

PLANNING COMMISSION
Wednesday, June 20, 2018

#1 Call to Order

Due to the absence of Planning Commission Chair Headley and Vice-Chair Marohn, City Planner Ostgarden called the meeting of the Brainerd Planning Commission to order at 6:00 p.m. in the City Hall Council Chambers. The Commission moved to elect Commissioner Wussow to serve as temporary Chair.

Noted present were Commissioners Burslie, Gorham, Wussow and Council Liaison Lambert. Noted absent was Commissioner Antolak, Headley and Marohn. Also present was City Planner Ostgarden, Administrative Specialist Bestul and Planning Intern Jared Boom.

#2 Approval of Agenda

MOTION BY COMMISSIONER WUSSOW, DULY CARRIED, TO APPROVE THE AGENDA.

#3 Approval of Minutes of the Regular Meeting held on May 16, 2018

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND GORHAM, DULY CARRIED, TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON MAY 16, 2018.

#4 New Business

A. Public Hearing – To Consider Amending the City Zoning Ordinance to Permit Funeral Homes/Mortuaries with A Crematorium

As a Permitted Use in:

- 515-63-2: B-4 General Commercial District
- 515-65-2: B-6 Washington Street Commercial District

OR

As a Conditional Use in:

- 515-63-6: B-4 General Commercial District
- 515-65-6: B-6 Washington Street Commercial District

City Planner Ostgarden indicated the owner of a funeral home located in a B-4 (General Commercial) District has interest in expanding the business to include a crematorium. It was discovered that funeral homes are not listed as a use permitted in a B-4 district, which was perhaps an oversight when the zoning ordinance update occurred in 2008/09. The first task is to discuss an amendment to add funeral homes as a use allowed in the B-4 district and whether a crematorium is also added to the amendment. In the B-1 (Residential Office) and B-2 (Neighborhood Business) Districts, funeral homes without crematoriums are defined as conditional uses. The Commission may want to amend the ordinances in these districts to allow crematoriums at the same time if desired.

City Planner Ostgarden reviewed background information regarding funeral homes, mortuaries and crematoriums. A main question would be what the impact a crematorium has on a community and/or a neighborhood. There have typically been three areas of concern raised about crematoriums as follows:

- High Temperatures – Dangerous if equipment is not operated properly
- Exhaust – Potential odor – unlikely but possible
- Mercury – Studies have shown very minimal traces of mercury are found. If you were to capture 100% of the mercury from a crematory processing an average of 400 cremations per year, for one year, the total mercury would be smaller than a sugar cube.

City Planner Ostgarden reviewed the cremation process and the improvements to the process that have been made over time with technology. The Planning Department has contacted four cities in Minnesota which have a crematorium near residential areas and each one has not received any complaints. The State of Minnesota requires a license to operate a crematorium in which they regulate and inspect the facility. The Nelson Doran Funeral Home has had a crematorium for several years and has not received any complaints from a surrounding property.

Commissioner Lambert asked if there are any local regulations that need to be followed, which was confirmed as only state regulated.

Commissioner Burslie wanted clarification that this will only be allowed in commercial districts, not residential. City Planner Ostgarden confirmed that this is correct, however the B-4 district would be near a residential district.

Commissioner Gorham asked which business is applying for the crematorium. City Planner Ostgarden indicated it is the Halvorson Johnson Funeral Home and the owner is looking at significant changes to the business. The building for the First Presbyterian Church has become too large for the number of members and there is the possibility of relocation to the church building.

Commissioner Wussow asked if there are any special concerns about stovepipe for the exhaust, which City Planner Ostgarden confirmed as negative.

Commissioner Wussow suggested amending the B-1 (Residential Office) and B-2 (Neighborhood Business) Districts to allow crematoriums. City Planner Ostgarden indicated these can be amended and another public hearing can be scheduled.

Commissioner Burslie recommended moving forward as proposed and if an applicant comes forward in a B-1 or B-4 District, the ordinance can be amended at that time.

The Chair opened the public hearing at 6:20 p.m.

No one came forward.

The Chair closed the public hearing at 6:21 p.m.

City Planner Ostgarden made the recommendation of adding the crematoriums as a permitted use in districts B-4 (General Commercial) and B-6 (Washington Street Commercial). If an applicant comes forward to amend the B-1 (Residential Office) or B-2 (Neighborhood Business) districts, the recommendation would be to allow crematoriums as a conditional use.

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND BURSLIE, DULY CARRIED, TO RECOMMEND APPROVAL TO AMEND THE CITY ZONING ORDINANCE SECTIONS 515-63-2 (B-4 DISTRICT) AND 515-65-2 (B-6 DISTRICT) TO ADD FUNERAL HOMES/MORTUARIES WITH A CREMATORIUM AS A PERMITTED USE.

Commissioner Gorham asked the Commission if there would be any advantages to allowing this as a conditional use rather than a permitted use.

Commissioner Burslie indicated he sees no advantage as City Planner Ostgarden has explained any potential impacts that it may have, which are few. Commissioner Wussow stated the studies have been done on the mercury and exhaust issues and it appears to be very safe.

#5 Public Forum

The Chair indicated there is no one present from the public for open forum.

#6 Old Business

None

#7 Commissioners' Questions/Comments

Commissioner Gorham stated the subcommittee he is a member of completed a walk-about along Kingwood Street.

Commissioner Burslie asked about the approval of Thrifty White Pharmacy returning to the Planning Commission with a landscape plan and when that will occur. City Planner Ostgarden indicated it will be awhile until they are at that point – it is expected sometime later this summer.

#8 City Planner's Report

City Planner Ostgarden introduced the summer Planning Intern, Jared Boom. Mr. Boom will also be assisting the contracted planning firm for the City of Breezy Point with the help of Commissioner Wussow, who is the City Administrator of Breezy Point.

City Planner Ostgarden updated the commission on the Comprehensive Plan. The Steering Committee is working on hearing, learning, and getting to know the community. An email from Ms. Ashley Kaisershot with a June Project update is provided showing public outreach, gathering data and analysis. There is another community survey being worked on and pop-up engagement sessions with area youth are being planned. The committee will be meeting at the Shop in mid-July in hopes of obtaining more input from young professionals and youth in the community. A Technical Advisory Committee (TAC) will be made up of city staff at the close of the survey to share the responses and all community input received which will be posted to the city website.

Commissioner Lambert asked if a member of the steering committee can be a part of the Technical Advisory Committee. City Planner Ostgarden stated yes; it would be acceptable for any committee member to be a part of it.

Commissioner Gorham asked social media will be used to promote the comprehensive plan. City Planner Ostgarden stated it is a topic that will be discussed further as time goes on with the update. A planning meeting took place for the next steering committee meeting and it was suggested to Ms. Kaisershot and Mr. Tad Erickson for them to attend a future Planning Commission meeting to make a presentation of the updates.

City Planner Ostgarden added a topic of the City Council June 18, 2018 meeting was to consider allowing miniature pigs in the city.

Commissioner Wussow pointed out the name of National Joint Powers Alliance (NJPA) has changed their name to Sourcewell.

#9 Adjourn to 2nd Floor Conference Room for a Form Based Code Discussion (Tentative)

City Planner Ostgarden stated since Commissioner Marohn was unable to attend tonight's meeting, this discussion will take place at a later date.

The Chair adjourned at 6:39 p.m.

Respectfully submitted,

City Planner