

PLANNING COMMISSION
Wednesday, September 9 , 2020

#1 Call to Order

Planning Commission Chair Gorham called the special meeting of the Brainerd Planning Commission to order at 6:00 p.m. in the City Hall Council Chambers.

#2 Roll Call

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

#3 Approval/Amendment of Agenda

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

#4 Zoning Code Update Consultant Interviews

WSB

The Commission members introduced themselves to the WSB team.

The Chair welcomed the team from WSB; Mr. Ron Bray, principal, Ms. Molly Just, project manager/planner, Ms. Erin Perdu, form-based code, and Mr. Eric Maass, planner and economic development.

Mr. Bray indicated he is originally from the Brainerd area and felt it was important to be the principal on this project. He stated WSB was a developer of the College Drive reconstruction, is currently assigned to the Memorial Park redevelopment and has worked on Highway 371 projects.

Ms. Just stated the newly adopted Comprehensive Plan will be used in working toward this code update and WSB will use the goals and priorities from this plan. She explained the benefits of effective public engagement and the process to connect with the residents and use the resources of technology to allow people to participate via Zoom meetings.

Mr. Maass explained a zoning code should not be a barrier to development – it should enable development in a clear process on a path to a “yes” decision towards development. He gave an example of a zoning code process they completed for the City of Ramsey. He indicated a form-based code may fit certain areas of the City, whereas a traditional code would be appropriate in other areas. He said WSB would create a hybrid of both if applicable.

Ms. Perdu reviewed the process of a form-based code, which would focus less about the use of the building and more about the building itself. It also allows for flexibility and relies a lot on the character of the neighborhood.

Community Development Director Chanski asked the following questions and received these answers:

1) From your understanding of the project, what do you believe will be the most challenging task?

Ms. Just – It is not just educating people on the difference between what zoning can or cannot do – it's getting them to understand it and working with them to translate their concerns into something we can do to resolve their concern.

2) In your proposal, you listed a proposed cost of the project as \$82,949 with some add-ons. Is the price listed in your RFP a “not to exceed” price or a base price and what issues do you generally encounter to cause change orders which result in increased fees?

Ms. Just – This is an inclusive cost, which includes everything you see in the RFP other than add-ons. We come up with the actual scope of work by working together, based on the ideas in the RFP. Common change orders can result from not having a clear and thorough work plan established because if it is not fully vetted internally, we are not going to succeed. Need to have staff, a commission, and a steering committee involved, as it is an extensive process to work through. Another reason a change order could occur is in the drafting of language process and sometimes there is a person that cannot come to an agreement on how to appropriately word a topic, which results in going back and forth to determine the appropriate language.

The Commission had an opportunity to ask questions.

The Commission thanked them for the presentation.

HKGi

The Chair welcomed the team members from HKGi, Ms. Rita Trapp, lead planner and Mr. Jeff Miller, project manager/planner.

Ms. Trapp reviewed the background of HKGi and their areas of expertise. She stated they have completed zoning code rewrites, updates, and day to day planning projects. They offer many other services such as comprehensive plans, redevelopments, grants and designing services.

Mr. Miller explained the process HKGi would approach the project by collaborating, listening, exploring the options and finally the creation. He indicated there are 5 phases they go through in a zoning code rewrite project; 1) Initiate project 2) Diagnose current code and map 3) Annotated code outline 4) Draft code and map 5) Final code and map. He stated the implementation of the comprehensive plan goes along with a zoning code rewrite by using goals and priorities that were established.

Community Development Director Chanski asked the following questions and received these answers:

1) From your understanding of the project, what do you believe will be the most challenging task?

Mr. Miller –He stated the most challenging task is prioritizing what the City wants to “fix”. He said often times when it is said that a city wants to rewrite its entire code, you can get into a topic that the city does not want changed. He indicated if these concerns are not addressed up

front, a lot of time could be spent on topics that do not need amending. On the other hand, some topics may not get the attention or time that is needed and may be missed.

2) In your proposal, you listed a proposed cost of the project as \$100,000 Is the price listed in your RFP a “not to exceed” price or a base price and what issues do you generally encounter to cause change orders which result in increased fees?

Mr. Miller said this was a “not to exceed” bid. He stated change orders usually are for topics that I previously indicated in question one; not having topics prioritized and/or time spent on topics not addressed would result in extra fees. If the goal is to rewrite the entire code, then all topics will be touched on. Another extra cost could be adding meetings or surveys that were not specified in the quote cost.

The Commission had an opportunity to ask questions.

The Commission thanked them for the presentation.

Landform

The Chair welcomed the Ms. Kendra Lindahl from Landform Professional Services. She explained the company is a multi-disciplinary design firm that understands development in public and private sectors. She has experience in hybrid codes and is familiar with Brainerd. Ms. Lindahl is part of a small, three-member firm that personally works with each member of the committee that is on the zoning code project. She explained the process that will be followed if they are chosen for the project, and the City of Brainerd would be a priority from start to finish.

Community Development Director Chanski asked the following questions and received these answers:

1) From your understanding of the project, what do you believe will be the most challenging task?

Ms. Lindahl – The most challenging task in a project is the initial setup for the project, particularly when transitioning to a hybrid code system. All members on the project need to commit to the schedule and foundation from the start.

2) In your proposal, you listed a proposed cost of the project as \$99,995. Is the price listed in your RFP a “not to exceed” price or a base price and what issues do you generally encounter to cause change orders which result in increased fees?

Ms. Lindahl – this is a fixed fee (not to exceed fee) based on the scope that was put together. Change orders happen when additional meetings are added to the scope or if the direction changes midway from the initial scope of work.

The Commission had an opportunity to ask questions.

The Commission thanked them for the presentation.

MSA

The Chair welcomed the project planners from MSA, Mr. Chris Jansen, Ms. Claire Michelson, Ms. Kate Elynck and Mr. Keith Marvin, senior project planner.

Mr. Jansen had the project team that would be completing the work introduce themselves and what parts they will complete if MSA are chosen for the zoning code rewrite.

Mr. Jansen and Mr. Marvin reviewed the implementation of project objectives which include community character, housing and neighborhoods, economic development, and facilities and infrastructure. Mr. Jansen explained the details of a different zoning approach they use, known as Neighborhood Character Zoning, which is neither Euclidean nor Form-based but a hybrid model.

Ms. Michelson gave a brief explanation of the proposed scope of work in three phases.

Community Development Director Chanski asked the following questions and received these answers:

1) From your understanding of the project, what do you believe will be the most challenging task?

Mr. Jansen stated defining the district boundaries and obtaining input from the residents of these districts; the task will be enjoyable but a challenge. Mr. Marvin said along with defining the neighborhood lines, there will be something across the street that may be excluded but they can easily be blended next to one another.

2) In your proposal, you listed a proposed cost of the project as \$78,500. Is the price listed in your RFP a “not to exceed” price or a base price and what issues do you generally encounter to cause change orders which result in increased fees?

Mr. Jansen – it is a lump sum fee, based on the scope of work that was compiled. The scope of work may be negotiated at the start of the project. He indicated the majority of change orders result from adding meetings to the original proposal. Ms. Elynck added that they are very flexible with what direction the City wants to go.

The Commission had an opportunity to ask questions.

The Commission thanked them for the presentation.

Swanson Haskamp Consulting

The Chair welcomed team members Ms. Jennifer Haskamp, principal planner and Mr. Mike Lamb, urban designer from Swanson Haskamp Consulting. Ms. Haskamp stated there will be three other team members working with the City on the process. Their firm is a small company based in St. Paul.

Ms. Haskamp gave a review of the SHC team and the qualifications and approach to the project, as well as the implementation strategies. She stated she used to vacation here in the Brainerd area when she was a child and is excited for the opportunity to work on this zoning code project.

Mr. Lamb spoke about a zoning code project that was completed in Madison, WI, which is similar to the scope of work for Brainerd that allowed for historic neighborhoods to be rebuilt and defined. He said the objectives would be to shift the focus from use of development to physical character of the development, all while creating a highly illustrative and user-friendly code.

Community Development Director Chanski asked the following questions and received these answers:

1) From your understanding of the project, what do you believe will be the most challenging task?

Mr. Lamb – a zoning code is unlike any other project that has taken place. Not a planning project and it can be a challenge for residents to have a general understanding about what it entails. This group will be the advisory connection to the City Council in conveying the project

Ms. Haskamp stated that since we are in uncertain times, the pandemic is affecting others differently. She said, for example, the demand for retail is completely different than it used to be and finding out the mix of uses will be a challenge.

2) In your proposal, you listed a proposed cost of the project as \$90,000. Is the price listed in your RFP a “not to exceed” price or a base price and what issues do you generally encounter to cause change orders which result in increased fees?

Ms. Haskamp stated that is the “not to exceed” value and indicated there usually are not many change orders once the scope is determined. She said the scope is very specific but stated if additional public meetings are requested, that may affect the overall cost.

Mr. Lamb added there are currently twelve (12) technical advisory meetings and eleven (11) planning commission/city council meetings on the proposed schedule, thus additional meetings should not be needed.

The Commission had an opportunity to ask questions.

The Commission thanked them for the presentation.

KLJ

The Chair welcomed Mr. Joel Quanbeck, project manager with KLJ. He stated KLJ provides focused stakeholder engagement and a stratified technical approach to create a user-friendly zoning code designed to build Brainerd’s vision for the future. He explained there are many stakeholders in the City of Brainerd, such as elected officials, property owners and commissions. These stakeholders have very different interests and objectives from each other and need to be identified. He reviewed the vision that he has for the City and explained the guiding principles in the process towards a new zoning code. Mr. Quanbeck explained the three-phase approach that would be taken in diagnostics, documentation, and implementation.

Community Development Director Chanski asked the following questions and received these answers:

1) From your understanding of the project, what do you believe will be the most challenging task?

Mr. Quanbeck obtaining good input from the people that need to have a say in what you are trying to accomplish. This would involve public outreach efforts by a creating stakeholder advisory committee to attend meetings during the information gathering process.

2) In your proposal, you did not list a proposed cost of the project; why?

Mr. Quanbeck indicated there was not a cost given to the project because his team did not interpret the way the RFP was written to obtain a "not to exceed" quote. He said they certainly could have but they did not sit down to go through each task to figure out a cost. He explained that another reason is there are so many unanswered questions involved that need to be answered to give an accurate cost. There are many details in the comprehensive plan that need to be honed-in on to get the correct zoning vision for Brainerd. He said public engagement activities can sometimes take a large portion of the budget and that aspect remains unknown. He indicated he would be happy to meet with staff and determine a cost but anticipates it to be somewhere between \$140,000 and \$165,000.

The Commission had an opportunity to ask questions.

The Commission thanked him for the presentation.

#5 Adjourn

The Chair adjourned at 9:45 p.m.

Don Gorham, Planning Commission Chair