage containers may not be located on utility or drainage easements. The area of a lot designated for storage containers shall be located immediately adjacent to the principal structure.
3. The maximum height permitted shall be nine and one-half feet above the finished grade in any district. Storage containers shall not be stacked.
4. The area of a lot designated for storage containers shall be included as a part of the floor area and all related calculations including floor area ratio and landscape area. In no case shall the area on a property designated for storage containers exceed the outer dimensions of the principal structure or 10% of the gross floor area, whichever is less.
5. The storage containers shall be located on a paved level surface to prevent shifting, rolling, or other movement. In the B-4 and M-1 districts:
 - a. The area designated for storage containers shall be required to provide a buffer yard.
 - b. The storage container shall be completely enclosed by a solid wall made of the same material and the same appearance as the principal structure, and a gate that blocks the view of the storage area. The wall shall be ten feet in height. The gate shall be securable.
6. The storage containers must be free of graffiti, posters, bills or advertising signs. All containers must be free of corrosion, rust, rot, holes or leaks. The containers must be painted. Graffiti and other vandalism must be repaired within two weeks of the incident. A company identification sign no more than 2 square feet in area shall be attached to the storage container.
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3. The maximum height permitted shall be nine and one-half feet above the finished grade in any district. Storage containers shall not be stacked.
4. The area of a lot designated for storage containers shall be included as a part of the floor area and all related calculations including floor area ratio and landscape area. In no case shall the area on a property designated for storage containers exceed the outer dimensions of the principal structure or 10% of the gross floor area, whichever is less.
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8. Storage containers may not be used to store mixed municipal waste or other solid waste or hazardous, flammable, explosive, corrosive or biologically infectious or contagious materials;
9. The area used to park the storage containers shall be located on a lot that allows the units to be moveable;
10. No object may be stacked or stored on top of a storage container.

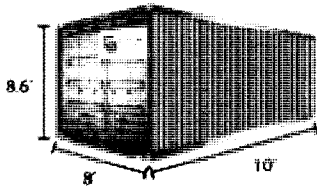


10' Container

Payload 30,000 lbs.
Tare weight 3,500 lbs.
Cubic Capacity: 582 cu.ft.

Exterior Dimensions
L: 10'
W: 8'
H: 8'6"

Interior Dimensions:
L: 9'5"
W: 7'8" - 1/8"
H: 7'9" - 5/8"

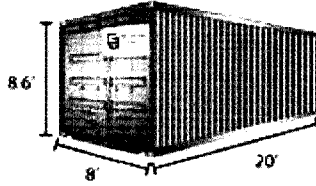


20' Container

Payload 48,600 lbs.
Tare weight 5,015 lbs.
Cubic Capacity: 1,164 cu.ft.

Exterior Dimensions
L: 20'
W: 8'
H: 8'6"

Interior Dimensions:
L: 19'5"
W: 7'8" - 1/8"
H: 7'9" - 5/8"

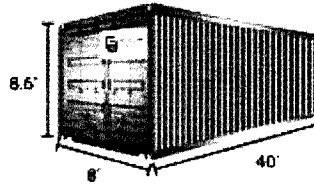


40' Container

Payload 80,350 lbs.
Tare weight 8,377 lbs.
Cubic Capacity: 2,376 cu.ft.

Exterior Dimensions
L: 40'
W: 8'
H: 8'6"

Interior Dimensions:
L: 39' - 3/8"
W: 7'8" - 1/8"
H: 7'9" - 5/8"



MEMO

TO: Planning Commission

FROM: Mark Ostgarden, City Planner

DATE: August 11, 2015

RE: Zoning Ordinance Text Amendment - Semi Tractor Trailer Parking in Residential Zoning Districts

Following is information from cities that address semi-tractor trailer parking in residential areas:

Fridley, MN

One large commercial vehicle having a licensed gross vehicle weight over 12,000 pounds may be parked on property in any residential district provided it meets the following requirements. In no circumstances may more than one large commercial vehicle be parked on residentially zoned property.

- a. The owner or operator of the vehicle must reside on the property.
- b. The vehicle shall be parked on a hard surface driveway in compliance with the applicable zoning district requirements.
- c. Noise from idling the engine shall not exceed the L50 standards provided for in Chapter 124.03.02 of the Fridley City Code. The vehicles' engine must not be idled for more than thirty (30) minutes in any one (1) hour period. In no circumstances may the engine idle for more than two periods, lasting thirty (30) minutes each, in one twenty-four (24) hour period. For purposes of this section, idling shall mean running the vehicle engine for more than three (3) minutes.
- d. The permitted vehicle shall be parked at least ten (10) feet from the front property line.

Owatonna, MN

Section 900:10. Idling of Engines in Residential Districts. No person shall have or allow a motor vehicle engine to idle in residential districts of this City, as defined in Ordinance No. 827 (Owatonna Zoning Ordinance), for longer than fifteen (15) minutes. No idling period shall be repeated at shorter intervals than five (5) hours.

Scranton, PA

- a. In a residential district, a maximum of 2 "commercial vehicles" (as defined above) may be parked for more than 8 hours in any 48 hour period on private property. Such vehicles shall be permitted only if used by the resident of the property as a means of transportation between their home and work. No commercial vehicles in a residential district shall have a gross vehicle weight over 15,000 pounds if parked outside an enclosed building.
- b. Idling. In a residential district, the engine of a tractor trailer shall not idle for more than 10 minutes on a property between the hours of 10 p.m. and 6 a.m. or be repaired, except for clearly an emergency.
- c. No trailer of tractor trailer shall be parked, stored, maintained or keep in a residential district for more than 8 hours in any 48 hour period.

Text Amendment to Consider

Should the Planning Commission desire to have a zoning text amendment hearing, following is draft language to consider for the amendment. Please think about whether there are changes or additions you think should be made.

SECTION 22 OFF-STREET PARKING 515-22-3: General Provisions.

Parking in Residential Districts. Off-street parking areas accessory to a residential use shall be utilized solely for the parking of passenger automobiles, recreational vehicles, and/or one (1) truck ~~not to~~ THAT exceedS twelve thousand (12,000) pounds gross weight rating for each dwelling PROVIDED:

- A. THE OWNER OR OPERATOR OF THE VEHICLE MUST RESIDE ON THE PROPERTY.
- B. THE VEHICLE SHALL BE PARKED ON A HARD SURFACE.
- C. IDLING THE ENGINE OF A TRACTOR OF A TRACTOR TRAILER SHALL NOT BE IDLED FOR MORE THAN 10 MINUTES ON THE PROPERTY BETWEEN 10 P.M. AND 6 A.M.
- D. NO VEHICLE REPAIR
- E. NO TRACTOR TRAILER CAB AND/ OR TRAILER SHALL BE PARKED, STORED MAINTAINED OR KEPT ON THE PROPERTY FOR MORE THAN 8 HOURS IN A 48 HOUR PERIOD.

GIZMODO

Millennials Will Live In Cities Unlike Anything We've Ever Seen Before



Alissa Walker

Filed to: URBANISM 7/16/15 1:45pm



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www.wayfair.com

It's actually hard to know what to believe about millennials, the Americans born after 1980 who make up the largest generation in history. Every week there's a new ground-shattering revelation about their lifestyles—but the most conflicting reports have to do with *where* they live.

Over the last few years, across the country—around the world, too—people of all ages, including millennials, have been moving into cities at an astonishing rate. Now more than half of the world's population is urban. So here's the big question: Are today's 20- and 30-somethings really going to live more urban lifestyles than Gen Xers or Boomers? Or are they going to eventually vacate cities for the 'burbs, just like every generation before them?

Then came some interesting data, pegged to the release of 2014 Census information this spring: Millennials have indeed started moving out of big city downtowns—but not necessarily in favor of a quiet rural or suburban life.

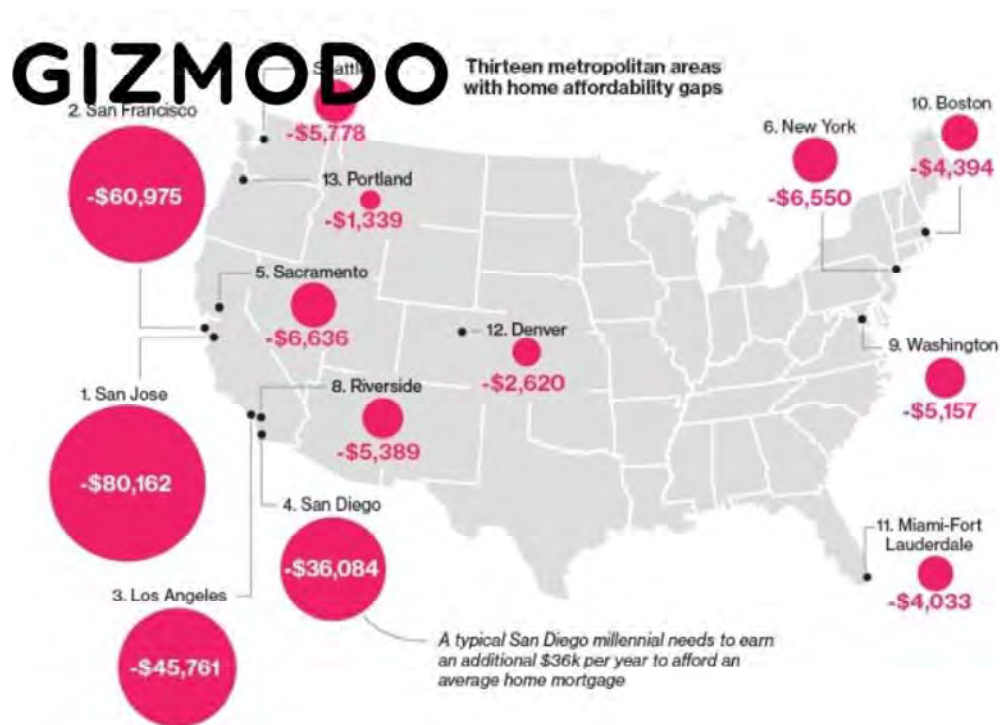
Instead, we're seeing a brand new trend: Thanks to the generation's size and influence, millennials are moving to new places made just for them, by them—revitalizing smaller cities or opting for hybridized urban-burb enclaves where quality of life is the driving force.

The Rent Is Too Damn High

As the first wave of millennials started to take jobs, it seemed that this generation was dedicated to living and working downtown. According to different studies, millennials were prioritizing dense neighborhoods, helping to fuel the biking boom, even—whoa!—refusing to get their driver's licenses. Companies luring millennials promoted their downtown locations with transit proximity, bike-commuting amenities, and other perks which aligned with these lifestyles.

But it turns out that many millennials weren't ever planning on settling in cities for good—they were just putting off the move to the suburbs for a few more years. A report in May discovered that fund managers are betting on millennial 'burb living by investing in car companies and single-family home builders. "Especially in the older millennials, we're seeing a move towards more traditional patterns, just on a delayed time frame," Sarah House, an economist at Wells Fargo, told Reuters.

But it's not only about following "traditional" patterns, it's also about being priced out of an insanely expensive housing market. Last month, Bloomberg crunched the most recent US Census data and came up with the Millennial Housing Affordability Index, declaring 13 cities completely unaffordable for home ownership based on estimated earnings for the millennials living there.



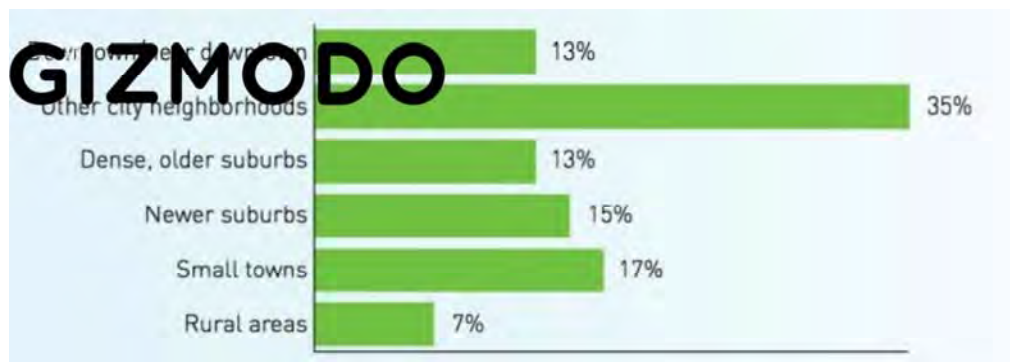
Bloomberg.com chart using data from US Census, Zillow.com and Bankrate.com

What's happening with millennials and cities is really just part of a larger issue around the rising cost of housing that's pricing out plenty of people in already-expensive cities. Of course moving into a city is going to be extra-unattainable, financially, for someone just starting out in their career. Maybe millennials are actually way smarter than everyone else for not staying in places they can't realistically afford.

But it turns out that millennials are different in the sense that they're coming up with innovative ideas for how to live well wherever they are—which sometimes means bringing the urban experience with them.

Urbanizing the Suburbs

According to a recent study by the Urban Land Institute, “Gen Y and Housing: What They Want and Where They Want It,” a nationwide survey of millennials aged 19 to 36 showed that most of them were never living the glamorous downtown life that most stories like to describe. Only 13 percent of millennials in the survey lived in or near downtowns—the rest lived in other city neighborhoods—or in the suburbs.



Where millennials said they lived, based on the ULI's survey

The kinds of places that millennials want to live share a lot of the same characteristics with urban centers—they're looking for amenities like walkability and public transit. But according to the study, it's more about relationships and having the time to enjoy those relationships, which doesn't necessarily mean working long hours to pay the rent in a big city.

"Gen Yers want to live where it's easy to have fun with friends and family, whether in the suburbs or closer in," says M. Leanne Lachman, one author of the study. "This is a generation that places a high value on work-life balance and flexibility. They will switch housing and jobs as frequently as necessary to improve their quality of life."

Chicago has always been a haven for young professionals. Its suburbs are also some of the most famous in the country, a sprawling bedroom community that ripples out from the urban core. But just like the way that Chicago's inner city is focusing on making a lot of the changes that supposedly attract those young professionals—improving public spaces, redesigning pedestrian connections, and building more biking infrastructure—its suburbs are undergoing their own renaissance, too.



1

2

Midtown Square opened this year as a dense, transit-accessible, mixed-use development in Glenview, Illinois, a suburb of Chicago

These places once known for their large yards and reliance on cars are changing. According to a piece in this month's *Chicago Magazine*, development is radically shifting in suburbs, mostly to accommodate millennials:

For example, in Wilmette, a town that's historically limited rentals, the village board preliminarily approved a plan in May to build a 75-unit luxury apartment building with ground-floor stores on Green Bay Road, across from the Metra station. Units will average about \$2,250 a month for 1,000 square feet. The village courted the project in concert with its master plan, which in 2014 raised height limits downtown from three to five stories.

These kinds of compact, livable communities that crop up in less-dense areas have all sorts of names, like New Urbanism and "walkable urban places," but the one that's stuck recently is "urban burbs"—and the urban burbs are a new kind of hybridized place made just for millennials.

Millennials might not be staying in the urban cores, but rather, they're settling to reside in the urban-like enclaves that allow easy access to the city when they want it. These places where millennials are choosing to live still have the qualities of downtowns—dense housing, transit connections, walkability, good food, great bars—without the high prices of downtowns.

Revitalizing Smaller Cities

I wanted to know if any of this rang true to actual millennials. So I talked to participants of the Millennial Trains Project, a nonprofit which selects a group of millennial entrepreneurs to travel across the country on an Amtrak train, stopping in cities along the way to meet with civic-minded startups. Each of the participants are required to crowdfund \$5000 to pay for their own participation on the trip, and many end up forming relationships which spin off into new urban-minded projects.

Millennial Trains took 25 young innovators on an Amtrak journey across the country in the spring of 2015

There seemed to be a different trend for millennial living that was well-represented by the group. Instead of settling in big, expensive urban centers like New York, San Francisco, and Los Angeles, many of these millennials were leaving to look for opportunities in smaller cities. Nicole Behnke is 24 and works at what she calls a “social architecture agency” in Milwaukee called NEWaukee, where she organizes events for young professionals. She has a car, although she doesn't like to drive it. She has noticed some of her friends moving out into suburbs, but that's not what she personally wanted out of a living situation: She recently closed on a condo in downtown Milwaukee.

For her, the choice to live in Milwaukee instead of, say, Chicago, or even its urban burbs, came down to more than just price (although that was a big factor). While visiting San Antonio during the Millennial Trains adventure—a place she had always perceived to be in the shadow of Austin—she saw the incredible opportunity offered by her move to Milwaukee. She realized that moving to a smaller city was allowing her to help shape a community.



NEWaukee hosts Milwaukee events like networking mixers, neighborhood tours and even a night market to gather millennials and rally civic pride

“There is an energy of millennials who are coming together and galvanizing and they want to be the creators,” says Behnke. “Not to take away from what they are doing in places like Austin and Brooklyn, but do you want to participate in their culture, or do you want to be like San Antonio or Milwaukee and be the creator of the culture? A lot of us want to be the creators—we want to be the ones making the change.”

After traveling to so many cities and seeing this generation in action, Behnke believes that millennials want to be invested in where they live in a way that their parents were not. Whether it’s driving changes in the suburbs or revitalizing a smaller city, 79 million Americans who want to make their communities even a little bit better is a very good thing for the country—and there might not be a better legacy for any generation in history.

Illustration by Pete Ryan

Follow the author at @awalkerinLA

Here come the millennials





Now if we could only extend public transportation in the form of metros and high speed rail we could live close to the city without a car and still get to other cities.



sxp153 > meh-meh-
7/16/15 2:01pm

We can't afford it! But if you want to add an extra lane to a highway, there's always money somewhere... Has anyone checked a teacher's pension fund?



Sly Jackal > sxp153
7/16/15 2:17pm

That is because we are paying for NFL stadiums ... but yes we can afford it.



OcelotRex > meh-meh-
7/16/15 2:23pm

Why would you willingly give up a car?



Dean > OcelotRex
7/16/15 2:40pm

To save money. The cost of the car, insurance, maintenance, gas, parking. Cars are really useful, but that adds up. If you don't need a car, why not keep the cash?



DianaWood > Alissa Walker
7/16/15 2:06pm

GIZMODO It's almost not a question of choice anymore. Why would anyone want to spend money on yearly vehicle taxes, having to get permits, licenses, not to mention gas prices. It is financially irresponsible to not take advantage of greener options.



ConLawHero > DianaWood

7/16/15 2:15pm

Because it's really not any cheaper to take public transportation. A monthly Long Island Railroad pass, from NYC to Babylon (not even halfway out on the island) is, last time I knew, \$375. Unequivocally, I *do not* spend nearly that much on my car per month, even averaging in repair costs.

A 30 day unlimited NYC subway pass is \$116.50. That's maybe \$100 cheaper than it costs to drive my car per month. But, I don't have to deal with trains being late, I don't have to carry tons of groceries onto a subway, I can come and go as I please, I can go wherever I want, whenever I want, with no restrictions.

Having lived in both cities and suburbs, cars are so much better.



DianaWood > ConLawHero

7/16/15 2:17pm

I agree that always paying for public transportation is not always viable. That's why I have a bike! I'd like to see more people, especially those who live in cities such as NYC, start to use bicycles, it's great for the environment, it's great for your health, and it's great for your wallet. Think of how much we can reduce our carbon footprint by using bicycles?



ReburnsABurningReturns > DianaWood

7/16/15 2:18pm

GIZMODO That really depends on where you live. It's still true that in many urban areas the relative savings on housing costs, especially once you start having children, can overwhelm the annual expense of having a car and driving from a bit further out.



Johnnyazz > ConLawHero

7/16/15 2:28pm

what kind of car do you have? that sounds about right for a lease not even including insurance. public trans is much cheaper. unless you are in a used sub \$20K car, and the depreciation isnt that bad.



Thidrekr > Alissa Walker

7/16/15 2:14pm

As a millennial, if I had a choice I'd live in...Europe. In North America, I feel like I have to choose between overpriced crappy bland urbanism (hooray...more ugly condos and expensive hipster burger/hot dog joints!) or depressing crappy bland suburbanism. Even if I had the money, I find it hard to feel enthusiastic about "home ownership."

Also, I don't drive too, too much anymore living in an urban environment, but I will renew my driver's license until the end of time. I was one of the last folks to not have to suffer through graduated licensing as a teenager, and I never want to have to jump through hoops to be able to drive in the future.



OcelotRex > Thidrekr

7/16/15 2:25pm

As a millennial, if I had a choice I'd live in...Europe.

Why do you not have a choice? Are you chained up in a basement somewhere?



Immigration is generally a nightmare. I'm also not inclined to abandon all family and friends.



OcelotRex > Thidrekr

7/16/15 2:37pm

So you have a choice you just choose not to?



Mason Taylor > Thidrekr

7/16/15 2:41pm

So, you had a choice. You've just made up your mind.



Veronykah > Alissa Walker

7/16/15 2:00pm

"Americans born after 1980 who make up the largest generation in history"

So why exactly will social security "run out"?



mrblerg > Veronykah

7/16/15 2:13pm

Some people think it will because the money I put in pays people on it now. So unless Millennials have a larger generation of children, it will run out because there's not enough people paying in when Millennials retire. Essentially a Ponzi scheme. I'm not a Social Security expert, but that's what I've heard.

The biggest issue about it is the same problem that America has with most things. We're taking something built for another time and not adjusting it to fit the current or future needs. Examples: military spending, roads, education, the Electoral College, political parties, fun size candy bars.

GIZMODO



Thidrekr > Veronykah

7/16/15 2:17pm

Because rich people don't want to pay taxes and are dead set on killing it.



TS2131 > Veronykah

7/16/15 2:39pm

It can never run out, because new people are always paying into it. But Social Security is now paying out more than it's taking in, so once the trust fund runs out (I guess it's debatable whether that trust fund actually exists) everybody's benefits will be reduced so that the current workers' contributions will cover the payouts to retirees.

So if the trust fund runs out in 2030, and FICA payroll taxes only cover 75% of what needs to be paid out, somebody who had been getting \$2,000 a month would only get \$1,500.

But it can never really entirely run out, as long as some people are still working.



Veronykah > TS2131

7/16/15 3:29pm

My question is if this is the "largest generation in history" then the money logically should be there since there are more millennials than baby boomers. So the idea that there aren't enough people paying in seems to be a lie, unless there really AREN'T more millennials.



Ark > Alissa Walker

7/16/15 2:20pm

Well, cities are the only place left in America where you can find a job anymore, soooooo...

GIZMODO Hedge fund managers are probably right, though. When this generation starts having kids, they're gonna start moving to the suburbs just like their parents. Bigger houses, bigger yards, fewer PoC's. Same old pattern. Their parents wanted to be cool and trendy and cosmopolitan, too, until they started acquiring actual responsibilities. Plus, you can't accumulate wealth when you're shoveling massive amounts of money into renting a shit apartment in a grossly overpriced city.



panthercougar > Ark

7/16/15 3:54pm

But, exposed duct work!



Ark > panthercougar

7/16/15 3:56pm

Did you say ducts?



forallthegloreeeee > Ark

7/16/15 4:07pm

GIZMODO I really don't know if that is absolutely true. I only have anecdotal evidence, so this really means nothing, but all of my late 20s/early 30s friends have no intention of moving to the suburbs, even as some are starting to reproduce. Looking around at the number of kids and young couples in my Chicago neighborhood, it makes me wonder if the old "live in the city until you have kids" thing still holds true. That said, those families may just be waiting until their kids would actually have to go to CPS before bolting.



StarControl > Ark

7/16/15 4:34pm

The thing is that this generation more than any other is the "selfish" generation. There are huge throves of people who do not have, and do not plan on ever having children. it's all about "my experiences right now, and this is my life, and I want it to be great" (not saying that being selfish is completely wrong either)... and of course the FOMO that is flared every time they load up Facebook. So millenials in big numbers will not have kids, will spend all their money as it comes in, without saving much or anything, and .. well, we'll see how it goes in about 40-ish years I guess. Not saying that's for all millennials, but man does it seriously look that way for a lot of them.

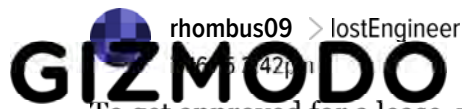


lostEngineer > Alissa Walker

7/16/15 2:12pm

So basically people are living where they can actually afford to live.

The averaged numbers still don't add up. The great Google says the median income for a millennial is \$37,600, that leaves \$3,133 per month. I always figure only about 2/3 is usable the rest going to taxes and healthcare, so that leaves \$2,068 in real buying power. So if you subtract that \$2,250 listed, you're living hand to mouth on credit cards, or shanghaiing roommates. I guess that's where the social side comes in.



To get approved for a lease, your monthly income should be 3x the monthly rent. I make the average for Houston (~\$45K) so my monthly is about \$2800 after taxes. That means I can afford \$930 max for rents. Unfortunately, in Houston, that about how much the very cheapest apartments start at about \$700 for an efficiency studio (may or may not be clean or safe). I have seen some cheaper places but they don't have any appliances except for a mini fridge. One place I looked at did not have a sink in the kitchen. Just a microwave and a toaster oven. THE RENT IS TOO DAMN HIGH.



Only Pawn > rhombus09

7/16/15 4:24pm

Gen-Xer here, at about the same salary level you're working with. In Detroit, apartments are going for higher than it sounds in Houston, approx. \$900/month for a place you wouldn't be caught dead in, and wouldn't want to park near. Tired of roommates skipping out.

Was looking a while back, and happened upon an unbelievable realty listing. 3 bdrm. brick, on a double lot, non-annoying neighbors, good near-burb that cut my commute, new roof/appliances. So, after years of renting, and never seeing myself as a homeowner, took the plunge. Now, even with the escrow, and a 30-year fixed, it only comes out to ~\$500/month.

Yes, the rent IS too damn high. Check out your other options, however, and you might not have to pay it much longer...



reeveoliver > rhombus09

7/16/15 4:29pm

I don't quite get how a bunch of millennials are moving into cities. How the hell are they paying for it? I've never understood it, unless they have parents that are willing to pay partial or full rent for them. Otherwise, you'll live in an area with a lot going on but you have no money to spend.

GIZMODO



BrianGriffin > Only Pawn

7/16/15 4:34pm

Wait, can't you buy a mansion in Detroit for like \$10k?



MidshipLyric > Alissa Walker

7/16/15 2:06pm

I always have a hard time grasping the point of these “urban trends” articles. Housing is expensive in some places, people don’t like it, others like to make businesses to provide services... What we should do with this knowledge? Should we bite on the implied pent up demand and invest in DHI? Should we write our congressman about affordable housing (whatever that means)? Should we just sit back and watch? I’m looking for some kind of general actionable conclusion here.



Dean > MidshipLyric

7/16/15 2:13pm

One point is to inform readers about things that are going on in the world.

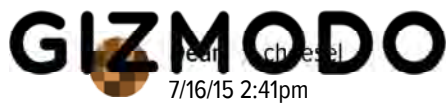
If you want something actionable, though, you could involve yourself in local planning and support efforts to allow the development of walkable neighborhoods. Right now one of the reasons prices are so high in urban areas is because it’s illegal to build much density. Removing those rules would give more people the option of living that urban or semi-urban life.



cheesel > MidshipLyric

7/16/15 2:17pm

I’m curious too; I’m a millennial that can luckily afford housing in one of the above-cited expensive cities that we’re all supposedly moving out of. So should I NOT buy a condo? It’s all very confusing.



You know, you can do what you want. Just because Millennials are more likely to do X than previous generations doesn't mean you're required to do X. Go buy that condo.



MidshipLyric > Dean

7/16/15 5:19pm

I think the problem I'm having is this whole discussion generalizes the data across the country while what is really happening is much more variable depending on region. So I'm sitting in my small to mid sized metro and don't quite understand what all the fuss is about.



lil_stevie_baumer > Alissa Walker

7/16/15 2:01pm

Why is there never anything said about Gen X? I feel like everything is about Gen Y and the baby boomers. What about Gen X???



Team Live Badass > lil_stevie_baumer

7/16/15 2:07pm

Standard Gen X response^ /s



kappakai > lil_stevie_baumer

7/16/15 2:14pm

No one cares about us slackers



sTalkinggoat > lil_stevie_baumer

7/16/15 2:17pm

God, you guys had the entire 90s. What did you do with it? A couple good bands and 10 seasons of Friends. Let it go and go quietly into middle age.



lil_stevie_baumer > sTalkinggoat

7/16/15 2:46pm

Well, I mean personal computers, video games and the internet were a thing that was born then, but sure. Also, every crappy Michael Bay movie, those were based on crappy cartoons we had. Also, did you know Hillary Clinton's husband used to be president?



ospreyguy > Alissa Walker

7/16/15 2:39pm

I was born in 81, my wife in 83. We're moving into Chicago with two kids from the burbs for our first real city living experience.

We don't know if we will like it or not but thought it was worth the try. Living in rural north Florida most of my life really made me want to pursue something different.



catalysto > ospreyguy

7/16/15 3:24pm

Sounds like my move from Indiana to Los Angeles. I couldn't be happier, and I can't picture myself ever living in a less-than-medium-sized city again.



Parasiticdrag > ospreyguy

7/16/15 4:15pm

As someone who goes to Chicago monthly for work, if you have kids you are going to hate it. Unless you're the type of person who one hour at navy pier makes up for all the inconveniences of daily life worth it.



Brace yourself for Chicago winter. It gets nasty. Really bad winters make you appreciate the summer more though. My wife and I loved it when we were there.



DontCallMeBlanket > ospreyguy

7/16/15 4:53pm

81 and 83? Why are you children getting married?!?!

- Gen X



sxp153 > Alissa Walker

7/16/15 1:51pm

I'm not a Millennial (almost 40), but I do hate the shit out of cars and want to live in a fairly dense and very walkable neighborhood. I am trying to come to terms with the fact that I'm going to have a job in Brooklyn soon but will probably have to live in the suburbs to afford it. At least there are decent little towns around near train stations out in North Bumfuck.



Parasiticdrag > sxp153

7/16/15 3:57pm

I'm a millennial and I love the shit out of cars.

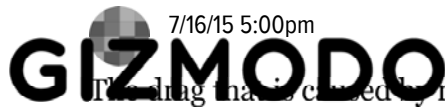


sxp153 > Parasiticdrag

7/16/15 4:51pm

How interesting! Your user name sums up your world view much better and more succinctly than your many comments in this thread.

Parasiticdrag > sxp153



7/16/15 5:00pm

It's a drag that is caused by resistance against an object sums up my views? Ad hominem much there buddy?

**Stig-a-saw-us-wrecks** > sxp153

7/18/15 9:42am

To be honest, there is nothing “parasitic” about being an auto enthusiast. you don’t like cars, hey that’s wonderful for your lifestyle. But those of us that do haven’t done anything to earn your scorn. Live and let live.

Load More 



CITYFIXER

5 Anti-Bike Arguments That Should Be Retired

For one, bike lanes are actually really *good* for the local economy.

ERIC JAFFE | [@e_jaffe](#) | Jul 14, 2015 | [390 Comments](#)



[Jim Pennucci / Flickr](#)

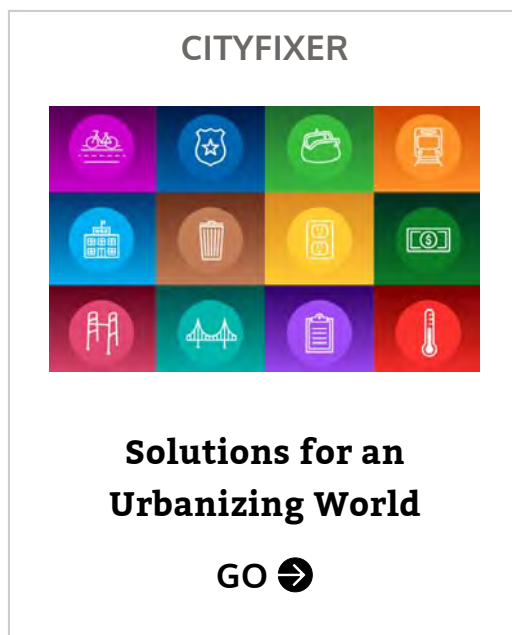
It's time to [move beyond](#) the misguided war between bikes and cars. Doing so requires all parties on urban streets to acknowledge that city mobility is a collective problem without an either-or answer. In the spirit of a healthier such discussion, we've culled from this excellent list of anti-bike arguments that

should be put to rest, compiled by [Lindsey Wallace at *streets.mn*](#), as well as a recent longer list from [Adam Mann in *Wired*](#).

1. Cyclists break the rules

If breaking the law is a knock against cyclists, then it's a knock against everyone who uses city streets. Some bike riders do [run red lights](#) (though it's often because the signal doesn't recognize them) or [pop onto the sidewalk](#) (though it's often because they don't have bike lanes). Then again, drivers are no strangers to blowing lights—one in 10 [run reds](#) in New York City—and doing so is the most common cause of crashes in U.S. cities.

So sure, some [cyclists are just jerks](#). That's true of any group of humans. What must be recognized with regard to bike riders is that much of [what's mistaken for jerky behavior](#) is better attributed to the frustrations of city travelers long denied space on urban streets.



2. Roads are meant for cars

From a strict design sense, that's largely true in U.S. cities today. Engineering [manuals](#) and [guidelines](#) have emphasized the creation of car-friendly streets at the expense of other modes for decades. But that reality is also a choice—not a fate. As cities recognize the increasing [social costs](#) of car reliance, they've started to adjust [car-first street-design standards](#) to incorporate alternative modes and to see urban streets as spaces that can be [safely shared](#) by all.

3. Cyclists don't pay for roads

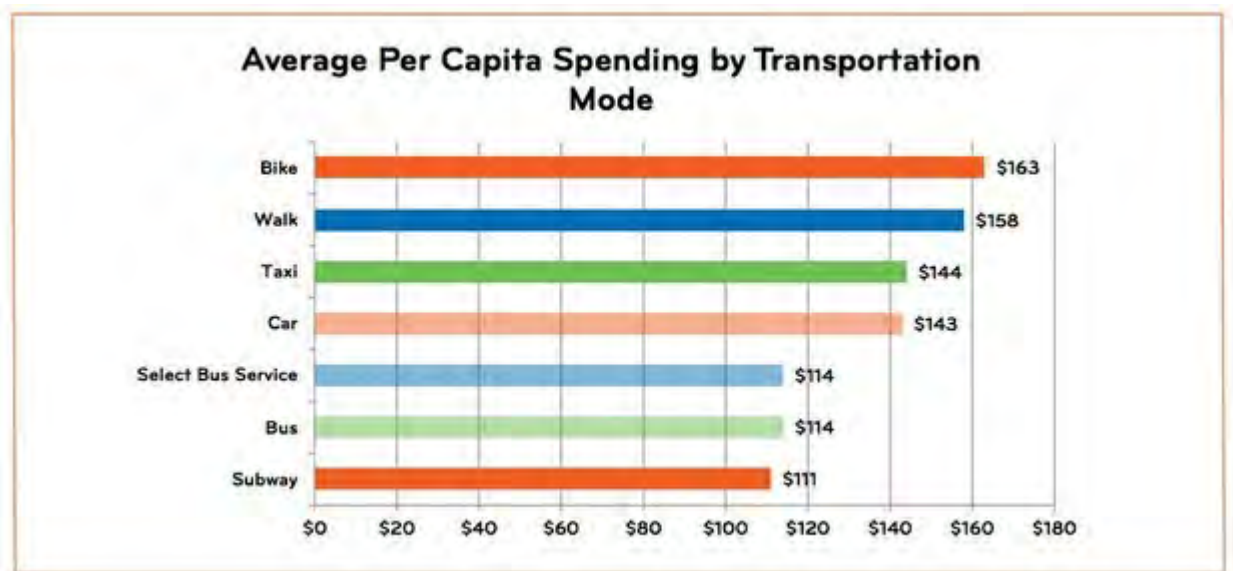
The idea that cyclists don't have the right to city streets because they don't pay vehicle taxes doesn't hold up to much scrutiny. Some cycling advocates [aren't](#)

[opposed](#) to a small road usage fee as a bargaining chip, but the truth is bikes just don't cause much street damage; might as well charge a usage tax to platform shoes or wheeled luggage while we're at it. Most cyclists are drivers, too, so they do pay to use the road at times. And at the city level it's often property taxes, not fuel taxes, that pay for street maintenance anyway.

More broadly, everyone pays for roads in the U.S.—or, to be more precise, everyone [pays too little](#) for them.

4. Bike lanes are bad for business

On the contrary, as we showed in this [complete economic case](#) for converting street parking into bike lanes, they can be very, very good for business. We'll let this chart of spending by travel mode in one New York City neighborhood do the talking:



[Transportation Alternatives](#)

5. Well, then bike lanes at least slow down traffic

That's not always the case, either. Sure, at some point, if you remove enough general car lanes you're going to create congestion. But cities can reduce that outcome with smart design, and in some cases they can even help traffic flow more smoothly.

Let's stick with New York and the case of bike lanes installed recently on Eighth Avenue. In fact, daytime travel times on the street *decreased* an [average of 14 percent](#), largely because left-turn pockets were also installed, which meant through-traffic didn't have to slow down for turning cars—and had the safety benefit of making it easier for drivers to see bikes coming.



[thisisbossi / Flickr](#)

We'll cut the list here for now and let the commenters add their own anti-bike arguments worth putting to rest. The encouraging thing is that, bike-versus-car rhetoric notwithstanding, city streets are evolving to reflect balanced usage. It's time for our discussion of urban mobility to evolve beyond wars of words, too.

About the Author



Eric Jaffe is CityLab's New York bureau chief. He writes about transportation, behavior, and history, and has a general interest in

the science of city life. He's the author of *A Curious Madness* (2014) and *The King's Best Highway* (2010), and lives in New York.

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Reports from the Editor

Can Intersections Lead to Stronger Neighborhoods & Empowered Residents?

by *PlannersWeb* Editor Wayne Senville

August 7th, 2013

Read the start of this article below; to view full article you need to be a PlannersWeb member. Already a member? -- be sure you're logged-in. Not a member? Consider [joining the PlannersWeb](#).

Kind of a crazy question, you might well think. What do street intersections have to do with strong neighborhoods and empowered citizens? Aren't intersections just for dividing up blocks, and getting traffic through?

Yes, you're right -- at least for now in most places. But in Portland, Oregon, thanks to dozens of volunteers working for a nonprofit called [City Repair](#), and thousands of citizen participants, intersections have become the place to be. What's more this intersection transformation, which I'll soon explain, is spreading to other cities across North America.

I sat down at Riyaddh's, a terrific Lebanese Restaurant in the city's Hawthorne neighborhood, to talk with [architect Mark Lakeman](#), who helped found City Repair back in 1996. Lakeman's office was just steps away from Riyadh's and a cluster of other restaurants and food carts.

Lakeman, who grew up in Portland, spent seven years traveling in Africa and other parts of the world. As he described it, the morphology of African villages, with houses clustered around a common community space, made for more cohesive communities -- places where neighbors regularly interacted with each other.

In his travels and studies, Lakeman came to realize the importance of village squares, plazas, zocolos, whatever they may be called, in the midst of where everyone lives. Compared to the rest of the world, the U.S. had few such neighborhood gathering places.



Mark Lakeman, outside his office.

Lakeman believes that part of the reason lies in America's adoption of the grid street pattern, following the model of the [Northwest Land Ordinance of 1785](#). The grid made the city into a commodity for sale piece by piece, while intersections cut off neighbors from easy contact with each other.

But, with a stroke of insight, Lakeman decided to turn intersections on their head, so to speak. The idea was simple: let nearby residents take control of their intersections.

Start by painting them --

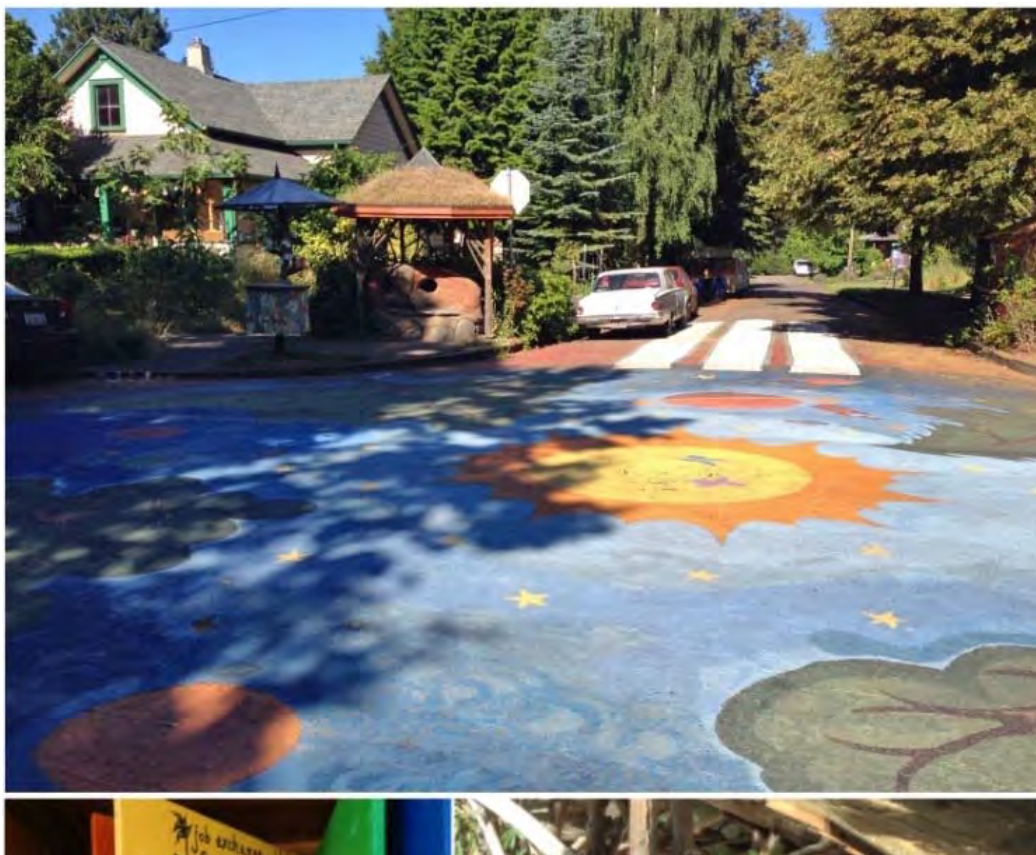


photo by City Repair; Flickr creative commons.



photo by City Repair; Flickr creative commons.

then, if you like, furnish them with homemade benches, lending libraries, kids play areas, and even "T-stations."







Note from PlannersWeb Editor Wayne Senville: Some photos I took while visiting Portland's Sellwood neighborhood to see the original intersection repair — called “Share-It Square” (a play on both the name of the intersection: 9th & SE Sherret Street and the key idea of neighborhood sharing). You can spot me sharing the bench with Molly Krumholz (daughter of our general manager, Betsey Krumholz) who is a student at Reed College and lives nearby. Checking out the “T-Station” are Molly and my spouse, Lila Shapero.

In other words, as Lakeman described, "make people realize that their streets and intersections don't have to just be thoroughfares for traffic, they can be community gathering spaces."

OK, that all sounds logical. But -- really -- what city would allow something like this, and what residents would even want to be involved?

Lakeman, however, was counting on two things: a knowledge of how Portland works, and an understanding of what people want.

So how did local activists convince city leaders to get on board with the idea?

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