

PLANNING COMMISSION
Wednesday, April 17, 2024
6:00 pm

#1 Call to Order

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

#2 Roll Call

Noted present were Commissioners Duval, Grunenwald, Norwood, Stenglein, Francis, and Gorham. Commissioner Peterson was noted as absent. Also noted as present was HRA Director Charpentier, Community Development Director Kramvik, and HRA Rehab Coordinator Schommer.

#3 Pledge of Allegiance

Commission Chair Gorham opened the meeting with the Pledge of Allegiance to the flag.

#4 Approval of Agenda

MOVED AND SECONDED BY COMMISSIONERS NORWOOD AND FRANCIS, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

#5 Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS NORWOOD AND DUVAL, DULY CARRIED, TO APPROVE THE MINUTES FROM THE MARCH 20, 2024 MEETING.

#6 New Business

6a. Consider Conditional Use Permit and Variance Request for a Mixed-Use Building at 805 Laurel Street

Community Development Director Kramvik gave a brief review of the application details to construct an apartment building at 805 Laurel Street. The Conditional Use Permit requests are for the construction of a mixed-use building with 5+ residential units, to exceed the height in the TC district and to allow main floor residential. The variance request is from the landscape requirements for trees and shrubs.

The Chair opened the public hearing at 6:09 pm.

The Chair recognized Andrew Duchesneau, on behalf of the applicant, DW Jones, who explained the process this has been going through the past couple of years. He explained the grant application needs to be submitted by the end of April and having the majority of the planning completed will help the process.

Commissioners asked questions and discussion took place.

The Chair recognized Andy Larson, 14265 Maghan Ln, Deerwood, who is also the Chair of the BN Credit Union at 804 Laurel Street. He expressed concerns with parking, population density around the credit union property and the safety of its members.

The Chair requested Andrew Duchesneau address some of the concerns voiced regarding BN Credit Union. Mr. Duchesneau indicated many of the units proposed are studio apartments with a one car household. There is also the underground parking lot dedicated to the residents that has 65 spaces, along with the outside parking lot allowing 25 spaces thus parking should not be a problem. He also discussed the commercial store front spaces that will be leased and also stated the residential units will not be used as short-term rentals.

The Chair closed the public hearing at 6:28 pm.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND STENGLEIN, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT FOR A MIXED-USE BUILDING AND VARIANCE REQUEST FROM THE LANDSCAPE REQUIREMENTS AT 805 LAUREL STREET AS PRESENTED.

Community Development Director Kramvik indicated this item will be heard at the April 22, 2024 Special City Council Meeting.

6b. Consider and Provide Comments for Proposed Brainerd Oaks Outlot F Development and Grant Application

Community Development Director Kramvik stated this is a discussion topic regarding the status of Outlot F in Brainerd Oaks. Level Contracting will be proposing the development of this property into nine (9) duplexes for rentals and is looking for comments and/or suggestions of the Commission prior to any applications being presented.

The Chair recognized Monty Jensen, property owner and business owner of Level Contracting, who is interested in developing this vacant property. He explained the details and history of the parcel and answered questions of the Commission.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND STENGLEIN, DULY CARRIED, TO RECOMMEND THE PLANNING COMMISSIONS NON-FORMAL APPROVAL OF THE PROPOSED BRAINERD OAKS OUTLOT F DEVELOPMENT AND GRANT APPLICATION AS PRESENTED.

Community Development Director Kramvik indicated this item will be heard at the April 22, 2024 Special City Council Meeting.

6c. Consider Variance Request for a Street Loaded Driveway at 1101 Pine Street

Community Development Director Kramvik

The Chair opened the public hearing at 6:55 pm.

The Chair recognized Brian Nelson, who is the applicant and property owner, who indicated having a driveway off Pine Street will allow a longer driveway access to his garage.

The Chair closed the public hearing at 6:56 pm.

MOVED AND SECONDED BY COMMISSIONERS FRANCIS AND NORWOOD, DULY CARRIED, TO RECOMMEND APPROVAL OF THE VARIANCE REQUEST TO CONSTRUCT A STREET LOADED DRIVEWAY AT 1101 PINE STREET AS PRESENTED.

Community Development Director Kramvik indicated this item will be heard at the May 6, 2024 City Council Meeting.

6d. Consider Conditional Use Permit and Variance Request for a Multi-Family Apartment Building at 1111 Oak Street

Community Development Director Kramvik stated the property owner is proposing the conversion of a first-floor commercial building into two studio residential units and a small laundry. He currently has three studio apartments on the second floor of the property and has not had any offers for occupying the commercial space. The variance request is from the landscape requirements for trees and shrubs.

The Chair opened the public hearing at 7:04 pm.

No one came forward.

The Chair closed the public hearing at 7:05 pm.

Commissioners discussed and added a recommendation for a condition to require trees be planted in the boulevard.

MOVED AND SECONDED BY COMMISSIONERS NORWOOD AND STENGLEIN, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT AND VARIANCE REQUEST FOR A MULTI-FAMILY APARTMENT BUILDING AT 1111 OAK STREET AS PRESENTED.

MOVED AND SECONDED BY COMMISSIONERS FRANCIS AND DUVAL TO AMEND THE MOTION BY ADDING THE CONDITION THE OWNER PLANT TWO TREES IN THE BOULEVARD.

Members Duval, Gorham, Grunenwald, Stenglein, and Francis voted “aye”. Member Norwood voted “nay”. The Chair declared the motion carried.

Community Development Director Kramvik indicated this item will be heard at the May 6, 2024 City Council Meeting.

#7 Unfinished Business

7a. Discussion on Short-Term Rental Ordinance

Community Development Director Kramvik gave the details of the history of this topic at both the Planning Commission and City Council meetings. After reaching out to City Attorney Langel for clarification on the next steps, the Planning Commission still has direction from the City Council to proceed based on the recommended changes.

Council Member Bevans emailed the Commission with his concerns regarding the topic being on the Planning Commission agenda again, which was read by Commissioner Gorham.

MOVED AND SECONDED BY COMMISSIONERS NORWOOD AND GRUNENWALD TO REQUEST SPECIFIC DIRECTION FROM CITY COUNCIL AT THE MAY 6TH MEETING FOR THE PLANNING COMMISSION TO PROCEED WITH THE ORDINANCE REVISIONS OR LEAVE THE ORDINANCE AS IS.

Members Grunenwald and Norwood voted “aye”. Members Duval, Stenglein, Francis, and Gorham voted “nay”. The Chair declared the motion failed.

MOVED AND SECONDED BY COMMISSIONERS STENGLEIN AND FRANCIS TO AMEND THE DATE TO THE MAY 20TH CITY COUNCIL MEETING.

Members Duval, Grunenwald, Gorham, Francis, and Stenglein voted “aye”. Member Norwood voted “nay”. The Chair declared the motion to change the date to May 20th carried.

Commissioners discussed each primary issue listed for input.

MOVED AND SECONDED BY COMMISSIONER NORWOOD AND DUVAL, DULY CARRIED, TO REMOVE THE CAP THAT LIMITS AN INDIVIDUAL PROPERTY OWNER TO OWN NO MORE THAN ONE VDU IN THE CITY.

MOVED AND SECONDED BY COMMISSIONERS NORWOOD AND GRUNENWALD, DULY CARRIED, TO INCREASE THE CAP FROM 20 VDU SHORT-TERM RENTALS TO 40 VDU SHORT-TERM RENTAL ALLOWED IN THE CITY.

MOVED AND SECONDED BY COMMISSIONERS NORWOOD AND STENGLEIN, DULY CARRIED, TO ALLOW UP TO TWO SHORT-TERM RENTAL UNITS IN A 4+ UNIT BUILDINGS.

Further discussion took place on item 4) Exempt the Town Center and Mainstreet District from the cap requirements.

MOVED AND SECONDED BY COMMISSIONERS FRANCIS AND STENGLEIN TO LEAVE THE TOWN CENTER AND MAINSTREET DISTRICTS AS PROPOSED UNDER AN OVERALL CITY CAP OF FORTY UNITS, OR TWO UNITS PER BUILDING.

Members Duval, Grunenwald, Gorham, Francis, and Stenglein voted “aye”. Member Norwood voted “nay”. The Chair declared the motion carried.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND FRANCIS TO AMEND THE ABOVE MOTION TO ALLOCATE A CAP OF TWENTY UNITS ALLOWED IN THE TOWN CENTER AND MAINSTREET DISTRICTS.

Members Duval, Grunenwald, Gorham, Francis, and Stenglein voted “aye”. Member Norwood voted “nay”. The Chair declared the motion carried.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND FRANCIS TO DIRECT STAFF TO MAKE THE RECOMMENDED CHANGES TO THE SHORT-TERM RENTAL ORDINANCE AND BRING BACK TO THE PLANNING COMMISSION AT THE MAY 15TH MEETING.

Members Duval, Grunenwald, Gorham, Francis, and Stenglein voted “aye”. Member Norwood voted “nay”. The Chair declared the motion carried.

7b. Discussion on Cannabis Dispensary Ordinance

Community Development Director Kramvik reviewed the ordinance draft that was discussed at the previous meeting. He indicated that staff reached out to other municipalities in Michigan, where cannabis has been legalized.

Discussion took place.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND FRANCIS, DULY CARRIED, TO APPROVE THE DRAFT CANNABIS DISPENSARY ORDINANCE AS PRESENTED TO BRING BACK TO THE COMMISSION AT THE MAY 15TH MEETING.

7c. Planning Commission Itinerary Update

Community Development Director Kramvik gave a brief update on the itinerary of items being worked on. Staff was directed to move building design standards up in priority.

#8 Public Forum

The Chair opened the public forum at 8:34 pm.

No one came forward.

The Chair closed the public forum at 8:34 pm.

#9 Staff Reports

Community Development Director Kramvik made the following updates:

- He will be attending the Park Board meeting to discuss the emerald ash borer concerns.
- A developer has approached the City for a potential development, which will include a land swap of 5 City owned acres for approximately 7.92 acres of property north of Buffalo Hills Park.

#10 Commission Member Report

#11 Adjournment

MOVED AND SECONDED BY COMMISSIONERS GRUNENWALD AND FRANCIS, DULY CARRIED, TO ADJORN AT 8:36 PM.

Don Gorham, Planning Commission Chair