

PLANNING COMMISSION

Wednesday, May 15, 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, Peterson, Stenglein, Francis, and Gorham. Commissioner Grunenwald was noted as absent. Commissioner Norwood joined the meeting at 6:39 pm. Also noted as present was City Administrator Broyles, Community Development Director Kramvik, and Interim BPU Director Wussow. City Administrator Broyles and Interim BPU Director Wussow departed the meeting at 7:12 pm.

#3 Pledge of Allegiance

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

#4 Approval of Agenda

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND FRANCIS, DULY CARRIED, TO AMEND AND APPROVE THE AGENDA BY MOVING ITEM 7A CONSIDER IUP FOR OUTDOOR STORAGE AS A PRINCIPAL USE AT 1918 THIESSE DRIVE FROM NEW BUSINESS TO 6A UNFINISHED BUSINESS.

#5 Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS FRANCIS AND DUVAL, DULY CARRIED, TO APPROVE THE MINUTES FROM THE APRIL 17, 2024 MEETING.

#6 Unfinished Business

6a. Consider IUP for Outdoor Storage as a Principal Use at 1918 Thiesse Dr.

Community Development Director Kramvik gave a brief review of the Interim Use Permit application. The previous IUP issued in 2022 to allow outdoor storage as the principal use in the industrial park expired after one year, thus the reason for a new IUP application. There were some changes to the number of containers proposed on the site, but it does not change any of the requirements. This property will serve as a crypto mining facility site.

The Chair opened the public hearing at 6:06 pm.

The Chair recognized Matt Feast and Allan Sun with VCV Digital, who spoke about the project and explained the details of the equipment involved in crypto mining.

The following residents spoke against the proposed use of crypto mining at the property citing the concern of excessive noise:

- Sarah Thiesse, 11687 Oakridge Rd
- Shirley Thiesse, 11058 County Rd 45
- Wesley Urdahl, 11463 County Rd 45
- Craig Kunde, 11319 Oakridge Rd
- Glynis Thiesse 9212 County Rd 45
- Gary Thiesse, 12437 Oakridge Rd
- Megan Bock 11633 Oakridge Rd
- Nolan Faber, 10936 Red Oak Trail
- Jessica Faber, 10936 Red Oak Trail

The Chair recognized Bob Fear, Nisswa, who indicated he has a background in facility engineering and gave some insight on the concern about sound. He suggested that a proposed spec be developed within the range that is allowed and can be monitored throughout the project.

The Chair recognized Bob Davidoff, who is an engineer on the team for the crypto project. He stated he has worked on many crypto mining projects and explained the sound will not be an issue. He said the immersion system is different than the air-cooled system that Just for Krypto is operating.

The Chair closed the public hearing at 6:52 pm.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND FRANCIS TO DENY THE INTERIM USE PERMIT AS PRESENTED BASED ON THE COMPREHENSIVE PLAN.

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

Community Development Director Kramvik stated this will be heard and voted on at the City Council meeting May 20, 2024.

6b. Review Proposed Short-Term Rental Ordinance and Conduct Public Hearing

Community Development Director Kramvik gave the history of the proposed short-term rental ordinance.

The Chair opened the public hearing at 7:14 pm.

The Chair recognized Rick Badeaux, 19868 159th St NW, Elk River, who owns short-term rental property in Brainerd. He indicated the ordinance as presented is fair and has no concerns with the requirements shown.

The Chair recognized Patty Bjorklund, 4825 Oak St., Baxter, who stated her son has been trying to purchase a home. She said property owners of rentals and short-term rentals are usually corporations that are quick to purchase housing stock and it is frustrating.

The Chair closed the public hearing at 7:18 pm.

MOVED AND SECONDED BY COMMISSIONERS FRANCIS AND DUVAL, DULY CARRIED, TO RECOMMEND APPROVAL OF THE SHORT-TERM RENTAL ORDINANCE AS PRESENTED.

Community Development Director Kramvik stated this will be heard and voted on at the City Council meeting May 20, 2024.

6c. Review Proposed Cannabis Ordinance and Conduct Public Hearing

Community Development Director Kramvik explained the details of the proposed cannabis and off-sale liquor ordinance. This ordinance would regulate the time, manner, and place that such facilities would be allowed to operate.

The Chair opened the public hearing at 7:21 pm.

The Chair recognized Luke McCapes, 420 13th St., who asked for clarification on the low dose product sales. He indicated local establishments are already selling the cannabis drinks, and the times shown would be restrictive. He asked questions regarding the fees being implemented.

The Chair closed the public hearing at 7:26 pm.

Community Development Director Kramvik stated the regulations would be for off-sale not on-sale establishments. The fees will be discussed with the City Council at a future meeting.

MOVED AND SECONDED BY COMMISSIONERS FRANCIS AND DUVAL, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CANNABIS ORDINANCE AS PRESENTED.

#7 New Business

7a. Consider Garage Requirement for Residential Housing Units

Community Development Director Kramvik indicated that the garage requirement impacts the development of affordable housing. He explained some options to consider other than requiring a garage.

Discussion took place amongst the Commission.

MOVED AND SECONDED BY COMMISSIONERS PETERSON AND DUVAL TO DIRECT STAFF TO DRAFT AN ORDINANCE TO REMOVE THE GARAGE REQUIREMENT FOR NEW CONSTRUCTION OF SINGLE-FAMILY HOMES AND ADD THE REQUIREMENT OF A 10'X12' SHED IN LIEU OF A GARAGE.

Members Duval, Peterson, Francis, Stenglein, and Gorham voted "aye". Member Norwood voted "nay". The Chair declared the motion carried.

#8 Public Forum

The Chair opened the public forum at 7:47 pm.

No one came forward.

The Chair closed the public forum at 7:47 pm.

#9 Staff Reports

Community Development Director Kramvik made the following updates:

- City Council approved the 805 Laurel and Outlot F land use permits, as well as the Workforce Housing grants.
- Staff have been working on a revised tree ordinance due to the emerald ash borer issue in the City.

#10 Commission Member Report

Commissioner Duval indicated the Comprehensive Plan is 5 years old this year. He read a passage from the plan regarding the city budgeting process.

Commissioner Francis suggested working on a sound study ordinance.

Community Development Director Kramvik stated there are currently many tasks already on the Planning Commission itinerary, but it can be added for future discussion.

Commissioner Peterson suggested adding building design standards to the itinerary for possible revisions.

#11 Adjournment

MOVED AND SECONDED BY COMMISSIONERS PETERSON AND STENGLEIN,
DULY CARRIED, TO ADJORN AT 8:00 PM.

Don Gorham, Planning Commission Chair