

BRAINERD PLANNING COMMISSION

Wednesday, May 14, 2014

6:00 p.m.

City Hall Council Chambers

1. Call to Order
2. Approval/Amendment of Agenda
3. Approval of minutes of the regular meeting of April 9, 2014
4. New Business
 - a. Public Hearing – Conditional Use Permit – St Francis Church – 411 N 10th St
 - b. Public Hearing – Variance – The Pines Apartments – 1203 Campus Drive West
 - c. Final Plat – East Ridge
 - d. Greg Jedlenski – Request to Zoning of Property Rezoned as Part for the 2011 City Wide Rezoning
 - e. Zoning Text Amendment Request – Personal Services in the I-1 (Light Industry) District
 - f. Interpretation Request – Small Engine Sales/Repair in the B-2 (Neighborhood Business) District
 - g. Public Hearing – Zoning Text Amendment – Extended Stay Hotels/Motels
5. 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.
6. Old Business

None
7. Commissioners' Questions/Comments
8. City Planner Report
9. Adjourn

Any individual needing special accommodations please call 218/828-2309

PLANNING COMMISSION

Wednesday, April 9, 2014

Chairman Angie Plantenberg called the meeting of the Brainerd Planning Commission to order at 6:00 p.m. in the City Hall Council Chambers.

Noted present were Commissioners Pritschet, Matten, Hayden, Plantenberg, Norwood, Straw and Cole. Also present was City Planner Ostgarden.

City Planner Ostgarden requested to remove item 4b – Brainerd Amateur Hockey Foundation – Request for Zoning Ordinance interpretation as it is no longer needed.

#2 Approval/Amendment of Agenda

MOTION AND SECONDED BY COMMISSIONERS PRITSCHET AND NORWOOD, DULY CARRIED, TO APPROVE THE AGENDA AS AMENDED.

#3 Approve minutes of the regular meeting of March 12, 2014

MOTION AND SECONDED BY COMMISSIONERS HAYDEN AND NORWOOD, DULY CARRIED, TO APPROVE THE MINUTES FOR THE REGULAR MEETING OF MARCH 12, 2014.

#4 NEW BUSINESS

a. Public Hearing – Zoning Text Amendment – Small Houses and Infill

The public hearing was opened at 6:04 p.m.

City Planner Ostgarden gave a review of the proposed changes to Zoning Ordinance Sections 515-2, 515-17, 515-54, and 515-56 to include language related to small houses and infill. He stated if the Commission recommends approval of houses less than 750 square feet, the Planning Department recommends that dwellings have a minimum of 400 square feet in area and a minimum twenty (20) foot width.

Mr. Gary Scheeler, 923 Lakeview Lane, stated he is against this as it doesn't add any value to the city. He stated he feels these small homes will lower the value of other homes in the neighborhood. He questioned why this issue is being discussed as there has never been a request for a small home.

The public hearing was closed at 6:13 p.m.

Commissioner Cole asked if the recommended minimum sizes was approved would the garage size have to change also. City Planner Ostgarden stated the livable area would be twenty (20) feet.

Commissioner Hayden stated she feels a house does not need to be twenty (20) feet to be a nice home as there are existing homes in Brainerd that are not twenty (20) feet wide.

Commissioner Matten stated she has not found any positives for homes less than 750 square feet from other communities. She stated she doesn't see the value in allowing these small homes in Brainerd.

Commissioner Cole stated this language is being proposed to require a conditional use permit so these small homes cannot just be built anywhere in town without the Planning Commission having a say in the standards and requirements.

Discussion was held regarding the twenty (20) foot minimum width and the 400 square foot minimum area.

MOTION AND SECONDED BY COMMISSIONERS HAYDEN AND COLE TO RECOMMEND APPROVAL OF THE ZONING TEXT AMENDMENT/ADDITIONS RELATED TO SMALL HOUSES AND INFILL WITH THE CHANGE OF FOUR HUNDRED (400) SQUARE FEET IN ALL AREAS WHERE THREE HUNDRED FIFTY (350) SQUARE FEET IS NOTED. COMMISSIONERS MATTEN AND NORWOOD OPPOSED.

b. Zoning Ordinance Text Amendment – Garage Setbacks from an Alley

City Planner Ostgarden stated he received a building permit application for a garage that would be ten (10) feet off of the alley with direct access off the alley. He stated he thought language was added to the Zoning Ordinance when it was updated in 2009 that when a garage takes access directly from an alley the setback should be a minimum of twenty (20) feet back from the property line to allow a vehicle to be parked outside of the garage and not be encroaching into the alley. He stated he could not locate the language and is asking if the Commission wants to do a text amendment regarding the setback for garages with access directly off the alley.

Commissioner Plantenberg asked how this would apply to existing garages if the property owner were to come in for a permit for roofing, siding, or a new door. City Planner Ostgarden stated maintenance can be done to the garage and a new garage in the existing footprint could be done if the garage doesn't meet the twenty (20) foot requirement. He stated if an expansion or a rebuild outside of the existing footprint would want to be done it would then have to meet the twenty (20) foot requirement.

Commissioner Norwood asked if the change would apply if someone wanted convert a garage into an apartment. City Planner Ostgarden stated if the zoning district allows a garage to be converted to an apartment, it would have to meet the setback requirements.

Discussion was held regarding owner responsibility versus a City issue and if the Commission would like to move forward to a public hearing for a text amendment.

The Commission had concerns with the language in regards to existing garages and the direct access wording and discussed different language options.

The Commission requested the City Planner bring back different draft language to address the concerns of the Commission.

#5 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.

Mr. Howard Brewer, 1021 3rd Avenue NE, stated he is the co-chairman of the Mississippi River Steering Committee and presented information to the Commission regarding what has been done towards development around the Mississippi River and what the Steering Committee will be doing.

#6 OLD BUSINESS

a. Extended Stay Hotels/Motels – draft ordinance language

City Planner Ostgarden reviewed the language changes he made based off the suggestions from the Planning Commission. He also reviewed the conditions that could be placed on the extended stay hotels/motels.

Commissioner Hayden asked where the differentiation is between a regular hotel and an extended stay hotel.

Discussion was held regarding when a hotel becomes an extended stay hotel. Additional discussion was held regarding the conditions and enforcement.

The Commission agreed to add language stating a hotel becomes an extended stay hotel when a person stays longer than 30 days.

Discussion was held on extending the 90 day limit. The Commission agreed to keep the 90 day limit as it can be extended if needed in the future.

The Commission agreed to move forward with a public hearing at the May 14 meeting.

#7 Commissioners' Questions/Comments

Commissioner Cole stated he believes a Commissioner should be present at the next City Council meeting if questions come up regarding the small house ordinance change. Commissioners Cole and Hayden offered to attend the meeting.

#8 City Planner's Report

City Planner Ostgarden stated everyone needs to keep in mind that the Zoning Ordinance amendment includes infill and is not just about small homes, therefore if the City Council does not agree with the language it can be broke out if the disagreement is either just small houses or infill.

#9 Adjournment

As there was no further business the meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

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STAFF REPORT TO THE PLANNING COMMISSION

April 24, 2014

APPLICANT/LOCATION: St. Francis Catholic Church, 411 North 10th Street;
Brainerd, MN

PROPOSED USE: Repurpose existing dwelling unit for church office
space

CURRENT ZONING: R-1(Single Family Residential) District

ADJACENT USES: East: Franklin Art Center
South: Parking Lot/Residential
West: St. Francis School
North: Residential

ADJACENT ZONING: North: R-1 (Single Family Residential) District
East: B-2 (Neighborhood Business) District
South: B-1 (Residential Office) District
West: B-4 (General Commercial) District

REPORT

St. Francis Catholic Church desires to convert to office space the single family dwelling it owns on 10th Street located just north of the church sited property. Office space will be needed when a planned social hall and bathrooms begins construction at the church building. Once completed, the office will be able to move back to the church building and the structure returned to residential use.

Based on B.1. Above, the following are the Conditional Use Permit criteria:

A. Criteria for Granting Conditional Use Permits. In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.

1. The proposed use conforms to the district and conditional use provisions and all general regulations of this Ordinance.

1. The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.

2. *The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.*

An existing structure will be converted and no changes to siting, orientation or landscaping is planned or needed.

3. *The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.*

The applicant describes that the only exterior change will be for handicapped accessibility. A sign to identify the building as the church office may be installed.

4. *The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.*

There is sufficient parking on the church site to meet the weekday off street parking needs for the office use. There are 2 handicapped parking spaces behind the house where the ramp will be going be constructed.

5. *The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.*

The objectives of the Zoning Ordinance are:

515-1-2: *Intent and Purpose.*

A. *Protect the public health, safety, and general welfare of the community and its people through the establishment of minimum regulations governing development and use.*

B. *This Ordinance shall divide the City into use districts and establish regulations in regard to location, erection, construction, reconstruction, alteration and use of structures and land.*

C. *Protect neighborhoods.*

D. *Promote orderly development and redevelopment of land for residential, commercial, industrial, recreational and public areas.*

E. *Provide adequate light, air, and convenience of access to property.*

F. *Prevent congestion in the public right-of-way.*

G. Prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards, and density of population.

H. Protect and preserve the natural environment of the City.

I. Encourage the protection of historic and aesthetic resources in the City.

J. Conserve energy through the use of alternative energy systems and conservation through the encouragement of energy efficient structures for commercial, industrial and residential uses.

K. Provide for compatibility of different land uses.

The conversion complies with all the applicable Zoning Ordinance objectives, in particular the three highlighted sections because it:

1. Protects the neighborhood by preserving an existing structure,
2. Promotes orderly development as the structure will be returned to its intended use,
3. Provides for compatibility of different uses by using the existing structure and no additions are planned.

B. *Requirements for Granting Conditional Use Permits. In permitting a new conditional use or the alteration of an existing conditional use, the following requirements shall be met where applicable:*

1. *Fire Protection. Fire prevention and firefighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.*
2. *Electrical Disturbance. No activity shall cause electrical disturbance adversely affecting radio or other equipment in the vicinity.*
3. *Noise. Noise which is determined to be objectionable because of volume, frequency, or beat shall be muffled or otherwise controlled subject to MPCA standards. Fire sirens and related apparatus used solely for public purpose shall be exempt from this requirement.*
4. *Vibrations. Vibrations detectable without instruments on neighboring property in any district shall be prohibited.*
5. *Odors. No odorous gas or matter shall be permitted which is discernible on any adjoining lot or property.*

6. *Air Pollution. No pollution of air by flying ash, dust, smoke, vapors, or other substance shall be permitted which is harmful to health, animals, vegetation or other property.*
7. *Glare. Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted.*
8. *Erosion. No erosion by wind or water shall be permitted which will carry objectionable substances onto neighboring properties.*
8. *Water Pollution. Water pollution shall be subject to the standards established by the Minnesota Pollution Control Agency.*

The conversion will not effect on any of these issues.

DEPARTMENT INFORMATION

Utilities

No issues.

Fire

No Issues.

Building

The church has had meetings with the Building Department to discuss the interior needs and the requirements for handicapped accessibility.

Engineering

No issues.

PLANNING DEPARTMENT REVIEW

The Planning Department has no issues.

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission can consider a recommendation on this request at its May 14, 2014 meeting and City Council consideration can occur at its May 19, 2014 meeting.

Respectfully submitted,



Mark Ostgarden AICP
City Planner

St. Francis Catholic Church

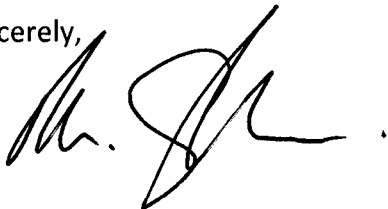
April 21, 2014

City of Brainerd,

I am the pastor of St. Francis Church, located on the North side of Brainerd. Enclosed please find a request for re-purposing a house we own on North 10th Street. We have been renting the house until such time that we would need the space for the Church. As is explained in the request, the Diocese of Duluth has decided that it was time for both St. Francis and St. Andrew Parishes located in the city to have their own pastors again. This is great news, because both congregations are growing. But we had been sharing an office, with me being pastor of both. (St. Francis had previously used an older home next to the school as an office for a number of years, which had been torn down about 2002 to make way for the school expansion.) Now St. Francis once again must have its own office space.

My understating is that you need a letter expressing my permission for the house to be converted into an office. I freely give that permission.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rev. Anthony Wroblewski', with a stylized flourish at the end.

Rev. Anthony Wroblewski
pastor

Application from St. Francis Church for a Conditional Use Permit
for 411 N. 10th St., Brainerd, MN.

Procedure:

A. Request for Conditional Use Permit:

The applicant is an historical church that has a large congregation and is located in a residential neighborhood. The church has been in existence on the site for almost 120 years.

Fourteen years ago, the Diocese of Duluth, of which St. Francis is a part, clustered St. Francis, St. Andrew's, and St. Mathias Churches under the Pastoral Leadership of one Pastor and one Associate. Four years ago the Diocese added All Saints and St. Thomas of the Pines Church to the cluster under the direction of one Pastor and 2 Associate Pastors. Due to clustering in 2001, the previous building near St. Francis, which was used as an office, was torn down in 2002 to make way for the school renovation which was completed a few years ago. That building was old and in need of significant upgrades, including accessibility upgrades which were not financially feasible at that time. A combined office was established for all 5 churches at St. Andrew's Church, 1108 Willow St., Brainerd, MN.

This year, following the direction of the Strategic Plan of the entire Diocese, and due to continued growth of the congregations, the cluster of 5 churches will once again split into 2 separate clusters effective July 16th. St. Francis, All Saints, and St. Thomas of the Pines will be the Northern Cluster and St. Andrew's and St. Mathias Churches will be the Southern Cluster. The Southern Cluster will continue to have its' office in St. Andrew's Church at 1108 Willow St.

The Northern Cluster needs to establish an office for their congregation, and it must be on, or very near, the St. Francis campus. (St. Francis is the largest Catholic congregation in the whole Lakes Area.) Over the last few years, knowing that the Diocese would implement the re-clustering, but not knowing when, St. Francis staff began a search for possible office space. We looked at the Franklin Arts Building, Whittier School, The Center, and other houses for sale in the neighborhood of the church, all of which were either too expensive, too far away from the church, or the church did not meet the rental requirements for the facility.

Also, St. Francis Church is in the process of a Capital Campaign to add a Social Hall, Bathrooms, and plans to include office space in the new addition. We have just completed a Feasibility Study and have started the major donor part of the campaign. However, it will take at least 3 years to raise the money needed before construction can begin. In the interim, having exhausted all other possibilities, we would like to convert a rental house we own, just east of the church and that borders the church parking lot,

into the new temporary office space for the Northern Cluster. The address of the house, which is owned by St. Francis Church, is 411, N. 10th St.

Some changes to the house include:

- Just a few internal walls of the house will need to be moved or taken out to make the office handicapped accessible as indicated on the site plan.
- The handicapped ramp does cross the lot line to the south but that property is owned by the church.
- The dwelling has a basement but in converting the house to an office, the basement will not be used.
- There will be a small sign on the current front entrance window to the house indicating that the main entrance will be in the back of the house. A small sign will be posted in the yard facing the parking lot indicating that it is the Parish Office for St. Francis Church and All Saints Church.
- The only extra exterior lighting that will be needed is a small light at the entryway to the office. There is already general lighting in the area.
- Some older shrubs will need to be trimmed or removed to allow space for the handicapped ramp to the main door. This will also make the main entrance from the parking lot more visible.

B. Proof of Ownership or Authorization:

Attached is a tax statement with the Tax ID number, Parcel number, and legal description for 411 N. 10th St. which is owned by St. Francis Church along with a parcel map showing where the property is located next to the church. Also attached is a letter from Rev. Anthony Wroblewski, Pastor, indicating his approval to proceed with the Conditional Use Permit for the property.

C. Public Hearing:

St. Francis Church is agreeable to the Planning Commission holding a public hearing.

D. Flood Zone:

The subject property is not in a flood zone.

E. The Zoning Administrator may request the appropriate staff persons to prepare technical reports where applicable, and provide general assistance in preparing a recommendation on the request.

F. Criteria for Granting Conditional Use Permits:

1. *The proposed use conforms to the district and conditional use provisions and all general regulations of this Ordinance.* There will be no other additions to the house other than a handicapped ramp on the West side of the subject house. There would

not be any requirement for other zoning ordinances that would need to be regulated.

2. *The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.* There are no special standards that would apply to this use of the subject property.
3. *The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.* Changing the subject house from a rental to an office space would not cause any condition that would be dangerous, injurious, or noxious to any other property. The grounds around the house would not change except for the ramp, which we would locate in the back, thus leaving the front of the building looking just as it does now.
4. *The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.* The only exterior light that will need to be added is a light by the entrance to the office. There is already general lighting in the area and parking lot. There will be no change to the landscape of the subject property except to trim or remove a few older shrubs to make way for the handicapped ramp. The house would appear just as it does now, like any other house in the neighborhood with the exception of the addition of a handicapped ramp in the rear of the house where the main entry would be located off the parking lot.
5. *The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.* The subject property will remain of similar character to neighboring properties. The Franklin Arts Center is located immediately east of this subject property and houses commercial and church activities.
6. *The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.* The church owns the parking lot bordering the subject property. Handicapped spaces are already designated to the West of the house which is where the entrance to the office will be located. Since access to the proposed office would be from the church parking lot, there would not be any additional traffic congestion in the neighborhood. Staff will use the church parking lot.
7. *The proposed use shall preserve the objectives of this ordinance and shall be consistent with the Comprehensive Plan.* The Strategic Plan for St. Francis Church is to add a beautiful social gathering space with bathrooms and new offices that would maintain the structure and beauty of the church which would add to the esthetics of the neighborhood. Until we can fulfill the fundraising requirements and proceed with the construction, the rental house is the most effective use of the building which is in need of updating and repair. The house has been a rental since the church purchased it, with no significant upgrades during this time. Using the house as an office will not affect the neighborhood in looks, (the house will continue to look like a neighborhood house) parking, (all parking for the office will be in the churches own parking lot), and activity (office hours are during the day so there will not be much activity in the evenings.) It is our hope that when the new offices are

built, this building would be demolished and used as green space or additional parking which would be helpful to the neighborhood.

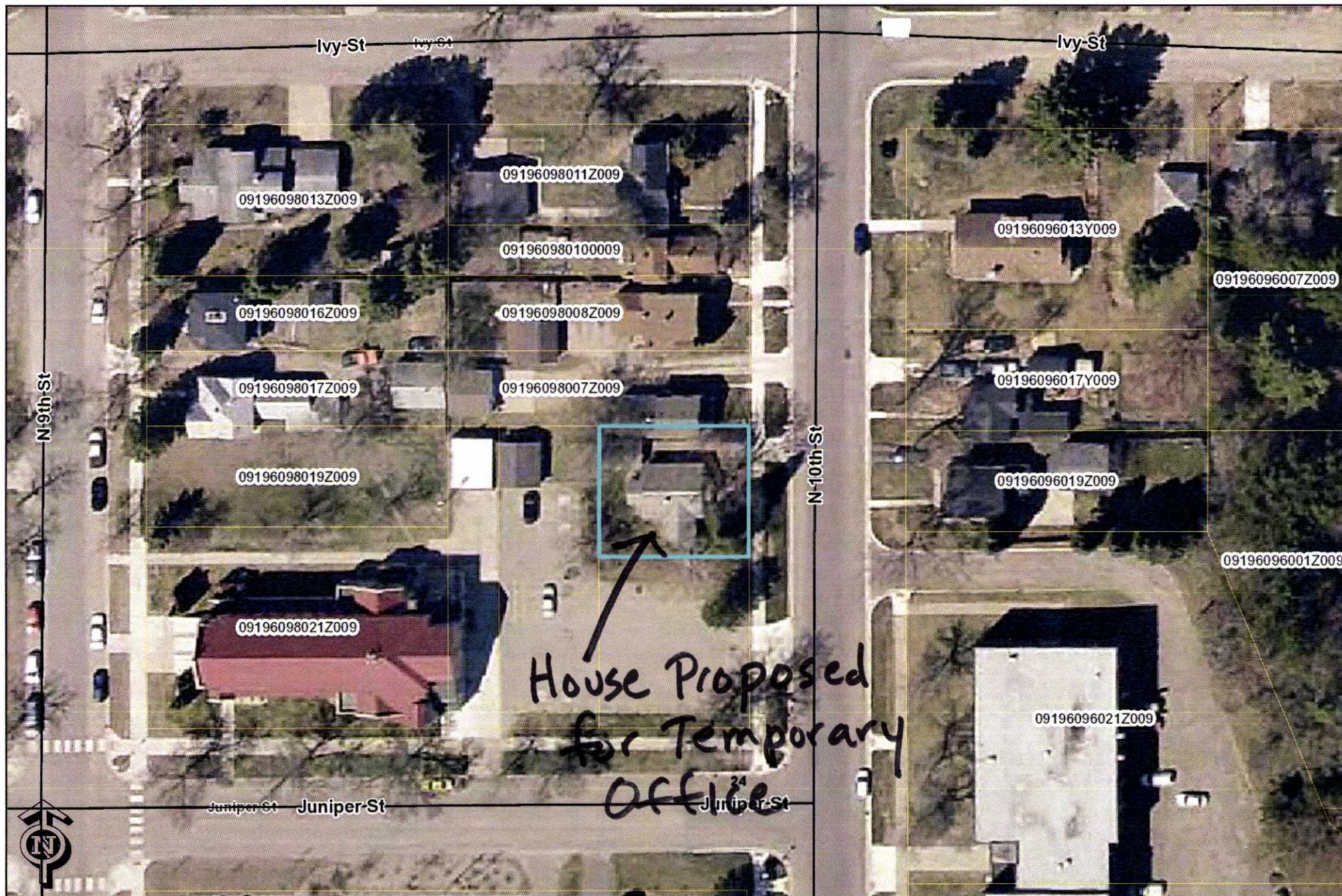
G. Requirements for Granting Conditional Use Permits.

1. *Fire Protection.* There will not be any flammable or explosive materials used or stored in the proposed parish office. The Fire Chief has been consulted and is reviewing the plans and will be conducting a walk through when construction begins.
2. *Electrical Disturbance.* The only electrical devices used in the office would be for normal operations. Computers, copiers, printers, etc. These items should not adversely affect radio or other equipment in the vicinity.
3. *Noise.* The neighborhood will not experience any change in noise when the house is repurposed as office space.
4. *Vibrations.* There will not be any vibrations from any equipment that would affect any neighboring properties.
5. *Odors.* There will not be any different or unusual odors as a result of repurposing the house from a rental to office.
6. *Air Pollution.* There will not be any additional air pollution due to repurposing the house from a rental to an office.
7. *Glare.* The operation of the office will be during daylight hours from approximately 8:00 a.m. until 5:00 p.m.
8. *Erosion.* There will be no change to the structure or location of the house which would cause erosion from the subject property to the neighbor's property.
9. *Water Pollution.* There will be no toxins added to the water supply by using the subject property as an office for the church.

H. Additional Conditions may be beyond those specified by this Ordinance and may be required when the City Council considers such necessary to protect the surrounding area or the community as a whole. These may include but are not limited to:

1. *Increasing the required lot size or yard dimension.* The lot size or yard dimensions will not change for the subject house.
2. *Limiting the height, size or location of the buildings.* There will be no change to the height, size or location of the subject house. There will be only a few walls that will be moved in the interior of the house to accommodate accessibility as highlighted in the attached schematic plan.
3. *Controlling the location and number of vehicle access points.* There are 2 separate entrances to the St. Francis Parking lot bordering the subject house. There will be no need to make any changes to these access points. There is no need for any street parking for the subject house because of the bordering parking lot.
4. *Increasing the street width.* There will be no need to change the street width.

5. *Increasing the number of required off-street parking spaces.* Because the church parking lot borders the subject house, there will be plenty of parking spaces for the office. This includes 2 handicapped parking spots by the entrance and plenty of parking for staff and visitors.
 6. *Limiting the number, size, location or lighting of signs.* There would be one small sign that would indicate the house is the parish office for St. Francis and All Saints Catholic Churches located at the rear of the house next to the church owned parking lot. This sign would not be lighted.
 7. *Required a berm, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.* St. Francis owns the property to the north, south, and west of this subject property. The Franklin Arts Center is directly to the East.
 8. *Designing sites for open space.* This is not applicable in this application for the reuse of this building.
-
1. *The following may be added as conditions to properties in a Flood Zone:*
The subject property is not in a flood zone as per the attached Flood Zone Map.



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

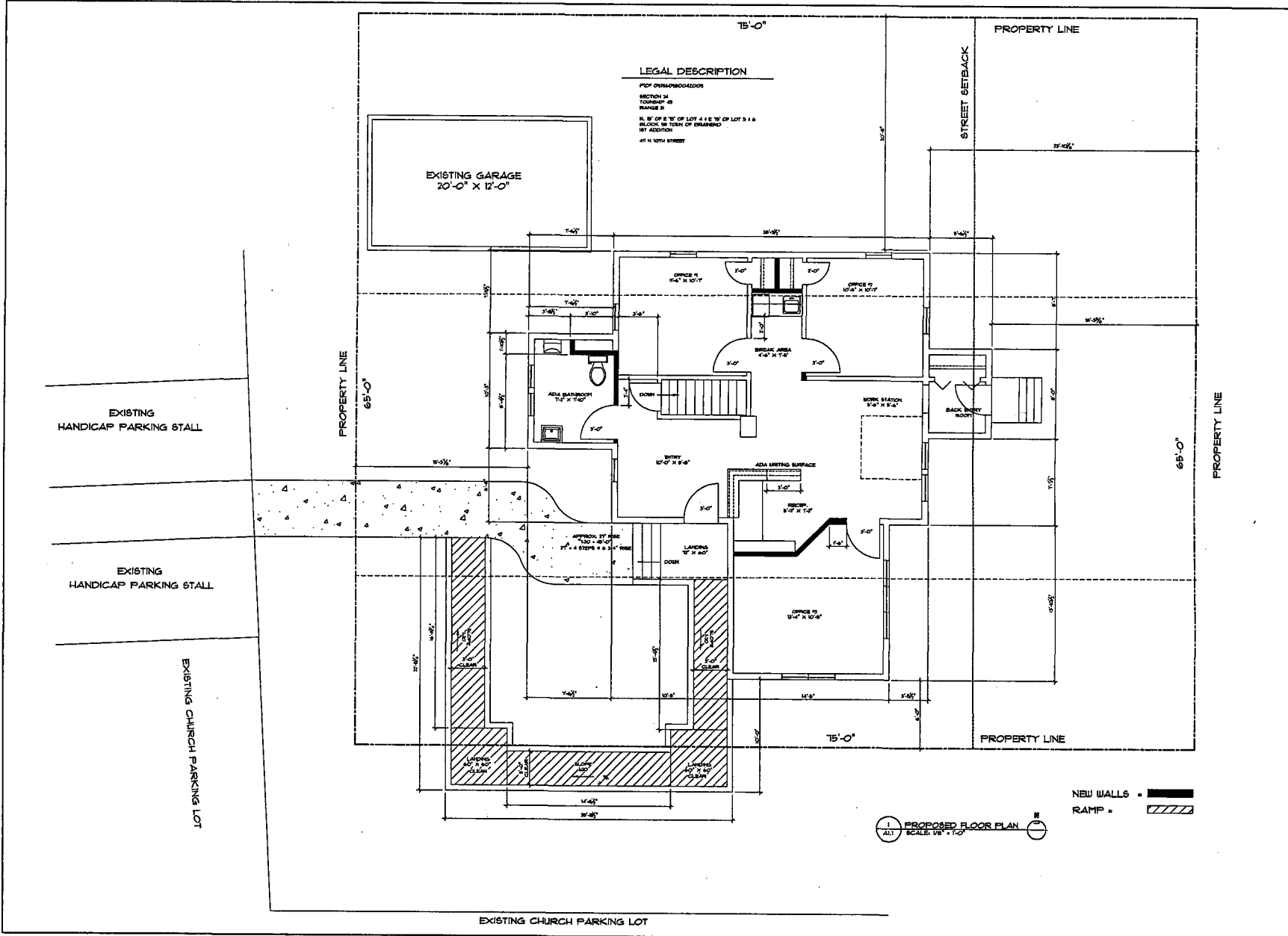
411 10th St N

CWC Auditor-Treasurer

Date: 4/15/2014 Time: 2:04:27 PM



CROW WING COUNTY



REVISION	DATE
COPYRIGHT 2014	
ST FRANCIS PARISH OFFICE 404 5TH STREET NORTH BRainerd, MINNESOTA	
DATE:	04-10-2014
JOB NUMBER:	XXXX
DRAWN BY:	DPH
PROJECT MANAGER:	XXXX
LICENSE NUMBER:	XXXXXXXX
A1.1	

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that St. Francis Church has applied for a Conditional Use Permit to repurpose a rental house to office space at 411 North 10th Street. The property is located in an R-1 (Single Family Residential) District zone. Zoning Ordinance Section 515-54-5 (H) permits places of worship and related buildings by Conditional Use Permit in an R-1 District.

The property is described as follows:

*N 15 ft of E 75 ft of Lot 4 Block 98 and E 75 ft of Lots 5 and 6 Block 98, Town of Brainerd & 1st Addn to Brainerd
PID #09196098004Z009
Section 24 Township 45 Range 31*

Notice is further given that the Planning Commission of the City of Brainerd will meet in the Brainerd City Hall Council Chambers, 501 Laurel Street, at 6:00 p.m., Wednesday, May 14, 2014 to consider the request for the Conditional Use Permit.

A copy of the application is on file for review at the City Planning Department, 501 Laurel Street.

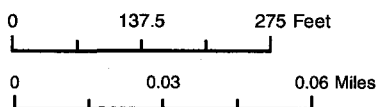
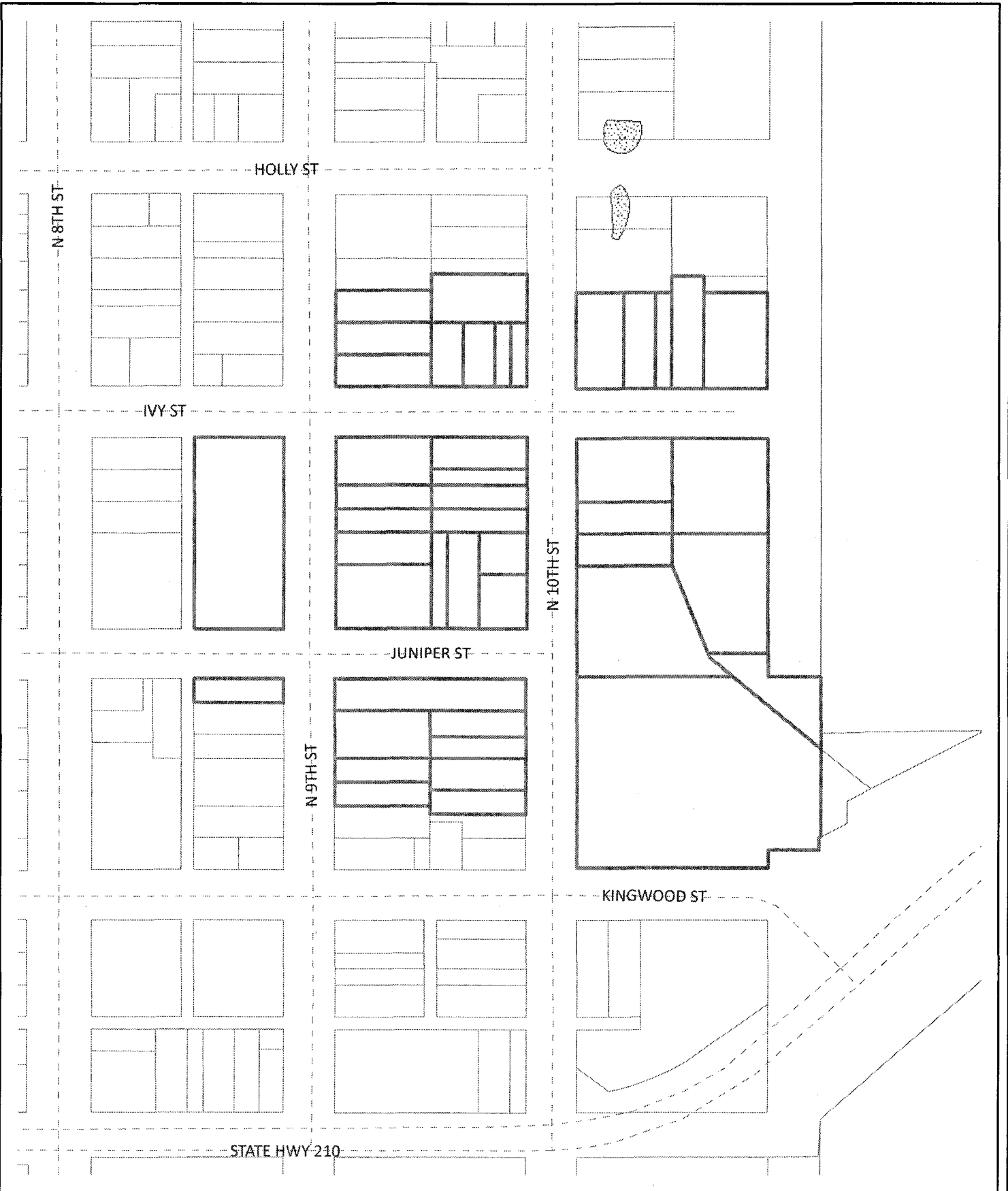
Any individual needing special accommodations please call (218) 828-2309.

Dated this 28th day of April, 2014


Mark Ostgarden AICP
City Planner

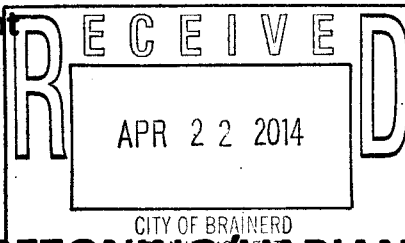
Publication date: May 2, 2014

APPRCL	TXNAME	TXADR1	TXADR2	TXADR3	PHYSADDR
09196098013Z009	ALDERMAN, BETTY R & JAMES F TRTEES	424 N NINTH ST	BRAINERD MN 56401		424 9TH ST N
09196098011Z009	ALMOND, PATRICK L & CARLY	918 IVY ST	BRAINERD, MN 56401		918 IVY ST
09196096019Z009	ANDERSON, DANIEL J & AMY M	410 10TH ST N	BRAINERD, MN 56401		410 10TH ST N
09196098008Z009	ARNOLD, AMANDA	419 10TH ST N	BRAINERD, MN 56401		419 10TH ST N
09196082000A009	ARTSPACE BRAINERD LIMITED PARTNERSH	250 THIRD AVE N SUITE 500	MINNEAPOLIS, MN 55401		
09196096021Z009	ARTSPACE BRAINERD LIMITED PARTNERSH	250 THIRD AVE N SUITE 500	MINNEAPOLIS, MN 55401		
09196096007Z009	BARSTAD, JOSEPH ALAN %DONALD G LIEN	1020 IVY ST	BRAINERD MN 56401		1020 IVY ST
09196096017Y009	BEXELL, RAYMOND R & VIVIAN D	414 N 10TH ST	BRAINERD MN 56401		414 10TH ST N
09196144019Z009	BRAINERD HOUSING & REDEVELOPMENT AUTH	324 EAST RIVER RD	BRAINERD, MN 56401		1003 IVY ST
09196080009Z009	GOEDSCHE, JANES LIVING TRUST	371 OX CREEK RD	WEAVERVILLE, NC 28787-9765		317 10TH ST N
09196080004Z009	GUIN, JAMES W & JANET M	309 10TH ST N	BRAINERD MN 56401		309 10TH ST N
09196142019Z009	SHAW, EDWARD & SARAH HAYDEN	517 N 9TH ST	BRAINERD MN 56401		512 9TH ST N
09196082000Z009	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401		1001 KINGWOOD ST
09196096001Z009	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401		
09196080008Z009	JANES, CYNTHIA	371 OX CREEK RD	WEAVERVILLE, NC 28787-9765		315 10TH ST N
091960980100009	JOHNSON, SABRINA D	421 10TH ST N	BRAINERD, MN 56401		421 10TH ST N
09196078011Z009	LORIMOR, DIANNA C	16380 BIRCHWOOD LN	BRAINERD, MN 56401		323 9TH ST N
09196080006Z009	MCKAY, RICHARD G & MARY	21212 MAIL ROUTE RD	BRAINERD MN 56401		313 10TH ST N
09196144001Z009	OHLSSEN, CONSTANCE & CHRISTOPHER	22570 MURRAY ST	EXCELSIOR, MN 55331		1019 IVY ST
09196144019X009	OHLSSEN, CONSTANCE & CHRISTOPHER	22570 MURRAY ST	EXCELSIOR, MN 55331		
09196142021Z009	OSBORNE, JOAN M	508 N 9TH ST	BRAINERD MN 56401		508 9TH ST N
09196144001Y009	PHILIPPI, ANDREW	1021 IVY ST	BRAINERD, MN 56401		1021 IVY ST
09196080018Z009	PHILIPPY, MARIE A REV TRUST AGR	314 9TH ST N	BRAINERD, MN 56401		314 9TH ST N
09196144019Y009	PUERINGER, DAVID F PUERINGER INVEST	616 1/2 FRONT ST	BRAINERD, MN 56401		1005 IVY ST
09196080015Z009	RAGE HOLDINGS LLC	C/O RAYMOND L & MELISSA A GILES	16085 MCKAY RD	BRAINERD, MN 56401	320 9TH ST N
09196142001Z009	ROBECK, THOMAS	915 IVY ST	BRAINERD, MN 56401		915 IVY ST
09196098016Z009	RYAPPY, SHARRON A	418 N 9TH ST	BRAINERD MN 56401		418 9TH ST N
09196142005Y009	SCHLIEK, DEAN R	26877 N STAR LN	BREEZY POINT MN 56472		515 10TH ST N
09196080019Z009	SCHULTZ, RONALD D	310 9TH ST N	BRAINERD, MN 56401		310 9TH ST N
09196142001W009	SHAW, EDWARD R & MARY AEGERTER	722 6TH ST S	BRAINERD, MN 56401		923 IVY ST
09196080011Z009	ST FRANCIS CATHOLIC CHURCH	1108 WILLOW ST	BRAINERD, MN 56401		323 10TH ST N
09196098001X009	ST FRANCIS CATHOLIC CHURCH	1108 WILLOW ST	BRAINERD, MN 56401		921 JUNIPER ST
09196098001Y009	ST FRANCIS CATHOLIC CHURCH	1108 WILLOW ST	BRAINERD, MN 56401		913 JUNIPER ST
09196098001Z009	ST FRANCIS CATHOLIC CHURCH	1108 WILLOW ST	BRAINERD, MN 56401		
09196098004Z009	ST FRANCIS CATHOLIC CHURCH	1108 WILLOW ST	BRAINERD, MN 56401		411 10TH ST N
09196098019Z009	ST FRANCIS CATHOLIC CHURCH	1108 WILLOW ST	BRAINERD, MN 56401		412 9TH ST N
09196098021Z009	ST FRANCIS CATHOLIC CHURCH	1108 WILLOW ST	BRAINERD, MN 56401		
09196100001Z009	ST FRANCIS CATHOLIC CHURCH	1108 WILLOW ST	BRAINERD, MN 56401		817 JUNIPER ST
09196098007Z009	ST FRANCIS CHURCH	1108 WILLOW ST	BRAINERD, MN 56401		415 10TH ST N
09196098017Z009	ST FRANCIS CHURCH	1108 WILLOW ST	BRAINERD, MN 56401		416 9TH ST N
09196142001X009	VERVALEN, WENDY	921 IVY ST	BRAINERD, MN 56401		921 IVY ST
09196142001Y009	VERVALEN, WENDY	921 IVY ST	BRAINERD, MN 56401		
09196142023Z009	WINGETT, JAMES R & JUDITH J	502 N 9TH ST	BRAINERD MN 56401		502 9TH ST N
09196096013Y009	WOOLLEY, EARLE & RENEE	11340 GREEN HILL ROAD	EAST GULL LAKE MN 56401		420 10TH ST N





City Planning Department
City Hall – 501 Laurel Street
Brainerd, MN 56401
218-828-2309/Fax 218-828-2316
www.ci.brainerd.mn.us



Receipt # 8844
Check # 36809
Date Paid: 4-22-14

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

NATURE OF REQUEST (please check)

CONDITIONAL USE PERMIT X (\$190.00) REZONING _____ (\$250.00) VARIANCE _____ (\$220.00)

PROPERTY ADDRESS: 411 N. 10th St. Brainerd, MN 56401

LEGAL DESCRIPTION: Lot(s): .004 Block: .098 Addition: 1st Addition to Brainerd
Parcel #09196098004Z009

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: _____
(attach description if lengthy)

Property Owner Name: St. Francis Church

Street Address: 404 N. 9th St. City: Brainerd State: MN Zip Code 56401

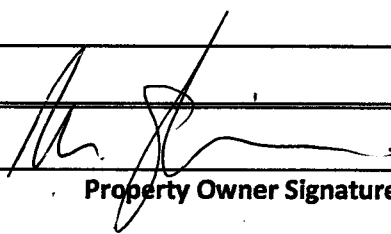
Phone Number: 218-822-4040 Fax: 218-829-1340 E-mail: etcherne@lakescatholic.org

Applicant Name: (If different than Property Owner) _____

Street Address: 1108 Willow St. City: Brainerd State: MN Zip Code: 56401

Phone Number: 218-822-4040 Fax: 218-829-1340 E-mail: etcherne@lakescatholic.org

Description of Request: To repurpose a rental house to office space until a new
office can be built by the church. The new offices will be included
in a capital campaign to build a new social hall and bathrooms connected
to St. Francis Church. A feasibility study has just been completed and
a portion of the fundraising has begun.


Property Owner Signature

April 22, 2014
Date

(Please print name)

Applicant Signature

Date

(Please print name)

(OVER)

AGENCY REVIEW CHECKLIST

Your request may require review by one or more of the agencies listed below. The City of Brainerd will determine which agencies will need to review your application and provide that agency with the notice of public hearing regarding your application:

_____ **BRAINERD FIRE DEPARTMENT**

Attn: Kevin Stunek, Fire Chief; 23 Laurel St; Brainerd, MN 56401; 218-828-2312

_____ **BRAINERD POLICE DEPARTMENT**

Attn: Corky McQuiston, 225 East River Road; Brainerd, MN 56401; 218-829-2805

_____ **BRAINERD PUBLIC UTILITIES**

Attn: Scott Magnuson, Supt.; P.O. Box 373; Brainerd, MN 56401; 218-829-8726

_____ **BWSR (MN Board of Water and Soil Resources)**

Attn: John Overland; 1601 Minnesota Dr; Brainerd, MN 56401; 218-828-2383

_____ **CROW WING COUNTY HIGHWAY DEPARTMENT**

Attn: Tim Bray, County Engineer; 16589 County Rd 142; Brainerd, MN 56401; 218-824-1110/FAX 218-824-1111
tim.bray@crowwing.us

_____ **CROW WING COUNTY SOIL AND WATER CONSERVATION DISTRICT**

Attn: Melissa Barrick; 322 Laurel St-Ste. 13; Brainerd, MN 56401; 218-828-6197/FAX 828-6095
melissa.barrick@crowwingswcd.us

_____ **CROW WING COUNTY SURVEYOR'S OFFICE**

Attn: David Landecker; 322 Laurel St Ste 14.; Brainerd, MN 56401; 218-824-1124/FAX 824-1126

_____ **HRA**

Attn: Jennifer Bergman; 324 E. River Rd.; Brainerd, MN 56401; 218-828-3705/FAX 828-8817

_____ **MISSISSIPPI HEADWATERS BOARD**

322 Laurel Street Ste 5; Brainerd, MN 56401; 218-824-1307/FAX 824-1104
Cass.mhb@co.cass.mn.us

_____ **MINNESOTA DEPARTMENT OF TRANSPORTATION**

Attn: Mary Safgren; 7694 Industrial Park Rd.; Baxter, MN 56425; 218-828-5700

_____ **MINNESOTA DEPARTMENT OF NATURAL RESOURCES**

Attn: Lonnie Thomas/Wade Miller; 1601 Minnesota Dr.; Brainerd, MN 56401; 218-828-2605/FAX 828-6043

_____ **MINNESOTA POLLUTION CONTROL AGENCY**

Attn: Reed Larson; 7678 College Rd-Ste. 105; Baxter, MN 56425; 218-828-2492/FAX 828-2594
Reed.Larson@state.mn.us

_____ **U.S. ARMY CORPS OF ENGINEERS**

Attn: Jeff Koshak; 8896 E. Gull Lake Dr.; Brainerd, MN 56401; 218-829-8402

STAFF REPORT TO THE PLANNING COMMISSION

May 2, 2014

APPLICANT/LOCATION: Minnerath Residential Properties, 6325 Center Road 87 SW
Alexandria, MN 56308

The Crow Wing County property records lists the owner as
Northern Management Inc.; PO Box 7792; St. Cloud, MN 56302

Property location is 1203 Campus Drive West

PROPOSED USE: Variance to construct a detached garage closer to the street
than the principal building and to construct the garage
within the required setback.

PARCEL AREA: 1.40 Acres

CURRENT ZONING: R-3 (Multi-Family Residential) District

ADJACENT USES: North: Vacant College Property
East: Central Lakes College
South: Central Lakes College
West: Vacant

ADJACENT ZONING: North: B-4 (General Commercial) District
East: R-3 (Multi-Family Residential) District
South: R-3 (Multi-Family Residential) District
West: R-3 (Multi-Family Residential) District

REPORT

The property owner plans to demolish the garage located at the property's south end and construct a new garage on the property's north end. The location selected will be closer to the street than the apartment building on the site and the garage will be located approximately 24' feet from the College Drive property line.

Note – The hearing notice specifies the accessory building distance from the property line as 6' which is not correct. Because the correct distance is more than advertised a new hearing notice is not required. The Planning Department mailed a hearing notice correction to affected property.

Zoning Ordinance SECTION 17 GENERAL BUILDING, USE AND DESIGN PROVISIONS
8: Accessory Buildings, Uses and Equipment. 4. Setbacks read:

Detached accessory buildings shall comply with the following setbacks:

Detached accessory buildings shall comply with the following setbacks:

- a. Front Setback. No detached accessory building shall be located in any front yard or nearer the front lot line than the principal building on that lot.

And Zoning Ordinance Section 515 SECTION 57 R-3, HIGH DENSITY RESIDENTIAL DISTRICT 7: Minimum Lot Area and Setback Requirements. C. Accessory building and structure setbacks: 2. Multiple Family and Multiple Family (senior) reads:

- a. Front Yard: Thirty (30) feet.

Criteria for Granting Variances

A. Variances shall only be permitted:

When they are in harmony with the general purposes and intent of the ordinance. Following is the Intent and Purpose section of the Zoning Ordinance:

- A. *Protect the public health, safety, and general welfare of the community and its people through the establishment of minimum regulations governing development and use.*
- B. *This Ordinance shall divide the City into use districts and establish regulations in regard to location, erection, construction, reconstruction, alteration and use of structures and land.*
- C. *Protect neighborhoods.*
- D. *Promote orderly development and redevelopment of land for residential, commercial, industrial, recreational and public areas.*
- E. *Provide adequate light, air, and convenience of access to property.*
- F. *Prevent congestion in the public right-of-way.*
- G. *Prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards, and density of population.*
- H. *Protect and preserve the natural environment of the City.*
- I. *Encourage the protection of historic and aesthetic resources in the City.*
- J. *Conserve energy through the use of alternative energy systems and conservation through the encouragement of energy efficient structures for commercial, industrial and residential uses.*
- K. *Provide for compatibility of different land uses.*
- L. *Provide for administration of this Ordinance.*
- M. *Provide for amendments.*
- N. *Prescribe penalties for violation of such regulations.*
- O. *To define powers and duties of the City staff, the Planning Commission, the City Council and the Board of Zoning Appeals in relation to the Zoning Ordinance.*

When the variance is consistent with the Comprehensive Plan.

It is difficult to establish a relationship between the Comprehensive Plan and this variance.

- B. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.

Subdivision 4. "Practical Difficulties", as used in connection with the granting of a variance means that:

- I. The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance;*

It appears possible that a garage can be constructed on the site's west side. The location would be on a separate parcel owned by the petitioner. That is not an issue for this variance.

- II. The plight of the landowner is due to circumstances unique to the property not created by the landowner;*

The College Drive reconstruction required closing the College Drive access. The owner demolished a portion of the existing garage to create a new site access to Mississippi Parkway.

- III. The variance, if granted, will not alter the essential character of the locality.*

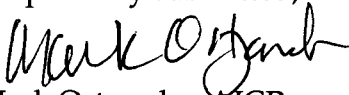
Locating the garage as proposed will place it 24' from the street right of way. The building is planned to be 60' long meaning the street view will be a 60' wall. Should approval recommendation be made it is suggested that it be done with a condition that some type of coniferous planting be installed on the property between the garage and the property line. The size to be in accord with Zoning Ordinance Section 20 Landscaping and Screening.

Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission can consider a recommendation at the May 14, 2014 meeting and the City Council would receive the recommendation for consideration at its May 19, 2014.

Respectfully submitted,



Mark Ostgarden AICP
City Planner

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Northern Management Inc.; PO Box 7792; St Cloud, MN 56302, has submitted a variance request to construct a detached accessory building (garage) in the front yard closer to the street than the principal building (apartment) and to construct the accessory building within the required front yard setback. The proposed accessory building will be located closer to College Drive than the principal building and will be approximately six (6) feet from the front (College Drive) property line. See the attached site plan for building locations. In order to construct the detached accessory structure, a variance from the following City of Brainerd Zoning Ordinance requirements is requested:

515-17-8: General Building, Use and Design Provisions B.4. Residential Accessory Buildings, Structures and Uses. Setbacks. Detached accessory buildings shall comply with the following setbacks:

- a. Front Setback. No detached accessory building shall be located in any front yard or nearer the front lot line than the principal building on the lot.

And:

515-57-7: Minimum Lot Area and Setback Requirements C.2. Accessory building and structure setbacks: Multiple Family and Multiple Family (senior):

- a. Front Yard: Thirty (30) feet

The property is legally described as follows:

Lot 2 Block 1 TOG/W Esmnt of Rec

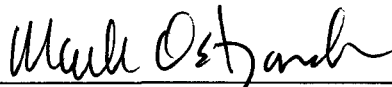
P.I.N. No. 092270010020009

Section 9 Township 133 Range 28

Notice is further given that the Planning Commission of the City of Brainerd will meet in the Brainerd City Hall Council Chambers, 501 Laurel Street, at 5:30 p.m., Wednesday, May 14, 2014 to consider the request for the Variance.

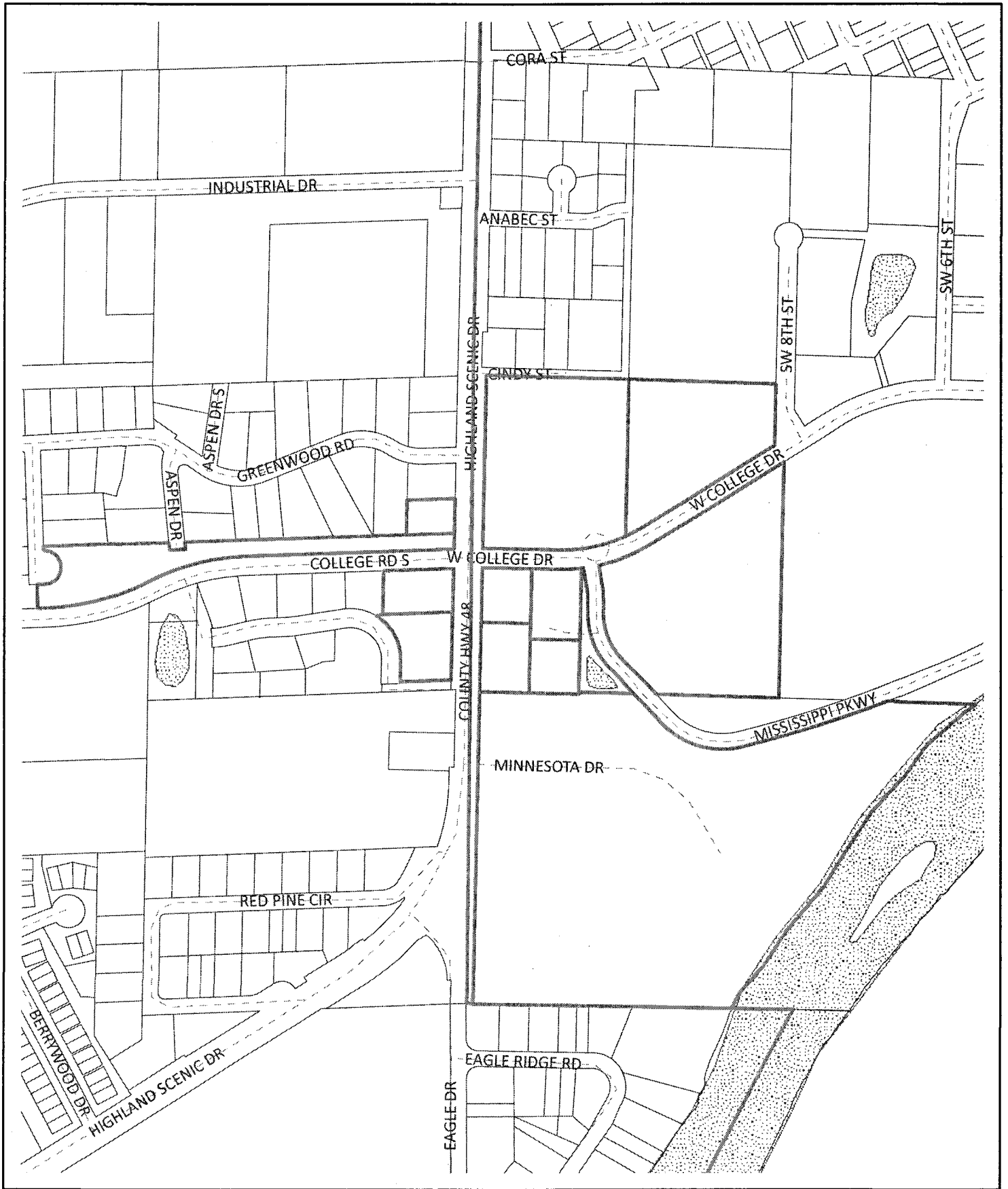
Any individual needing special accommodations please call (218) 828-2309.

Dated this 28th day of April, 2014



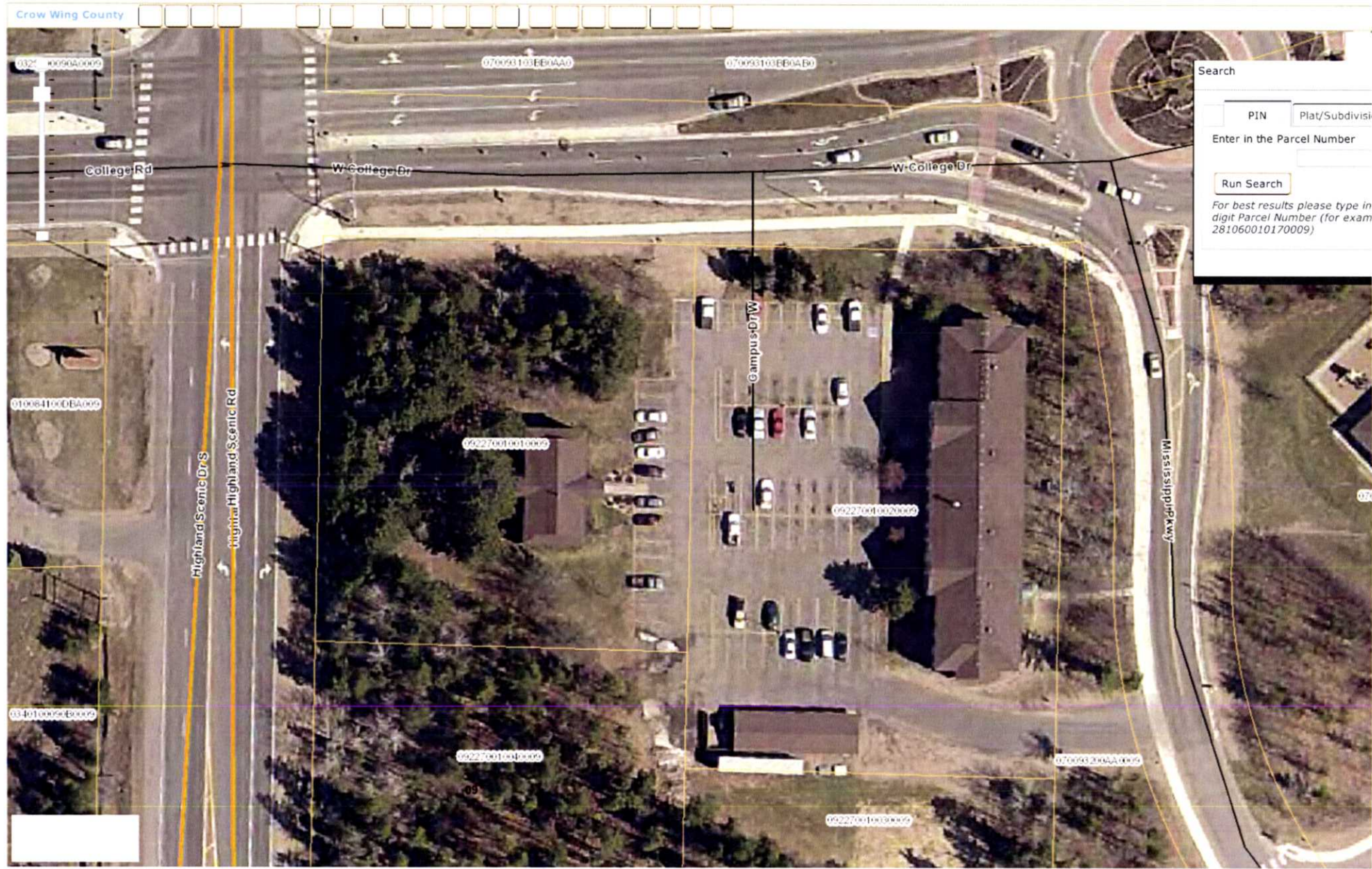
Mark Ostgarden AICP
City Planner

APPRCL	TXNAME	TXADR1	TXADR2	TXADR3	TXADR4	PHYSADDR
010084100DBA009	TUDOR ROSE LLC	3325 OAK ST	BRAINERD, MN 56401			8218 HIGHLAND SCENIC RD
031150020060009	NICHOLS, FRANK C JR & TERESA MARIE	8250 HIGHLAND SCENIC RD	BAXTER, MN 56425			8250 HIGHLAND SCENIC RD
0325600090A0009	CITY OF BAXTER	P O BOX 2626	BAXTER, MN 56425			
0340100090B0009	HAGLIN PROFESSIONAL PARK LLC	3175 BREIKESSEL RD	INDEPENDENCE, MN 55359			
070093103BB0AA0	CENTRAL LAKES, COLLEGE	1830 AIRPORT RD	STAPLES MN 56479			
070093103BB0AB0	STATE OF MINNESOTA	OFFICE OF THE CHANCELLOR	500 WORLD TRADE CTR	30 EAST 7TH ST	ST PAUL MN 55101	
070093200AA0009	BRAINERD COMMUNITY COLLEGE	501 COLLEGE DR W	BRAINERD MN 56401			
070093200AA0009	BRAINERD COMMUNITY COLLEGE	501 COLLEGE DR W	BRAINERD MN 56401			
070093200C00009	STATE OF MINNESOTA	OFFICE OF THE CHANCELLOR	500 WORLD TRADE CTR	30 EAST 7TH ST	ST PAUL MN 55101	
070093304A00009	STATE OF MINNESOTA	OFFICE OF THE CHANCELLOR	500 WORLD TRADE CTR	30 EAST 7TH ST	ST PAUL MN 55101	
092270010010009	NORTHERN MANAGEMENT , INC	PO BOX 7792	ST CLOUD MN 56302			1203 CAMPUS DR W
092270010020009	NORTHERN MANAGEMENT , INC	PO BOX 7792	ST CLOUD MN 56302			1203 CAMPUS DR W
092270010030009	MINNERATH RESIDENTIAL PROPERTIES LP	6325 COUNTY RD 87 SW	ALEXANDRIA, MN 56308			CAMPUS DR W
092270010040009	MINNERATH RESIDENTIAL PROPERTIES LP	6325 COUNTY RD 87 SW	ALEXANDRIA, MN 56308			CAMPUS DR W



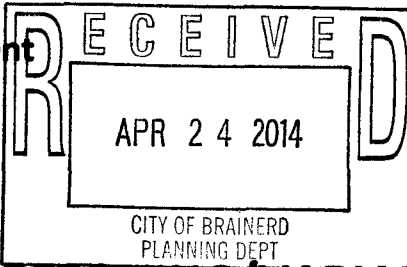
0 370 740 Feet

0 0.075 0.15 Miles



**City Planning Department**

City Hall – 501 Laurel Street
 Brainerd, MN 56401
 218-828-2309/Fax 218-828-2316
 www.ci.brainerd.mn.us



Receipt # 8851
 Check # CASH
 Date Paid: 4-24-14

CONDITIONAL USE/REZONING/VARIANCE APPLICATION**NATURE OF REQUEST (please check)**

CONDITIONAL USE PERMIT _____ (\$190.00) REZONING _____ (\$250.00) VARIANCE ✓ (\$220.00)

PROPERTY ADDRESS: 1203 CAMPUS DRIVE WEST. (The Pinks Apts)

LEGAL DESCRIPTION: Lot(s): 2 Block: 1 Addition: _____
092276010020009

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: _____
 (attach description if lengthy)

Property Owner Name: MINNEAPOLIS RESIDENTIAL PROPERTIES

Street Address: 6325 CTR ROAD 87 SW City: ALEX State: MN Zip Code: 56308

Phone Number: _____ Fax: _____ E-mail: _____

Applicant Name: (If different than Property Owner) DAVID MACGILSEN AGENT

Street Address: 1725 WEST ST. GERMAIN City: ST. CLOUD State: MN Zip Code: 56301

Phone Number: 320-267-4881 Fax: 320-255-9282 E-mail: DMACGILSEN@AOL.COM

Description of Request: BUILD A CARPARK 24x60 ON NORTH SIDE
OF PROPERTY. 44' FROM CURB (COURT DR) AND
TO AVOID CLOSER TO COURSE DRIVE TOTAL APT
BUILDING.

Property Owner Signature

Date

(Please print name)

Applicant Signature

Date

(Please print name)

(OVER)

AGENCY REVIEW CHECKLIST

Your request may require review by one or more of the agencies listed below. The City of Brainerd will determine which agencies will need to review your application and provide that agency with the notice of public hearing regarding your application:

BRAINERD FIRE DEPARTMENT

Attn: Kevin Stunek, Fire Chief; 23 Laurel St; Brainerd, MN 56401; 218-828-2312

BRAINERD POLICE DEPARTMENT

Attn: Corky McQuiston, 225 East River Road; Brainerd, MN 56401; 218-829-2805

BRAINERD PUBLIC UTILITIES

Attn: Scott Magnuson, Supt.; P.O. Box 373; Brainerd, MN 56401; 218-829-8726

BWSR (MN Board of Water and Soil Resources)

Attn: John Overland; 1601 Minnesota Dr; Brainerd, MN 56401; 218-828-2383

CROW WING COUNTY HIGHWAY DEPARTMENT

Attn: Tim Bray, County Engineer; 16589 County Rd 142; Brainerd, MN 56401; 218-824-1110/FAX 218-824-1111
tim.bray@crowwing.us

CROW WING COUNTY SOIL AND WATER CONSERVATION DISTRICT

Attn: Melissa Barrick; 322 Laurel St-Ste. 13; Brainerd, MN 56401; 218-828-6197/FAX 828-6095
melissa.barrick@crowwingswcd.us

CROW WING COUNTY SURVEYOR'S OFFICE

Attn: David Landecker; 322 Laurel St Ste 14.; Brainerd, MN 56401; 218-824-1124/FAX 824-1126

HRA

Attn: Jennifer Bergman; 324 E. River Rd.; Brainerd, MN 56401; 218-828-3705/FAX 828-8817

MISSISSIPPI HEADWATERS BOARD

322 Laurel Street Ste 5; Brainerd, MN 56401; 218-824-1307/FAX 824-1104
Cass.mhb@co.cass.mn.us

MINNESOTA DEPARTMENT OF TRANSPORTATION

Attn: Mary Safgren; 7694 Industrial Park Rd.; Baxter, MN 56425; 218-828-5700

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

Attn: Lonnie Thomas/Wade Miller; 1601 Minnesota Dr.; Brainerd, MN 56401; 218-828-2605/FAX 828-6043

MINNESOTA POLLUTION CONTROL AGENCY

Attn: Reed Larson; 7678 College Rd-Ste. 105; Baxter, MN 56425; 218-828-2492/FAX 828-2594
Reed.Larson@state.mn.us

U.S. ARMY CORPS OF ENGINEERS

Attn: Jeff Koshak; 8896 E. Gull Lake Dr.; Brainerd, MN 56401; 218-829-8402

MEMO

TO: Planning Commission

FROM: Mark Ostgarden, City Planner 

DATE: May 7, 2014

RE: Final Plat of East Ridge

The Final Plat of East Ridge has been submitted and compared to the Preliminary Plat and its approval conditions. Following are the list of preliminary plat conditions:

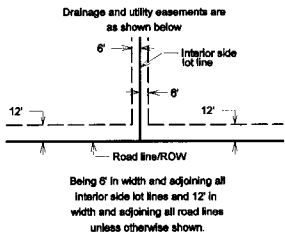
1. Compliance with the Zoning Ordinance Building Design Standards and General Landscaping requirements prior to occupant of a unit
2. Utility easements are 12' wide
3. Developer shall maintain the trail within the subdivision.

The Final Plat has been revised to comply with condition 2. Condition 1 will be met through the building permit process. Condition 3 will be the developer's responsibility.

Typically a development agent is required for a final plat. However, because all the infrastructure has been installed and the only condition for the future affects the trail, an agreement should not be needed.

A copy of the Final Plat is provided. Approval of the Final Plat is warranted.

NE1/4 - SW1/4



EASEMENT DATA	
BEARING	DISTANCE
E1 N49°44'01"E	20.00
E2 N41°15'53"W	20.00
E3 N71°15'53"W	20.00
E4 S70°14'23"W	18.83

KNOW ALL PERSONS BY THESE PRESENTS: That James A. Etterman II and Stephanie M. Etterman, husband and wife, owners of the following described property situated in Crow Wing County, Minnesota, to wit:

Outlot C, NORTHTOWN WEST, Crow Wing County, Minnesota

And

Outlot D, NORTHTOWN WEST, Crow Wing County, Minnesota EXCEPT that part platted as CIC#1123 NORTHTOWN WEST TOWNHOMES.

Have caused the same to be surveyed and platted as EAST RIDGE and do hereby dedicate to the public for public use the drainage and utility easements only as created by this plat.

In witness whereof said James A. Etterman II and Stephanie M. Etterman, husband and wife, have hereunto set their hands this ____ day of _____, 20____.

James A. Etterman II

Stephanie M. Etterman

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me on this ____ day of _____, 20____ by James A. Etterman II and Stephanie M. Etterman, husband and wife.

(Signature) _____

(Name Printed) _____

Notary Public, _____ County, Minnesota

My Commission Expires: _____

I James Kramer do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ____ day of _____, 2014

James Kramer, Land Surveyor
Minnesota License Number 23668

STATE OF MINNESOTA
COUNTY OF MORRISON

The foregoing Surveyor's Certificate was acknowledged before me this ____ day of _____, 2014, by James Kramer, Minnesota License Number 23668.

(Signature) _____

Michael A. Seelen
Notary Public, Morrison County, Minnesota
My Commission Expires: January 31, 2016

Pursuant to Minnesota Statutes, Section 505.021, Subd 9, taxes payable in the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this ____ day of _____, 20____.

Laureen E. Borden,
Crow Wing County Auditor-Treasurer

This plat of EAST RIDGE was approved by the Planning Commission of the City of Brainerd, Minnesota on this ____ day of _____, 20____.

ATTEST: _____
Chairman Secretary

This plat of EAST RIDGE was approved by the City Council of the City of Brainerd, Minnesota on this ____ day of _____, 20____.

ATTEST: _____
Mayor City Administrator

EAST RIDGE
Part of NORTHTOWN WEST,
Section 33, Township 134 North, Range 28 West,
Crow Wing County, Minnesota



MEMO

TO: Planning Commission

FROM: Mark Ostgarden, City Planner 

DATE: April 30, 2014

RE: Request to Reconsider Property Zoning

Greg Jedlenski, owner of several properties in the community, has requested the Planning Commission to reconsider the zoning of those properties. Attached is an e-mail from Mr. Jedlenski explaining why he thinks the zoning should be reconsidered. The lots were rezoned as part of the community wide Zoning Map review completed in 2011.

Two lots are on North 8th Street, one lot is a 3 unit building and one lot is vacant lot, and were rezoned from R-3 to R-1. Once parcel is located on Quince Street between 12th Street and 13th Street. The dwelling is a duplex and was rezoned from R-3 to R-2.

Attached are the land use maps of the area within which the lots are located. The existing land use maps depict why the Planning Commission at that time thought it appropriate to rezone the areas.

It is the Planning Department position that based on our land use data and the process used by the Planning Commission in 2011, there is no reason to consider rezoning the property on North 8th Street or Quince Street.

Patrick Wussow

From: Jedlenski, Gregory A SFC USARMY (US) <gregory.a.jedlenski.mil@mail.mil>
Sent: Tuesday, April 15, 2014 11:48 AM
To: Patrick Wussow
Cc: Jedlenski, Brandon A SGT USARMY NG MNARNG (US)
Subject: City Members (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: FOUO

To whom it may concern:

I Greg Jedlenski have had five income properties in the town of Brainerd for over 25yrs. I purchased these properties for the purpose of rental income and one empty lot to build a 4-plex in the future. They were purchased in compliance with the zoning regulations (R3). I now have just learned on 11 Apr 2014, that the city planning board implemented a new zoning regulation. This effected three of my properties. I was never notified by letter of these changes. I would think because of such a major change to these properties and ones livelihood, I would have been notified in a better way than an article in the Brainerd Dispatch. Now I am not in compliance by this new zoning rule. I also understand that the city can make decisions with unintended consequences. This is why I am asking the city to reinstate the original zoning back to (R3) and (R2). This would put me back in compliance, so the properties can be used as originally planned.

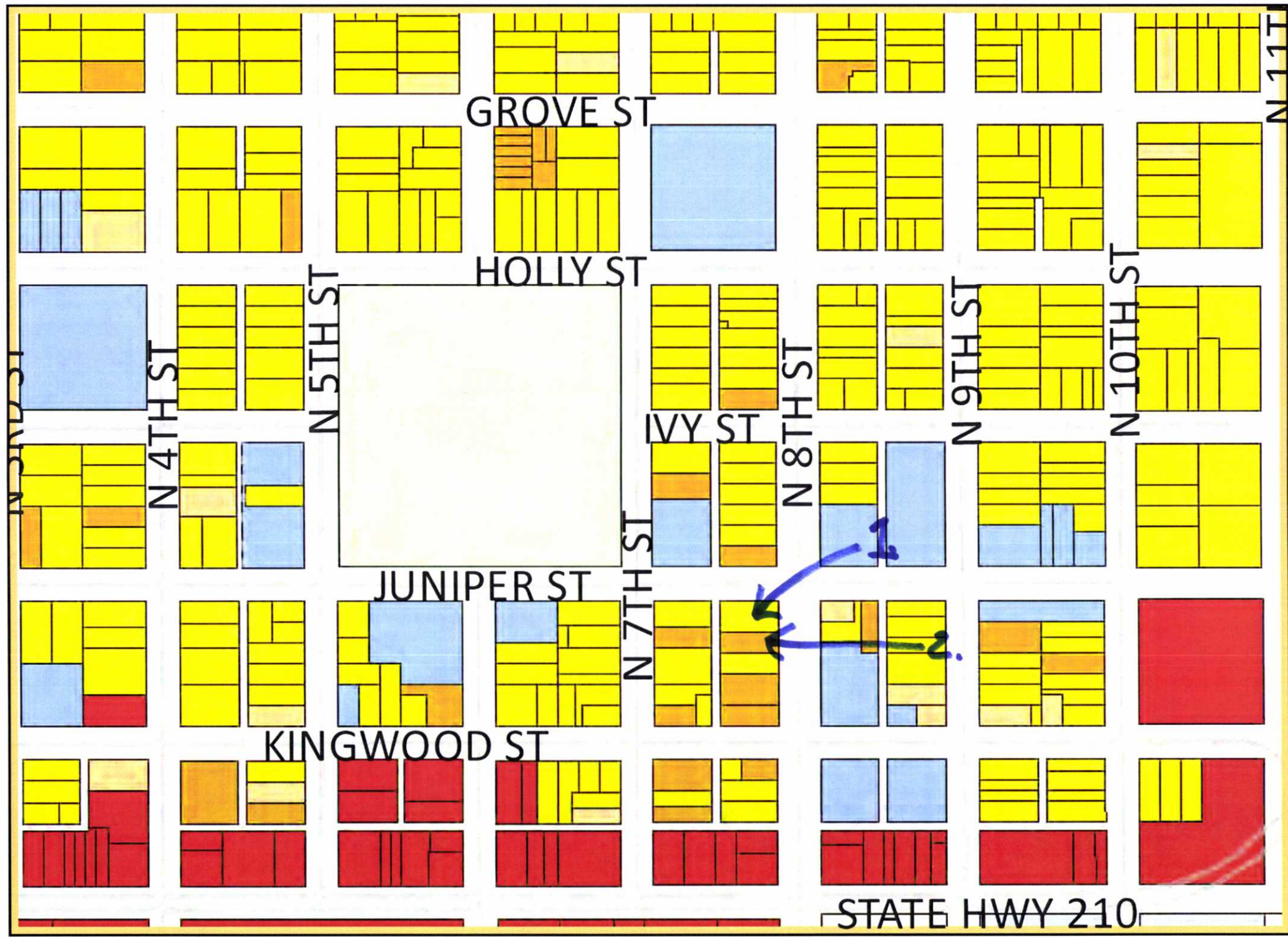
The three properties that were affected are as follows:

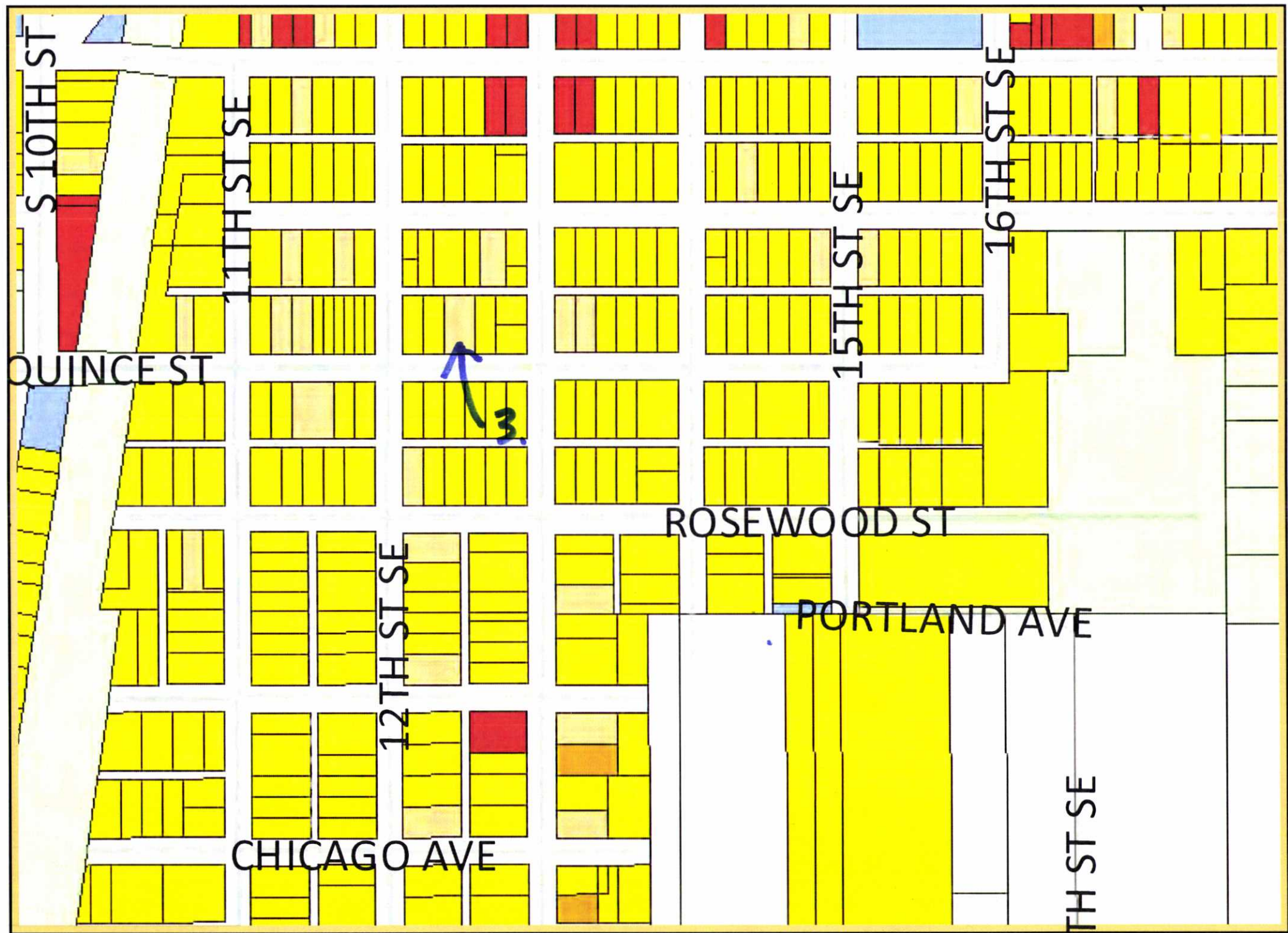
	PARCIL ID	Address	Originally Zoned
1.	09196076010Z009	empty Lot 8th ST N	R3
2.	09196076008Z009	317 N 8th ST N.	R3
3.	09174010006Z009	1209 Quince ST S.E.	R2

Any Questions please contact me at 218-839-3050.

Classification: UNCLASSIFIED

Caveats: FOUO





MEMO

TO: Planning Commission

FROM: Mark Ostgarden, City Planner *MO*

DATE: May 7, 2014

RE: Zoning Ordinance Text Amendment Request I-1 (Light Industry) District

Attached is a request from Ron Imgrund who owns property in the Industrial Park that is zoned I-1 (Light Industry) District. Mr. Imgrund is requesting to add a use category called Personal Services.

Attached is a copy of the North American Industrial Classification System (NAICS) category of Fitness and Recreational Centers. It appears this category of uses would most meet Mr. Imgrund's request.

Following is the Intent and purpose section of the I-1 District:

To provide for the establishment of warehousing and light industrial development, particularly in the form of industrial parks. The overall character of the I-1 District is intended to have low impact character. Industrial uses allowed in this district shall be limited to those which can compatibly exist adjacent to both lower intensity business uses and high intensity manufacturing uses but which require isolation from residential uses. This district may also incorporate general office and commercial uses.

Introducing some of the uses listed in this category would be complementary to the type of environment described by the District Purpose and Intent. The range of uses would be defined by the Planning Commission should it choose to consider an amendment.

Should the Planning Commission think an amendment is appropriate and it can define the uses, a public hearing could be scheduled for the June 11, 2014 meeting.

Mark Ostgarden

From: prestige@brainerd.net
Sent: Wednesday, May 07, 2014 3:19 PM
To: Mark Ostgarden
Subject: May 14 Agenda

Mark:

I would like to request to be on the agenda for the May 14th Planning & Zoning meeting. It is concerning property at 1924 South 10th Street zoned I-1. I will be requesting that Personal Services (NAICS title which Personal Trainer is under) be added to 515-70-2, Permitted Uses, for I-1. If you have any questions or suggestion please don't hesitate to get ahold of me by email or phone. Thanks.

Ron Imgrund
prestige@brainerd.net
cell 218-838-4164



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NAICS Code Description

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713940 Fitness and Recreational Sports Centers

This industry comprises establishments primarily engaged in operating fitness and recreational sports facilities featuring exercise and other active physical fitness conditioning or recreational sports activities, such as swimming, skating, or racquet sports.

Illustrative Examples:

Aerobic dance or exercise centers
Ice or roller skating rinks
Gymnasiums
Physical fitness centers
Handball, racquetball, or tennis club facilities
Swimming or wave pools

Cross-References.

- Establishments primarily engaged in providing nonmedical services to assist clients in attaining or maintaining a desired weight are classified in U.S. Industry 812191 (?code=812191), Diet and Weight Reducing Centers;
- Establishments primarily engaged in operating health resorts and spas where recreational facilities are combined with accommodations are classified in Industry 721110 (?code=721110), Hotels (except Casino Hotels) and Motels; and
- Recreational sports clubs (i.e., sports teams) not operating sports facilities are classified in Industry 713990 (?code=713990), All Other Amusement and Recreation Industries.

2002 NAICS	2007 NAICS	2012 NAICS	Corresponding Index Entries
713940	713940	713940	Aerobic dance and exercise centers
713940	713940	713940	Athletic club facilities, physical fitness
713940	713940	713940	Body building studios, physical fitness
713940	713940	713940	Dance centers, aerobic
713940	713940	713940	Exercise centers
713940	713940	713940	Fitness centers
713940	713940	713940	Fitness salons
713940	713940	713940	Fitness spas without accommodations
713940	713940	713940	Gymnasiums
713940	713940	713940	Handball club facilities
713940	713940	713940	Health club facilities, physical fitness
713940	713940	713940	Health spas without accommodations, physical fitness
713940	713940	713940	Health studios, physical fitness
713940	713940	713940	Ice skating rinks
713940	713940	713940	Physical fitness centers
713940	713940	713940	Physical fitness facilities
713940	713940	713940	Physical fitness studios

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Crosswalks

NAICS to SIC Crosswalk

(<http://www.naics.com/wp/wp-content/uploads/2013/12/NAICS-to-SIC-Crosswalk.pdf>)

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Free Resources

SBA Size Standards

(http://www.naics.com/wp/wp-content/uploads/2014/01/NAICS-Size-Standards_Table-2013.pdf)

Whitepaper Downloads

(<http://www.naics.com/whitepaper-downloads-naics-association>)

High Risk NAICS Codes

(<http://www.naics.com/wp/wp-content/uploads/2013/12/NAICS-ASSOCIATION-High-Risk-and-Cash-Intensive-NAICS-Codes-List.pdf>)

713940	713940	713940	Racquetball club facilities
713940	713940	713940	Recreational sports club facilities
713940	713940	713940	Rinks, ice or roller skating
713940	713940	713940	Roller skating rinks
713940	713940	713940	Spas without accommodations, fitness
713940	713940	713940	Sports club facilities, physical fitness
713940	713940	713940	Squash club facilities
713940	713940	713940	Strength development centers
713940	713940	713940	Swimming pools
713940	713940	713940	Tennis club facilities
713940	713940	713940	Tennis courts
713940	713940	713940	Wave pools
713940	713940	713940	Weight training centers

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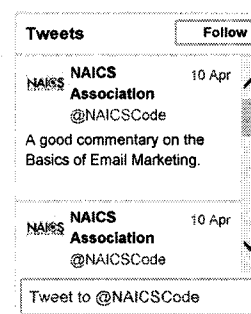
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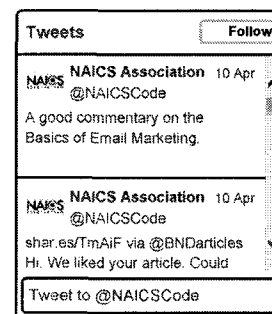


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MEMO

TO: Planning Commission

FROM: Mark Ostgarden, City Planner



DATE: May 8, 2014

RE: Zoning Ordinance Interpretation Request

The Planning Department has been contacted by an individual interested in opening a small engine retail sales and repair store in a B-2 (Neighborhood Business) District. I explained the use would need to be evaluated by the Planning Commission to determine if it meets the purpose and intent of a B-2 District.

Following is the District Purpose and Intent

The purpose of the B-2 District is to provide for the establishment of integrated neighborhood centers for convenient, limited office and retail businesses that serve nearby residential neighborhoods.

The uses permitted in the District are:

A. *Commercial establishments offering merchandise or services to the general public in return for compensation. Commercial buildings shall be limited to five thousand (5,000) square feet of floor area or less and include the following uses:*

1. *Retail establishments such as groceries, hardware, pharmacy, clothing and furniture stores, liquor stores (off-sale only), florists, pharmacies, books, cards and gifts.*
2. *Personal services such as barber/beauty shop nail salon, tanning salon, therapeutic massage and spas.*
3. *Office Businesses-Clinic. Out-patient health services limited to general medical clinics, mental health providers, physical therapy, chiropractors, dentists, orthodontia, oral surgeons, and opticians.*

4. *Repair services such as jewelry and radio and television/appliance repair shops, household items, electronics, shoe repair, upholstery and locksmith.*
5. *Office Businesses-General. Professional administrative or clerical service operations limited to attorneys, financial advisors, insurance, travel and real estate.*
6. *On-site service businesses such as tailoring/alterations, banks, dry cleaners, self-service laundry and copy centers.*
7. *Decorating and photography studios.*

B. Government and public buildings, utilities, and/or structures.

C. Essential services as regulated by Section 36 of this Ordinance.

The use is not listed as a Conditional Use in the District.

I did not find that the proposed engine sale and repair met either #1 or #4.

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is given that the City of Brainerd Planning Commission has initiated a public hearing to consider a text amendment of the Brainerd Zoning Ordinance Sections 515-2 Rules and Definitions, 515-62 (Central Business) District, 515-63 (General Business) District, and 515-64 (Commercial Amusement) District to consider amending/adding the following:

515-2-2: Definitions

Hotel including Extended Stay Hotels - *"An establishment offering lodging accommodations including provisions for meals to the general public on a daily or weekly basis, leasable events space, meeting or conference facilities and exhibition halls or other uses of similar character. May also be referred to as motel and extended stay motel. A hotel becomes an extended stay hotel when a guest stays longer than 30 days."*

~~Motel—A building or group of detached, semi-detached, or attached building containing guest room or dwellings, with garage or parking space conveniently located to each unit, and which is designed, used or intended to be used exclusively for the accommodation of automobile travelers and other temporary guests.~~

515-62-2: Permitted Uses.

- C. Hospitality businesses limited to hotels, motels, conference/convention/reception facilities. Extended stay hotels and motels provided that:
- Stays are limited to 90 consecutive days.
 - All guest rooms which have facilities for both storage and food preparation less than 300 square feet of floor area are limited to a maximum of two (2) persons per room; however, for all such guest rooms greater than 300 square feet, one additional person shall be allowed per each 75 square feet of floor area up to a maximum of four (4) persons.
 - Kitchen facilities including a stove and oven are provided.
 - Each hotel and motel shall maintain daily written records reflecting the renting, letting, or other provisions of any of its rooms including check in and check out dates of each person over 18 years of age that rents, lets or is otherwise provided a room or occupies a room on an overnight basis.

515-63-2: Permitted Uses.

- C. Hospitality businesses limited to hotels, motels, conference/convention/reception facilities. Extended stay hotels and motels provided that:
- Stays are limited to 90 consecutive days.
 - All guest rooms which have facilities for both storage and food preparation less than 300 square feet of floor area are limited to a maximum of two (2) persons per room; however, for all such guest rooms greater than 300 square feet, one additional person shall be allowed per each 75 square feet of floor area up to a maximum of four (4) persons.
 - Kitchen facilities including a stove and oven are provided.
 - Each hotel and motel shall maintain daily written records reflecting the renting, letting, or other provisions of any of its rooms including check in and check out dates of each person over 18 years of age that rents, lets or is otherwise provided a room or occupies a room on an overnight basis.

515-64-2: Permitted Uses.

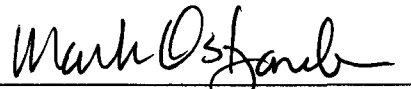
F. Hospitality businesses limited to hotels, motels, conference/convention/reception facilities. Extended stay hotels and motels provided that:

- a. Stays are limited to 90 consecutive days.
- b. All guest rooms which have facilities for both storage and food preparation less than 300 square feet of floor area are limited to a maximum of two (2) persons per room; however, for all such guest rooms greater than 300 square feet, one additional person shall be allowed per each 75 square feet of floor area up to a maximum of four (4) persons.
- c. Kitchen facilities including a stove and oven are provided.
- d. Each hotel and motel shall maintain daily written records reflecting the renting, letting, or other provisions of any of its rooms including check in and check out dates of each person over 18 years of age that rents, lets or is otherwise provided a room or occupies a room on an overnight basis.

Notice is further given that the Planning Commission of the City of Brainerd will meet in the Brainerd City Hall Council Chambers, 501 Laurel Street, at 6:00 p.m., Wednesday, May 14, 2014 to consider the Text Amendment. A copy of the Text Amendment is on file at the City Planning Department, 501 Laurel Street.

Any individual needing special accommodations please call (218) 828-2309.

Dated this 28th day of April, 2014



Mark Ostgarden AICP
City Planner

Publication date: May 2, 2014