

PLANNING COMMISSION
Wednesday, September 18, 2019

#1 Call to Order

Planning Commission Chair Gorham 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 Gorham, Marohn, Burslie, Duval, and Woodward. Council Liaison Lambert, Community Development Director Chanski and Ashley Kaisershot from Sourcewell were also noted as present. Commissioner Foley was noted as absent.

#2 Approval and/or Amendment of Agenda

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND WOODWARD, DULY CARRIED, TO APPROVE THE AGENDA.

#3 Approval of Minutes

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND WOODWARD, DULY CARRIED, TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD AUGUST 21, 2019 AND THE WORKSHOP HELD ON SEPTEMBER 11, 2019.

#4 Public Forum

The Chair opened public forum at 6:06 p.m.

No one came forward.

The Chair closed the public forum at 6:07 p.m.

#5 Old Business

6a. Public Hearing to Consider Adoption of the City of Brainerd Comprehensive Plan

Community Development Director Chanski stated the comprehensive plan was available online for input from the public and now is the time to review the plan with the updates suggested by the Planning Commission at their September 11th meeting. He said he outlined the two options in his memo to the Commission.

The Chair opened the public hearing at 6:10 p.m.

Commission Chair Gorham said he felt the memo submitted by Ashley Kaisershot was well stated showing the changes that were suggested.

Commissioner Burslie stated he will be abstaining from the vote, as his employer completed much of the work on the plan.

Commissioner Gorham inquired about the statement from the HRA regarding the discrepancy in the vacancy rate among rentals.

Community Development Director Chanski stated the Brainerd HRA also handles Crow Wing County and some of the research resulted in the 1% vacancy rate.

The Chair welcomed Rick Fargo, rental property manager who served 5 years on the HRA Board and indicated the vacancy rate is very low; less than 2% for the past several years.

Commission Chair Gorham indicated on page 65, more clarification was requested on promoting energy efficiency and he would like wording that addresses the hydro-dam, water supply and renewable energy sources. He stated the sub-strategy that was added is good but needs additional verbiage. It was determined to insert this as a policy under goal three of Facilities & Infrastructure.

Commissioner Duval added the hydro-dam is currently in the relicensing process with the Federal Energy Regulatory Commission and a mention of this should be added in the expanded narrative.

The Chair welcomed Ashley Kaisershot from Sourcewell who stated she will go through the general comments and obtain input from the Commission. The following are questions and potential changes that will be made:

- HRA Comments: Ashley will make the changes to the vacancy rate as previously discussed.
- Additional HRA Comments: Under Housing Goals & Policies section to add a statement regarding workforce housing. It was determined that goal one, policy 2 and 3 already addresses this concern.

Community Development Director Chanski stated in the capital plan, funds are budgeted for plan reviews and small updates as needed.

The Chair welcomed Brian Moon, steering committee member, who stated working with the members was a great experience and the result was a great comprehensive plan. He stated he is very confident that all the layers of the community have been accounted for regarding ideas and concerns. He said he appreciated Ms. Kaisershot's leadership, expertise and level of professionalism and he is confident in the finished document.

The Chair welcomed Rick Fargo who said he wants the plan to be referenced and used in decision making, whether it be council members or city staff.

The Chair thanked Mr. Moon and Mr. Fargo for their participation and hard work on the plan.

Commissioner Lambert stated she is pleased that the plan is people friendly and clear to understand.

Commissioner Burslie would like the following rephrased: *"What is now a booming tourism industry started with the fur traders and trappers who meandered through the maze of lakes and waterways, followed by early explorers and loggers who sought to tame the vast, watery wilderness."* It was determined that Ms. Kaisershot will readjust the phrase to be less of a cultural statement.

The Chair closed the public hearing at 6:45 p.m.

MOVED AND SECONDED BY COMMISSIONERS LAMBERT AND DUVAL TO RECOMMEND THE ADOPTION OF THE COMPREHENSIVE PLAN WITH THE CHANGES DISCUSSED TO THE CITY COUNCIL ON OCTOBER 7TH.

Members Gorham, Duval, Woodward and Lambert voted “aye”. Members Burslie and Marohn abstained from voting. The Chair declared the motion carried.

6b. Nonconforming Rentals Ordinance Revision

Community Development Director Chanski reviewed the recommended change to the nonconforming rental ordinance revision, by striking the following sentence from Section 515-15-6.b: *“A nonconforming residential use that had a rental license expire (more than 365 days from date of license expiration) cannot be reestablished as a nonconforming use.”*

Commissioner Marohn stated the newly written comprehensive plan would not allow this change, as is not taking care of the problem.

Community Development Director Chanski stated as we look forward to update and rewrite our ordinances, the lengthy process was not deemed necessary and it was simpler to make this change instead. He said the subcommittee is reviewing different residential zones for potential revisions in removing the single family or multi family, and using the terms historic, agricultural and suburban for an example.

Commissioner Burslie stated one of the issues was if a property owner could not obtain a rental license, they would rent it out anyway. He said this will allow them to obtain a license and follow the rental code as required.

Commissioner Lambert explained for example, another concern was if there was a five-plex that would be licensed for four rentals and one was a family member, once the family member left, the additional unit could not obtain a license.

MOVED AND SECONDED BY COMMISSIONERS LAMBERT AND WOODWARD, DULY CARRIED, TO CALL FOR A PUBLIC HEARING REGARDING THE NONCONFORMING RENTAL ORDINANCE REVISION AT THE PLANNING COMMISSION MEETING ON OCTOBER 16, 2019.

#7 Commissioner’s Questions/Comments

Commissioner Burslie indicated he would like to discuss the recent outdoor lighting ordinance revision request that was denied by the City Council.

Commission discussion took place. It was determined for the Commission to address the concerns that were raised at the City Council meeting, review the ordinance language and research other municipalities ordinances for comparison.

MOVED AND SECONDED BY COMMISSIONERS MAROHN AND DUVAL, DULY CARRIED, TO CALL FOR PUBLIC HEARING ON OCTOBER 16, 2019 REGARDING THE AMENDMENT TO THE OUTDOOR LIGHTING ORDINANCE TO CREATE A TWO TIERED HEIGHT STANDARD FOR NEW LIGHTING AT 13’ FOR PERMITTED USE AND UP TO 20’

FOR CONDITIONAL USE AS PER THE LANGUAGE THE COMMISSION RECOMMENDED AT THE PLANNING COMMISSION MEETING AUGUST 21ST.

#8 Community Development Director's Report

Community Development Director Chanski stated the school district will be submitting the Conditional Use Permits for Lowell, Garfield and Riverside Elementary Schools. He said they would like consideration of these applications at the October Planning Commission meeting.

Commissioner Marohn indicated he would like guidance as the plans are reviewed by the Commission. Community Development Director Chanski will create a list of items to address in the review process.

Community Development Director Chanski announced the previous City Administrator, Jim Thoreen, was appointed to serve the City as the Interim Administrator until a new administrator is hired.

Commissioner discussion took place regarding the consulting company being used for City Administrator recruitment.

#9 Adjourn

The Chair adjourned at 7:20 p.m.

Don Gorham, Planning Commission Chair