

## **BRAINERD PLANNING COMMISSION**

Wednesday, June 16, 2021  
6:00 p.m.  
City Council Chambers  
501 Laurel St.

Members of the public may attend the meeting in-person or monitor the meeting via phone.

Meeting Number: 1-844-992-4726

Access Code: 146 938 1322

1. Call To Order
2. Roll Call
3. Pledge Of Allegiance
4. Approval/Amendment Of Agenda
5. Approval Of Minutes
  1. Regular Meeting Held on May 19, 2021
  2. Special Meeting Held on May 26, 2021

Documents:

[2021-05-19 DRAFT.PDF](#)  
[2021-05-26 SPECIAL MEETING.PDF](#)

### 6. Old Business

#### 6.a. Sober Homes Update

Documents:

[SOBER HOMES UPDATE.PDF](#)

### 7. New Business

#### 7.a. Eight05 Laurel Project Presentation

Documents:

[EIGHT05 LAUREL PROJECT PRESENTATION.PDF](#)

### 8. 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

9. Community Development Director's Report
10. Commissioner Questions/Comments
11. Adjourn To The Workshop On Wednesday, June 23 @ 6:30pm In The Fire Department Training Room

**PLANNING COMMISSION**  
Wednesday, May 19, 2021

**#1     Call to Order**

Planning Commission Chair Duval called the 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 Woodward, Erickson, Gorham, and Duval. Commissioners Kallroos, Foley, and Yeager were noted as absent. Community Development Director Chanski and Assistant Planner Kramvik were also noted as present.

**#3     Pledge of Allegiance**

Commissioner Erickson opened the meeting with the Pledge of Allegiance to the flag.

**#4     Approval/Change of Agenda**

MOVED AND SECONDED BY COMMISSIONERS GORHAM AND WOODWARD, DULY CARRIED, TO AMEND THE AGENDA BY MOVING NEW BUSINESS DISCUSSION OF SOBER HOMES BEFORE OLD BUSINESS.

**#5     Approval of Minutes**

MOTION AND SECONDED BY COMMISSIONERS ERICKSON AND GORHAM, DULY CARRIED, TO APPROVE THE MINUTES FROM THE APRIL 21, 2021 MEETING.

MOVED AND SECONDED BY COMMISSIONERS GORHAM AND WOODWARD, DULY CARRIED, TO AMEND THE MINUTES FROM THE APRIL 28, 2021 WORKSHOP TO REFLECT THE DECISION OF SECTION 515-66-4, # 11, OF THE TRANSIENT FOOD UNIT OVERLAY DISTRICT REGARDING THE NUMBER OF FOOD TRUCK UNITS ALLOWED PER PROPERTY.

Upon review of the audio from the April 28, 2021 workshop, it was determined there were no recommended changes at this time to the ordinance regarding the number of food trucks per property. The minutes that were provided in the packet remain unchanged.

**#6     New Business**

**6a.     Discussion – Sober Homes**

Community Development Director Chanski gave a brief update of the history of the sober home topic that was initiated in 2017 and the regulations determined by the FFHA (Federal Fair Housing Act).

The Chair invited the meeting attendees to speak regarding the sober home topic and recognized the following:

- Mr. Steve Suer, 450 Tyrol Drive, Brainerd – spoke in favor of the sober home program, but indicated he is concerned about the allowed number of occupants that may reside in the home. He also read an ordinance from the City of St. Paul regarding their policies on sober homes and expressed concern regarding the number of sober homes within a proximity of each other.
- Ms. Jan Lambert, 426 Tyrol Drive, Brainerd – spoke about her concern of the occupancy level of the home.
- Mr. Dale Anselment, 462 Tyrol Drive, Brainerd – spoke regarding the problem with traffic and vehicles parked on the street. He has had issues with snow plowing last winter, and there are too many parked on the street.
- Mr. Bob Tautges, 8853 Paradise Beach Road, Brainerd – works with the residents in the chemical dependency program and spoke highly of Sheila Haverkamp and the work she does to help the residents. He said there is a large support group within the home and Ms. Haverkamp works hard to follow the required ordinances and city codes.
- Ms. Sheila Haverkamp, 12950 Knollwood Drive, Baxter - property owner and the sober house program director, gave a review of the details of the program and her involvement with the residents.
- Mr. Bruce Janowiec, 448 Tyrol Drive, Brainerd – agreed with Mr. Suer on the positive aspects of the program but fears that his property will lose value due to over concentration of sober houses in one area. He suggested being pro-active to regulate the number of sober homes that may be in one area.

Community Development Director Chanski went through the requirement process of sober houses, which is regulated through the Rental Housing Program and State Building Codes.

Commission discussion took place.

Community Development Director Chanski will work with the City Attorney regarding answers to the questions brought forth and how the FFHA would relate to the City ordinances.

## **#7 Old Business**

### **7a. Final Plat – Lot 1, Block 1 Myrha Addition to Brainerd Oaks**

Community Development Director Chanski gave a brief review of the request for a final plat in Brainerd Oaks. He stated the preliminary plat was approved by the City Council on May 3, 2021.

MOVED AND SECONDED BY COMMISSIONERS WOODWARD AND ERICKSON, DULY CARRIED, TO RECOMMEND APPROVAL OF THE FINAL PLAT FOR LOT 1, BLOCK 1 MYRHA ADDITION TO BRAINERD OAKS.

### **7b. Text Amendment – Section 515-66: Transient Food Unit Overlay District**

Community Development Director Chanski stated the workshop discussion resulted in three areas of Section 515-66 that could be amended. The Commission suggested the following revisions:

- Operating Times – amend to 7:00 am – 11:00 pm
- Operating Areas – amend to allow transient food units in any commercial district, except B-1 and any industrial district including Central Lakes College and the Franklin Arts Center.
- Distance from Restaurants and Bars – amend to eliminate this restriction

Commissioner Duval indicated there is an error in the draft ordinance under section two: Lincoln Arts Center should be Franklin Arts Center. He also asked about the addition to the ordinance of the property owned by Central Lakes College and ISD181. Community Development Director Chanski stated these were added to the ordinance draft.

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

No one came forward.

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

MOVED AND SECONDED BY COMMISSIONERS GORHAM AND WOODWARD, DULY CARRIED, TO RECOMMEND APPROVAL OF THE PROPOSED ORDINANCE TO AMEND SECTION 515-66 TRANSIENT FOOD UNIT OVERLAY DISTRICT AS PRESENTED.

**7c. Zoning Code Update – Traditional Neighborhood & Downtown Character Areas**

The Chair welcomed Jennifer Haskamp and Michael Lamb, consultants with Swanson Haskamp, to have further discussion with the Commission regarding the traditional neighborhood and downtown character areas for the new zoning code. The purpose of the meeting tonight is to refine these areas as they conclude the annotated outline.

Mr. Lamb reviewed the existing outline of sections in our code versus the proposed outline, which is significantly condensed and simplified. There was discussion on traditional neighborhood districts, town center, and town core.

Commission discussion took place.

**#8 Public Forum**

The Chair opened the public forum at 8:40 p.m.

No one came forward.

The Chair closed the public forum at 8:40 p.m.

**#9 Community Development Director's Report**

Community Development Director Chanski made the following announcements:

- City Council approved the preliminary plan and variance request for Lots 24-40 and Outlot C, Block 9 in Northtown
- City Council approved the outdoor patio resolution and Conditional Use Permit requests for CC's Bar at 121 Washington Street NE and O'Neary's at 305 S. 7<sup>th</sup> Street
- City Council chose to uphold the Planning Commission's recommendation to not proceed with the requested amendment to Section 900 of the City Code
- Reminder of the Special Meeting taking place on Wednesday, May 26<sup>th</sup> at 7:00 pm to consider the Country Manor development
- A developer interested in a downtown project is anticipated to be a part of the June 16<sup>th</sup> Planning Commission meeting

**#10 Commissioner's Questions/Comments**

None

**#11 Adjourned at 8:50 p.m. to Special Meeting on Wednesday, May 26, 2021 at 7:00 p.m.**

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Michael Duval, Planning Commission Chair

## **PLANNING COMMISSION SPECIAL MEETING**

Wednesday, May 26, 2021

7:00 p.m.

### **#1 Call to Order**

Planning Commission Chair Duval called the Planning Commission Workshop to order at 7:00 p.m.

### **#2 Roll Call**

Noted present were Commissioners Woodward, Yeager, Duval, and Council Liaison Erickson. Commissioners Gorham, Foley, and Kallroos were noted as absent. Community Development Director Chanski, City Engineer Sandy, and Assistant Planner Kramvik were also noted as present.

### **#3 Pledge of Allegiance**

Commissioner Yeager opened the meeting with the Pledge of Allegiance to the flag.

### **#4 Approval/Amendment of Agenda**

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND WOODWARD, DULY CARRIED, TO APPROVE THE AGENDA.

### **#5 Consideration for Country Manor Rezoning and Planned Unit Development**

Community Development Director Chanski stated the Foundation for Health Care Continuums submitted applications for rezoning and Planned Unit Development on PID's 41330755, 41330745, and 41330744. He gave a brief review of the applications and an overview of the findings of fact.

The review process for this PUD request shall be as follows:

- The Planning Commission shall review the Development Stage Plan and make a recommendation to the City Council.
- Upon receipt of the Planning Commission's recommendations, the City Council shall consider the recommendations.
- Upon approval of the City Council, the City Attorney shall prepare a Development Agreement which stipulates the specific terms and conditions approved by the City Council.
- A Final Stage Plan covering the area designated in the Development Stage Plan as the first stage of the PUD shall be filed for review by the Planning Commission.

The Chair opened the public hearing at 7:21 p.m.

The Chair recognized Mr. Brian Helm, CEO of Country Manor, who thanked the Commission for holding the Special Meeting to review the project. He indicated this project has been in the development stages for a few years, and they are excited to proceed to the next step. He introduced the members of the project team as follows:

- Mr. Evan Larson, president of GLT Architects Company in St. Cloud
- Mr. Scott Keho, project manager for Country Manor, St. Joseph, and Sartell
- Mr. Corey Gerads, president of Alliance Building Corporation in Sauk Rapids

Mr. Helm gave a brief review of the history and background of Country Manor, that currently has facilities in Sartell and St. Joseph.

Mr. Larson indicated the development stages of this project began back in 2017 and will closely resemble the campus located in St. Joseph. He gave a high-level review of the property; the buildings being proposed, the green spaces and walking trails being planned on the property.

City Engineer Sandy indicated he had the opportunity to visit the facility in St. Joseph with various City staff about three years ago. He was very impressed with the natural landscape and preservation of wildlife habitats for the residents to enjoy.

Commissioners asked questions of the applicant, which were answered. City Engineer Sandy also participated in discussion with many of the applicable topics.

The Chair recognized Mr. Troy Nelson, 9208 Twins Street, who asked questions regarding the buffer between residential properties and the proposed complex, as well as the height of potential two-story buildings that may be built in the future.

Mr. Helm stated a buffer is very important to the facility and indicated there is no plan for a two-story facility at this time.

The Chair recognized Ms. Jeanette Houle, 15095 Warrior Avenue, who asked about the bussing of school children to the daycare. She said it was noted that this will provide affordable housing for the residents, and she asked what they consider affordable. She also indicated the neighborhood does not have adequate sidewalks.

Mr. Helm indicated they will be working with the school district and bus company for a specific bus or two for their drop-off. The sidewalks and trails being constructed will be available for anyone to use, and not just the residents. He stated the average rent would be based on market rate, with the standard apartment at \$1,700 - \$2,100 per month.

The Chair recognized Mr. Mark James, 9209 Twins Street, who asked about the traffic increase from the daycare and if any traffic study was done. City Engineer Sandy indicated these are county roads, and adequate turn lanes are proposed with other improved traffic control devices.

Community Development Director Chanski explained the potential development on surrounding parcels. He also stated the added daycare option was a strong request from the City back in 2017. He added the Brainerd Lakes Area Development Corporation with collaboration of others recently completed a daycare study, which resulted in a dire need for more daycare options.

The Chair closed the public hearing at 8:20 p.m.

Commissioner Yeager suggested the lighting plan be reviewed by staff as a condition of this request.

Community Development Director Chanski and City Engineer Sandy explained the impervious surface formula, shoreland concerns, and stormwater plan.

Commissioner Duval suggested the applicant contact the MnDNR regarding natural heritage elements that may have impact on the project.

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND WOODWARD, DULY CARRIED, TO APPROVE THE REQUESTED REZONING OF THE SITE FROM R-A (RURAL AGRICULTURAL) TO PUD (PLANNED UNIT DEVELOPMENT) BASED ON THE FINDINGS OF FACT AS PRESENTED.

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND WOODWARD, DULY CARRIED, TO APPROVE THE DEVELOPMENT STAGE PLAN PRESENTED WITH THE CONDITION THE LIGHTING PLAN BE REVIEWED BY STAFF AND PROVIDE STAFF WITH THE CALCULATION OF IMPERVIOUS SURFACE CONDITIONAL ON THE APPROVED REZONING OF THE PROPERTY.

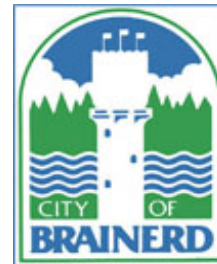
**#6     Adjourn**

The Chair adjourned at 8:35 p.m.

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Michael Duval, Planning Commission Chair

# MEMO



**TO:** Planning Commission

**FROM:** David Chanski, Community Development Director

**DATE:** June 16, 2021

**RE:** Sober Homes Update

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After the Planning Commission discussed the issue of sober home regulations during its May 19 meeting, Council President Bevans directed staff to place the issue on the June 7 City Council meeting agenda for the Council to discuss.

During the Council meeting, staff summarized the discussion from the May 19 Planning Commission meeting and presented the three primary questions that came out of that meeting:

- 1) Can the City regulate parking for sober homes?
- 2) Can the City implement proximity regulations for sober homes, and, if so, what such regulations would be appropriate?
- 3) How are sober homes different than residential care facilities and boarding houses when it comes to regulating them?

After discussing the issue, the City Council motioned to send the issue back to the Planning Commission, directed the City Attorney to work with the Planning Commission to identify what the City can regulate regarding sober homes, and requested that the Planning Commission, upon working with the City Attorney, issue a recommendation back to the City Council.

The purpose of this item is to bring the Commission up to date on the what has happened since the May 19 meeting and for Commissioners to provide staff with any specific questions or items that they would like the City Attorney to research in preparation for a in-depth discussion in July.

# MEMO



**TO:** Planning Commission

**FROM:** David Chanski, Community Development Director

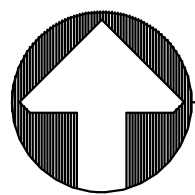
**DATE:** June 16, 2021

**RE:** Eight05 Laurel Project Presentation

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Skip Dushesneau, President of D.W. Jones, Inc., has submitted a concept proposal for a new development to be located on the former Thrifty White location at the corner of Laurel St. and S. 8<sup>th</sup> St. This proposal, called Eight05 Laurel, includes 36 apartment units with roughly 11,000 square feet of first floor commercial space. This 4-story building will also include 37 underground parking stalls as well as 33 surface parking stalls. This is a full demolition and new construction project.

He has requested the opportunity to present this conceptual proposal to the Planning Commission for their comment and to receive a motion of support for moving forward. At this time, D.W. Jones is in the process of receiving support from the City as well as the HRA and area employers as they put together an application for Low Income Housing Tax Credits (LIHTC) to help finance the project.



SITE PLAN  
SCALE: 1" = 20'-0"

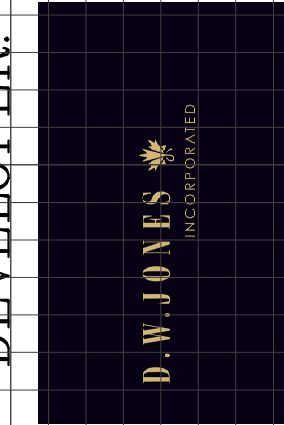
PLOTTED: 6-8-21

Project No.  
21028  
Issue Date:  
Document Set:  
PRELIMINARY

REVISIONS COMMENTS

PROPOSED MIXED USE:

DEVELOPER:



These documents are not valid for building permit unless signed in ink and over sealed. Copies are not valid.  
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed Architect under the laws of the state of  
Name NORMAN E. COLE

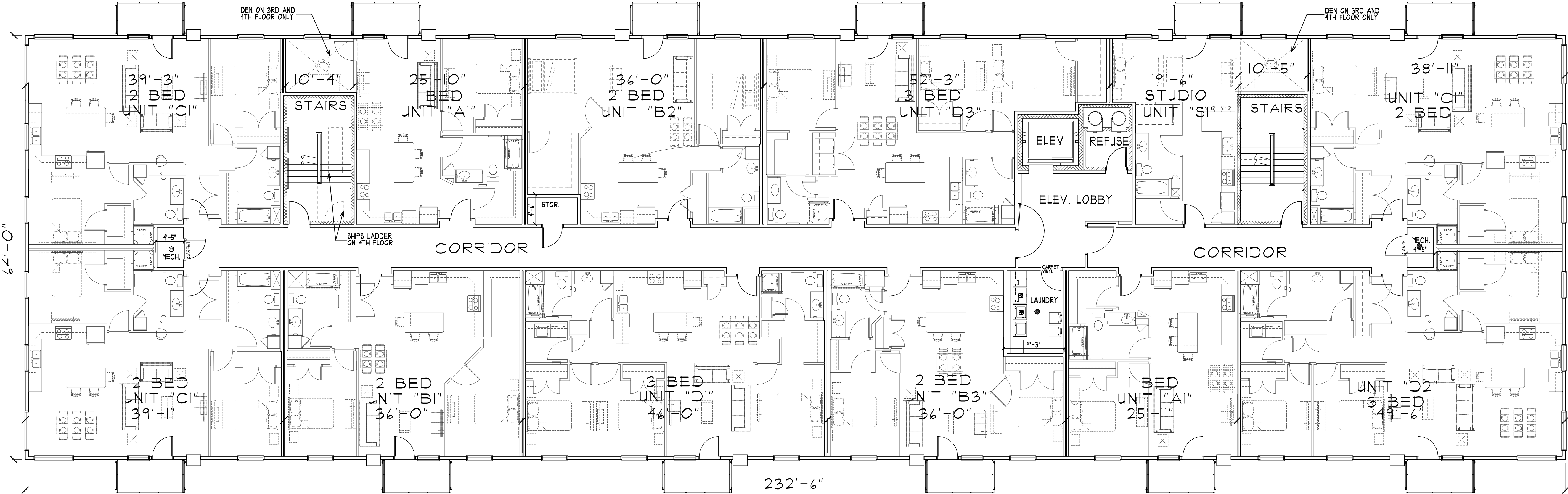
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A010



BUILDING S.F.

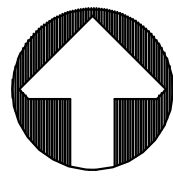
| SQUARE FOOTAGE                                                                                                                                                    | STYLE     | SQUARE FOOTAGE | BEDROOMS                | TOTAL | MIX %                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------------|-------------------------|-------|----------------------------|
| BASEMENT PARKING GARAGE = 14,880 S.F.                                                                                                                             | UNIT "S1" | 491 S.F.       | STUDIO                  | 1     | STUDIO<br>3 TOTAL<br>8.33% |
|                                                                                                                                                                   | UNIT "S2" | 593 S.F.       | STUDIO<br>+DEN          | 2     |                            |
| TENANT #1 = 2,961 S.F.<br>TENANT #2 = 1,983 S.F.<br>TENANT #3 = 1,983 S.F.<br>TENANT #4 = 1,465 S.F.<br>TENANT #5 = 2,500 S.F.<br>TOTAL TENANT AREA = 10,892 S.F. | UNIT "A1" | 740 S.F.       | 1 BED<br>1 BATH         | 4     | 1 BED<br>6 TOTAL<br>16.67% |
|                                                                                                                                                                   | UNIT "A2" | 841 S.F.       | 1 BED<br>1 BATH<br>+DEN | 2     |                            |
|                                                                                                                                                                   | UNIT "B1" | 1,030 S.F.     | 2 BED<br>1 BATH         | 3     | 2 BED<br>18 TOTAL<br>50%   |
| APARTMENT COMMON AREA = 3,988 S.F.                                                                                                                                | UNIT "B2" | 993 S.F.       | 2 BED<br>1 BATH         | 3     |                            |
| 1ST FLOOR TOTAL = 14,880 S.F.                                                                                                                                     | UNIT "B3" | 911 S.F.       | 2 BED<br>1 BATH         | 3     |                            |
| 2ND FLOOR APARTMENT = 14,880 S.F.                                                                                                                                 | UNIT "C1" | 1,183 S.F.     | 2 BED<br>2 BATH         | 9     | 3 BED<br>9 TOTAL<br>25%    |
| 3RD FLOOR APARTMENT = 14,880 S.F.                                                                                                                                 | UNIT "D1" | 1,318 S.F.     | 3 BED<br>2 BATH         | 3     |                            |
| 4TH FLOOR APARTMENT = 14,880 S.F.                                                                                                                                 | UNIT "D2" | 1,455 S.F.     | 3 BED<br>2 BATH         | 3     |                            |
| BUILDING TOTAL = 14,400 S.F.                                                                                                                                      | UNIT "D3" | 1,255 S.F.     | 3 BED<br>2 BATH         | 3     |                            |
|                                                                                                                                                                   |           |                |                         | 36    | 100%                       |



UNIT MIX

|       | STUDIO | 1BD | 2BD | 3BD |
|-------|--------|-----|-----|-----|
| 2ND   | 1      | 2   | 6   | 3   |
| 3RD   | 1      | 2   | 6   | 3   |
| 4TH   | 1      | 2   | 6   | 3   |
| TOTAL | 3      | 6   | 18  | 9   |

TOTAL: 36 UNITS



2ND-4TH FLOOR PLAN  
SCALE: 1/8"=1'-0"

COLE GROUP  
ARCHITECTS LLC.  
214 Park Avenue South  
Suite 102  
Saint Cloud, MN 56301  
www.colegrouparchitects.com

These documents are not valid for building permit unless signed in ink and over sealed. Copies are not valid.  
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed Architect under the laws of the State of Minnesota.  
Name: **NORMAN E. COLE**

DEVELOPER:  
**D.W. JONES**  
INCORPORATED

PROPOSED MIXED USE:  
**EIGHT 05  
LAUREL**  
BRainerd, MN

REVISIONS COMMENTS  
REVISIONS COMMENTS  
REVISIONS COMMENTS  
Project No.  
21028  
Issue Date:  
Document Set:  
PRELIMINARY

**A101B**

PLOTTED: 6-8-21



SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"

FILE: 20\_E\_COM: -

PLOTTED: 6-8-21

Project No.  
21028

Issue Date:  
1

Document Set:  
PRELIMINARY

REVISIONS COMMENTS

REVISIONS COMMENTS

PROPOSED MIXED USE:

EIGHT 05  
LAUREL  
BRainerd, MN

DEVELOPER:



These documents are not valid for bidding permit unless signed in ink and over sealed. Copies are not valid.

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed Architect under the laws of the state of

Name  
NORTON E. COLE

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A501