

PLANNING COMMISSION
Wednesday, April 15, 2020

#1 Call to Order

Planning Commission Chair Gorham called the meeting of the Brainerd Planning Commission to order at 6:00 p.m. via WebEx Teleconferencing.

Community Development Director Chanski explained the procedures to be followed to the Commission and callers regarding the process of conducting electronic meetings.

Commissioner Gorham welcomed Kevin Yeager to the Commission.

Noted present were Commissioners Woodward, Yeager, Kallroos, Duval, Gorham, and Council Liaison Lambert. Commissioner Foley was noted as absent. Community Development Director Chanski was also noted as present.

Due to conducting the meeting electronically, all motions will be voted on by a roll call vote for accuracy.

#2 Approval/Amendment of Agenda

MOTION AND SECONDED BY COMMISSIONERS DUVAL AND WOODWARD, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

Upon roll call, members Woodward, Yeager, Kallroos, Lambert, Duval, and Gorham voted “aye”. No member voted “nay”. The Chair declared the motion carried.

#3 Approval of Minutes

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND WOODWARD TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON FEBRUARY 19, 2020 AND THE MINUTES OF THE WORKSHOP HELD ON FEBRUARY 19, 2020.

Upon roll call, members Woodward, Kallroos, Lambert, Duval, and Gorham voted “aye”. No member voted “nay”. Commissioner Yeager did not vote, as he was not present for those meetings. The Chair declared the motion carried.

#4 New Business

4a. Conditional Use Permit Application – Submitted by Allison Doyle on Behalf of Tower Motors, 624 Washington St. – To Operate an Automobile Dealership

Community Development Director Chanski explained the details on the application and the property the applicant would like to establish the business. He read the conditions that would pertain to this application, which are included in the staff report provided.

The Chair opened the public hearing at 6:11 p.m.

No one came forward.

The Chair closed the public hearing at 6:12 p.m.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND LAMBERT TO APPROVE THE CONDITIONAL USE PERMIT FOR 624 WASHINGTON STREET FOR AN AUTOMOBILE DEALERSHIP AND AUTO REPAIR SHOP.

Commission discussion took place regarding concerns of entering and exiting the property from Washington Street.

Upon roll call, members Woodward, Yeager, Kallroos, Lambert, Duval, and Gorham voted "aye". No member voted "nay". The Chair declared the motion carried.

4b. Rezoning Request – Submitted by Becky Dryburgh on Behalf of Trinity Lutheran Church, 1420 S. 6th St. – From an R-1 (Single Family Residential) to a B-2 (Neighborhood Business) District

Community Development Director Chanski indicated the purpose of this rezoning is to bring Trinity Children's Center into compliance with the zoning code. He stated the current conditional use permit is considered legal non-conforming, which would not allow an expansion. He explained the expansion is to allow an increased enrollment at the center that has been approved by the MN Department of Human Services.

The Chair opened the public hearing at 6:25 p.m.

The Chair recognized Becky Dryburgh on behalf of Trinity Children's Center, who spoke regarding the request for increased capacity.

Community Development Director Chanski read an email he received from Hanneken Insurance, which is located near Trinity. Mr. Chris Hanneken expressed full support of the rezoning request.

The Chair closed the public hearing at 6:27 p.m.

MOVED AND SECONDED BY COMMISSIONERS LAMBERT AND DUVAL TO APPROVE THE REZONING FOR 1420 S 6TH STREET FROM AN R-1 (SINGLE FAMILY RESIDENTIAL) TO A B-2 (NEIGHBORHOOD BUSINESS) DISTRICT BASED ON THE FINDINGS OF FACT AND COMPREHENSIVE PLAN LAND USE GOAL 1: SUPPORT MIXED-USE DEVELOPMENT THAT IS FOCUSED ON INTEGRATION INSTEAD OF THE SEPARATION OF LAND USES AND TO ALLOW A MIX OF LAND USED IN APPROPRIATE LOCATIONS LEADING TO LIVELY NEIGHBORHOODS.

Upon roll call, members Woodward, Yeager, Kallroos, Lambert, Duval, and Gorham voted "aye". No member voted "nay". The Chair declared the motion carried.

4c. Zoning Code Text Amendment Request – Submitted by Tom Lake on Behalf of Gustafson Properties of Brainerd LLC., 424 NW 3rd St – Amend Section 515-63 (B-4 General Business District) to Allow Mini-Storage Units as a Conditional Use

Community Development Director Chanski explained the details of the major infrastructure planned for NW 4th Street this summer and the contact being made with the property owners along the project area. He indicated the applicant has requested an amendment to the B-4 District (Section 515-63) to add the ability to allow mini-storage facilities through a conditional use permit process. He explained this request is related to the next request for rezoning the property to a B-4 District.

The Chair opened the public hearing at 6:39 p.m.

The Chair recognized Mr. Brad Person who is representing the applicant. He stated the applicant would like to develop the property to justify the \$85,000 assessment that is forthcoming. He explained the desired use for the property is to construct mini-storage units.

Community Development Director Chanski displayed a map showing the proposed plan for locating the storage units on the property.

The Chair closed the public hearing at 6:47 p.m.

Commissioner Duval indicated the focus needs to be on amending the B-4 district that would affect all B-4 district's in the City and the possible repercussions of such text amendment. He read key points from the Comprehensive Plan that do not support this the amendment.

Community Development Director Chanski indicated the applicant did research the possibility to develop the property into residential rental housing but felt the monthly rent to support the costs would be too high.

Commission discussion took place.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND YEAGER TO DENY THE PROPOSED ZONING TEXT AMENDMENT REQUEST TO ALLOW MINI-STORAGE UNITS AS A CONDITIONAL USE IN SECTION 515-63 (B-4 GENERAL BUSINESS) DISTRICT.

Upon roll call, members Woodward, Yeager, Kallroos, Duval, and Gorham voted "aye". Commissioner Lambert voted "nay". The Chair declared the motion carried.

4d. Rezoning Request – Submitted by Tom Lake on Behalf of Gustafson Properties of Brainerd LLC., 424 NW 3rd St. – To Rezone Thirteen (13) Parcels From R-2 and R-3 Districts to a B-4 General Business District

Community Development Director Chanski explained the details of the application.

Mr. Brad Person indicated the process to get to a resolution is not important to the applicant as long as the use is allowed on this property.

The Chair opened the public hearing at 7:17 p.m.

Mr. Brad Person requests the Commission waive the six-month waiting period to submit a new application.

The Chair closed the public hearing at 7:19 p.m.

MOVED AND SECONDED BY COMMISSIONERS LAMBERT AND WOODWARD TO DENY THE REZONING REQUEST SUBMITTED BY GUSTAFSON PROPERTIES LLC. FOR THIRTEEN (13) PARCELS FROM R-2 AND R-3 DISTRICTS TO A B-4 DISTRICT, TO PROVIDE GUIDANCE TO THE APPLICANT FOR OTHER OPTIONS TO ALLOW THE USE AND TO WAIVE THE SIX-MONTH WAITING PERIOD TO RESUBMIT AN APPLICATION.

Upon roll call, members Woodward, Yeager, Kallroos, Lambert, Duval, and Gorham voted “aye”. No member voted “nay”. The Chair declared the motion carried.

#5 Public Forum

The Chair opened public forum at 7:25 p.m.

No one came forward.

The Chair closed the public forum at 7:25 p.m.

#6 Old Business

6a. Conditional Use Permit Application – Submitted by Becky Dryburgh on Behalf of Trinity Children’s Center (TCC), 1420 S 6th St. To Modify the Current CUP Limitations on Number of Children Enrolled

Community Development Director Chanski explained the details of the application submitted by Trinity Children’s Center located at 1420 S. 6th Street. He stated an amendment to the existing CUP is needed to allow an increased number of children to be enrolled at the center. He indicated the following conditions are included in the amendment:

The Chair opened the public hearing at 7:29 p.m.

The Chair recognized Becky Dryburgh on behalf of Trinity Children’s Center, who spoke regarding the request for the amendment to increase enrollment capacity. She indicated the MN Department of Human Services has approved the request for increased enrollment and failed to notify the City of the change.

The Chair closed the public hearing at 7:33 p.m.

Commission discussion took place.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND LAMBERT TO APPROVE THE CONDITIONAL USE PERMIT FOR 1420 S 6TH STREET TO MODIFY THE CURRENT CUP LIMITATIONS ON NUMBER OF CHILDREN ENROLLED WITH THE FOLLOWING CONDITIONS.

- Operating hours 6 am to no later than 7 pm which is mandated by the MN Department of Human Services (MNDHS)
- The City shall be provided a copy of future licenses as issued by MNDHS
- Contingent upon approval of the rezoning ordinance

Upon roll call, members Woodward, Yeager, Kallroos, Lambert, Duval, and Gorham voted “aye”. No member voted “nay”. The Chair declared the motion carried.

#7 Commissioner's Questions/Comments

Commissioner Duval asked about moving forward with the future land use map and implementation of the Comprehensive Plan.

Commissioner discussion took place.

Commissioner input was favorable on continuing the process electronically until able to meet in person.

Commissioner Chair Gorham asked Community Development Director Chanski to look into a speaker to discuss form-based zoning codes.

At the end of the meeting, John and Allison Doyle, applicant for the Conditional Use Permit for Tower Motors, called in to the meeting. Community Development Director Chanski let them know the Planning Commission approved the request and it will be on the agenda for approval at the City Council meeting.

#8 Community Development Director's Report

Community Development Director Chanski indicated many staff members are working remotely. He explained the details of the new software package the City has recently implemented with one feature is the planning and zoning options. He said work continues for the implementation of the Comprehensive Plan and will start the process for a speaker to discuss form-based codes.

#9 Adjourn

The Chair adjourned at 8:01 p.m.

Don Gorham, Planning Commission Chair