

Breezy Point Planning Commission/Board of Adjustment

**March 12, 2024
Regular Meeting**

The regular meeting of the Breezy Point Planning Commission/Board of Adjustment was called to order by Commission Chair Marcy Weaver at 7:00 p.m. Those in attendance included members Joe Ayers, Lee Brisbin, Roger Theis, Teddy Zierden, Marcy Weaver Administrator Clerk David Chanski and Planning and Zoning Administrator Peter Gansen.

Approval of Agenda

Motion Ayers/Brisbin to approve Agenda, Motion Carried 4-0

Open Forum

No one spoke

Approval of 1/9/2024 Regular Meeting Minutes

Motion Theis/Ayers to approve the minutes as written, Motion carried 4-0.

New Business

- A. Subdivision Application S-24-001 WHITEBIRCH INC 9252 BREEZY POINT DR. LOTS 1-3 BLOCK 1 & OUTLOT A WHITEBIRCH VISTA. Parcels 10171421, 10171422, 10171423 & 10171424. Request a Preliminary Plat. Zone R-4**

The Chair noted the applicant was present.

Planning and Zoning Administrator reviewed the staff report. See file.

The Chair noted included in the staff report the recommendation to consolidate the outlot.

The Chair invited the applicant to present their application.

David Landecker representing the Whitebirch Inc. spoke about the size and dimensions and density of the units. That under the current zoning class now they could do more units but do not wish to do a bunch of multi-story units. He also mentioned that the proposed development exceeded the green space requirements. The property will become a CIC and there will be common ownership in the outlot.

Landecker also noted the buildings are going to be very similar in design as other Whitebirch Inc properties and there will be a couple of there units that will be walkout basements.

Landecker asked the Board if they had an further questions.

Ayers asked about the golfcart path that connected to the highway.

Landecker stated he would like to talk about the path during the conditional use request rather than the preliminary plat.

Landecker stated he will address the path during the conditional use request.

Theis asked about the topography of the path.

There was various discussion about the grade and approach that was developed prior to the path.

Landecker stated this would be appropriate for discussion during the next application and not the preliminary plat.

Gansen agreed that would be germane discussion for the conditional use permit as the current application is a preliminary plat and the Board needs to review size dimension and performance standards of the proposal and if it meets the City's standards.

The Chair redirected discussion to the size and density of the proposed development.

The Chair noted the outlot should be referred to as consolidating outlot A with outlot E.

The applicant conferred that process would be done with the County.

The Chair asked for public for comment.

There was no one from the public that spoke.

The Chair closed public comment.

The Chair asked for any further Board discussion on the application.

There was no further discussion.

The Chair asked staff to read the findings.

Gansen read the findings. See file.

Motion Weavers/Theis to recommend approval to City Council of Subdivision Application S-24-001 with a condition to consolidate outlot A with outlot E, Motion carried 4-0.

The recommendation is subject to the following condition:

1.) Consolidate outlot A with outlot E.

B. Conditional Use Permit Application C-24-002 WHITEBIRCH INC 9252 BREEZY POINT DR. LOTS 1-3 BLOCK 1 & OUTLOT A WHITEBIRCH VISTA. Parcels 10171421, 10171422, 10171423 & 10171424. Request four duplex dwelling units. Zone R-4.

The Chair noted the applicant was present.

Planning and Zoning Administrator reviewed the staff report. See file.

The Chair asked if there were any questions on the staff report. There were none.

The Chair invited the applicant to present their application.

David Landecker representing the Whitebirch Inc. asked the Board if they had a chance to review the plans for the conditional use permit.

The Board conferred that they did not need additional time to re-review the plans.

Landecker spoke on the layout of the property based on dwelling size in proportion to the lots and would be very similar to the other Whitebirch properties.

The applicant noted the site was chosen as it is at the end of the cul-de-sac and how the property is serviced by municipal sewer. The clientele will likely be retirees, active adults and seasonal in use. The property will be 2 bedroom units and will not generate more traffic than any other residence in the area.

The applicant reviewed stormwater and green space and how they fall well within the allowed amounts.

The applicant spoke in detail about site drainage, grading and the general layout of the property in relationship to the plans presented.

The applicant closed their presentation and asked the Board if they have any questions on the application.

Theis asked about the vegetation clearing on the property.

The applicant said they would not likely remove trees out of the stormwater area and plan to keep vegetative buffers by the south part of the property.

There was conversation about site grading and vegetation.

Ayers asked about clarification on the stormwater management.

The applicant detailed the grading/stormwater plan to the Board.

There was continued conversation about site grading and vegetation.

Theis asked about a feature on the parking.

The applicant said this was a parking area and an area to provide service to the sewer.

The applicant spoke about the clientele of the development. That they will likely be people aged fifty years or more and there will be restriction that will operate similar to that of the prior Whitebirch development.

Ayers asked which unit were walkouts.

The applicant stated the plan presented walkout units.

Zierden asked if the golf course will need to be torn up to install sewer service.

The applicant stated they would directionally bore through the golf course.

Ayers asked if there would be a turn lane.

The applicant said the County did look at it.

There was varying discussion on the prior development and traffic in the area.

Zierden asked if the project is going to be phased.

Landecker stated they are going to grade the site at once, but the buildout will be based on generated sales.

The Chair asked if the Board had any more questions for the applicant. There were none.

The Chair asked for public input. There were none.

The Chair closed public input.

The Chair asked staff to proceed with the findings.

Gansen read the findings. See file.

The Chair noted that it appears that the findings have been met. It appears the applicant through several meeting and hearings have addressed a lot of the concerns residents had about the proposal. Specifically, if there is adequate parking, and that seems to exist. There is an onsite well. The HOA will keep the neighborhood consistent in appears to the neighborhood, and the covenants will restrict the properties from being in the rental pool.

The Chair asked for any other deliberation from the Board. There were none.

The Chair asked for a motion.

Motion Theis/Zierden to approve Conditional Use Permit Application C-24-002 subject to the following conditions, Motion carried 4-0.

- 1) Approval of CUP 24-002 is contingent upon final approval and acceptance of the Re-Plat of Whitebirch Vista, AKA Vista Village, by City Council.**

C. Zoning Code Update RFP

Administrator Chanski presented to the Board that the updating the zoning code has been an ongoing discussion with the City Council for the better part of the last year. As part of the 2024 budget Council did budget to have a comprehensive update to the City Ordinance updated. Noting it has been quite some time since the zoning code has been updated. The efforts of the update to would be to clean up the ordinance and utilize pictorials, graphics and illustrative charts to make the code more modern and user friendly.

Chanski noted that the Board can refer to RFP which is similar in format to those used by the City of Brainerd. If they need to see additional examples, they can refer to the September 9, 2020 agenda from the City of Brainerd PC. Their RFP produced very good results with 8 firms submitting proposals.

Chanski summarized what the purpose of the RFP was for and what deliverables it would likely produce. Discussing how the City also needs to look at moving from being exclusively use related to zoning to introducing more form based zoning and how things are going to look. That the proposal includes reviewing the comprehensive plan. With the overall goal on seeing how the firms will present how they propose to do this process.

The schedule for the process was discussed with consensus to expect at least 18 months to 24 months depending on how indepth.

The timing in and poces of the RFP was discussed and how the Planning Commission will be the working group for this or if they need to create a subcommittee which would include a lot of outreach to the community and community based workshops. That this will be highly

dependent on the selected consultants process as well. The interviews will be conducted after the proposals are received.

Ayers asked if the consultants work with cities smaller than Brainerd.

Chaski summarized that yes the process are little bit unique to each city however the overall concept is the same and these consultants work with cities of all sizes on up to cities the size of St Cloud.

The Chair asked if the Board feels this should be a work meeting or subcommittee.

Chanski replied that is something for the Board to think about on how they want to recommend to the City Council and how this process will go to City Council for input.

The Chair asked the Board to review the RFP and be prepared to discuss it further at the April meeting.

Old Business

There was no old business.

Staff Reports

The next PC meeting is April 9th.

There were no additional staff reports.

There being no further business the meeting adjourned at 8:07 p.m.

Submitted by Peter Gansen
Planning & Zoning Administrator.