

BRAINERD PLANNING COMMISSION

Wednesday, July 20, 2016
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 June 15, 2016 and the special meeting held on June 29, 2016
4. NEW BUSINESS
 - a) Public Hearing – City of Brainerd - for the Rezoning of property located south of Quince Street on S. 6th Street and S. 7th Street to just south of Willow Street from a B-4 (General Commercial) District to a B-2 Neighborhood Business) District and R-2 One and Two Family Residential) District
 - b) Public Hearing - KRRC LLP 521 Charles Street, Ste. 210, Brainerd, MN 56401- for the Rezoning of the property at 310 W Laurel Street, Brainerd, MN 56401 from a B-2 (Neighborhood Business) District to a B-4 (General Commercial) District
 - c) Public Hearing - Zoning Ordinance Text Amendment – Amend Zoning Ordinance Section 22 – Off Street Parking – to Remove Minimum Off Street Parking
 - d) Vacation Residence By Owner (VRBO) Discussion
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's Report
9. Adjourn

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

PLANNING COMMISSION
Wednesday, June 15, 2016

City Planner Ostgarden 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 Antolak, Straw, Plantenberg, Parks and Turner. Also present were City Planner Ostgarden, Planning Intern Hermerding and 4 others.

#2 Approval/Amendment of Agenda

MOTIONED AND SECONDED BY COMMISSIONERS STRAW AND TURNER, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

#3 Approve Minutes of the Regular Meeting held on May 18, 2016

MOTIONED AND SECONDED BY COMMISSIONERS STRAW AND TURNER, DULY CARRIED, TO APPROVE THE MINUTES FROM THE REGULAR MEETING HELD ON MAY 18, 2016.

#4 New Business

- a. Public Hearing – Request from David Hill for Variance at 1020 Ivy Street to construct a 560 sq. ft. dwelling on a conforming lot on which the minimum allowed dwelling size is 750 sq ft.**

City Planner Ostgarden reported that Mr. Hill purchased the property at 1020 Ivy Street and has demolished the condemned dwelling which was located on the property. He stated that Mr. Hill plans to move onto the lot a 560 sf. ft. dwelling; however, the City's Zoning Ordinance states that the minimum dwelling size on a conforming lot such as this is 750 sq. ft.

The Public Hearing was opened at 6:07pm.

The Chair recognized the petitioner, Mr. David Hill, who stated that he will be using the small house and garage as a rental unit. He answered questions of the Commission and assured them that the garage is in good shape.

The Public Hearing was closed at 6:08pm.

The following findings-of-fact were read into the record as follows:

1. The property is zoned R-1.
2. Property is 150 x 150' (22,500 sq. ft.) which is a conforming R-1 single family lot.
3. The minimum dwelling size permitted on a conforming lot is 750 sq. ft. and the owner is proposing a 560 sq. ft. dwelling.
4. The neighborhood is predominately single family houses.
5. The lot is located on a dead end street with little likelihood off the road being extended.
6. The property is located in a somewhat secluded area of the city.
7. The dwelling will be located on a lot where a house was condemned and demolished.
8. The dwelling will be similar in appearance and size to others in the neighborhood.
9. Using the property in this manner will be in harmony with the following Zoning Ordinance purposes:
 - a. *Protect neighborhoods.*

- b. *Promote orderly development and redevelopment of land for residential, commercial, industrial, recreational, and public areas.*
- c. *Provide adequate light, air, and convenience of access to property.*
- d. *Prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards, and density of population.*

10. The variance is consistent with the following Comprehensive Plan Land Use Goals and Strategies:

LAND USE GOAL #3: Plan for the orderly, efficient and fiscally responsible growth of residential development in Brainerd.

Strategies

- 1. *Continue to guide residential growth in an orderly and compact manner so that new developments can be effectively served by public improvements and that the character and quality of the city's existing neighborhoods can be maintained and enhanced.*
- 2. *Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost effective provision of city services.*
- 3. *Encourage housing rehabilitation and redevelopment in appropriate areas.*

LAND USE GOAL #5: Support development that enhances community character and identity.

Strategy

- 1. *Support the redevelopment of vacant and abandoned sites within the urban core.*

11. Petitioner spoke in favor, two emails were received in favor and no oppositions were received.

12. East half of property has a substantial slope.

MOTIONED AND SECONDED BY COMMISSIONERS PARKS AND STRAW, DULY CARRIED, TO RECOMMEND APPROVAL OF THE VARIANCE APPLIED FOR BY MR. DAVID HILL, 1020 IVY STREET, BRAINERD, FOR CONSTRUCTION OF A 560 SQ. FT. DWELLING ON A CONFORMING LOT ON WHICH THE MINIMUM ALLOWED DWELLING SIZE IS 750 SQ. FT.

b. Public Hearing – Request from John and Jennifer Berg for Variances at 15340 Russel Road to construct a metal panel sided accessory building with a ribbed metal roof

City Planner Ostgarden reported that the Bergs are purchasing the property at 15340 Russell Road at the north end of the street on Gilbert Lake. The Bergs plan to demolish the existing house that has been vacant according to utility records since February 2016 and construct a new one in that location. They also plan to purchase the parcel to the south and construct a new accessory building on that parcel. The 2 parcels total approximately 1.6 acres.

The accessory building is planned to be 1,200 sq. with sheet metal siding and roof design. A site plan depicting the building location and a typical building elevation with the metal material shown is attached.

The Public Hearing was opened at 6:24pm.

The Chair recognized petitioner John Berg, who provided the Commission with more specific plans and answered questions relating to design of the accessory building to be constructed.

The Public Hearing was closed at 6:31pm.

The following findings-of-fact were read into the record as follows:

1. The property is zoned R-1A (Single Family Residential) District.
2. The parcel size is 1.6 acres.
3. The buildings will be 1,200 sq. ft. with metal sides and roof. The appearance does not comply with Zoning Ordinance requirements for accessory buildings.
4. The area is wooded with large lot development.
5. There are 7 other residential properties in the 17 acre area northerly of Riverside Drive and Gilbert Lake.
6. Using the property in this manner will be in harmony with the following Zoning Ordinance purposes:
 - a. *Provide adequate light, air, and convenience of access to property.*
 - b. *Prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards, and density of population.*
 - c. *Protect and preserve the natural environment of the City.*
 - d. *Encourage the protection of historic and aesthetic resources in the City.*
 - e. *Provide for compatibility of different land uses.*
7. The variance is consistent with the following Comprehensive Plan Land use goals and Strategies:

LAND USE GOAL #3: *Plan for the orderly, efficient and fiscally Responsible growth of residential development in Brainerd:*

Strategies

 1. Continue to guide residential growth in an orderly and compact manner so that new developments can be effectively served by public improvements, and the character and quality of the city's existing neighborhoods can be maintained and enhanced.
 2. Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost effective provision of city services.

LAND USE GOAL #5: *Support development that enhances community character and identity.*

Strategy

Support the redevelopment of vacant and abandoned sites...
8. Petitioner spoke in favor and no opposition was received.

The following condition was added:

1. Required placement of two windows on passage door side.

MOTIONED AND SECONDED BY COMMISSIONERS PARKS AND ANTOLAK, DULY CARRIED, TO RECOMMEND APPROVAL OF THE VARIANCE FOR METAL SIDING ON AN ACCESSORY BUILDING AT 15340 RUSSELL ROAD AS APPLIED FOR BY JOHN AND JENNIFER BERG.

MOTIONED AND SECONDED BY COMMISSIONERS PARKS AND TURNER, DULY CARRIED, TO RECOMMEND APPROVAL OF THE VARIANCE FOR A RIBBED METAL ROOF ON AN ACCESSORY BUILDING AT 15340 RUSSELL ROAD AS APPLIED FOR BY JOHN AND JENNIFER BERG.

- c. **Public Hearing – Request from Benjamin Larson to Rezone 814 Front Street from a B-3 (Central Business) District to a B-4 (General Commercial) District**

City Planner Ostgarden reported that Ben Larson owns the property and operated the Sound Connection business at this location until May 2014 when he relocated the business out of the community. The building has been vacant since the relocation. He has received an inquiry to lease the building to individuals interested in using the property for automotive repair. Automotive repair is not a use listed in the B-3 District as one permitted by right or by Conditional Use Permit (CUP). I have advised Mr. Larson that should he B-4 zoning be approved, a CUP would be required to operate an automotive repair in the B-4 District.

The Public Hearing was opened at 6:46pm.

The Chair recognized Mr. John Larson, brother of petitioner Ben Larson. He stated that the company interested in leasing the property is a "towing and recovery" service which would be performing only basic repairs as far as he knows. He answered questions of the Commission.

The Public Hearing was closed at 6:48pm.

The following findings-of-fact were read into the record as follows:

1. The property is zoned B-3 (Central Business) District and the property is planned to be an automotive repair business a use not permitted in B-3 Districts.
2. Property is approximately 12,805 sq. ft. (.29 acres)
3. Land uses have not changed along this section of Front Street in many years.
4. Front Street has uses that could be considered light industrial in nature.
5. Automotive repair is a Conditional Use in a B-4 District.
6. Uses allowed in a B-4 District would not affect the capabilities of city streets or utilities in the area.
7. The Future Land Use Map identifies the property as future General Commercial Land Use. The site is adjacent to a small multifamily parcel identified as future Medium to High Density Residential Land Use and is zoned R-3.
8. *LAND USE GOAL #5: Support development that enhances community character and identity. Support the redevelopment of vacant and abandoned sites within the urban core.*
9. Petitioner's brother spoke in favor and no opposition was received.
10. Prior to 2011 the property was zoned B-4.

MOVED BY COMMISSIONER ANTOLAK TO APPROVE THE REQUEST SUBMITTED BY BEN LARSON TO REZONE 814 FRONT STREET FROM A B-3 (CENTRAL BUSINESS) TO A B-4 DISTRICT (GENERAL COMMERCIAL).

As there was no second, the motion was considered failed.

MOVED AND SECONDED BY COMMISSIONERS PARKS AND STRAW TO DENY THE REQUEST SUBMITTED BY BEN LARSON TO REZONE 814 FRONT STREET FROM A B-3 (CENTRAL BUSINESS) TO A B-4 DISTRICT (GENERAL COMMERCIAL).

Commissioners voiced concerns with "spot zoning" over concerns with the business prospect itself.

City Planner Ostgarden asked the Commissioners to consider if the area being discussed would be more fitting as a B-4 zone; he also stated that the item will go before the Council on June 20, 2016 for final vote.

Commissioners Straw, Plantenberg, Parks and Turner voted "aye." Commissioner Antolak voted "nay." The Chair declared the motion carried.

#5 PUBLIC FORUM

None

#6 OLD BUSINESS

a. Off Street Parking Changes

City Planner Ostgarden reviewed the information regarding concerns with off street parking as included in the Packet, including options given for the Planning Commission to reach a conclusion on the change in hopes of moving toward a public hearing in July or August.

Commission determined that removing restrictions for B4 and B6 would be their recommendation for a Public Hearing at their July 20, 2016 Planning Commission meeting.

b. S. 6th Street Zoning

City Planner Ostgarden reviewed the information regarding concerns with S. 6th ST Parking as included in the Packet, including options given for the Planning Commission to reach a final recommendation for a public hearing in July or August.

Commission determined that "Option 2" would be their recommendation for a Public Hearing at their July 20, 2016 Planning Commission meeting.

#7 Commissioners' Questions/Comments

None.

#8 City Planner's Report

City Planner Ostgarden discussed the community survey which is being sent to Brainerd residents in the hopes of getting up to 300 participants to participate in confidential surveys which will be compiled by city staff and the survey company Qualtrix which City Council approved up to \$5,000 expense reimbursement for.

#9 Adjourn

As there was no further business, the meeting was adjourned at 7:27pm.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

PLANNING COMMISSION
Special Meeting – Wednesday, June 29, 2016
City Hall Council Chambers

City Planner Ostgarden called the meeting of the Brainerd Planning Commission to order at 4:00 p.m. in the City Hall Council Chambers.

Noted present were Commissioners Pritschet, Turner, Parks, Plantenberg, Straw, Headly and Antolak. Also present were City Planner Ostgarden, Planning Intern Hermerding, City Administrator Thoreen and 3 others.

#2 Public Hearing – Request from Erich Jenkins for a variance to construct an accessory building at 1407 S. 6th Street with a commercial steel roof to match the roof of the dwelling on the property that is not standing seam in design

City Planner Ostgarden reported that the zoning ordinance requires standing seam design appearance. He stated that the house has about a 2/12 pitch when a 4/12 is a standard slope. This creates a flatter-appearing roof which he wants to match on the garage he plans to construct. He stated that warranties for asphalt shingles for the 2/12 slope are difficult to find and that the metal roof of the house is more a ribbed style rather than standing seam; therefore, the variance is necessary to move forward with the construction project.

The Public Hearing was opened at 4:06pm.

City Planner Ostgarden reported that an email had been received from Steve Emerson, 1400 S. 7th Street requesting that a 6ft privacy fence be installed if the building to be constructed is a commercial building.

The Chair recognized the petitioner, Mr. Erich Jenkins, 1407 S 6th Street, who stated that the purpose of the building is to do woodworking projects, etc., in. He discussed the age of the home and the struggle to find warrantied shingles that would work with the pitch of his home. He answered questions of the Commission.

The Public Hearing was closed at 4:10pm.

The following findings-of-fact were read into the record as follows:

1. The property is zoned R-1.
2. Property is 58' 155' = 8,900 sq. ft. which is a conforming R-1 single family lot.
3. The neighborhood is predominately single family houses.
4. The accessory building is 36' x 24' (864 sq. ft.) and will have 2/12 slope that matches the house.
5. The accessory building meets all zoning setback and building size limit requirements.
6. The dwelling has a steel ribbed metal panel roof and the accessory building will have the same roof material and design.
7. Asphalt shingles cannot be warrantied on a 2/12 roof slope.
8. The accessory building placement will be such that it is not visible to the general public.
9. Using the property in this manner will be in harmony with the following Zoning Ordinance purposes:
 - a. *Protect neighborhoods.*
 - b. *Promote orderly development and redevelopment of land for residential, commercial, industrial, recreational, and public areas.*
 - c. *Provide adequate light, air, and convenience of access to property.*
 - d. *Prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards, and density of population.*
10. The variance is consistent with the following Comprehensive Plan Land Use Goals and Strategies:

LAND USE GOAL #3: Plan for the orderly, efficient and fiscally responsible growth of residential development in Brainerd.

Strategy

Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost effective provision of city services.

LAND USE GOAL #5: Support development that enhances community character and identity.

Strategy

Support the redevelopment of vacant and abandoned sites within the urban core.

11. Petitioner spoke in favor of the project.
12. One email requesting a 6ft privacy fence in the event that the building is a commercial building was received.

MOTIONED AND SECONDED BY COMMISSIONERS PRITSCHET AND PARKS, DULY CARRIED, TO RECOMMEND APPROVAL OF THE VARIANCE TO CONSTRUCT AN ACCESSORY BUILDING AT 1407 S. 6TH STREET WITH A COMMERCIAL STEEL ROOF TO MATCH THE ROOF OF THE DWELLING ON THE PROPERTY THAT IS NOT STANDING SEAM IN DESIGN AS APPLIED FOR BY MR. ERICH JENKINS.

****At this time, City Engineer Hulsether appeared before the Commission to introduce two individuals from the Initiative Foundation who were doing a segment on public employment/public agencies who filmed the last portion of the meeting for their project.***

#3 Public Hearing – Request from Land and Lease Development LLC, on behalf of Josh Imgrund, for 2 Conditional Use Permits for its property at 303 W Washington Street; auto sales and vehicle repair

City Planner Ostgarden reported that the property is located in a B4 district which requires a Conditional Use Permit for both Auto Sales and Auto Repair, each with their own requirements. He stated that Imgrund Motors will be leasing the property; however, the CUP, if approved, will be granted to the owner of the property, Land and Lease Development, LLC and will stay with that company unless vacant for the period of one year at which time He reported that the area is non-residential in nature and that the building had been used as auto sales and repair in the past and has two bays for vehicle repair already in place, and that the cars from the former Imgrund Motors site have already been moved to the leased spot. He recommended 3 conditions relating to parking, visibility and dumpster use.

The Public Hearing was opened at 4:26pm.

The Chair recognized petitioner Josh Imgrund, 35 1st Avenue, Rice, MN, who stated that he agrees with the information as presented as well as the conditions discussed by City Planner Ostgarden. He stated that Imgrund Motors is expecting to be at the location for approximately one year while a new place is being built and that there will be three total employees total during the leased period. He requested being able to do the striping for parking prior to the possible opening on July 6th.

The Public Hearing was closed at 4:30pm.

The following findings-of-fact were read into the record as follows:

1. The property is zoned B-4 (General Commercial) District and auto sales and vehicle repair are uses allowed by Conditional Use Permit.
2. The parcel size is 140' x 100' (14, 000 sq. ft.).

3. The site has a history of auto related uses. The building on the site has 2 service stalls for auto repair.
4. The site is completely paved.
5. There area is commercially developed.
6. There will be no painting or body work on the premises.
7. Washington Street is the major east/west arterial through the City.
8. Building, Fire, BPU, have no issues with the uses.
9. The Engineering Department stated no vehicles should be in the right of way or blocking the 20' x 20' clear vision corner.
10. The Planning Department cited the need for off street parking that includes a handicapped stall and an enclosure if a dumpster is used.
11. Using the property in this manner will be in harmony with the following Zoning Ordinance purposes:
Provide for compatibility of different land uses.
12. The variance is consistent with the following Comprehensive Plan Land Use goals and Strategies:
LAND USE GOAL #5: *Support development that enhances community character and identity.*
Strategy
Support the redevelopment of vacant and abandoned sites...
13. Petitioner spoke in favor.
14. No one spoke against.
15. There will be three employees.

Conditions:

1. Provide at least 7 separately identified and marked parking spaces for visitors and employees and including a handicap parking spot.
2. Should a dumpster become necessary it must be screened.
3. Based on visibility concerns with the lot being on a corner, no vehicle shall be parked within the traffic visibility setback area at the corner of Washington St and NW 3rd St.

MOTIONED AND SECONDED BY COMMISSIONERS PRITSCHET AND PARKS, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT FOR AUTO SALES AT 303 W WASHINGTON STREET AS APPLIED FOR BY LAND AND LEASE DEVELOPMENT LLC ON BEHALF OF JOSH IMGRUND dba IMGRUND MOTORS.

MOTIONED AND SECONDED BY COMMISSIONERS PRITSCHET AND STRAW, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT FOR VEHICLE REPAIR AT 303 W WASHINGTON STREET AS APPLIED FOR BY LAND AND LEASE DEVELOPMENT LLC ON BEHALF OF JOSH IMGRUND dba IMGRUND MOTORS.

City Planner Ostgarden reported that in regards to Mr. Imgrund's request to put up advertisements and complete the required striping for parking, the petitioner can hire a contractor for the striping based on the lease; however, no advertng should be done before approval of the CUPs on Tuesday, July 5, 2016 by the City Council.

#3 Adjourn

As there was no further business, the meeting was adjourned at 4:38pm.

Respectfully submitted,

Mark Ostgarden AICP, city Planner

STAFF REPORT TO THE PLANNING COMMISSION

July 11, 2016

REZONING

APPLICANT/LOCATION:	City of Brainerd for property located south of Quince Street on S. 6 th Street and S. 7 th Street to just south of Willow Street
REQUESTED ACTION:	Rezone property from B-4 (General Commercial) District to B-2 (Neighborhood Business) District and R-2 (Medium Density Residential) District
ADJACENT USES:	North: Single Family Residential East: Single Family Residential South: Single Family Residential West: Single Family Residential
ADJACENT ZONING:	North: B-4 (General Commercial) District East: R-2 One and Two Family Residential) District South: R-1 (Single Family Residential) District West: R-1 (Single Family Residential) District

PETITION EVALUATION

1. **The proposed action's consistency with the specific policies and provisions of the official City Comprehensive Plan.**

LAND USE GOAL #3: *Plan for the orderly, efficient and fiscally responsible growth of residential development in Brainerd.*

Strategies

Continue to guide residential growth in an orderly and compact manner so that new developments can be effectively served by public improvements and that the character and quality of the city's existing neighborhoods can be maintained and enhanced.

Encourage development of low-density and high-density family housing units in those areas designated on the adopted Land Use Plan.

Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost effective provision of city services.

Support the redevelopment of vacant and abandoned sites within the urban core.

LAND USE GOAL #2: *Plan for the orderly, efficient and fiscally responsible growth of commercial and industrial development in Brainerd.*

Encourage the development of additional commercial and industrial areas within the city in accordance with the land use plan.

LAND USE GOAL #5: *Support development that enhances community character and identity.*

Strategies

Work to strengthen and maintain the appearance of the Business Highway 371, Highway 210/Washington Street, Oak Street (former Highway 18), Highway 25 and County Road 3 corridors through design standards, trails, lighting, sidewalks, signage and other tools.

2. The proposed use's compatibility with present and future land uses of the area.

The attached section of the Future Land Use Map identifies this area along the South 6th Street corridor as Low to Medium Density Residential Land Use. Typically that is considered one and two family units.

The Future Land Use Map has not been updated to include S. 6th Street as a Mixed Commercial and Residential land use area. The Comprehensive Plan reads as follows:

Mixed General Commercial and Residential

The purpose of this category is to identify portions of Brainerd that would benefit from a mix of General Commercial and Medium to High Density Residential. Areas that would benefit from this type of development would be along the Business Highway 371 corridor and the southern portion of the rail yards. New commercial development along the Business Highway 371 corridor and along the existing rail yard will encourage the inclusion of residential units. The city will need to amend its zoning ordinance to include a percentage of residential units for all new commercial development in these areas.

3. The proposed use's effect upon the area in which it is proposed.

Rezoning the area will permit it to be used for neighborhood business and residential uses. Residential use is the predominate lands along in this area.

4. Traffic generation of the proposed use in relation to capabilities of streets serving the property.

S. 6th Street capacity will not be affected by this change.

5. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.

There should be no negative impact upon existing public services and facilities including parks, schools, streets, and utilities, or its potential to overburden the City's service capacity.

PLANNING DEPARTMENT REVIEW

The S. 6th Street/B371 corridor from Quince Street to just south of Willow Street is an area of uncertain future land use. Will this be a desirable location for business use? Will residential use continue to dominate the land use pattern along this section of the corridor? Will residential investment (or disinvestment) occur? Should the community plan for an area where business and residential uses can coexist in a mixed use area?

Lot depths along this corridor section are generally 50' deep, which makes (re)development difficult. The area between S. 6th and S. 7th Street was zoned B-4 in 2011 as part of a community wide zoning review to promote additional business development and to permit

larger sites for (re)development and/or more efficient land use. The issue the B-4 zoning created is that residential uses included in the proposed rezoned area became nonconforming uses, uses that have rights to continue but have limits on the ability to expand.

In order to continue as a business corridor and recognizing the corridor will also be a residential corridor in the future, the Planning Commission is recommending the zoning change to permit both business and residential uses along a portion of the corridor.

There are 4 significant changes that would occur should the property be rezoned.

1. S. 6th Street is rezoned, changed from B-4 to B-2. We permit the residential and business uses and eliminate the non-nonconformity issues.
2. S. 7th Street is rezoned from B-4 to R-2, removing the residential nonconformity issues along S. 7th Street
3. Rezoning S. 7th Street to R-2 removing the potential for larger development sites between S. 6th Street and S. 7th Street.

The B-4 to B-2 rezoning will permit the businesses to remain either permitted uses or conditional uses. There is a 5,000 sq. ft. building size limit for B-2, meaning any new construction or current building with expansion will have that size limit. The building at the west end of Tamarac Street is about 5,400 sq. ft. meaning expansion of that building is not possible. The attached aerial map identifies the building sq. ft. for the businesses uses in the proposed rezoning area.

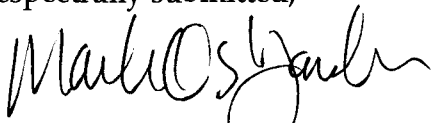
Attached is a Zoning Ordinance Use Matrix that lists uses allowed by right, as an accessory use or conditional use in B-4 and B-2 Districts. This helps clarify the uses that will (will not) be permitted in the proposed rezoning area. Following is a list of the attached maps and documents:

1. Option 2 rezoning
2. Zoning prior to 12/2/2011
3. Existing Land Use
4. Future Land Use
5. Commercial Building sq. ft. in the proposed rezoning
6. Zoning Ordinance B-2 and B-4 Use Matrix

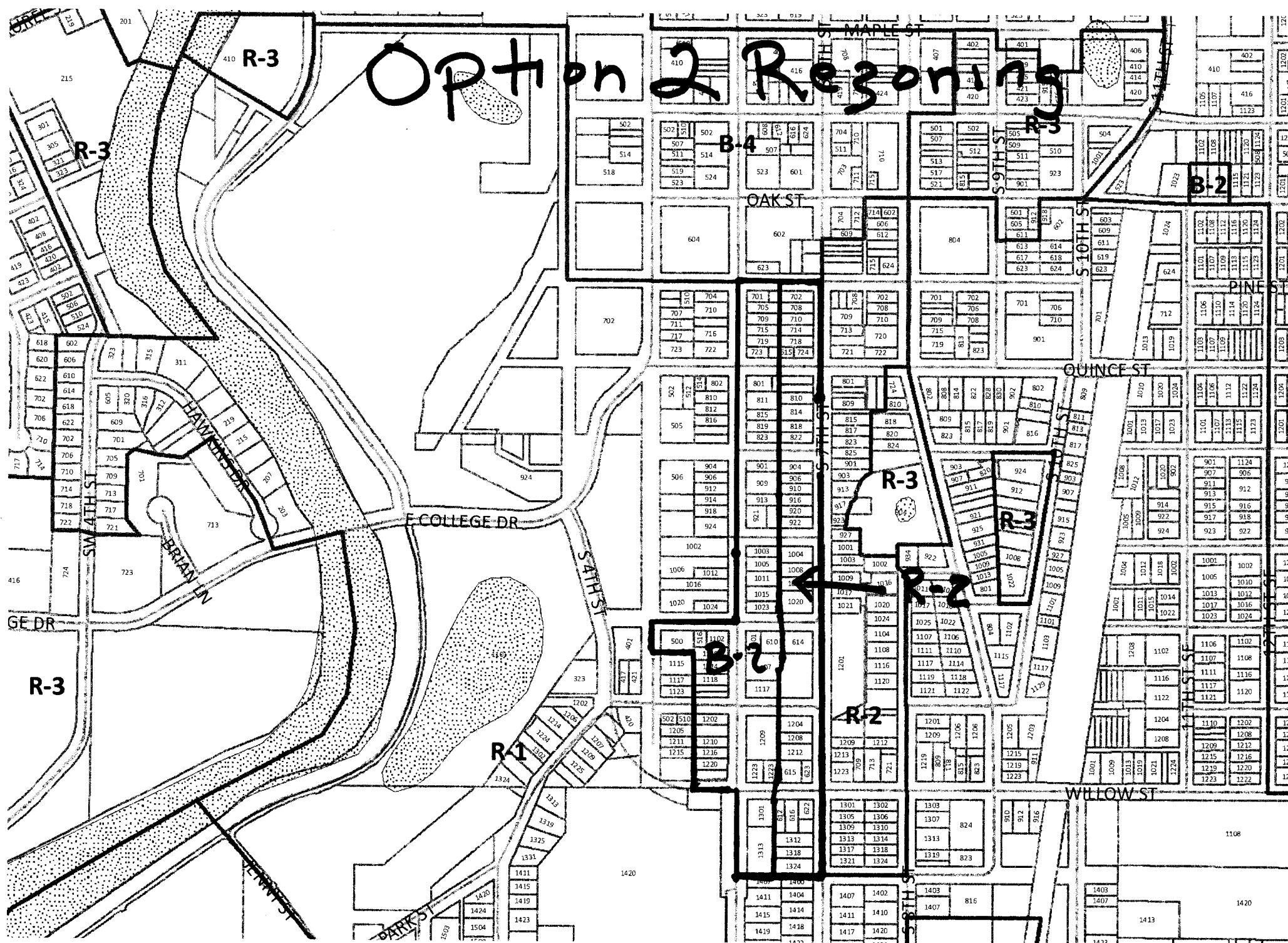
PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission can consider a recommendation on this request at its July 20, 2016 meeting. The City Council can receive the Planning Commission recommendation and can consider an Ordinance First Reading on August 1, 2016 and can consider the Ordinance Second Reading August 15, 2016.

Respectfully submitted,



Mark Ostgarden AICP
City Planner



Option 2 Rezoning

B-2

R-3

R-2

R-2

R-1

B-2

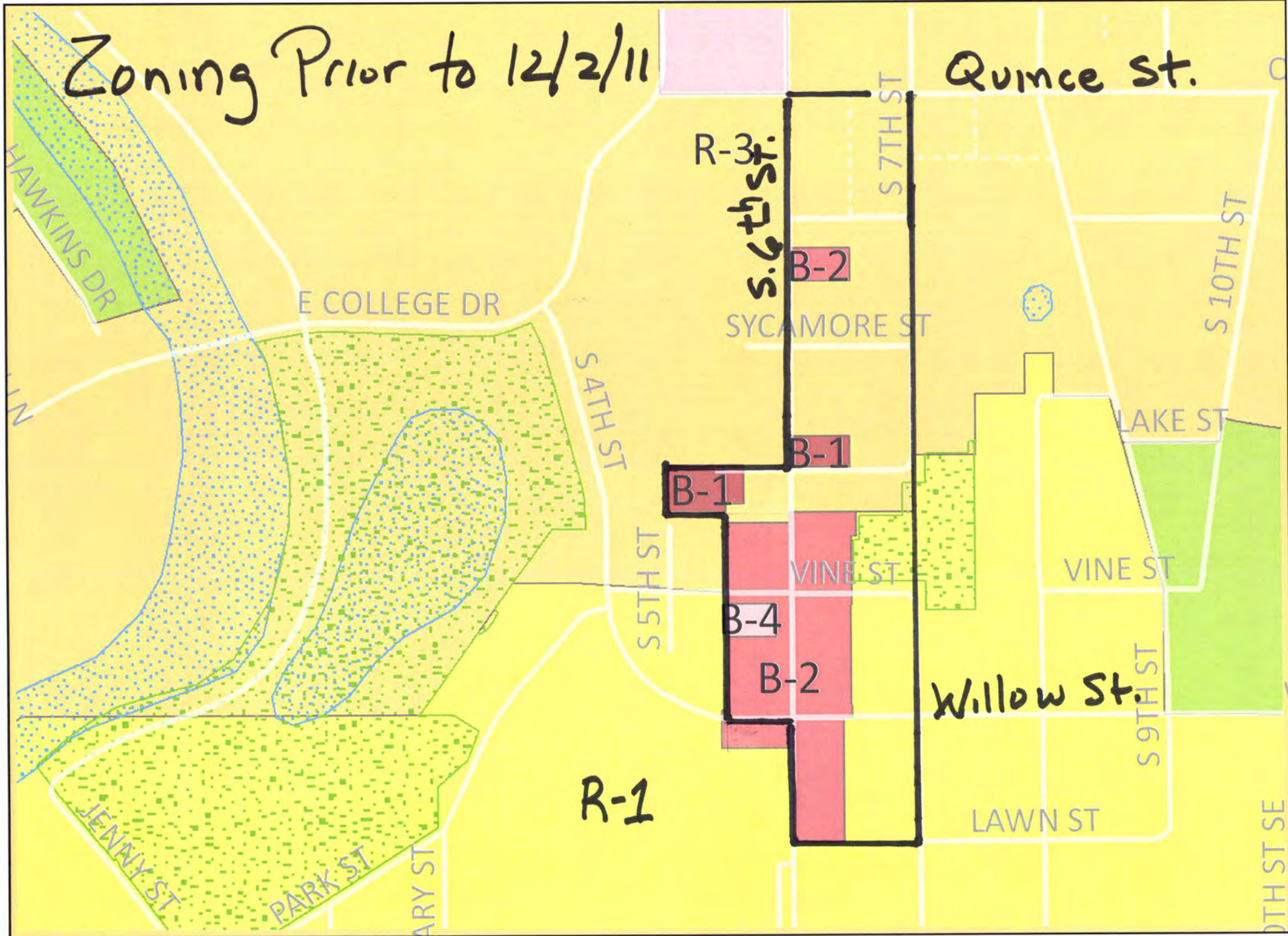
B-4

R-3

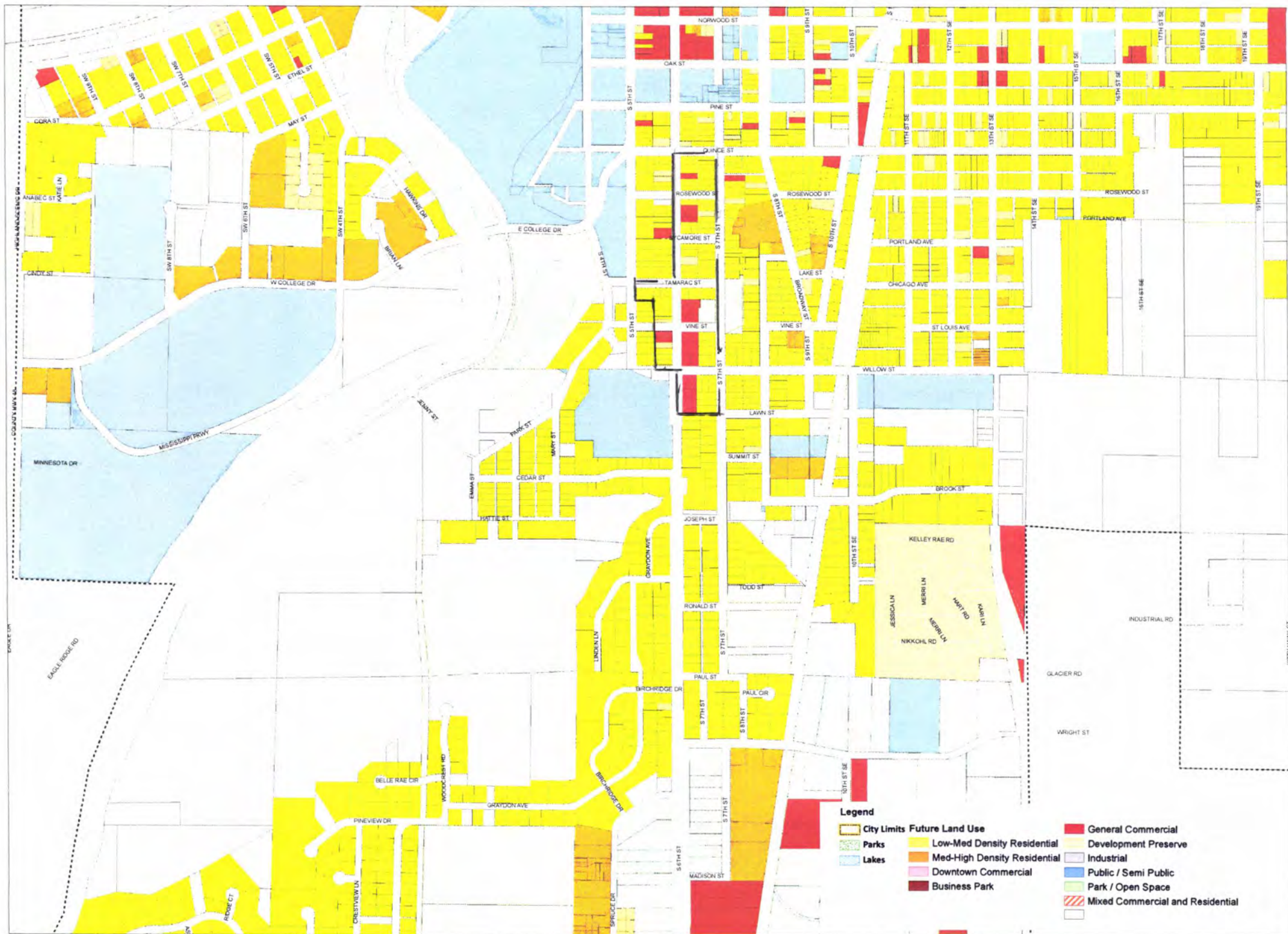
R-3

R-3

Zoning Prior to 12/2/11

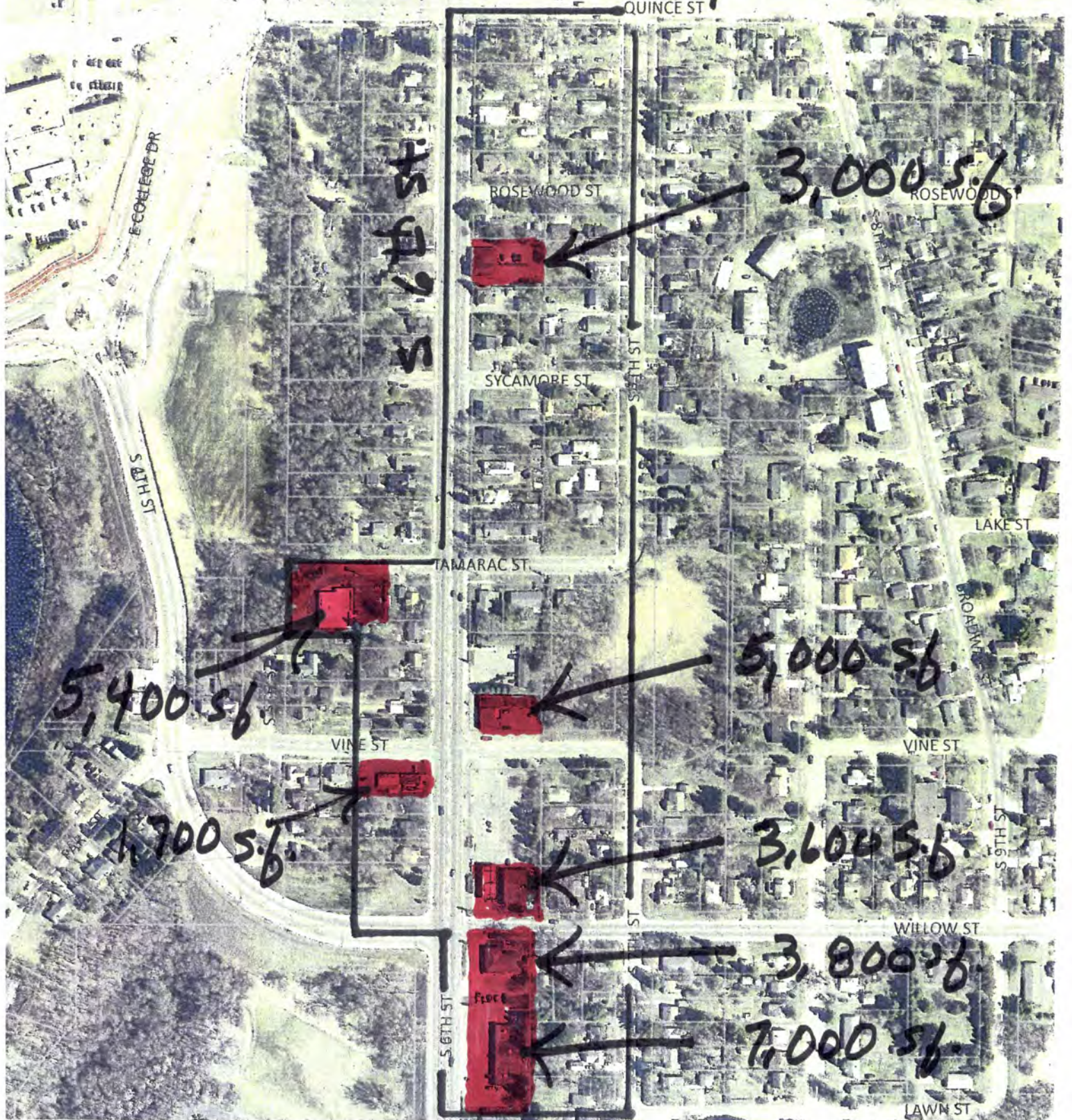






Future Land Use

Commercial Building Area in the Proposed Area



B-2 and B-4 Zoning Ordinance Use Matrix

A “C” appearing in the table for any use means that the use will be permitted in the zoning district by a “Conditional Use Permit”. By “I” appearing in the table for any use means that the use will be permitted an “Interim Use Permit”. A “P” means that the use is permitted in the zoning district subject to the general provisions of the Zoning Ordinance, and “NP” means the use is not permitted in the zoning district. For uses not included on this list, application shall be made to the Board of Adjustment for interpretation.

USE	B-2	B-4
Adult Uses	NP	P
Agricultural Building	NP	NP
Agricultural Sales	NP	NP3
Agricultural Uses	NP	NP
Amusement Park	NP	NP
Animal Hospital or clinic and kennels	NP	C
Antenna ¹	P	P
Armories	NP	C
Art centers, museums	NP	P
Automobile Dealership	NP	C
Auto Racing tracks	NP	NP
Auto Service Stations	NP	C
Automobile and truck repair	NP	C
Bed & Breakfasts	NP	NP
Business or trade school	NP	P
Campground	NP	C
Car wash	NP	NP
Cemeteries	NP	NP
Colleges and universities	NP	C
Commercial kennels	NP	NP
Commercial Car Wash	NP	C
Commercial riding stables	NP	NP
Commercial recreational businesses	NP	NP
Commercial Day Care Facility	C	C
DHS Drug/alcohol treatment center	NP	C
Drive-In movie Theater	NP	NP
Drive-up service facilities	NP	p ²
Equipment rental- indoor	NP	P
Farms, farmsteads and farming	NP	NP
Financial institutions	P	P
Funeral Homes	C	P
Golf Courses	NP	NP
Government and public buildings, utilities and/or structure	P	P
Health Clubs	NP	NP
Home Businesses	P/C	NP

B-2 and B-4 Zoning Ordinance Use Matrix

USE	B-2	B-4
Hospitality Business	NP	P
Hospitals	NP	C
In home day care ²	P	NP
Liquor Sales, Off-sale	NP	NP
Liquor Sales, On-sale	C	NP
Light manufacturing	NP	C
Loading and unloading areas	P ²	P ²
Mining & Extraction	NP	NP
Motor Fuel Sales	C	C
Nursing Home	NP	NP
Office Business- Clinic & General	P	P
Offices		P
Off-street parking ²	P	P
Off-street loading ²	P	P
On-site service businesses ³	P	P
Outdoor Dining	C	C
Outdoor Entertainment Venues	NP	NP
Outdoor Sales ⁴	NP	C
Outdoor Storage	NP	C ²
Outside services, sales, and equipment rental ⁵	NP	P ²
Pawn Shops	NP	P
Parking Structures	NP	NP
Personal, Professional, and Recreational Vehicle Repair- major	NP	NP
Personal, Professional, and Recreational Vehicle Repair- minor	NP	NP
Personal Services ⁶	P	P
Place of Worship	C	NP
Planned Unit Development	C ⁷	C ⁷
Private Clubs	C	P
Public Buildings	NP	P
Public Parks	NP	NP
Public & Private Schools	NP	NP
Radio and Television studios	NP	C
Recreational Businesses- indoor	NP	P
Repair services	P	P
Residential uses	P	NP
Restaurants-sit down, take out or delivery	C	P
Restaurants and on-sale establishments	C	NP

B-2 and B-4 Zoning Ordinance Use Matrix

USE	B-2	B-4
Restaurants with drive-up window	NP	P
Retail Businesses	NP	P
Retail Establishments	P	P
Seasonal Non-Agricultural Merchandise Sales	NP	P ¹⁴
Self-service Laundromat with dry cleaning pick up and drop off	P	P
Service Business-Off site	NP	NP
Small engine and boat repair	NP	C
Specialty Food Shops	C	P
Sports Stadium	NP	NP
Studio ¹⁰	P	P
Swimming Pool and Water Parks	NP	NP
Taxi or bus dispatch sites	NP	P
Temporary/seasonal outdoor events and sales ⁹	P	P
Testing Labs for water and soil, rocks/minerals and air quality	NP	P
Theaters-except drive-in	NP	P
Wind Energy Conversion Systems ⁸	C	C

1 All antennas are accessory uses and need a permit

2 Are accessory uses

3 Limited to tailoring/alterations, dry cleaners, self-service and copy centers

4 And/or rental lot to lumber yards, motor vehicle and boat sales/rental, construction and landscaping sales/rental and farm implement sales/rental

5 Is an accessory to the principal use and limited in area to 15 ft of the gross floor area of the principal building or 15% of the tenant bay if it is a multiple tenant building. Must be located on private property and shall not intrude on the public sidewalk or boulevard.

6 Such as barber shops, beauty salons, nail salons, tanning salons, therapeutic massage and tattooing

7 Includes shopping centers

8 Wind Energy Conversion Systems may be allowed as an accessory, conditional use, provided the property upon which the system is to be located is zoned R-A, B-1, B-2, B-3, B-4, B-5, I-1, or I-2 (Section 34 of the Zoning Ordinance)

9 Needs a permit

10 These are art, decorating, dance, music and photography studios

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that the Brainerd Planning Commission will conduct a public hearing to consider input on rezoning the property identified on the page 2 map from a B-4 (General Commercial) District to a B-2 (Neighborhood Business) and an R-2 (Medium Density Residential) District:

The area considered for rezoning are lands described as Blocks 217, 239, 269, 285, 287, 317, 319 or parts thereof and the Plan of First Addition to Brainerd and Lots 1 and 2 of Auditors Plat of the E1/2 of the NW ¼ of Section 36, T45N, R31W.

Permitted uses in a B-4 District include:

Government and public buildings, utilities and/or structures; financial institutions; hospitality businesses; liquor sales, on and off sale; office business-clinic; office business-general; personal services; recreational business-indoor; restaurants-sit down, take out or delivery; retail businesses contained within a principal building; business or trade school when conducted entirely within a building; places of worship and related buildings; theaters-except drive-in; cultural facilities; repair services; on-site service businesses; pawn shops; music, art, decorating, photography and dance studios; taxi or bus dispatch sites; adult uses as regulated by Section 33 of this Ordinance; essential services as regulated by Section 36 of this Ordinance; equipment rental (indoor).

Conditional uses in a B-4 District include:

Armories; automobile and truck repair-major and minor (including body shops); commercial car washes; hospitals; motor vehicle fuel sales; outdoor sales and/or rental lot; planned unit development (PUD) as regulated by Section 11 of this Ordinance; outdoor dining facilities accessory to a restaurant; small engine and boat repair; animal hospital or clinic and kennels; light manufacturing; radio and television studios; outdoor storage as an accessory use; colleges and universities; auto dealership; commercial day care facilities as regulated by Section 29 of this Ordinance; Department of Human Services (DHS) licensed drug and alcohol treatment and recovery facilities and unlicensed drug and alcohol treatment and recovery facilities that are substantially the same in character as a DHS licensed program of longer duration but not to exceed eighteen(18) months.

Permitted uses in a B-2 District include:

Commercial establishments... limited to five thousand (5,000) square feet of floor area or less and include the following uses; retail establishments; personal services; office businesses-Clinic; repair services; office businesses-general; on-site service businesses; decorating and photography studios; government and public buildings; utilities and/or structures; essential services as regulated by Section 36 of this Ordinance, single family, two family and multiple family residential.

Conditional uses permitted in a B-2 District include:

Private clubs and lodges; restaurants without drive-up windows; on-sale liquor establishments; places of worship and related buildings; commercial day care facilities; outdoor dining facilities; planned unit development (including shopping centers); motor vehicle fuel sales; funeral homes and mortuaries; specialty food shops

Permitted uses in an R-2 District include:

Single family detached dwellings; two (2) family attached dwellings; one multiple family building per lot or parcel containing four (4) or less units; public recreation areas and related accessory buildings and structures; residential care facilities serving six (6) or more persons; essential services as regulated by section 36 of this Ordinance.

Conditional uses permitted in a B-2 District include:

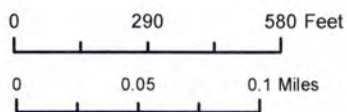
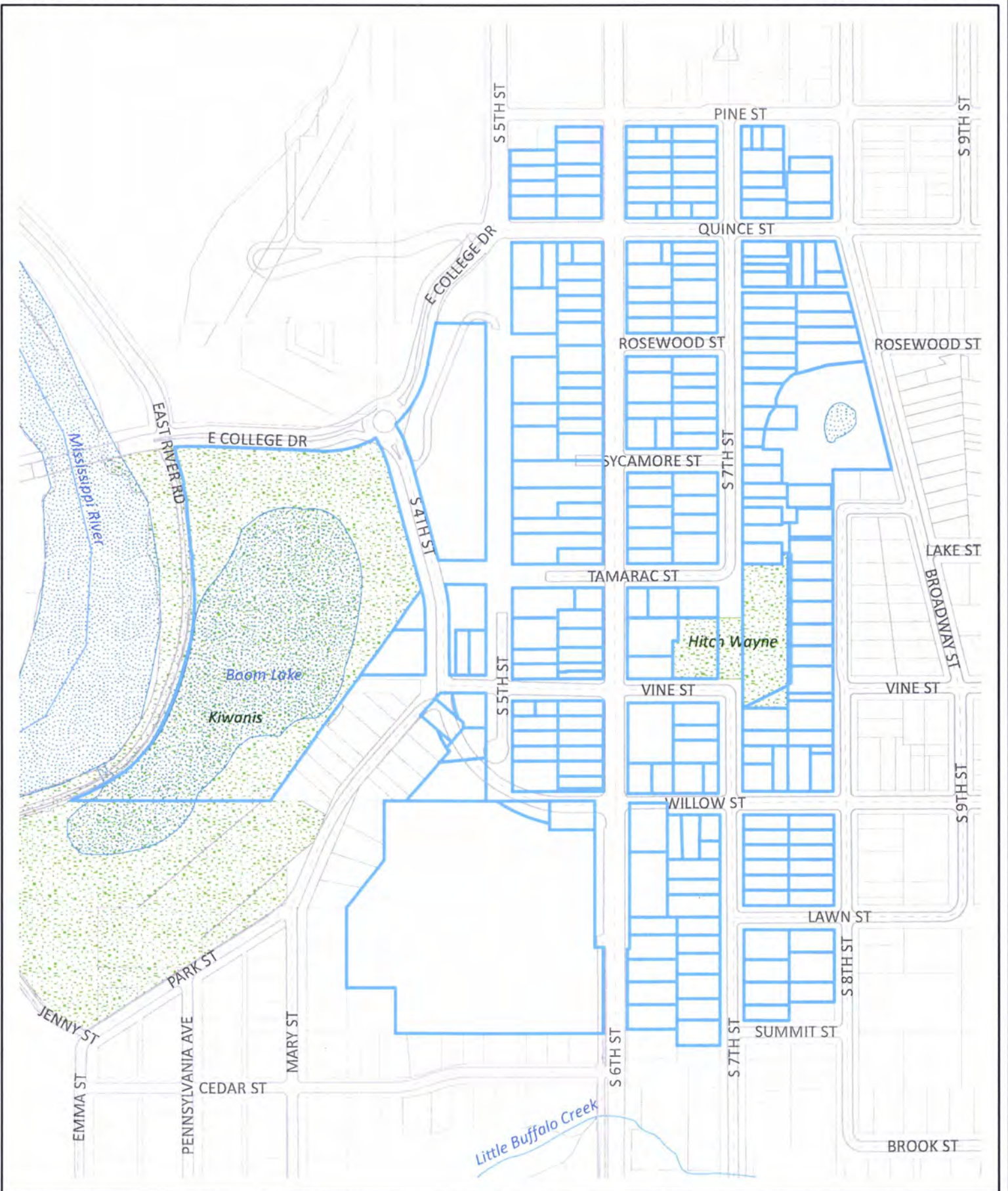
APPRCL	TXNAME	TXADR1	TXADR2	TXADR3	PHYSADDR
09140004001Z009	421 VINE STREET LLC	11171 TOWN HALL ST	BRAINERD, MN 56401		421 VINE ST
09196219006Z009	812 SIXTH STREET LLC	11171 TOWN HALL ST	BRAINERD, MN 56401		812 6TH ST S
09117001003Z009	AHLGRIM, ZACKARY	720 QUINCE ST	BRAINERD, MN 56401		720 QUINCE ST
09196269007Z009	ALBRECHT, WILLIAM H & LORI J	1008 7TH ST S	BRAINERD, MN 56401		1008 7TH ST S
09103000004H009	ANDERSON, JULANN	1419 6TH ST S	BRAINERD, MN 56401		1419 6TH ST S
09196187003Z009	ANNABLE, TINA	718 S 7TH ST	BRAINERD, MN 56401		718 7TH ST S
09103000004I009	AULIE, MARCUS C	1429 6TH ST S	BRAINERD, MN 56401		1429 6TH ST S
09196285005Z009	B & K RENTALS 1001 LLC	13955 OLIVEWOOD DR	BAXTER MN 56425		1114 6TH ST S
09196189022Z009	BACON, ALVIN	702 PINE ST	BRAINERD, MN 56401		702 PINE ST
09196187013Y009	BAHR, CHARLES K & BONNIE J	12876 KNOLLWOOD DR	BAXTER, MN 56425		612 PINE ST
09196237003Z009	BAKER, ROBERT LYLE	1422 IMM DR	BRAINERD, MN 56401		918 6TH ST S
09196237005Z009	BAKER, ROBERT LYLE	1422 IMM DR	BRAINERD, MN 56401		914 6TH ST S
09196237007Z009	BAKER, ROBERT LYLE	1422 IMM DR	BRAINERD, MN 56401		912 6TH ST S
09182000901G009	BANKS, TRAVIS E & TRACY L	15359 SHELLISA LN	BRAINERD, MN 56401		1009 7TH ST S
09103000001E009	BEMENT, HARRY & ARLISS	11279 ASH AVE	BRAINERD, MN 56401		1310 7TH ST S
09117001005Z009	BEMENT, HARRY & ARLISS	11279 ASH AVE	BRAINERD, MN 56401		716 QUINCE ST
09146010015Z009	BEMENT, HARRY & ARLISS	11279 ASH AVE	BRAINERD, MN 56401		1420 8TH ST S
09196187011Z009	BEMENT, HARRY & ARLISS	11279 ASH AVE	BRAINERD, MN 56401		702 7TH ST S
09196237000C009	BENSON, MRS OBERT	C/O GARY D BENSON	450 18TH AVE S	NAPLES, FL 34102	
09196271011Z009	BENSON, MRS OBERT	C/O GARY D BENSON	450 18TH AVE S	NAPLES, FL 34102	1002 6TH ST S
09196285007Z009	BILLMAN, ROBERT L & IRENE	17318 SMITH RD	BRAINERD MN 56401		1110 6TH ST S
09196187007Z009	BOCK, JOSEPH S	14736 LYNDALE DR	BAXTER, MN 56425-6022		710 7TH ST S
09196219000A009	BOOTH, BRADLY W	21735 HOMESTEAD RD	PINE GROVE, CA 95665		512 QUINCE ST
09146010005Z009	BORGSTROM, IVY L & HUSTON, IVY (BORGSTROM)	8384 FAIRCHILD AVE	MOUNDSVIEW, MN 55112		1411 7TH ST S
09146001017Z009	BRAINERD LAKES PREMIER DEV LLC	14275 GOLF COURSE DR SUITE 210	BAXTER MN 56425		1314 8TH ST S
09182001001Z009	BRENNY, SHANNON M	1223 7TH ST S	BRAINERD, MN 56401		1223 7TH ST S
09146001001Z009	BUDNICK, KELLY	1301 7TH ST S	BRAINERD, MN 56401		1301 7TH ST S
09196269005Y009	CAOQUETTE, MARVEL H	1014 S SEVENTH ST	BRAINERD, MN 56401		1014 7TH ST S
09182000901F009	CARPER, NATHAN & STACY	11971 310TH AVE	PIERZ, MN 56364		1002 8TH ST S
09196219010Z009	CITIMORTGAGE INC	1000 TECHNOLOGY DR	O FALLON, MO 63368		802 6TH ST S
09103000007A889	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401		1302 6TH ST S
09103000007G009	CITY OF BRAINERD	CITY ADMINISTRATOR-CITY HALL	501 LAUREL ST	BRAINERD, MN 56401	
09104000014Z009	CITY OF BRAINERD	CITY ADMINISTRATOR-CITY HALL	501 LAUREL ST	BRAINERD, MN 56401	
09140001013Z009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401		
09140001013Z009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401		
09140001014Y009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401		1208 5TH ST S
09140001015Z009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401		1205 PARK ST
09140001018X009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401		
09140001022A009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401		
091400030060009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401		
09140004005Z009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401		401 VINE ST
09182000901A009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401		
091820010190009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401		
091820010230009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401		
09196287001Z009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401		
09196317001A009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401		
09196317021Z009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401		1223 5TH ST S
09196319005Z009	CLARK, TIMOTHY A	1212 S 7TH ST	BRAINERD MN 56401		1212 7TH ST S
09146001023Z009	CLR PROPERTIES LLC	2253 ANDOVER ST	SPRINGDALE, AR 72762		1302 8TH ST S
091170010100009	COOKE, ANNE R	RR6 BOX 451J	EDGARTOWN, MA 02539		807 7TH ST S

09182006005Z009	COOPER, CHAD A	823 7TH ST S	BRAINERD, MN 56401	823 7TH ST S
09196237009Z009	DALEY, MATTHEW S & REBECCA J	906 S 6TH ST	BRAINERD, MN 56401	906 6TH ST S
09182001010Y009	DALZELL, JOHN A	1212 8TH ST S	BRAINERD, MN 56401	
09182001013Z009	DALZELL, JOHN A	1212 8TH ST S	BRAINERD, MN 56401	1212 8TH ST S
09182000901I009	DANDANELL, ROBERT J & SHARON L	1021 7TH ST S	BRAINERD MN 56401	1021 7TH ST S
09146001003Z009	DAY, BRIAN T	13385 MAPLEWOOD DR	BAXTER, MN 56425	1305 7TH ST S
09117001001Y009	DEBELTZ, TODD J	724 QUINCE ST	BRAINERD MN 56401	724 QUINCE ST
09182006023Z889	DEGEN, MICHAEL S & JULIE L	10935 GULL RIVER RD	EAST GULL LAKE, MN 56401	820 8TH ST S
09196189022X009	DEROSIER, MITCHELL E II	708 PINE ST	BRAINERD, MN 56401-4100	708 PINE ST
09182000901B009	DK INVESTMENTS LLC	1107 6TH ST S	BRAINERD, MN 56401	927 7TH ST S
09196287017Z889	DK INVESTMENTS LLC	1107 6TH ST S	BRAINERD, MN 56401	1107 6TH ST S
09182006011Z009	DOCKTER, JAY A & SYBILLE B ABT	903 7TH ST S	BRAINERD, MN 56401-4034	903 7TH ST S
09103000004B009	DORSCHNER, JANE M	1422 SOUTH 7TH ST	BRAINERD, MN 56401	1422 7TH ST S
09103000001A009	DOSHAN, BRENT	P O BOX 531	BRAINERD, MN 56401	622 WILLOW ST
09196217013Y009	DR SPODEN INVESTMENTS LLC	C/O MIKE & JULIE DEGEN	10935 GULL RIVER RD	EAST GULL LAKE, MN 56401
09196187023Z009	EFTERFIELD, KRYSTAL	801 S 7TH ST	BRAINERD, MN 56401	723 6TH ST S
09196187017Z009	EIESLAND, AARON	709 6TH ST S	BRAINERD, MN 56401	709 6TH ST S
09196189007Z009	EIGENHEER, DAVID E	722 S 8TH ST	BRAINERD MN 56401	722 8TH ST S
09196239001Z009	EKLUND, SHAWN & LEE-ANNE	C/O NOTES INC	18016 HARTY LAKE RD	BRAINERD MN 56401
09103000001C009	ERICKSON, KIMBERLY	5064 GULL LAKE DAM RD	BRAINERD, MN 56401	612 WILLOW ST
09196217019Z009	EVERY, DARLYS V & SANDRA	815 S 6TH ST	BRAINERD MN 56401	815 6TH ST S
09182000901D009	FAIRCHILD, LAURA	223 3RD ST NE	CROSBY, MN 56441-1640	1001 7TH ST S
09196217011Z009	FELSKE PROPERTIES II LLC	1021 INDUSTRIAL PARK RD	BRAINERD, MN 56401	802 7TH ST S
09186002008Y009	FELSKE PROPERTIES LLC	1021 INDUSTRIAL PARK RD	BRAINERD, MN 56401	1016 8TH ST S
09196185008Z009	FELSKE PROPERTIES LLC	1021 INDUSTRIAL PARK RD	BRAINERD, MN 56401	710 6TH ST S
09196185011Z009	FELSKE PROPERTIES LLC	1021 INDUSTRIAL PARK RD	BRAINERD, MN 56401	704 6TH ST S
09182006009Z009	FITCH, DAVID J & KAREN F	11031 FLANDERS CT NE	BLAINE MN 55449	901 7TH ST S
09196187015Z009	FITCH, JEREMY	916 WILLOW ST	BRAINERD, MN 56401	705 6TH ST S
09182001005Z009	FLEISCHHACKER, MARGARET	709 WILLOW ST	BRAINERD MN 56401	709 WILLOW ST
09117001007Z009	FMD LLC	14575 INGLEWOOD DR	BAXTER MN 56425	801 7TH ST S
09186002007Z009	FRAUNE, PAUL R	13657 STATE HIGHWAY 210	BRAINERD, MN 56401	1020 8TH ST S
09186002008Z009	FRAUNE, PAUL R	13657 STATE HIGHWAY 210	BRAINERD, MN 56401	
09146001009Z009	FREIDAY, DAVID W & KELLEY	1317 S 7TH STREET	BRAINERD MN 56401	1317 7TH ST S
09196271005Z009	FRISCH, RAYMOND & CAROLYN	1016 SOUTH 6TH ST	BRAINERD, MN 56401	1016 6TH ST S
09196239019Z009	GOFFMAN, MICHAEL P	C/O PROGRESSIVE PROPERTY MANG	1511 NORTHERN PACIFIC RD #101	BRAINERD, MN 56401
09103000003C009	GORDON, KARI L & DAVID A	1414 7TH ST S	BRAINERD, MN 56401	1414 7TH ST S
09196269013Z009	GORDON, KARI L & DAVID A	1414 7TH ST S	BRAINERD, MN 56401	1003 6TH ST S
09196269017Z009	GRANHOLM, JUSTIN A	1011 6TH ST S	BRAINERD MN 56401	1011 6TH ST S
09196317001Y009	GREVILLIUS, GARY & JANET	5290 HOWARD'S POINT RD	SHOREWOOD, MN 55331	
09196317003Z009	GREVILLIUS, GARY & JANET	5290 HOWARD'S POINT RD	SHOREWOOD, MN 55331	1220 6TH ST S
09182000901H009	H & H PROPERTIES OF MINNESOTA	4689 ASHLEY RD	BAXTER, MN 56425	1017 7TH ST S
09196217003Z009	HALL, ALLEN V	12394 CAMWOOD TRAIL	BAXTER, MN 56425	818 7TH ST S
09196219002Z009	HANSON, BARBARA A	12391 COUNTY ROAD 1	MANHATTAN BEACH, MN 56442	820 6TH ST S
09146001019Z009	HANSON, PENNY	17147 PLEASANT LN	BRAINERD, MN 56401	1310 8TH ST S
09196219008Z009	HAYDEN, SARAH	517 N 9TH ST	BRAINERD, MN 56401	810 6TH ST S
09196271001Z009	HEAGERTY, SAMANTHA	1024 6TH ST S	BRAINERD, MN 56401	1024 6TH ST S
09146001007Z009	HEINRICH, MICHAEL & CAMEO	1313 S 7TH ST	BRAINERD MN 56401	1313 7TH ST S
09146010011Z009	HELDT, MARCIE & JOSH	1423 7TH ST S	BRAINERD, MN 56401	1423 7TH ST S
09196317019Z009	HILL, DAVID	15798 JORDAN RD	BRAINERD, MN 56401	1215 5TH ST S
09182001027Z009	HOFFMAN, KETTURAH J & KENNETH D	1209 7TH ST S	BRAINERD, MN 56401	1209 7TH ST S
09182001015Z009	HOLDER, JEFF A & WENDY L	5340 MEADOWVIEW RD	BRAINERD, MN 56401	1206 8TH ST S

09140004003Z009	HOWE, BYRON S & MARLYS G	5631 WOODS BAY DR NE	OUTING MN 56662	417 VINE ST
09103000003B009	HOWITZ, PATRICIA A REV TRUST	1404 S 7TH ST	BRAINERD, MN 56401	1404 7TH ST S
09103000002B009	HUNSTAD, JORDAN	1318 S 7TH ST	BRAINERD MN 56401	1318 7TH ST S
09196237000A009	IMGRUND, RONALD	P O BOX 585	BRAINERD MN 56401	506 ROSEWOOD ST
09104000016A009	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401	
09196185004Z009	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401	716 6TH ST S
09196185020Z009	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401	717 5TH ST S
09196185006Z009	INDEPENDENT SCHOOL DISTRICT #181	804 OAK ST	BRAINERD, MN 56401	714 6TH ST S
09196185016Z009	INDEPENDENT SCHOOL DISTRICT #181	804 OAK ST	BRAINERD, MN 56401	707 5TH ST S
09196185018Z009	INDEPENDENT SCHOOL DISTRICT #181	804 OAK ST	BRAINERD, MN 56401	711 5TH ST S
09196285017Z009	INNES, MARK	1115 5TH ST S	BRAINERD MN 56401	1115 5TH ST S
09103000003D009	JENKINS, ERICH M	PO BOX 792	BRAINERD, MN 56401	1407 6TH ST S
09103000002G009	JENSEN, DEBORAH S	1312 7TH ST S	BRAINERD, MN 56401	1312 7TH ST S
09182006022Z009	JENSEN, KEVIN B	824 8TH ST S	BRAINERD, MN 56401	824 8TH ST S
09146001015Z009	JEREMIASON, TRACY J	1318 8TH ST S	BRAINERD, MN 56401	1318 8TH ST S
09196269001Z009	JOHNSON, BARBARA A	1020 S 7TH STREET	BRAINERD MN 56401	1020 7TH ST S
09186002004Z009	JOHNSON, CHARLES L & SUSAN L	1104 S 8TH ST	BRAINERD MN 56401	1104 8TH ST S
09117001001Z009	JOHNSON, ERIC G & KARA J	810 8TH ST S	BRAINERD, MN 56401	810 8TH ST S
091820060180009	JUNTUNEN, EVA J (TRUSTEE) JUNTUNEN	923 S 7TH ST	BRAINERD MN 56401	923 7TH ST S
09146010018Z009	KAMPEN, KOREY G & SHELLI L	1410 S 8TH ST	BRAINERD MN 56401	1410 8TH ST S
09182001010Z009	KJERA, SONJA M	721 WILLOW ST	BRAINERD, MN 56401	721 WILLOW ST
09182001001Y009	KLANG, MARY L	1359 EAST POINTE DR	BRAINERD, MN 56401	1213 7TH ST S
09196185022Z009	KNOWLES, RODNEY L	723 5TH ST S	BRAINERD MN 56401	723 5TH ST S
09196287022Z009	KNUTSON, LARRY & MAXINE	9609 N KIMBLE LN	PEQUOT LAKES MN 56472	
09196317013Y009	KOLARSKY, KRISTINE A & RONALD C RUDOLPH	S10 VINE ST	BRAINERD, MN 56401	510 VINE ST
09196239005Z009	KORPI, JOSIE R	916 7TH ST S	BRAINERD, MN 56401	916 7TH ST S
09146010008Z009	KOSTEK, DAVID L & MISTY A	1417 7TH ST S	BRAINERD MN 56401	1417 7TH ST S
09196187023Y009	KOWALCZYK, RONALD A & SUSAN J	11524 STATE HIGHWAY 210	BRAINERD MN 56401	611 QUINCE ST
09196237000B009	KRAMER, JEFFREY L & TERRI	505 ROSEWOOD ST	BRAINERD, MN 56401	
09196219000C009	KRAMER, KENNETH & ROSEMARY	10865 COUNTY RD 44	BRAINERD, MN 56401	505 ROSEWOOD ST
09196237011Z009	KRAMER, KENNETH & ROSEMARY	10865 COUNTY RD 44	BRAINERD, MN 56401	904 6TH ST S
09196189022Y009	KROTZER, WILLIE S & RACHELLE L	250 BROADWAY ST	AKELEY MN 56433	704 PINE ST
09196239009Z009	KUCK, MICHAEL J & LORELEI L	906 7TH ST S	BRAINERD, MN 56401	906 7TH ST S
09196219001Z009	KUNDE, CARNEY W	824 S 6TH ST	BRAINERD MN 56401	824 6TH ST S
091860020060009	KUNDE, RICHARD & CRAIG	C/O STEWART KUNDE	1024 8TH ST S	1024 8TH ST S
09196219000B009	LAKE, THOMAS J	102 BELLE RAE CIR	BRAINERD, MN 56401	502 QUINCE ST
09196287009Y889	LAKES AREA HABITAT FOR HUMANITY	PO BOX 234	BRAINERD, MN 56401	614 TAMARAC ST
09196285010Y009	LARSON, DAVID & TESSA	1102 S 6TH STREET	BRAINERD, MN 56401	1102 6TH ST S
09103000001D009	LAZY H PROPERTIES LLC	501 EAST BROADWAY	LITTLE FALLS MN 56345	1301 6TH ST S
09196287013Z009	LEASE, DAVID V & SHIRLEY CALDERONE	1101 S 6TH ST	BRAINERD, MN 56401	1101 6TH ST S
09196285023Z009	LEE, TRAVIS & CAROL	1123 5TH ST S	BRAINERD, MN 56401	1123 5TH ST S
09196285001Z009	LEONARD, BRIAN	1118 6TH ST S	BRAINERD, MN 56401	1120 6TH ST S
09196285003Z009	LEONARD, BRIAN	1118 6TH ST S	BRAINERD, MN 56401	1118 6TH ST S
09196317007Z009	LEWIS, ROBERTA J	1210 6TH ST S	BRAINERD, MN 56401	1210 6TH ST S
09196317009Z009	LEWIS, ROBERTA JANE	1210 6TH ST S	BRAINERD, MN 56401	
09196317011Z009	LEWIS, ROBERTA JANE	1210 6TH ST S	BRAINERD, MN 56401	1202 6TH ST S
09196217005Z009	LINGWALL, SHANA	814 7TH ST S	BRAINERD, MN 56401	814 7TH ST S
09140001018Y009	LITKE, DENNIS J & DIANE	16120 COUNTY ROAD 22	BRAINERD MN 56401	420 VINE ST
09103000003E009	LONG, MICHELE	1411 6TH ST S	BRAINERD MN 56401	1411 6TH ST S
09196219010Y009	LORIMOR, DIANNA C	16380 BIRCHWOOD LN	BRAINERD, MN 56401	514 QUINCE ST
09103000004C009	LOSCHKO, JAMES F & JUDITH	1428 S 7TH	BRAINERD MN 56401	1428 7TH ST S

09103000004M009	LOSCHKO, SARAH E	1418 S 7TH ST	BRAINERD MN 56401	1418 7TH ST S
09196187001Y009	LURA, ROBERT & JUDITH	724 7TH ST S	BRAINERD, MN 56401	724 7TH ST S
09103000002C009	MACDONALD, JACQUELYN & BRIAN	1324 7TH ST S	BRAINERD, MN 56401	1324 7TH ST S
09146001013Z009	MACHO, JANICE K	1324 S 8TH ST	BRAINERD MN 56401	1324 8TH ST S
09146001021X009	MAESTAS, ENJOLI	1306 8TH ST S	BRAINERD, MN 56401	1306 8TH ST S
09182006013Z009	MARTIN, ROBERT J	913 SOUTH 7TH ST	BRAINERD MN 56401	913 7TH ST S
09182001020Z009	MATHISON, SHARON RAE	1021 GARDEN CLUB WAY	LELAND, NC 28451	1128 8TH ST S
09196319010Z009	MAUST, CLEMENT & DEBORAH	1204 7TH ST S	BRAINERD, MN 56401	1204 7TH ST S
09196187021Z009	MCCULLOCH, MYRNA	719 6TH ST S	BRAINERD MN 56401	719 6TH ST S
09196189013Y009	MCKAY, RICHARD G & MARY	21212 MAIL ROUTE RD	BRAINERD MN 56401	717 7TH ST S
09196189013Z009	MENK, EDWIN L & SUSAN	721 S 7TH STREET	BRAINERD MN 56401	721 7TH ST S
09196317013Z009	MERRELL, PAMELA S	502 VINE ST	BRAINERD, MN 56401	502 VINE ST
09186002003Z009	MICKELSON, DEBORAH A & JOHN E	1108 S 8TH ST	BRAINERD MN 56401	1108 8TH ST S
09117001009Z009	MICKELSON, PAUL A & LORA R	805 S 7TH ST	BRAINERD MN 56401	805 7TH ST S
09186002001Y009	MILES, ZACHARY D	1120 8TH ST S	BRAINERD, MN 56401	1120 8TH ST S
09196187013Z009	MILLER, JEREMY W	701 S 6TH ST	BRAINERD, MN 56401	701 6TH ST S
09103000002D009	MOORES PROPERTIES, INC	605 LAUREL ST	BRAINERD, MN 56401	
09196189014Z009	MORGAN, GARY J & LORI	713 S 7TH STR	BRAINERD MN 56401	713 7TH ST S
09182006016Z009	MORRISON, MARILYN J	917 7TH ST S	BRAINERD, MN 56401	917 7TH ST S
09182000901K009	MORRISON, RUSSELL J & MARILYN	917 7TH ST S	BRAINERD MN 56401	
09103000003A009	NELSON, SARAH ANN	1400 SOUTH 7TH ST	BRAINERD, MN 56401	1400 7TH ST S
09196187009Z009	NICKELS, DEBRA A	21370 S LAKE GEORGE DR NW	CEDAR, MN 55011-9136	708 7TH ST S
09196219004Z009	NICKELS, DEBRA A	21370 S LAKE GEORGE DR NW	CEDAR, MN 55011-9136	816 6TH ST S
09196319013Y009	NORTHERN TIER RETAIL LLC	576 BIELENBERG DR STE 200	WOODBURY, MN 55125	1209 6TH ST S
09196319021Y009	NORTHERN TIER RETAIL LLC	576 BIELENBERG DR STE 200	WOODBURY, MN 55125	1223 6TH ST S
09196319021Z009	NORTHERN TIER RETAIL LLC	576 BIELENBERG DR STE 200	WOODBURY, MN 55125	1223 6TH ST S
09196269015Z009	OGREN, DENNIS & JOY	PO BOX 2853	BAXTER, MN 56425	1005 6TH ST S
09196189005Z009	OWEN, ROBERT J & KAREN	154 CAROL LN	BRAINERD MN 56401	710 8TH ST S
09196317015Z009	PASCHELKE, THONGYOY	1205 5TH ST S	BRAINERD, MN 56401	1205 5TH ST S
09196319001Z009	PATTERSON, NANCY K	615 WILLOW ST	BRAINERD, MN 56401	615 WILLOW ST
09196189007Y009	PATTERSON, NICHOLAS R & KATHLEEN J	720 8TH ST S	BRAINERD, MN 56401	720 8TH ST S
09186002002Z009	PETERSON, RUTH S	1116 S 8TH ST	BRAINERD, MN 56401	1116 8TH ST S
09140003001Z009	POTTER, DALE	323 VINE ST	BRAINERD, MN 56401	323 VINE ST
09196319001Y009	PRASKA, HENRY D & KARA T SCHAEFER	623 WILLOW ST	BRAINERD, MN 56401	623 WILLOW ST
09196189019Z009	PROGRESSIVE PROPERTY MGMNT	1511 NORTHERN PACIFIC RD #101	BRAINERD, MN 56401	709 7TH ST S
09196271003Z009	PUERINGER, DAVID F PUERINGER INVEST	616 1/2 FRONT ST	BRAINERD, MN 56401	1020 6TH ST S
09196239013Z009	RADEMACHER, LUCILLE E	909 S 6TH ST	BRAINERD, MN 56401-4044	901 6TH ST S
09196239015Y009	RADEMACHER, LUCILLE E	909 S 6TH ST	BRAINERD, MN 56401-4044	909 6TH ST S
09196217013Z009	RICH, RALPH	801 6TH ST S	BRAINERD MN 56401	801 6TH ST S
09196187001Z009	ROBINSON, KARI L	615 QUINCE ST	BRAINERD, MN 56401	615 QUINCE ST
09196269010Z009	RUNBERG, DAVID L & JULIE	1004 S 7TH STR	BRAINERD MN 56401	1004 7TH ST S
09196237001Z889	SAMANDYS LLC	16111 TAMARAC TRAIL	BRAINERD, MN 56401	924 6TH ST S
09196285001Y009	SAMANDYS LLC	16111 TAMARAC TRAIL	BRAINERD, MN 56401	1124 6TH ST S
09146001005Z009	SCEARCY, KIMBERLY	17170 PINE CIRCLE RD	BRAINERD, MN 56401-6135	1309 7TH ST S
09146010022Z009	SCHAITBERGER, STEPHEN H TRUST AGR	1402 8TH ST S	BRAINERD, MN 56401	1402 8TH ST S
09196187019Z009	SCHROEDER, TAMELA	715 6TH ST S	BRAINERD, MN 56401	715 6TH ST S
09196185001Z889	SHAW, EDWARD R	517 9TH ST N	BRAINERD, MN 56401	722 6TH ST S
09196317017Z009	SIGNATURE PROPERTY SERVICES LLC	18701 93RD ST	BECKER MN 55308	1211 5TH ST S
09196269023Z889	SIKKINK, KAREN M	1023 S 6TH ST	BRAINERD, MN 56401	1023 6TH ST S
09196239003Z009	SKILLINGS, LEONARD D & CHRISTENE L	920 7TH ST S	BRAINERD MN 56401	920 7TH ST S
09196187005Z009	SMART, SUSAN M	714 7TH ST S	BRAINERD, MN 56401	714 7TH ST S

09103000001B009	SMITH PROPERTIES GROUP LLC	C/O BRIAN L SMITH	P O BOX 391	BRAINERD, MN 56401	616 WILLOW ST
09196239010Z009	SMITH PROPERTIES GROUP LLC	C/O BRIAN L SMITH	P O BOX 391	BRAINERD, MN 56401	904 7TH ST S
09196217021Z009	SMUDE, ARDELLA D	819 S 6TH STR	BRAINERD MN 56401		819 6TH ST S
09182000901J889	SOUTH HAVEN APARTMENTS OF BRD LLC	17018 COMMERCIAL PARK RD	BRAINERD, MN 56401		
09196287009Z009	STANGLER, ERIC	STANGLER PROPERTIES LLC	12640 FAWN LAKE RD	CROSSLAKE, MN 56442	610 TAMARAC ST
09196271007Z009	STONEHENGE LLC	16270 ILES CIRCLE	BRAINERD MN 56401		1012 6TH ST S
09196217015Z009	STROBEL, KAREN A	811 S 6TH STREET	BRAINERD MN 56401		811 6TH ST S
09196217023Z009	STUBBS, JOHN D	823 6TH ST	BRAINERD MN 56401		823 6TH ST S
09196285021Z009	SUNDAHL, DAROL & LINDA	1117 S 5TH ST	BRAINERD MN 56401		1117 5TH ST S
09117001011Z009	SWARTHOUT, ZACHARY & EMILY	809 S 7TH ST	BRAINERD MN 56401		809 7TH ST S
09196319008Z009	TAGTMEIER, KAREN	1208 7TH ST	BRAINERD MN 56401		1208 7TH ST S
09196285013Z009	TAMARACK CENTER, LLC	500 TAMARACK ST	BRAINERD, MN 56401		500 TAMARAC ST
09117001006Z009	TAX FORFEITED	326 LAUREL ST	BRAINERD, MN 56401-3590		
09182000901E009	TAX FORFEITED	326 LAUREL ST	BRAINERD, MN 56401-3590		1003 7TH ST S
09196189013A009	TAX FORFEITED	326 LAUREL ST	BRAINERD, MN 56401-3590		
09103000003F009	TGAR PROPERTIES LLC	15715 BIRCHWOOD LN	BRAINERD, MN 56401		1415 6TH ST S
09196239007Z009	THOMAS, JOHN G	5154 JORDAN RD	BAXTER, MN 5642S		910 7TH ST S
09103000007B009	TRINITY LUTHERAN, CHURCH	1420 S 6TH ST	BRAINERD MN 56401		1420 6TH ST S
09196217001Z009	TUTTLE, ROBERT W & DEBRA A WERMTER	822 S 7TH ST	BRAINERD MN 56401		822 7TH ST S
09196239021X009	VEALETZEK, LARRY J & TAMMRA M	24182 GRASSLAKE RD	WINSTED, MN 55395		
09196239021Y009	VEALETZEK, LARRY J & TAMMRA M	24182 GRASSLAKE RD	WINSTED, MN 55395		921 6TH ST S
09182006019Z009	VOGT, DANIEL N & MELISSA J	902 S 8TH ST	BRAINERD, MN 56401		902 8TH ST S
09196269020Z009	VOLK, MICHAEL J & APRIL L	101S S 6TH ST	BRAINERD, MN 56401		101S 6TH ST S
09196317005Z009	WALLIN, BRIAN K	PO BOX 272	NISSWA, MN 56468		1216 6TH ST S
09196217008Z009	WALTZ, CLIFFORD G & KATHLEEN	810 S 7TH ST	BRAINERD MN 56401		810 7TH ST S
09196217010Z009	WALTZ, CLIFFORD G & KATHLEEN	810 S 7TH ST	BRAINERD MN 56401		806 7TH ST S
09182006003Z009	WALTZ, RONALD F & SUSAN K	32851 S7TH AVE CT	CANNON FALLS MN 55009		817 7TH ST S
09182006007Z009	WEBER, DONNA	1604 PENNSYLVANIA	BRAINERD MN 56401		82S 7TH ST S
09182001007Z009	WIEME, SCOTT A & HEIDI JO	713 WILLOW ST	BRAINERD MN 56401		713 WILLOW ST
09182006001Z009	WILT, RICHARD E & JOYCE I & DAVID A	5389 PIONEER TRL	BRAINERD, MN 56401		815 7TH ST S
09146001011Z009	WOITALLA, LUKE T	408 ROBERTS ST N APT 303	FARGO, ND 58102-4628		1321 7TH ST S
09182006025Z009	WRIGHT, WARREN W	818 8TH ST S	BRAINERD, MN 56401		818 8TH ST S
09146010001Z009	WYMAN, DANIEL L & KAREN J	1407 S 7TH ST	BRAINERD, MN 56401		1407 7TH ST S
09196271009Z009	YDE, CLAIRE N	1006 6TH ST S	BRAINERD, MN 56401		1006 6TH ST S
09182001024Z009	YDE, GREGORY A	1205 7TH ST S	BRAINERD, MN 56401		120S 7TH ST S



Nursing homes and similar group housing, senior housing; bed and breakfast; state licensed residential facilities serving seven (7) to sixteen (16) persons; non-profit and not-for-profit offices located in buildings owned by the Brainerd Independent School District, not used for classroom education; planned unit developments as regulated by Section 11 of this ordinance; residential townhome planned unit developments as regulated by Section 11 of this Ordinance; Government and public regulated utility buildings; hospitals; places of worship and related buildings; public and private schools; boarding houses; single family dwellings greater than five hundred (500) square feet and less than seven hundred fifty (750) square feet and two-family dwellings greater than five hundred (500) square feet and less than seven hundred fifty (750) square feet subject to 515-54-11: Design Standards

A Public Hearing will be conducted by Brainerd Planning Commission at 6:00 p.m. Wednesday, July 20, 2016 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider rezoning the property.

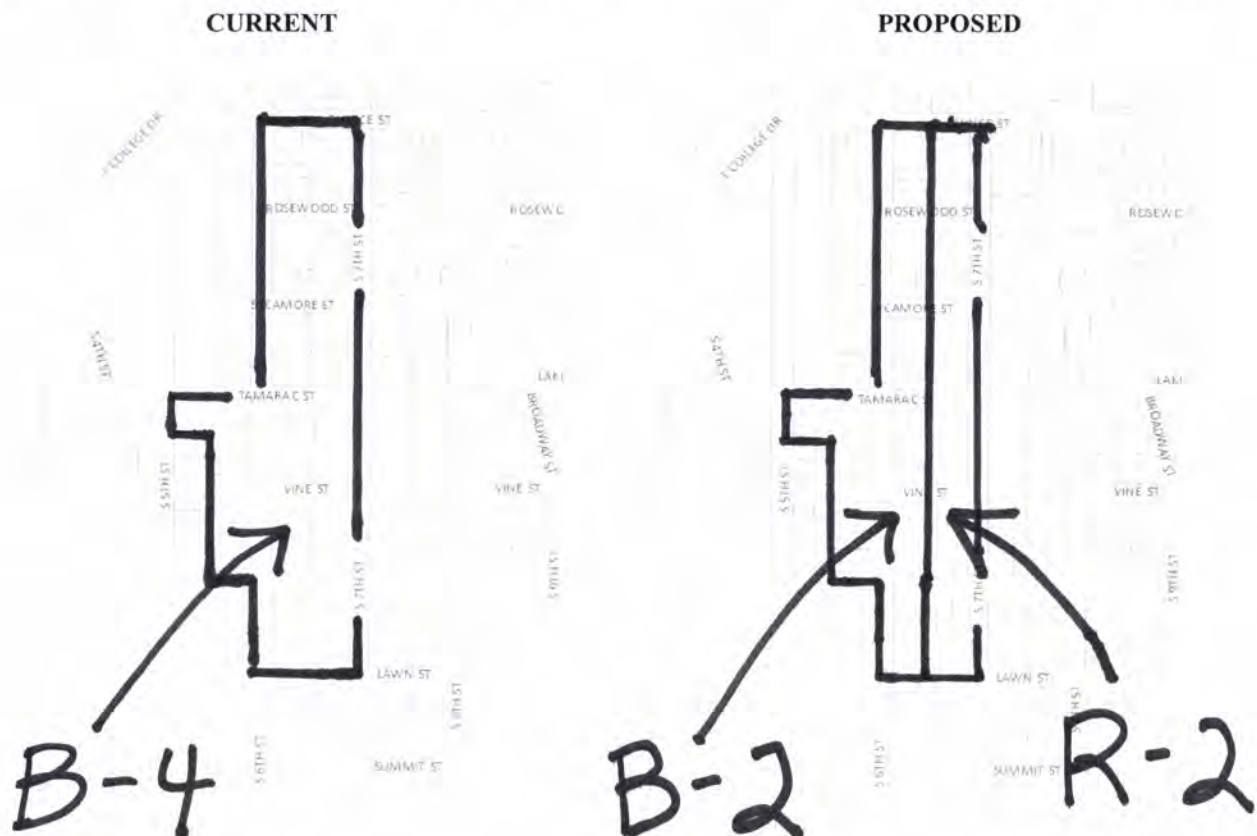
Any individual needing special accommodations please call (218) 828-2309.

Dated this 6th day of July, 2016


Mark Ostgarden AICP
City Planner

Publication Date: July 8, 2016

AREA PROPOSED FOR REZONING FROM B-4 (GENERAL COMMERCIAL) DISTRICT TO B-2 (NEIGHBORHOOD BUSINESS) DISTRICT AND R-2 (MEDIUM DENSITY RESIDENTIAL) DISTRICT



STAFF REPORT TO THE PLANNING COMMISSION

July 11, 2016

REZONING

APPLICANT/LOCATION: KRRC LLP 521 Charles Street, Ste. 210, Brainerd, MN 56401
for 310 W Laurel Street, Brainerd, MN 56401

PROPOSED ZONING: B-4 (General Commercial)

AREA: 2.34 acres

CURRENT ZONING: B-2 (Neighborhood Business) District

ADJACENT USES: North: Railroad, Vacant
East: River
South: Mental Health Center, Multi-Family Residential
West: Office

ADJACENT ZONING: North: R-3 (Multi-Family Residential)
East: B-4 (General Commercial) District
South: R-3 (Multi-Family) District
West: B-2 (General Commercial) District

PETITION EVALUATION

1. The proposed action's consistency with the specific policies and provisions of the official City Comprehensive Plan.

The Future Land Use Map identifies the property as future Public Semi Public Land Use. This designation was done in 2004 when the property was still owned by the City of Brainerd and the map has not been updated. The site is adjacent to a small multi-family parcel identified as future Medium to High Density Residential Land Use and is zoned R-3. The following land use goal would support the rezoning:

LAND USE GOAL #5: *Support development that enhances community character and identity.*

Support the redevelopment of vacant and abandoned sites within the urban core.

2. The proposed use's compatibility with present and future land uses of the area.

There are office uses to the west, southwest across the intersection of Laurel Street and SW 4th Street and north of the BNSF tracks.

B-4 Districts list drive-up restaurants as permitted uses which would have the potential for additional traffic for the area (Restaurants without drive windows are permitted in B-2). B-4 permitted uses should not create compatibility issues for uses north of Laurel Street.

The B-4 District includes conditional uses such as automobile and truck repair, animal hospitals/clinics/kennels and light manufacturing. Such uses have the potential for added noise, odors, and unsightly outdoor storage which could have an impact on the multi-family development to the south of Laurel Street. However, because automobile and truck repair, animal hospitals/clinics/kennels and light manufacturing are conditionally permitted, problems caused by noise, odors, and unsightly outdoor storage can jeopardize a conditional use permit.

Attached is a Zoning Ordinance Use Matrix that lists uses allowed by right, accessory and conditional uses in B-2 and B-4 Districts. This helps clarify the uses that will (will not) be permitted in the proposed rezoning area.

3. **The proposed use's effect upon the area in which it is proposed.**
The property has Mississippi River frontage subjecting it to Shoreland Regulations. The significant one being the land within 300' of the river is subject to a 25% maximum impervious coverage limit. This requirement will limit the size and type of property development. The attached map identifies the limit of the shoreland regulation area on the property.
4. **Traffic generation of the proposed use in relation to capabilities of streets serving the property.**
NW 7th Street is a local street which can accommodate the additional day-to-day traffic of the proposed use as well as the traffic generated by the multi-family dwellings to the north.
5. **The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.**
None of the uses allowed in the district will have a negative impact on public services and facilities nor will they overburden city services.

PLANNING DEPARTMENT COMMENTS

The property has been an automotive repair business for approximately 7 years initially permitted by conditional use permit. A few years ago we did have a complaint about excessive engine noise, but since then no complaints have been received.

The automotive repair business desires to expand to include a U-Haul rental outlet. I have talked to the business owner and explained that should another use be added, the site needs to be brought into conformance with current regulations. The gravel parking will need to be paved and striped with a properly identified handicapped space and the parking will need to be screened.

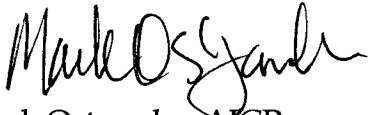
Following is a list of the attached maps and documents:

1. Existing Zoning
2. Existing Land Use
3. Future Land Use
4. Aerial of Site Identifying the 300' Shoreland Regulation Area
5. Zoning Ordinance B-2 and B-4 Use Matrix

PLANNING COMMISSION AND CITY COUNCIL ACTION

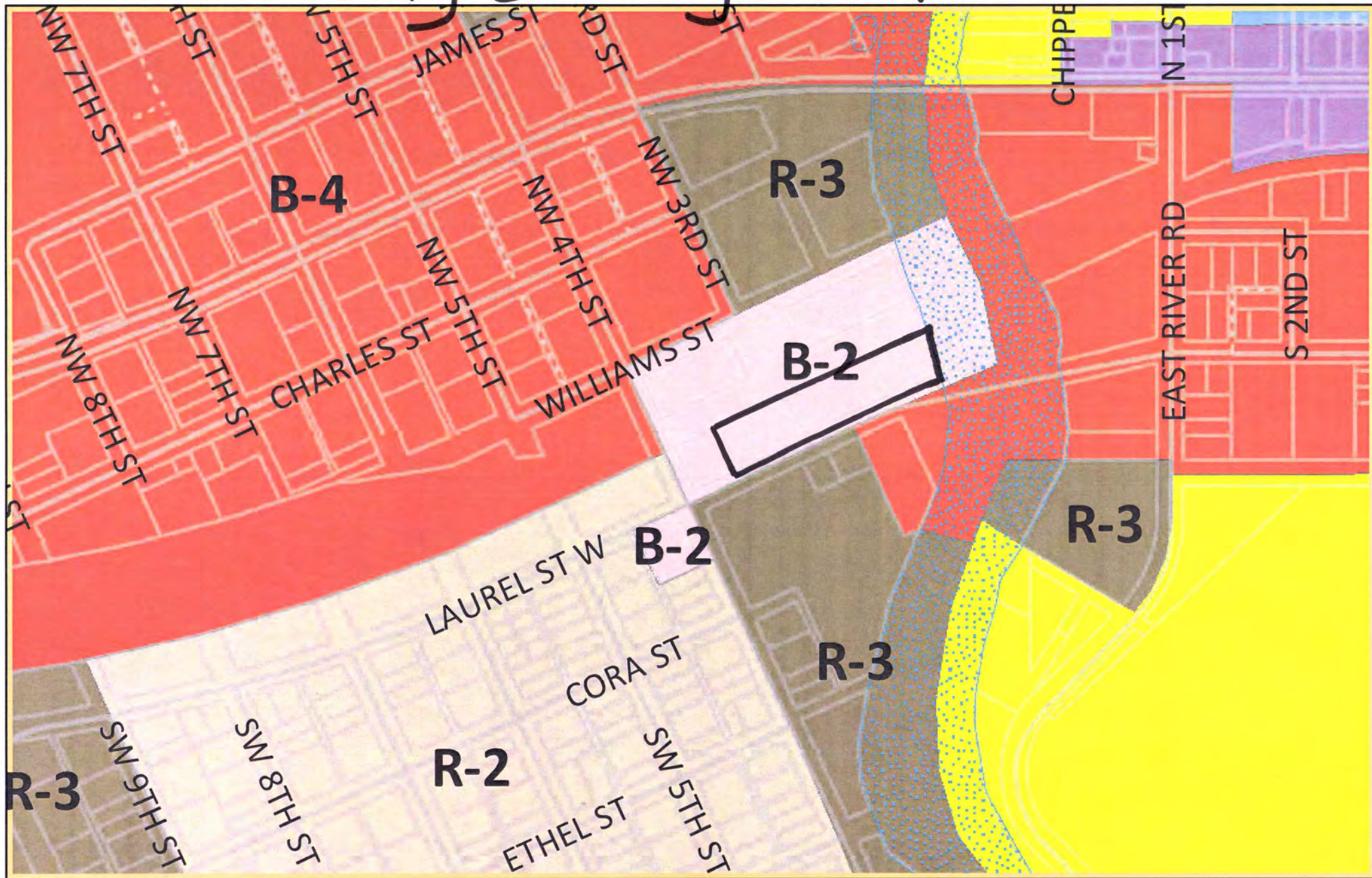
The Planning Commission can consider a recommendation on this request at its July 20, 2016 meeting. The City Council can receive the Planning Commission recommendation and can consider an Ordinance First Reading on August 1, 2016 and can consider the Ordinance Second Reading August 15, 2016.

Respectfully submitted,

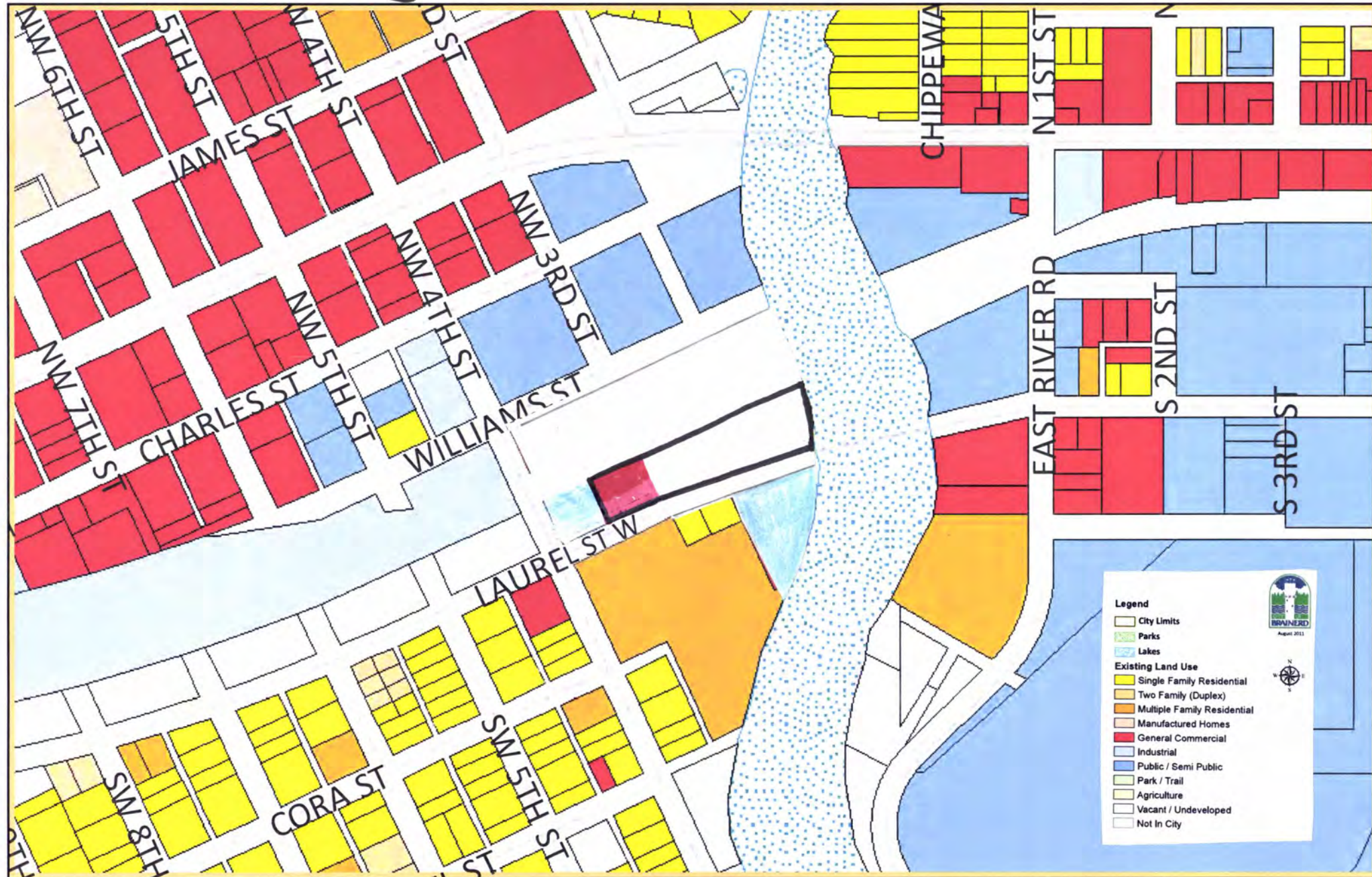
A handwritten signature in black ink, appearing to read 'Mark Ostgarden', with a stylized flourish at the end.

Mark Ostgarden AICP
City Planner

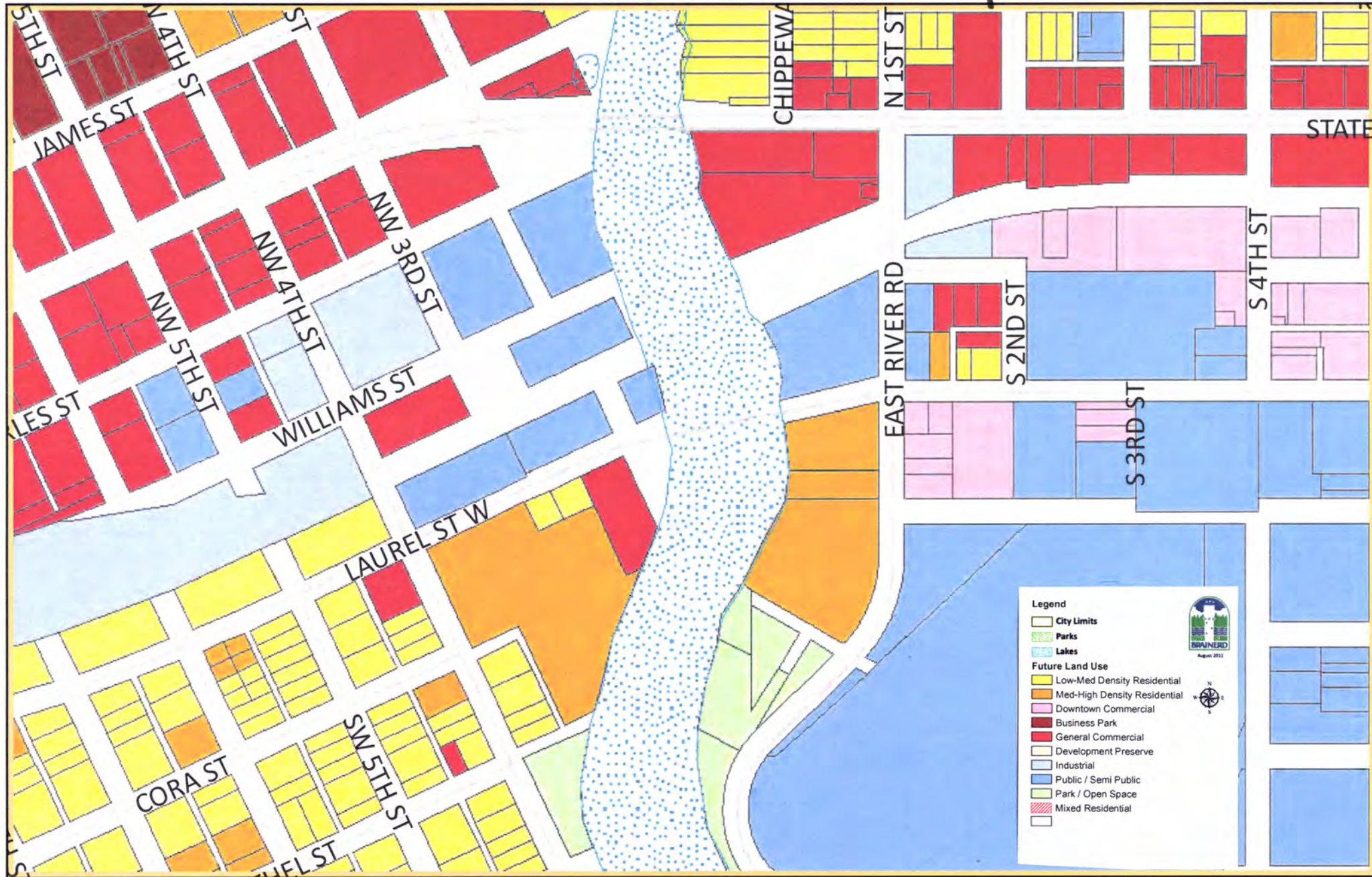
Existing Zoning Map



Existing Land Use



Future Land Use Map





B-2 and B-4 Zoning Ordinance Use Matrix

A "C" appearing in the table for any use means that the use will be permitted in the zoning district by a "Conditional Use Permit". By "I" appearing in the table for any use means that the use will be permitted an "Interim Use Permit". A "P" means that the use is permitted in the zoning district subject to the general provisions of the Zoning Ordinance, and "NP" means the use is not permitted in the zoning district. For uses not included on this list, application shall be made to the Board of Adjustment for interpretation.

USE	B-2	B-4
Adult Uses	NP	P
Agricultural Building	NP	NP
Agricultural Sales	NP	NP3
Agricultural Uses	NP	NP
Amusement Park	NP	NP
Animal Hospital or clinic and kennels	NP	C
Antenna ¹	P	P
Armories	NP	C
Art centers, museums	NP	P
Automobile Dealership	NP	C
Auto Racing tracks	NP	NP
Auto Service Stations	NP	C
Automobile and truck repair	NP	C
Bed & Breakfasts	NP	NP
Business or trade school	NP	P
Campground	NP	C
Car wash	NP	NP
Cemeteries	NP	NP
Colleges and universities	NP	C
Commercial kennels	NP	NP
Commercial Car Wash	NP	C
Commercial riding stables	NP	NP
Commercial recreational businesses	NP	NP
Commercial Day Care Facility	C	C
DHS Drug/alcohol treatment center	NP	C
Drive-In movie Theater	NP	NP
Drive-up service facilities	NP	P ²
Equipment rental- indoor	NP	P
Farms, farmsteads and farming	NP	NP
Financial institutions	P	P
Funeral Homes	C	P
Golf Courses	NP	NP
Government and public buildings, utilities and/or structure	P	P
Health Clubs	NP	NP
Home Businesses	P/C	NP

B-2 and B-4 Zoning Ordinance Use Matrix

USE	B-2	B-4
Hospitality Business	NP	P
Hospitals	NP	C
In home day care ²	P	NP
Liquor Sales, Off-sale	NP	NP
Liquor Sales, On-sale	C	NP
Light manufacturing	NP	C
Loading and unloading areas	P ²	P ²
Mining & Extraction	NP	NP
Motor Fuel Sales	C	C
Nursing Home	NP	NP
Office Business- Clinic & General	P	P
Offices		P
Off-street parking ²	P	P
Off-street loading ²	P	P
On-site service businesses ³	P	P
Outdoor Dining	C	C
Outdoor Entertainment Venues	NP	NP
Outdoor Sales ⁴	NP	C
Outdoor Storage	NP	C ²
Outside services, sales, and equipment rental ⁵	NP	P ²
Pawn Shops	NP	P
Parking Structures	NP	NP
Personal, Professional, and Recreational Vehicle Repair- major	NP	NP
Personal, Professional, and Recreational Vehicle Repair- minor	NP	NP
Personal Services ⁶	P	P
Place of Worship	C	NP
Planned Unit Development	C ⁷	C ⁷
Private Clubs	C	P
Public Buildings	NP	P
Public Parks	NP	NP
Public & Private Schools	NP	NP
Radio and Television studios	NP	C
Recreational Businesses- indoor	NP	P
Repair services	P	P
Residential uses	P	NP
Restaurants-sit down, take out or delivery	C	P
Restaurants and on-sale establishments	C	NP

B-2 and B-4 Zoning Ordinance Use Matrix

USE	B-2	B-4
Restaurants with drive-up window	NP	P
Retail Businesses	NP	P
Retail Establishments	P	P
Seasonal Non-Agricultural Merchandise Sales	NP	P ¹⁴
Self-service Laundromat with dry cleaning pick up and drop off	P	P
Service Business-Off site	NP	NP
Small engine and boat repair	NP	C
Specialty Food Shops	C	P
Sports Stadium	NP	NP
Studio ¹⁰	P	P
Swimming Pool and Water Parks	NP	NP
Taxi or bus dispatch sites	NP	P
Temporary/seasonal outdoor events and sales ⁹	P	P
Testing Labs for water and soil, rocks/minerals and air quality	NP	P
Theaters-except drive-in	NP	P
Wind Energy Conversion Systems ⁸	C	C

1 All antennas are accessory uses and need a permit

2 Are accessory uses

3 Limited to tailoring/alterations, dry cleaners, self-service and copy centers

4 And/or rental lot to lumber yards, motor vehicle and boat sales/rental, construction and landscaping sales/rental and farm implement sales/rental

5 Is an accessory to the principal use and limited in area to 15 ft of the gross floor area of the principal building or 15% of the tenant bay if it is a multiple tenant building. Must be located on private property and shall not intrude on the public sidewalk or boulevard.

6 Such as barber shops, beauty salons, nail salons, tanning salons, therapeutic massage and tattooing

7 Includes shopping centers

8 Wind Energy Conversion Systems may be allowed as an accessory, conditional use, provided the property upon which the system is to be located is zoned R-A, B-1, B-2, B-3, B-4, B-5, I-1, or I-2 (Section 34 of the Zoning Ordinance)

9 Needs a permit

10 These are art, decorating, dance, music and photography studios

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that KRRC LLP 521 Charles Street, Ste. 210, Brainerd, MN 56401 has submitted a request to rezone the property at 310 W Laurel Street, Brainerd, MN 56401 from a B-2 (Neighborhood Business) District to B-4 (General Commercial) District.

The area considered for rezoning are lands described as:

Blocks 1 and 3 of the West Brainerd Plat including the adjacent portion of vacated 3rd Street. The PIDs are 09198003001A009 and 09198001001A009. The area proposed for rezoning is shown on the map below.

A Public Hearing will be conducted by Brainerd Planning Commission at 6:00 p.m. Wednesday, July 20, 2016 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider rezoning the property.

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

Dated this 6th day of July, 2016


Mark Ostgarden AICP
City Planner

Publication Date: July 8, 2016

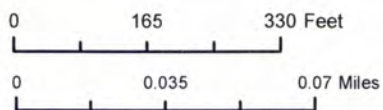
AREA PROPOSED FOR REZONING FROM A B-2 (NEIGHBORHOOD BUSINESS) DISTRICT TO B-4 (GENERAL COMMERCIAL) DISTRICT



APPRCL	TXNAME	TXADR1	TXADR2	PHYSADDR
091980020010009	ADVENTURE PROPERTIES LLC	110 3RD ST NW	BRAINERD, MN 56401	110 NW 3RD ST
04R000000030009	BURLINGTON NORTHERN SANTA FE RR CO	P O BOX 961089	FORT WORTH, TX 76161	
091980030018009	CCRH LLC	12394 CAMWOOD TRL	BAXTER, MN 56425	
091980230010009	HARDESTY, JANICE M	224 4TH ST SW	BRAINERD, MN 56401	224 4TH ST SW
091980230020889	HATLESTAD, BONNIE M	216 SW 4TH STR	BRAINERD MN 56401	216 4TH ST SW
091980180000009	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401	
09198020001Z009	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401	RIVERSIDE SCH
09198022000Z009	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401	
09198001001A009	KRRC INVESTMENTS, LLP	PO BOX 327	BRAINERD, MN 56401	
09198003001A009	KRRC INVESTMENTS, LLP	PO BOX 327	BRAINERD, MN 56401	310 W LAUREL ST
09198019000Y889	MISSISSIPPI TERRANCE PARTNERS LLP	175 7TH AVE S	WAITE PARK, MN 56387	215 4TH ST SW
09198019000Z009	NORTHERN PINES MENTAL HEALTH CENTER	PO BOX 367	LITTLE FALLS MN 56345	201 W LAUREL ST
09198019007Y009	NORTHERN PINES MENTAL HEALTH CENTER	PO BOX 367	LITTLE FALLS MN 56345	
09198024001Z009	NOVOTNY, LARRY L	2400 BRADFORD BAY	ALEXANDRIA, MN 56308	213 4TH ST NW
09198023007Z009	PIERCE, CHRISTINE M	205 5TH ST SW	BRAINERD, MN 56401	205 5TH ST SW
09198023009Z009	QUAM, DOUGLAS L	213 SW 5TH ST	BRAINERD MN 56401	213 5TH ST SW
09198023011Z009	ROBERTS, WILMA J	P O BOX 1010	BRAINERD, MN 56401	223 5TH ST SW
09198019007Z009	SIMON, WILLIAM M & SUSAN	9671 LEISURE LN	BRAINERD, MN 56401	219 W LAUREL ST
09198023004Z009	THELEN - HAGLIN LLC	1717 13TH ST SE	BRAINERD MN 56401	401 W LAUREL ST
091980230030009	WALLIN, MINNA	401 KINGWOOD	BRAINERD, MN 56401	212 4TH ST SW

Mississippi Headwaters 322 Laurel ST

MN DNR - 1601 MN Dr





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

Receipt # 206-00041
Check # 10600
Date Paid: 6-24-16

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

CONDITIONAL USE PERMIT
REZONING
VARIANCE

RESIDENTIAL

☐ (\$250.00)
☐ (\$300.00)
☐ (\$250.00)

COMMERCIAL

☐ (\$400.00 + \$500.00 escrow deposit)
☒ (\$500.00)
☐ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 310 W Laurel St Brainerd MN 56401

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: _____
(attach description if lengthy) See attached for description of lots located on W. Laurel St.

Property Owner Name: KRRC, LLP

Street Address: 521 Charles St Ste 201 City: Brainerd State: MN Zip Code: 56401

Phone Number: 218-828-3334 Fax: _____ E-mail: _____

Applicant Name: (If different than Property Owner) Paradigm Automotive + Performance Al Schmidt

Street Address: 310 W Laurel St City: Brainerd State: MN Zip Code: 56401

Phone Number: 218-855-1111 Fax: 218-454-8834 E-mail: Sales@paradigmauto.com

Description of Request: _____

Rezone PIN's 09198001001A009 AND 09198003001A009
to B4.

[Signature]
Property Owner Signature

Date

KRRC, LLP / Kevin L. Close
(Please print name)

[Signature]
Applicant Signature

Date

Al Schmidt
(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: Fire Chief; 23 Laurel St; Brainerd, MN 56401; 218-828-2312; fire@ci.brainerd.mn.us

_____ **BRAINERD POLICE DEPARTMENT**

Attn: Corky McQuiston, 225 East River Road; Brainerd, MN 56401; 218-829-2805;
corky.mcquiston@ci.brainerd.mn.us

_____ **BRAINERD PUBLIC UTILITIES**

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

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

Attn: John Overland; 1601 Minnesota Dr; Brainerd, MN 56401; 218-828-2383; john.overland@state.mn.us

_____ **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: Mark Liedl; 322 Laurel St Ste 14.; Brainerd, MN 56401; 218-824-1124/FAX 824-1126;
mark.liedl@crowwing.us

_____ **HRA**

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

X _____ **MISSISSIPPI HEADWATERS BOARD**

322 Laurel Street Ste 5; Brainerd, MN 56401; 218-824-1307/FAX 824-1104
mhb@mississippiheadwaters.org

_____ **MINNESOTA DEPARTMENT OF TRANSPORTATION**

Attn: Mary Safgren; 7694 Industrial Park Rd.; Baxter, MN 56425; 218-828-5700; mary.safgren@state.mn.us

X _____ **MINNESOTA DEPARTMENT OF NATURAL RESOURCES**

Attn: Wade Miller; 1601 Minnesota Dr.; Brainerd, MN 56401; 218-828-2605/FAX 828-6043;
wade.miller@state.mn.us

_____ **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: July 12, 2016

RE: Zoning Ordinance Text Amendment - Off Street Parking

The public hearing to consider testimony about removing the minimum Zoning Ordinance off street parking requirements is scheduled for July 20, 2016. The notice is worded so as to permit the Planning Commission to consider removing the requirements in all zoning districts. Below is a list of the zoning districts in the community. It is the Planning Department's suggestion that the highlighted districts be the one we initially consider amending:

A. Agricultural Districts:

1. R-A, Rural Agricultural District

B. Residential Districts:

1. R-R, Rural Residential District
2. R-E, Single Family Estate Residential District
3. R-1A, Single Family Residential
4. R-1, Single Family Residential
5. R-2, Medium Density Residential
6. R-3, High Density Residential
7. R-MH, Manufactured Housing District

C. Business Districts:

1. B-1, Residential-Office District
2. B-2, Neighborhood Business District
3. B-3, Central Business District
4. B-4, General Business District
5. B-5, Commercial Amusement District
6. B-6, Washington Street Commercial District

D. Industrial Districts:

1. I-1, Light Industry District
2. I-2, General Industry District

E. Special Districts:

1. PUD, Planned Unit Development District
2. Floodplain District
3. FW, Floodway District
4. FF, Flood Fringe District

Following is draft language for the Planning Commission to consider:

515-22-8: Number of Spaces Required. The following minimum number of off-street parking spaces shall be provided and maintained by ownership, easement and/or lease for and during the life of the respective uses hereinafter set forth. THE FOLLOWING DISTRICTS ARE EXEMPT FROM THE MINIMUM OFF STREET REQUIREMENTS:

- B-3 (CENTRAL BUSINESS) DISTRICT
- B-4 (GENERAL BUSINESS) DISTRICT
- B-5 (COMMERCIAL AMUSEMENT) DISTRICT
- B-6 (WASHINGTON STREET COMMERCIAL) DISTRICT
- I-1 (LIGHT INDUSTRY) DISTRICT
- I-2 (GENERAL INDUSTRY) DISTRICT

The Planning Department is supportive of amending our off street parking requirements. However it does not think that eliminating the minimums without addressing other land use issues should be done.

For example, communities the Planning Department researched have included parking maximums to cap the number of off street spaces. Another issue that should be addressed is parking lot placement and site design. The Planning Department would like to think the community desires better in our ability to create attractive corridors with more green space, parking lots along a building side or behind a building rather than between the road and the building, and corridors that promote walking and bicycling.