

BRAINERD PLANNING COMMISSION

Wednesday, January 17, 2018
6:00 p.m.
City Hall Council Chambers

Election of Planning Commission Chairman and Vice Chairman

1. Call To Order
2. Approval/Amendment Of Agenda
3. Approval Of Minutes
Regular Meeting Held December 20, 2017

Documents:

[2017-12-20DRAFT.PDF](#)

4. New Business

- 4.a. Public Hearing - Rezone Property From A B-1 (Residential Office) District To A B-6 (Washington Street Commercial) District

Documents:

[SHINGOBEE PROPERTIES - WASHINGTON STREET AND N. 2ND STREET.PDF](#)

- 4.b. Public Hearing - Amending City Zoning Ordinance Section 17-8 C. Assessory Buildings

Documents:

[ZONING ORDINANCE TEXT AMEND - ACCESSORY BUILDINGS.PDF](#)

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

- 6.a. Report On 1st Steering Committee Meeting

7. Commissioners' Questions/Comments

8. City Planner's Report

- 8.a. News Article - FYI

Documents:

[NEWS ARTICLE.PDF](#)

9. Adjourn

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

PLANNING COMMISSION
Wednesday, December 20, 2017

#1 Call to Order

Planning Commission Chair Headley 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, Burslie, Gorham, Headley, Marohn, Wussow; and Council Liaison Lambert. Also present was City Planner Ostgarden and Administrative Specialist Bestul and 2 others.

#2 Approval of Agenda

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND BURSLIE, DULY CARRIED, TO APPROVE THE AGENDA.

#3 Approval of Minutes of the Regular Meeting held on November 15, 2017

MOTION AND SECONDED BY COMMISSIONERS WUSSOW AND LAMBERT, DULY CARRIED, TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON NOVEMBER 15, 2017.

#4 New Business

A. Zoning Ordinance Text Amendment – Public Hearing to Consider Removing Off Street Parking Requirements for Schools

City Planner Ostgarden indicated all the details are included in the packet. He clarified the proposed ordinance will not apply to universities or colleges. If the formulas shown below are removed from the Zoning Ordinance, the school district and all public and private schools would be able to determine the amount of off street parking a school site should need if improvements are planned.

Zoning Ordinance Section 515-22-8: Off Street Parking - Number of Spaces Required:

~~DD. Schools, Elementary and Junior High. One (1) space for each classroom plus one (1) additional space for each three hundred (300) students, plus one (1) space for each employee, plus one (1) space for each four (4) seats in auditorium.~~

EE. School, High Schools, ~~Colleges and Universities~~. At least one (1) parking space for each two (2) students based on the design capacity plus one (1) space for each classroom. Auditorium or event space shall be subject to separate, additional calculations.

City Planner Ostgarden explained that if the off-street parking requirements are removed, a Conditional Use Permit for schools would still be required in the following districts.

515-52 - RR, 53-RE, 54-R-1, 55-R-1A, 56-R-2, 57-R-3: Conditional Uses.

The Conditional Use Permit process would still be an opportunity for the Planning Commission and City Council to discuss off street parking requirements and to determine what would be appropriate for each individual site. Amending the Zoning Ordinance does not completely remove the discussion; it only removes the minimum requirements.

If the change does occur, a notation would be made in the Conditional Use sections as shown below in red for reference purposes.

515-52 - RR, 53-RE, 54-R-1, 55-R-1A, 56-R-2, 57-R-3: Conditional Uses.

Public and private schools provided that:

1. The site accesses a major collector.
2. The site is landscaped in accordance with Section 20 of this Ordinance.
3. Off-street parking is provided in accordance with Section 22 of this Ordinance. **REQUIREMENT REMOVED JANUARY __, 2018.**
4. Off-street loading and service entrances are provided as regulated by Section 23 of this Ordinance.
5. Emergency vehicle access is provided to and within the site.

City Planner Ostgarden stated that typically a notice to property owners is not sent for a zoning text amendment, however the Planning Commission thought for this situation it would be important to do so. A legal notice was printed in the newspaper and letters were mailed to property owners within 350' of the schools.

Commissioner Burslie questioned if single family dwellings are required to have off street parking spaces. City Planner Ostgarden stated that they do.

Commissioner Burslie asked if City Planner Ostgarden has a recommendation on the issue. City Planner Ostgarden stated that it is the Planning Department's perspective the school will provide off street parking for its facilities that will be sufficient for its needs. Here is an opportunity for the City to eliminate the requirement and for the City and school district to work together to solve the parking issue rather than basing it solely on a formula.

Commissioner Marohn took the opportunity to present a PowerPoint regarding parking and why the commission should forward the request to the Council to approve. Mr. Marohn compiled seven (7) top arguments as follows:

- 1) Parking hurts our revenue
- 2) Parking is expensive
- 3) Reduced Revenue + Increased Expenses = Financial Problems
- 4) Minimum parking requirements are bad science
- 5) This ordinance change is limited (affects only schools)
- 6) This ordinance change will have no negative impact on the city's neighborhoods
- 7) This ordinance change does not limit the amount of parking the school can build

The Chair opened the public hearing at 6:24 p.m.

No one came forward.

The Chair closed the public hearing at 6:25 p.m.

Commissioner Marohn indicated he received an email tonight from Mr. Ed Shaw in favor of ending the off-street parking requirement for schools. Mr. Shaw is on the board for Discovery Woods school and he thinks ending the requirements would be good for the school and the entire City.

MOVED AND SECONDED BY COMMISSIONERS MAROHN AND LAMBERT TO RECOMMEND THE ORDINANCE TEXT AMENDMENT TO THE CITY COUNCIL.

Members Antolak, Burslie, Gorham, Headley and Marohn voted “aye”. Member Wussow voted “nay”. The Chair declared the motion carried.

B. Request by City Engineering to Consider Zoning Text Amendment Related to Exterior Building Material Requirements I-1 (Light Industry) District

City Engineer Sandy is requesting an amendment to the Zoning Ordinances related to the I-1 (Light Industry) District. For many years, the Street, Sewer and Engineering staff has been working towards a facility to store the salt and sand mixture that is applied to the streets in the winter. With the last budget cycle that was approved on December 18, 2017, the City Council approved a capital item related to a salt & sand building. After many years of research, many options have been considered, including a standard building to store the salt & sand mixture. One of the most cost-effective solutions is a large scale engineered “hoop house” style that can be seen at various MnDOT facilities. The problem that arose when reviewing the Zoning Ordinance is the I-1 District language; it states a prefabricated engineered fabric building is not allowed as it would not “*match the appearance of the primary structure (street garage).*”

City Engineer Sandy provided photos of the existing salt & sand pile, which is exposed to the elements and a map of the site. All setback requirements that pertain to that district and the building size requirement will be met. If a Zoning Ordinance amendment is approved, there will still be the need for a Conditional Use Permit because of the I-1 District language specifies that a building over the 30' in height will require a Conditional Use Permit and the storage building will be more than 30' tall.

Commissioner Burslie questioned if salt & sand mixtures will even be used in 5+ years, as it appears that a liquid substance may be used in the near future. City Engineer Sandy replied that a lot of larger entities such as MnDOT and some counties have gone to a brine substance. However, the City of Brainerd does not have the equipment to spread this type of mixture. Unless there is a big change in the type of equipment the City has, the City will not be able to proceed with that change.

Commissioner Wussow stated that with heavy rains that have occurred, the salt is basically being washed away. City Engineer Sandy explained that the City operates a separate municipal storm sewer system that has a permit through the Minnesota Pollution Control Agency (MPCA) for the salt runoff. There are protections to the wetland in place, but the salt seeps out. The City uses a mixture containing 13% salt to the sand. The building will be a huge benefit to helping solve this issue.

City Planner Ostgarden explained that in 2009 when the Zoning Ordinance was developed, there was a lot of discussion about community aesthetics. The Planning Commission and City Council at that time thought that the fabric style buildings were not the look the community wanted. The primary discussion was regarding these style structures in the residential districts. The suggested verbiage for the amendment to the Zoning Ordinance could be as shown below:

DRAFT Zoning Ordinance Amendment to I-1 (Light Industrial) District Section 17-8 C. Accessory Buildings, Uses and Equipment.

Commercial, Industrial or Public/Semi-Public Accessory Buildings.

1. Commercial or industrial **ACCESSORY** buildings shall not exceed thirty (30) percent of the gross floor space of the principal building.
2. Accessory buildings shall meet all the required setbacks of the principal building.

3. Accessory buildings shall ~~and comply with the building material requirements within this Section of Ordinance.~~ CAN be constructed of building materials to match the principal structure. OR WITH ANY OF THE FOLLOWING FABRIC MATERIAL:
- TEFLON COATED FIBERGLASS (PTFE)
 - SILICONE-COATED FIBERGLASS (SIPE)
 - WOVEN PTFE (EPTFE)
 - ETHYLENE TETRAFLUOROETHYLENE (ETFE)
 - VINYL COATED POLYESTER (PVC)
 - HIGH-DENSITY POLYETHYLENE (HDPE)

Commission discussion took place and it determined to proceed with a public hearing to consider the amendment.

#5 Public Forum

The Chair opened the public forum at 6:45 p.m.

No one came forward.

The Chair closed the public forum at 6:45 p.m.

#6 Old Business

A. Report on First Steering Committee Meeting

City Planner Ostgarden reported that the PowerPoint in the Planning Commission packet was presented to the Steering Committee. All of the members had the opportunity to meet each other and discuss the upcoming process. Ashley Kaisershot from NJPA and Tad Erickson from Region V did an excellent job presenting the information to the Committee on what to expect in this process. The Plan Topics provided in the PowerPoint are areas that will be discussed for the Comprehensive Plan. There are two areas that were not a part of the 2004 Comprehensive Plan that will be part of the update process. The Plan is not only intended as a Land Use document and a policy document, but also a document that can provide guidance in fiscal planning and the impact of growth and its financial costs on the city. Also, a better implementation strategy for the Plan will be part of the update. The goals and policies included in the 2004 Plan were not well written or specific enough. Hopefully, these will be more specific in how we will implement the Plan. The next meeting will be sometime in February 2018.

Commissioner Gorham commented that he was surprised that sustainability was not included in the plan topics. There was no mention that the environment is changing; rains are larger than they have been, along with the severity of storms increasing. It was indicated in the news recently many areas have seen temperature rises of 6 degrees in the last 47 years. It would appear if we are looking at our future, maybe there should be a consideration for “*sustainability*” and to have a more resilient community.

City Planner Ostgarden indicated that topic was discussed, and it was an oversight to not have it included. He explained that it will be a topic in the Plan update.

Commissioner Marohn questioned the schedule for the upcoming meetings as far as what days of the week are good for all members. The calendar should have the full options of dates, and not based on one individuals availability.

City Planner Ostgarden explained the Committee will be divided into three groups for a one-on-one session with Ms. Kaisershot, Mr. Erickson or Mr. Ostgarden. This will give them the opportunity to meet on an individual basis and ask questions of each member. City Council, Planning Commission and Steering Committee members will be contacted to arrange the individual meetings; ideally before the second Steering Committee meeting.

B. City Council Direction – Special Meetings/Fees and Fees for Services

City Planner Ostgarden explained the topics were presented to the Council at the last meeting and the response is included in the packet.

Commissioner Marohn stated he was concerned that the original request was not directed to the Council correctly, as he did not indicate attending a special meeting was inconvenient for him. Mr. Marohn does not agree with that being the issue at hand, rather it is costing the City money and who pays for that. The complaint was never because of time taken to attend a special meeting.

Commissioner Burslie agreed with Mr. Marohn's comments.

City Planner Ostgarden stated this is the Council's perception of what the concern was. Mr. Ostgarden indicated it was made perfectly clear to him that the Council feels the cost is part of the general fund from property taxes. It has not been an issue or concern for the past decade and has not cost the City any significant amount of money. If the Commission Chair approves a special meeting request, it takes place as requested. Until it gets out of hand or demands more time of the Planning Commission or other staff, this is the final decision.

Commissioner Burslie read the comments from the Council stating "residents already feel that the Planning and Zoning process is a bit intimidating." Mr. Burslie asked how it is intimidating currently. City Planner Ostgarden stated that anyone who must stand at the microphone to talk to the City Council, and the Planning Commission, regarding a process they don't fully understand on live television is an intimidating experience.

City Planner Ostgarden stated anyone is welcome to contact the City Council themselves or attend a City Council meeting and voice their concerns. Mr. Ostgarden is confident he expressed the commission's concerns as requested to the best of his ability. The decision has been made and no further discussion will take place.

#7 Commissioners' Questions/Comments

None

#8 City Planner's Report

City Planner Ostgarden wished everyone a Merry Christmas and a Happy New Year.

#9 Adjourned at 7:00 P.M.

Respectfully submitted,

City Planner Mark Ostgarden AICP

STAFF REPORT TO THE PLANNING COMMISSION

January 8, 2018

REZONING

APPLICANT/LOCATION:	B.A. Doer, LLC 20410 98 th Place, Kent, WA 98031; Deborah Hulke, Personal Representative for John E. Bailey, 212 2 nd St. N, Brainerd, MN 56401 and Shingobee Builders, 669 N. Medina St., Loretto MN 55357
REQUESTED ACTION:	Rezone 2 parcels at the southeast corner of Kingwood Street and N. 2 nd Street and north of the alley from a B-1 (Residential Office) District to a B-6 (Washington Street Commercial) District
AREA:	.32 acres (14,000 sq. ft.)
ADJACENT USES:	North: Residential East: Residential South: Vacant and Occupied Residential West: Commercial
ADJACENT ZONING:	North: R-1 (Single Family Residential) District East: B-1 (Residential Office) District South: B-6 (Washington Street Commercial) District West: B-1 (Residential Office) District

PETITION BACKGROUND

Thrifty White is proposing to rezone property north of the alley at the SE corner of Kingwood Street and N. 2nd Street from a B-1 (Residential Office) District to a B-6 (Washington Street Commercial) District. The proposed rezoning area is 2 parcels; a vacant lot and the other occupied by a duplex dwelling. Should the property be rezoned, it will be used with 2 parcels south of the alley, currently zoned a B-6 (Washington Street Commercial) District, that are occupied by a vacant single-family dwelling and a 5-unit apartment building. The property south of the alley will be developed with a pharmacy store with a drive-up window and off-street parking. The property north of the alley, if rezoned, would be used as additional off-street parking. A copy of the proposed site plan is attached.

The B-1 District that runs from Kingwood Street south to the east/west alley limits permitted uses to governmental and essential services, single family dwellings and office uses. In a B-1 District, should a permitted use such as residential use and/or office use need additional off-street parking, it can be provided.

However, a use allowed in a B-6 District (south of the alley), but not allowed in B-1 District (north of the alley), cannot use B-1 zoned property for its operation. For example, a pharmacy store is allowed in the B-6 District (south of the alley) but not in a B-1 District (north of the alley). A pharmacy parking lot is proposed in the B-1 District (north of the alley) which is not allowed. This is the reason the rezoning request has been submitted.

A decision to rezone should stand on its own merits and should not be based on a specific use or site plan. In other words, as difficult as it is, try to separate the proposed use from the decision process. Think of the area without a proposed use, (remember only the area north of the alley is

proposed for rezoning), and consider are all the uses allowed in a B-6 District appropriate for the area?

PETITION EVALUATION

In compliance with Section 515.09 of the Brainerd Zoning Ordinance, the Planning Commission shall conduct a Public Hearing regarding this request. To assist the Planning Commission in evaluating the suitability of this requested change, the following are guidelines and a staff review of issues associated with the application to consider in the review process.

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

Attached are the Comprehensive Plan Land Use Goals and Strategies by which this proposal should be reviewed. The highlighted goals and strategies appear to be the ones that most relate to the proposed rezoning either in support of or in opposition to the proposal.

All the strategies for goal implementation are listed, should the Planning Commission think others may apply.

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

The Comprehensive Plan Future Land Use Map identifies this property as Low to Medium Density Residential land use. Attached are an aerial photo of the rezoning area and the surrounding neighborhood and Future Land Use, Zoning and Existing Land Use Maps of the area.

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

The purpose and intent of the B-1 District reads as follows:

*This district allows single family uses and office space uses. This district serves as a **transitional district** between residential neighborhoods and commercial uses in areas where redevelopment is anticipated. The district includes uses that will not disrupt nearby, low-density land uses through high traffic generation, noise, or other nuisances.*

The purpose and intent of the district of the B-6 District reads as follows:

*(This district is) to provide zoning regulation **flexibility to permit development consistent with land use patterns along the Washington Street corridor** from the Mississippi River to Gillis Street. The purpose of the District is also to ensure compatibility between land uses and transportation and to minimize negative effects of development on the Washington Street corridor.*

The rezoning will remove B-1 District zoning intended to be a transition zone between Washington Street and Kingwood Street.

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

The development of the site will not affect the capabilities of city streets in the area.

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 will be no negative impact created by any of the issues identified in this criterion.

PLANNING DEPARTMENT REVIEW

Should the rezoning be denied, it is possible the B-6 property could still be (re)developed for the pharmacy. Because there is no minimum off-street parking requirement, Thrifty White has approximately 20-22 on street parking spaces available on N. 2nd Street for its parking needs. Should we have had off-street parking requirements, the 1 space/200 sq. ft. of floor area would have required 17 off-street parking spaces for the use. The site plan identifies 17 off-street parking spaces south of the alley and 24 off-street parking spaces north of the alley.

Attached are two sets of Draft Findings of Fact.

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission can consider a recommendation on this request at its January 17, 2018 meeting. The City Council can receive the Planning Commission recommendation and consider an Ordinance First Reading on February 5, 2018 and an Ordinance Second/Final Reading on TUESDAY, February 20, 2018.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

COMPREHENSIVE PLAN GOALS AND STRATEGIES

General Goal #1: Maximize Brainerd's potential as a thriving center for business, health care, industry, education and recreation, while maintaining and enhancing its livability.

Strategies

1. Promote the development and implementation of a Comprehensive Plan that effectively and efficiently plans for land use, community facilities, transportation, housing, economic development and environmental protection for Brainerd and the immediate surrounding area.
2. Review and amend the Comprehensive Plan as necessary to ensure its usefulness as a practical guide for current and future development. *Adhere to this Plan*, which shall guide all zoning changes, as closely as possible to ensure consistent development policy.
3. Formulate and enforce city ordinances to ensure development in accordance with the Comprehensive Plan, including downtown development guidelines, and general commercial development requirements.
4. Continue to plan for land uses to support and enhance Brainerd's ability to attract quality development, by providing adequate quality areas for new business development.
5. Participate in the state legislative, Crow Wing County, and surrounding townships' governmental processes regarding issues important to the city.
6. Protect both the general welfare and the individual choices of Brainerd residents. Insure that decisions that are made by the community reflect the needs of current residents and business owners.

COMMERCIAL/INDUSTRIAL LAND USE

Goal: Plan for the orderly, efficient and fiscally responsible growth of commercial and industrial development in Brainerd.

Strategies

1. Locate and design industrial and commercial developments to provide good access and road service, while avoiding the routing of traffic through residential neighborhoods.
2. Require new commercial and industrial developments to have access to adequately sized and designed public roads.
3. Encourage the development of additional commercial and industrial areas within the city in accordance with the land use plan.
4. When available, require all commercial and industrial developments to be on public sewer and water.
5. Buffer commercial and industrial developments from environmentally sensitive areas and residential areas within the community.
6. Require compliance with all City Codes including the building, storm water and landscaping codes.

ECONOMIC DEVELOPMENT

Goal: Support the development of a strong, diversified, and growing economic base and create a favorable climate for economic development and ongoing business activities.

Strategies

1. *Promote and encourage quality commercial and industrial development in the city* through the support and cooperation of the City Council, EDA, the Brainerd Lakes Development Corporation (BLADC), business organizations and community leaders.
2. *Actively promote development and redevelopment within the community*, including financial incentives, with particular emphasis on attracting and supporting businesses that provide livable-wage jobs.
3. *Strengthen and maintain a diverse retail base* through the cooperation of the Brainerd Economic Development Authority, (EDA), Housing and Redevelopment Authority (HRA), BLADC, business organizations and community leaders.
4. *Promote and encourage environmentally sound commercial and industrial development through design standards and good site planning.*
5. *Promote aesthetically pleasing development and redevelopment in the city.*
6. *Create and maintain an economic development database to track trends and determine future needs.*
7. *Emphasize tax base expansion* and job creation in economic development efforts by the city.
8. *Plan for adequate land for future Industrial and Commercial Developments in three principal areas within the city:*

 *East of Business Highway 371 near the Industrial Park Road*

 *Within the Redevelopment of the Northern Pacific Center*

 *On the former Potlatch Paper Mill site*

 *Other areas deemed appropriate*

Land Use Goal #2: *Plan for the orderly, efficient and fiscally responsible growth of commercial and industrial development in Brainerd.*

Strategies

1. *Require new commercial and industrial developments to have access to adequately sized and designed public roads.*
2. *Locate and design industrial and commercial developments to avoid the routing of traffic through residential neighborhoods.*
3. *Encourage the development of additional commercial and industrial areas within the city in accordance with the land use plan.*
4. *When available, require all commercial and industrial developments to be on public sewer and water.*
5. *Buffer commercial and industrial developments from environmentally sensitive areas, residential neighborhoods and other incompatible land uses within the community.*

Land Use Goal #4: *Plan land uses and implement standards to minimize land use conflicts.*

Strategies

1. *Prepare and adopt a land use plan that designates land use areas and guides development to appropriate areas in order to ensure desirable land use patterns and minimize conflicts.*
2. *Require adequate transitions between different land uses through appropriate land use planning and zoning standards.*
3. *Promote architectural/site aesthetics that are compatible with community standards.*
4. *Encourage the location of commercial and industrial development in areas that avoid adverse impacts, such as truck traffic, through residential areas.*
5. *Prepare design standards for commercial, industrial and multi-family housing development.*

Land Use Goal #5: Support development that enhances community character and identity.

Strategies

1. *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. *Develop and enforce architectural/site-planning standards in both the downtown and general commercial areas that support and promote community aesthetic standards.*
3. *Support and enhance Brainerd's ability to attract new development by identifying quality building sites that provide efficient infrastructure, specifically in growth areas.*
4. *Support the redevelopment of vacant and abandoned sites within the urban core.*
5. *Ensure that high quality developments are well planned and connected to existing development through the efficient use of streets, utilities and infrastructure.*
6. *Develop a "Community Resources Master Plan" that identifies unique environmental, cultural and architectural sites within the community. Establish preservation guidelines that allow for adaptive re-use, or redevelopment.*
7. *Work with property owners to encourage the development of attractive entrances and gateways to the community.*

Findings of Fact Recommending Approval

Rezoning

B.A. Doer, LLC 20410 98th Place, Kent, WA 98031; Deborah Hulke, Personal Representative for John E. Bailey, 212 2nd St. N, Brainerd, MN 56401 and Shingobee Builders, 669 N. Medina St., Loretto MN 55357 to rezone property at the southeast corner of Kingwood Street and N 2nd Street from a B-1 (Residential Office) District to a B-6 (Washington Street Commercial) District.

1. The proposed rezoning area is part of a (re)development for a pharmacy store.
2. A vacant lot and a duplex building at the southeast corner of Kingwood Street and N. 2nd Street, on the north side of the alley, are proposed for rezoning from a B-1 (Residential Office) District to a B-6 (Washington Street Commercial) District.
3. The proposed rezoning area is approximately .32 acres.
4. Property to the west is off-street parking for a restaurant; property to the north is single family residential and property to the east is single family residential.
5. Zoning to the west and east is a B-1 (Residential Office) District and zoning to the north is an R-1 (Low to Medium Residential) District.
6. The property south of the alley is zoned a B-6 (Washington Street Commercial) District on which there is a vacant residential dwelling and a 5-unit apartment building.
7. The site developers have submitted a site plan identifying the area proposed for rezoning to be for off-street parking that is part of the (re)development for the pharmacy store on the property south of the alley.
8. The Purpose and Intent of the B-1 District reads as follows:
This district allows single family uses and office space uses. This district serves as a transitional district between residential neighborhoods and commercial uses in areas where redevelopment is anticipated. The district includes uses that will not disrupt nearby, low-density land uses through high traffic generation, noise, or other nuisances.

The Purpose and Intent of the district of the B-6 District reads as follows:
(This district is) to provide zoning regulation flexibility to permit development consistent with land use patterns along the Washington Street corridor from the Mississippi River to Gillis Street. The purpose of the District is also to ensure compatibility between land uses and transportation and to minimize negative effects of development on the Washington Street corridor.

In many areas along Washington Street, the B-6 District is only 140' deep. This depth limits site design and makes (re)development of the frontage difficult.

9. The B-1 (Residential Office) District zoning allows the following uses:
515-60-2: Permitted Uses.
 - A. Government and public buildings, utilities, and/or structures.
 - B. Office Businesses-Clinic.
 - C. Office Businesses-General.

- D. Single family dwellings.
- E. Essential services... as regulated by Section 36 of this Ordinance.

515-60-3: Accessory Uses.

- A. Private garages and off-street parking as regulated in Section 17 of this Ordinance.
- B. Off-street loading as regulated in Section 23 of this Ordinance.
- C. Tool houses and sheds
- D. Fences as regulated in Section 19 of this Ordinance.
- E. Signs as regulated in Section 37 of this Ordinance.
- F. Radio and television receiving antennas, satellite dishes, ...
- G. In home day care serving fourteen (14) or fewer persons in a single family detached dwelling.
- H. Home Businesses as regulated by Section 26 of this Ordinance.

515-60-4: Uses by Administrative Permit.

- A. Personal wireless service antennas as regulated by Section 35 of this Ordinance.

515-60-5: Interim Uses.

- A. None

515-60-6: Conditional Uses.

- A. Funeral homes and mortuaries provided that:
- B. Studios limited to art, dance, music, decorating and photography ...
- C. Places of worship and related buildings provided that:
- D. Off-street parking and access is provided on the site or on lots directly abutting or directly across a public street or alley to the principal use (**ALLOWED IN A B-1 DISTRICT**) in compliance with Section 22 of this Ordinance and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with Section 20 of this Ordinance.
- E. Bed and breakfast subject to the provisions of Section 31 of this Ordinance.
- F. Planned Unit Developments as regulated by Section 11 of this Ordinance.

The B-6 (Washington Street Commercial) District zoning allows the following uses:

515-65-2: Permitted Uses.

- A. Decorating and photography studios.
- B. Financial institutions.
- C. Liquor sales, on and off sale.
- D. Offices.
- E. Pawn shops.
- F. Personal services limited to barber shops, beauty salons, nail salons, tanning salons, therapeutic massage and tattooing.
- G. Recreation businesses – indoor.
- H. Restaurants – sit down, takeout and delivery.
- I. Retail businesses within a principal building.
- J. Repair services limited to jewelry, radio and electronics, televisions and household appliances.
- K. On-site service businesses such as tailoring, dry cleaning, self-service laundry and copy centers.
- L. Music, art and dance studios.
- M. Adult uses.

- N. *Essential services as regulated by Section 36 of this Ordinance.*
- O. *Personal, Professional, and Recreational Vehicle Repair, Minor.*
- P. *Brew Pub Off-Sale.*
- Q. *Brew Pub On-Sale. A brewer with an on-sale malt liquor license subject to the provisions of Minnesota Statutes 340A and the following:*
- R. *Brewery with Taproom On-Sale.*
- S. *Brewery with Taproom Off-Sale.*
- T. *Microdistilleries and Cocktail Rooms*

515-65-3: Accessory Uses.

- A. *Accessory uses customarily incidental to permitted uses.*
- B. *Loading and unloading areas as regulated by Section 23 of this Ordinance.*
- C. *Signs.*
- D. *Fences.*
- E. *Drive-up service facilities provided that:*
- F. *Radio and television receiving antennas, satellite dishes, ...*
- G. *Car wash accessory to motor vehicle sales.*
- H. *Outside services, sales, and equipment rental accessory to the principal use...*

515-65-4: Uses by Administrative Permit.

- A. *Temporary/seasonal outdoor sales and promotional events provided that:*

515-65-5: Interim Uses.

- A. *None.*

515-65-6: Conditional Uses.

- A. *Motor vehicle fuel sales provided that:*
- B. *Planned Unit Development (PUD)...*
- C. *Non-enclosed areas for dining and/or serving alcohol...*
- D. *Small engine and boat repair provided that:*
- E. *Animal hospital or clinic and kennels provided that:*
- F. *Radio and television studios.*
- G. *Automobile dealerships provided that:*
- H. *Commercial day care facilities...*
- I. *Car wash.*
- J. *Personal, Professional, and Recreational Vehicle Repair, Major.*

The residential uses across Kingwood Street and on the adjacent lot would be buffered by screening requirements in the Zoning Ordinance.

There are Zoning Ordinance site development requirements for screening of off-street parking, dumpsters, and mechanical equipment.

The Zoning Ordinance includes requirements for commercial building design standards.

These standards are intended and designed to assure compatibility of uses and to enhance the health, safety and general welfare of the residents of the City of Brainerd.

10. Rezoning the property is supported by the following Comprehensive Plan Goals and Strategies:

General Goal

#1: *Maximize Brainerd's potential as a thriving center for business, health care, industry, education and recreation, while maintaining and enhancing its livability.*

Strategy

Promote the development and implementation of a Comprehensive Plan that effectively and efficiently plans for land use, community facilities, transportation, housing, economic development and environmental protection for Brainerd and the immediate surrounding area.

The rezoning will permit infill development which is an efficient use of the land and a goal of the Comprehensive Plan.

Economic Development

Goal: *Plan for the orderly, efficient and fiscally responsible growth of commercial and industrial development in Brainerd.*

Strategy

Locate and design industrial and commercial developments to provide good access and road service, while avoiding the routing of traffic through residential neighborhoods.

The proposed rezoning area has alley access avoiding Kingwood Street as an access, which means traffic does not need to be routed through a residential neighborhood.

GOAL: *Support the development of a strong, diversified, and growing economic base and create a favorable climate for economic development and ongoing business activities.*

Strategies

Actively promote development and redevelopment within the community, including financial incentives, with particular emphasis on attracting and supporting businesses that provide livable-wage jobs.

Strengthen and maintain a diverse retail base....

Rezoning the property will create a larger site for (re)development which will provide an opportunity to attract livable wage jobs to the community.

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.

Support and enhance Brainerd's ability to attract new development by identifying quality building sites that provide efficient infrastructure, specifically in growth areas.

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

Rezoning will create a larger parcel enhancing Brainerd's ability to attract new development and it will support the redevelopment of a vacant site and remove deteriorating residential property.

Findings of Fact Recommending Denial

Rezoning

B.A. Doer, LLC 20410 98th Place, Kent, WA 98031; Deborah Hulke, Personal Representative for John E. Bailey, 212 2nd St. N, Brainerd, MN 56401 and Shingobee Builders, 669 N. Medina St., Loretto MN 55357 to rezone property at the southeast corner of Kingwood Street and N 2nd Street from a B-1 (Residential Office) District to a B-6 (Washington Street Commercial) District.

1. The proposed rezoning area is part of a (re)development for a pharmacy store.
2. A vacant lot and a duplex building at the southeast corner of Kingwood Street and N. 2nd Street, on the north side of the alley, are proposed for rezoning from a B-1 (Residential Office) District to a B-6 (Washington Street Commercial) District.
3. The proposed rezoning area is approximately .32 acres.
4. Property to the west is off-street parking for a restaurant; property to the north is single family residential and property to the east is single family residential.
5. Zoning to the west and east is a B-1 (Residential Office) District and zoning to the north is an R-1 (Low to Medium Residential) District.
6. The property south of the alley is zoned a B-6 (Washington Street Commercial) District on which there is a vacant residential dwelling and a 5-unit apartment building.
7. The site developers have submitted a site plan identifying the area proposed for rezoning to be for off street parking that is part of the (re)development for the pharmacy store on the property south of the alley.
8. The purpose and intent of the B-1 District reads as follows:
This district allows single family uses and office space uses. This district serves as a transitional district between residential neighborhoods and commercial uses in areas where redevelopment is anticipated. The district includes uses that will not disrupt nearby, low-density land uses through high traffic generation, noise, or other nuisances.

The purpose and intent of the district of the B-6 District reads as follows:

(This district is) to provide zoning regulation flexibility to permit development consistent with land use patterns along the Washington Street corridor from the Mississippi River to Gillis Street. The purpose of the District is also to ensure compatibility between land uses and transportation and to minimize negative effects of development on the Washington Street corridor.

The rezoning will remove some of the B-1 zone intended to be a transition zone between Washington Street and Kingwood Street and will permit a wide variety of commercial uses that can have detrimental impact on the residential neighborhood to the north.

9. The B-1 (Residential Offices) District zoning allows the following uses:

515-60-2: Permitted Uses.

- A. Government and public buildings, utilities, and/or structures.
- B. Office Businesses-Clinic.
- C. Office Businesses-General.
- D. Single family dwellings.

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

515-60-3: Accessory Uses.

- A. Private garages and off-street parking as regulated in Section 17 of this Ordinance.
- B. Off-street loading as regulated in Section 23 of this Ordinance.
- C. Tool houses and sheds
- D. Fences as regulated in Section 19 of this Ordinance.
- E. Signs as regulated in Section 37 of this Ordinance.
- F. Radio and television receiving antennas, satellite dishes, ...
- G. In home day care serving fourteen (14) or fewer persons in a single family detached dwelling.
- H. Home Businesses as regulated by Section 26 of this Ordinance.

515-60-4: Uses by Administrative Permit.

- A. Personal wireless service antennas as regulated by Section 35 of this Ordinance.

515-60-5: Interim Uses.

- A. None

515-60-6: Conditional Uses.

- A. Funeral homes and mortuaries provided that:
- B. Studios limited to art, dance, music, decorating and photography ...
- C. Places of worship and related buildings provided that:
- D. Off-street parking and access is provided on the site or on lots directly abutting or directly across a public street or alley to the principal use (**ALLOWED IN A B-1 DISTRICT**) in compliance with Section 22 of this Ordinance and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with Section 20 of this Ordinance.
- E. Bed and breakfast subject to the provisions of Section 31 of this Ordinance.
- F. Planned Unit Developments as regulated by Section 11 of this Ordinance.

The B-6 (Washington Street Commercial) District zoning allows the following uses:

515-65-2: Permitted Uses.

- A. Decorating and photography studios.
- B. Financial institutions.
- C. Liquor sales, on and off sale.
- D. Offices.
- E. Pawn shops.
- F. Personal services limited to barber shops, beauty salons, nail salons, tanning salons, therapeutic massage and tattooing.
- G. Recreation businesses – indoor.
- H. Restaurants – sit down, takeout and delivery.
- I. Retail businesses within a principal building.
- J. Repair services limited to jewelry, radio and electronics, televisions and household appliances.
- K. On-site service businesses such as tailoring, dry cleaning, self-service laundry and copy centers.
- L. Music, art and dance studios.
- M Adult uses.
- N. Essential services as regulated by Section 36 of this Ordinance.

- O. *Personal, Professional, and Recreational Vehicle Repair, Minor.*
- P. *Brew Pub Off-Sale.*
- Q. *Brew Pub On-Sale. A brewer with an on-sale malt liquor license subject to the provisions of Minnesota Statutes 340A and the following:*
- R. *Brewery with Taproom On-Sale.*
- S. *Brewery with Taproom Off-Sale.*
- T. *Microdistilleries and Cocktail Rooms*

515-65-3: Accessory Uses.

- A. *Accessory uses customarily incidental to permitted uses.*
- B. *Loading and unloading areas as regulated by Section 23 of this Ordinance.*
- C. *Signs.*
- D. *Fences.*
- E. *Drive-up service facilities provided that:*
- F. *Radio and television receiving antennas, satellite dishes, ...*
- G. *Car wash accessory to motor vehicle sales.*
- H. *Outside services, sales, and equipment rental accessory to the principal use...*

515-65-4: Uses by Administrative Permit.

- A. *Temporary/seasonal outdoor sales and promotional events provided that:*

515-65-5: Interim Uses.

- A. *None.*

515-65-6: Conditional Uses.

- A. *Motor vehicle fuel sales provided that:*
- B. *Planned Unit Development (PUD)...*
- C. *Non-enclosed areas for dining and/or serving alcohol...*
- D. *Small engine and boat repair provided that:*
- E. *Animal hospital or clinic and kennels provided that:*
- F. *Radio and television studios.*
- G. *Automobile dealerships provided that:*
- H. *Commercial day care facilities...*
- I. *Car wash.*
- J. *Personal, Professional, and Recreational Vehicle Repair, Major.*

Although the City Zoning Ordinance has screening, site design and building design standards, many of the uses allowed in a B-6 District have the potential to create land use conflicts with the residential neighborhood to the north.

10. Rezoning the property is supported by the following Comprehensive Plan Goals and Strategies:

General Goal #1: *Maximize Brainerd's potential as a thriving center for business, health care, industry, education and recreation, while maintaining and enhancing its livability.*

Strategy

Adhere to this Plan....

Rezoning the area north of the alley to a B-6 (Washington Street Commercial) District does not "Adhere to this Plan..."

COMMERCIAL/INDUSTRIAL LAND USE

Goal: Plan for the orderly, efficient and fiscally responsible growth of commercial and industrial development in Brainerd.

Strategies

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

Buffer commercial and industrial developments from environmentally sensitive areas and residential areas within the community.

The Future Land Use plan identifies the area proposed for rezoning as future Low and Moderate Residential Land Use.

Land Use

Goal #4: Plan land uses and implement standards to minimize land use conflicts.

Strategies

Prepare and adopt a land use plan that designates land use area and guides development to appropriate areas in order to ensure desirable land use patterns and minimize conflicts.

Require adequate transitions between different land uses through appropriate land use planning and zoning standards.

The purpose of the B-1 (Residential Office) District is:

This district allows single family uses and office space uses. This district serves as a transitional district between residential neighborhoods and commercial uses in areas where redevelopment is anticipated. The district includes uses that will not disrupt nearby, low-density land uses through high traffic generation, noise, or other nuisances.

Rezoning the property will remove part of the zone intended to provide a transition between the more intensely developed Washington Street corridor and the residential neighborhood to the north.

Aerial View of the Proposed Rezoning Area and Redevelopment Site



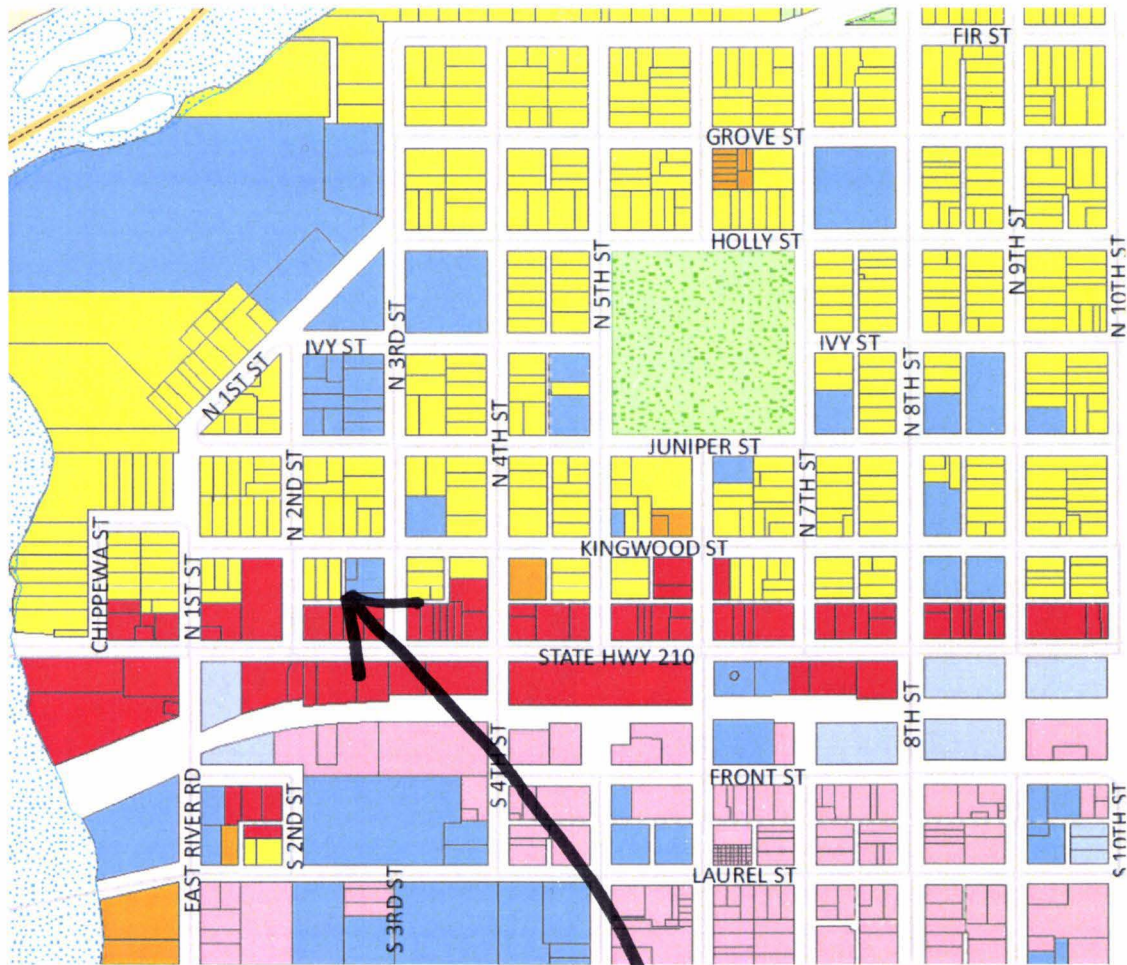
Proposed Rezoning B-1 to B-6



Proposed Redevelopment Site

- # Proposed Reasoning

Future Land Use Map



Legend

City Limits

Parks

Lakes

Future Land Use

Low-Med Density Residential

Med-High Density Residential

Downtown Commercial

Business Park

General Commercial

Development Preserve

Industrial

Public / Semi Public

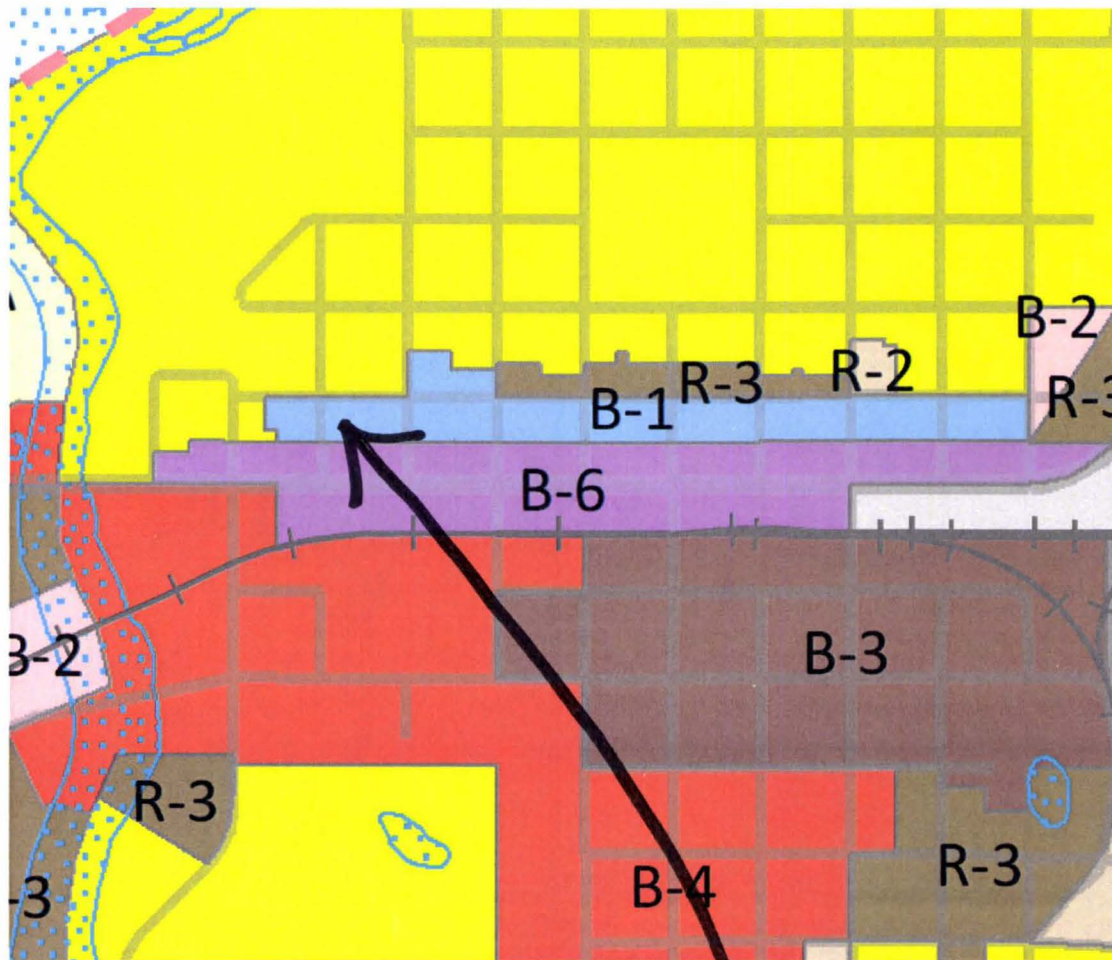
Park / Open Space

Mixed Residential



Proposed
Rezoning

Zoning Map

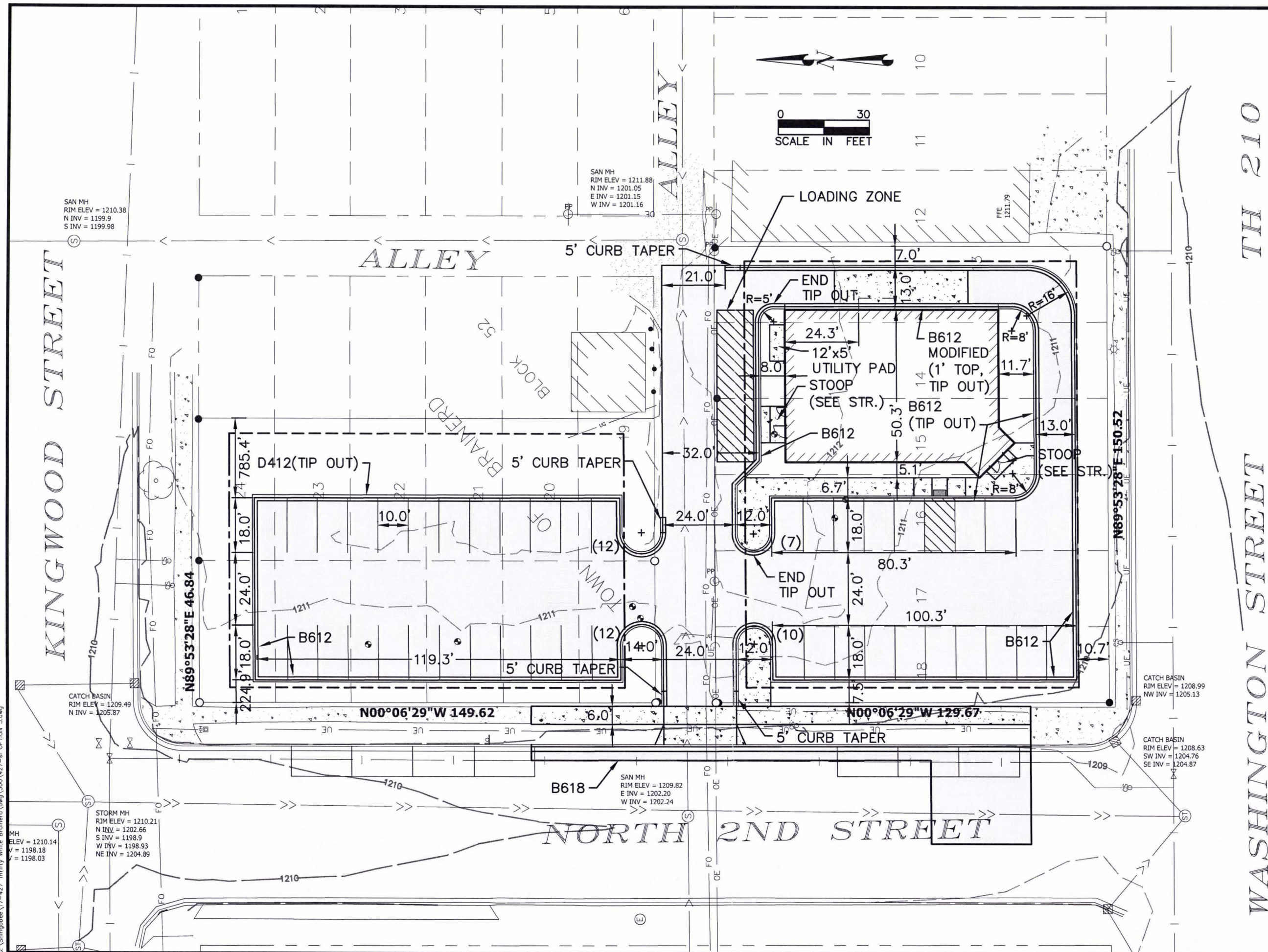


Legend

	R-A Rural Agricultural
	R-R Rural Residential
	R-E Rural Estate
	R-1A Single Family Residential
	R-1 Single Family Residential
	R-2 Medium Density Residential
	R-3 High Density Residential
	R-MH Manufactured Housing
	B-1 Residential Office
	B-2 Neighborhood Business
	B-3 Central Business District
	B-4 General Commercial
	B-5 Commercial Amusement
	B-6 Washington Street Commercial
	I-1 Light Industrial
	I-2 General Industrial
	MU Mixed Use
	PUD Planned Urban Dev

Proposed
Rezoning

Dec 20, 2017 4:02pm
C:\Shingabea\17-427 Thrifty White Brainerd.dwg, 300\427-si OPTION 3.dwg



Engineering
Land Surveying
Economic Development

JPJ ENGINEERING, INC
425 Grant Street
P.O. Box 656
Hibbing, MN 55746
Phone: (218) 262-5528
www.jpjeng.com

Hibbing, MN • Duluth, MN

THRIFTY WHITE
BRAINERD, MINNESOTA

SITE PLAN

REVISION DATE:	DESCRIPTION:

SURVEYED
DESIGNED JPJ
DRAWN DCP
CHECKED JPJ

I hereby certify that this plan was prepared by
me or under my direct supervision and that I am
a duly licensed Professional Engineer under the
laws of the State of Minnesota.

PRELIMINARY

JOHN P. JAMNICK, P.E.

DATE _____ LIC. NO. 19907

17-427
PROJECT #

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that B.A. Doer, LLC 20410 98th Place, Kent, WA 98031; Deborah Hulke, Personal Representative for John E. Bailey, 212 2nd St. N, Brainerd, MN 56401 and Shingobee Builders, 669 N. Medina, Loretto MN 55357, have submitted a request to rezone the westerly 2/3 of lots 19 – 24, Block 52, Brainerd Original Plat from a B-1 (Residential Office) District to B-6 (Washington Street Commercial) District. See below for uses allowed in each District. The site is planned to be used as off-street parking for a Thrifty White Drug Store.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, January 17, 2018 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider rezoning the property.

Any individual needing special accommodations or would like more information about this request please call (218) 828-2309.

Dated this 4th day of January 2018

Mark Ostgarden AICP
City Planner

SECTION 60 B-1, RESIDENTIAL-OFFICE DISTRICT

515-60-2: Permitted Uses.

- A. Government and public buildings, utilities, and/or structures.
- B. Office Businesses-Clinic.
- C. Office Businesses-General.
- D. Single family dwellings.
- E. Essential services... as regulated by Section 36 of this Ordinance.

515-60-3: Accessory Uses.

- A. Private garages and off-street parking as regulated in Section 17 of this Ordinance.
- B. Off-street loading as regulated in Section 23 of this Ordinance.
- C. Tool houses and sheds
- D. Fences as regulated in Section 19 of this Ordinance.
- E. Signs as regulated in Section 37 of this Ordinance.
- F. Radio and television receiving antennas, satellite dishes, ...
- G. In home day care serving fourteen (14) or fewer persons in a single family detached dwelling.
- H. Home Businesses as regulated by Section 26 of this Ordinance.

515-60-4: Uses by Administrative Permit.

- A. Personal wireless service antennas as regulated by Section 35 of this Ordinance.

515-60-5: Interim Uses.

- A. None

515-60-6: Conditional Uses.

- A. Funeral homes and mortuaries provided that:

- B. Studios limited to art, dance, music, decorating and photography ...
- C. Places of worship and related buildings provided that:
- D. Off-street parking and access is provided on the site or on lots directly abutting or directly across a public street or alley to the principal use **(ALLOWED IN A B-1 DISTRICT)** in compliance with Section 22 of this Ordinance and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with Section 20 of this Ordinance.
- E. Bed and breakfast subject to the provisions of Section 31 of this Ordinance.
- F. Planned Unit Developments as regulated by Section 11 of this Ordinance.

SECTION 63

B-4, GENERAL BUSINESS DISTRICT

515-63-1: Purpose and Intent. The purpose of the General Business District is to allow more intensive commercial uses that require extensive highway access for customer contact.

515-63-2: Permitted Uses.

- A. Government and public buildings, utilities and/or structures.
- B. Financial institutions such as banks and credit unions.
- C. Hospitality businesses limited...
- D. Liquor sales, on and off sale.
- E. Office business –...
- F. Office business ...
- G. Restaurants – sit down, take out or delivery...
- H. Retail businesses contained within a principal building.
- I. Business or trade school when conducted entirely within a building.
- J. Places of worship and related buildings.
- K. Theaters – except drive-in.
- L. Cultural facilities such as museums, art centers, or art institute.
- M. Repair services limited to...
- N. On-site service businesses limited to...
- O. Pawn shops.
- P. Music, art, decorating, photography and dance studios.
- Q. Taxi or bus dispatch sites.
- R. Adult Uses as regulated by Section 33 of this Ordinance.
- S. Essential services as regulated by Section 36 of this Ordinance.
- T. Equipment rental (indoor).

515-63-3: Accessory Uses.

- A. Uses incidental to the principal...
- B. Loading and unloading areas subject to the provisions of Section 23 of this Ordinance.
- C. Signs as regulated by Section 37 of this Ordinance.
- D. Fences as regulated by Section 19 of this Ordinance.
- E. Commercial accessory buildings ...
- F. Drive-up service facilities provided that:...
- G. Outside services, sales, and equipment rental accessory to the principal use...
- H. Radio and television receiving antennas, satellite dishes,...

515-63-4: Uses by Administrative Permit.

- A. Temporary outdoor promotional events and sales...
- B. Seasonal Non-Agricultural Merchandise Sales...
- C. Personal wireless service antennas as regulated by Section 35 of this Ordinance.

515-63-5: Interim Uses.

- A. None.

515-63-6: Conditional Uses.

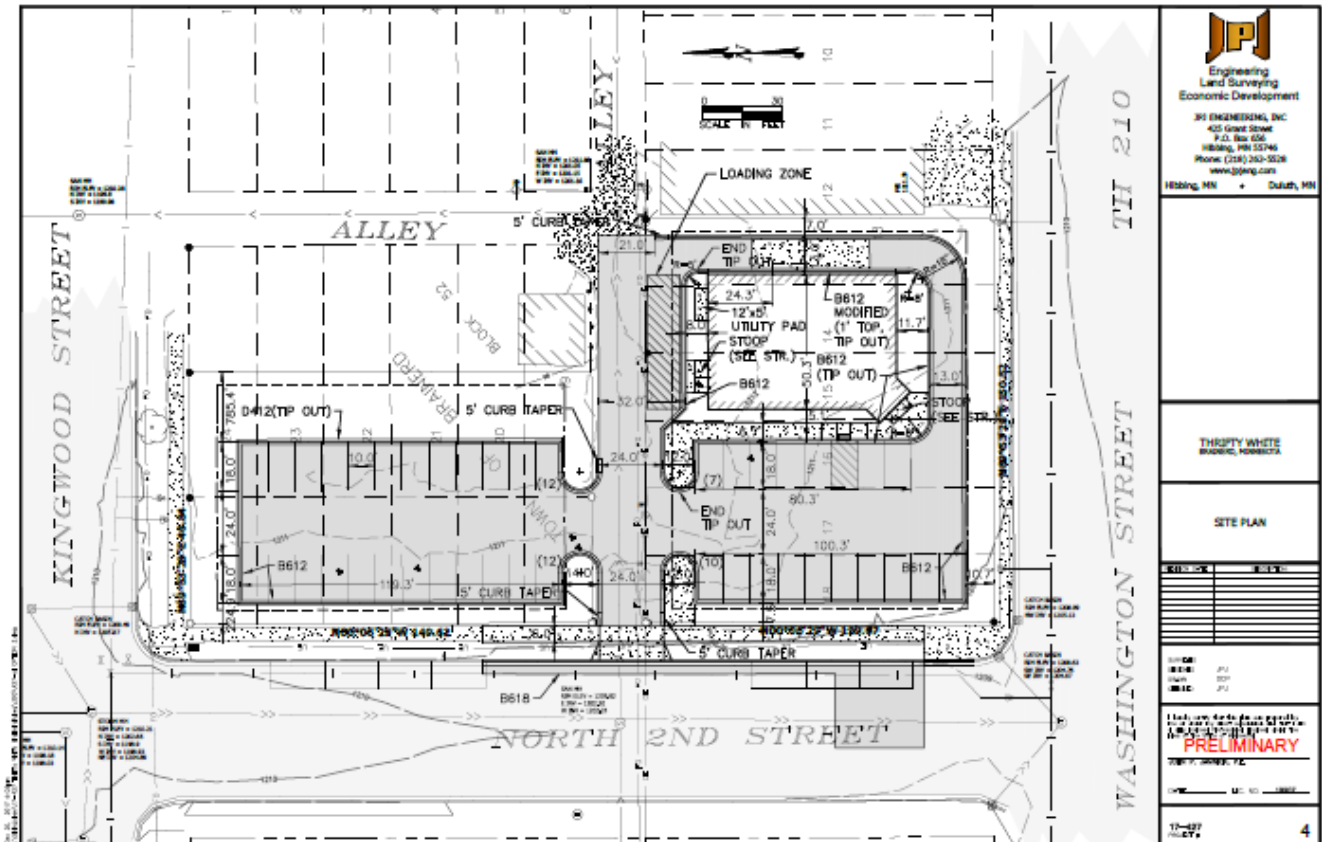
- A. Armories provided that:...
- B. Automobile and truck repair - major and minor (including body shops) provided that: ...
- C. Commercial car washes (drive-up, mechanical and self-service) provided that: ...
- D. Hospitals provided that:...
- E. Motor vehicle fuel sales provided that:...
- F. Outdoor sales and/or rental lot limited to lumber yards,...
- G. Planned Unit Development (PUD) (including shopping centers)...
- H. Outdoor dining facilities accessory to a restaurant provided that: ...
- I. Small engine and boat repair provided that:...
- J. Animal hospital or clinic and kennels provided that:...
- K. Light manufacturing.
- L. Radio and television studios.
- M. Outdoor storage as an accessory use provided that:...
- N. Colleges and universities provided that:...
- O. Auto dealership provided that...
- P. Commercial day care facilities are regulated by Section 29 of this Ordinance.
- Q. Department of Human Services (DHS) licensed Drug and Alcohol Treatment...
- R. Microdistilleries and Cocktail Rooms

Rezoning Location



OVER

Preliminary Site Plan



Tax Name	Tax Address	Tax Address 2
GREENHECK AUTO GLASS LLC	PO BOX 82	PILLAGER, MN 56473
PAMPERED PETS LLC	12267 FORESTVIEW DR	BAXTER MN 56425
CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401
DIGITAL INK PROPERTIES LLC	208 WASHINGTON ST	BRAINERD, MN 56401
MORRIS, RON INCORPORATED	220 WASHINGTON ST	BRAINERD, MN 56401
HEDLUND, JEFFREY L	14954 JADEWOOD DR	BAXTER, MN 56425
WOOD, WILBUR B TRUST #1 JAMES D WOO	P O BOX 580	FORT MYERS FL 33902
BAILEY, JOHN E	212 2ND ST N	BRAINERD, MN 56401
JENTSCH, ARTHUR L & COLLEEN J	11572 STATE HIGHWAY 210	BRAINERD MN 56401
WOOD, WILBUR B TRUST #1 JAMES D WOO	P O BOX 580	FORT MYERS FL 33902
BURTON, JANET E	1017 TERRACE AVE	BRAINERD MN 56401
WOOD, WILBUR B TRUST #1 JAMES D WOO	P O BOX 580	FORT MYERS FL 33902
HOLMIN, AARON G	214 N 1ST ST	BRAINERD MN 56401
SHERMAN, ANN L	102 KINGWOOD ST	BRAINERD, MN 56401
PUTTBRESE, HANNAH	106 KINGWOOD ST	BRAINERD, MN 56401
NORTHLAND RESTAURANT GROUP LLC	3112 GOLF RD	EAU CLAIRE, WI 54701
NORTHLAND RESTAURANT GROUP LLC	3112 GOLF RD	EAU CLAIRE, WI 54701
BAILEY, JOHN E	212 2ND ST N	BRAINERD, MN 56401
BA DOER LLC	20410 98TH PLACE	KENT, WA 98031
SWENSON, KENT & SARAH	11767 WOOD DR	BRAINERD, MN 56401
GROENWOLD, JOHN	13713 OLIVEWOOD DR	BAXTER MN 56425
KMETT, MELISSA	14891 HALF MOON LN	MERRIFIELD, MN 56465-4056
VOPATEK, JUDI M	215 KINGWOOD ST	BRAINERD MN 56401
MARSOLEK, LAURA W & GEORGE C	221 KINGWOOD ST	BRAINERD, MN 56401
DAVIS, HEATHER M	107 KINGWOOD ST	BRAINERD, MN 56401
TRIMBLE, SHELLY & DOMINIQUE SEELY	4201 W MEMORIAL ROAD APT 10111	OKLAHOMA CITY, OK 73134
BENDER, JANET G	113 KINGWOOD ST	BRAINERD, MN 56401
RIVERA, MICHELLE	119 KINGWOOD ST	BRAINERD, MN 56401
NYDEGGER, JERRY & KATHY	123 KINGWOOD ST	BRAINERD, MN 56401
FOLEY, CHRISTOPHER R & JESSAMYN A	201 KINGWOOD ST	BRAINERD, MN 56401
CARPER, NATHAN & STACY	11971 310TH AVE	PIERZ, MN 56364
HULSEBUS, AARON B & MEAGAN	211 KINGWOOD ST	BRAINERD MN 56401
CULLINANE, JOHN D & TAMYRA	315 3RD ST N	BRAINERD MN 56401

FORTUNE, SHAWN L & SHANNON C	315 N 2ND ST	BRAINERD, MN 56401
HOGLIN, LISA L	2646 ZEBROSKI ACRES LN SW	PILLAGER, MN 56473
CULLINANE, JOHN D & TAMYRA	315 3RD ST N	BRAINERD MN 56401
RICHARDSON, RENEE M	319 N 2ND ST	BRAINERD MN 56401
MALONEY, KATHLEEN & DAVID HERMERDIN	116 JUNIPER ST	BRAINERD MN 56401
STANGE, CODY & FREIDAY, JENNIFER L	324 NORTH 2ND ST	BRAINERD, MN 56401
IMGRUND, JOSEPH L	212 JUNIPER	BRAINERD MN 56401

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:

1/4/18 Emailed 7 contacts

✓
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

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

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

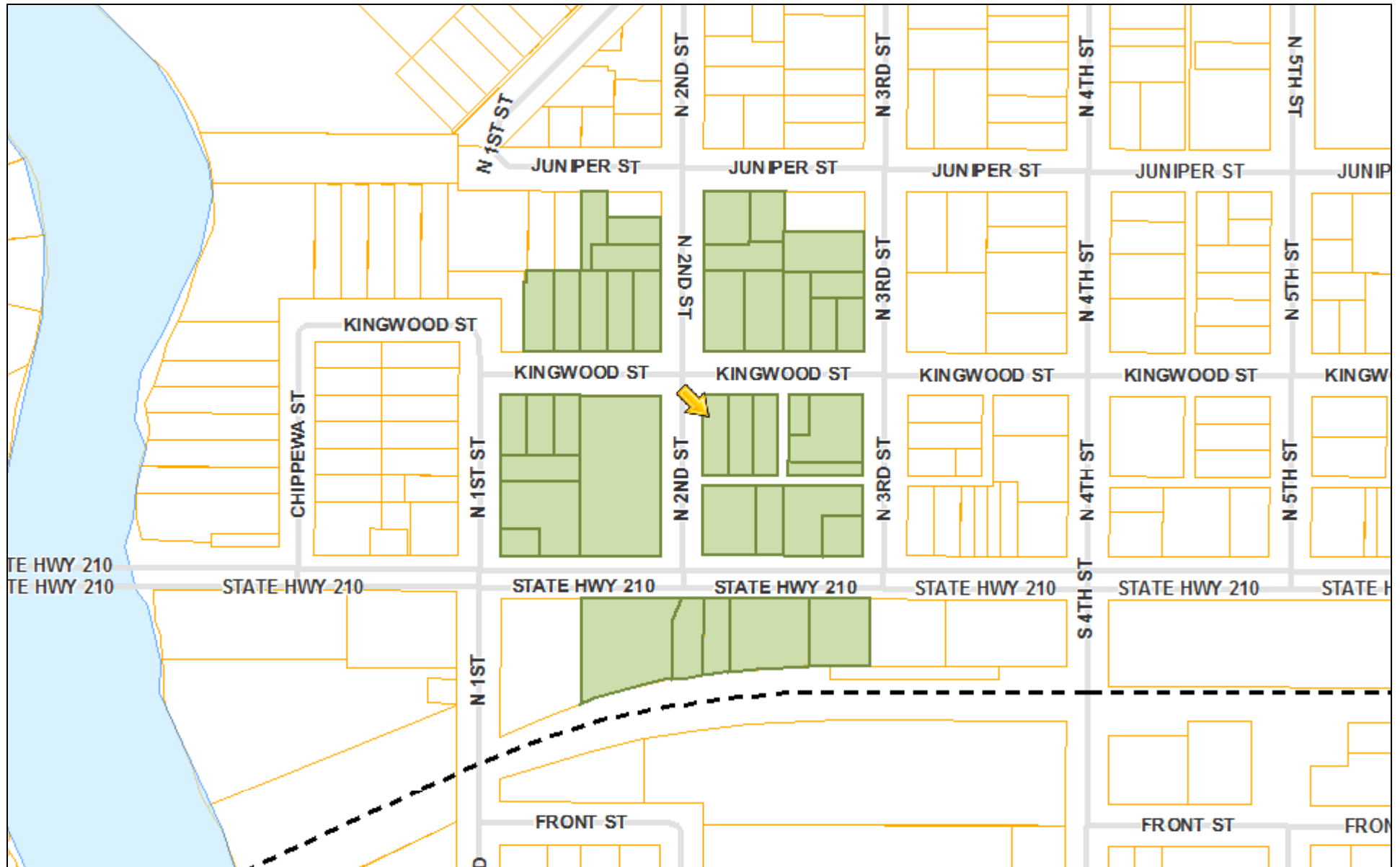
✓
MINNESOTA POLLUTION CONTROL AGENCY

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

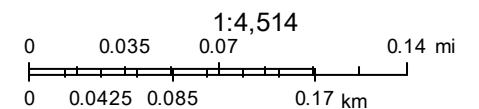
Attn: Jeff Koshak; 8896 E. Gull Lake Dr.; Brainerd, MN 56401; 218-829-8402

Rezoning-212 N 2nd St



1/4/2018, 2:31:24 PM

- Select Parcels _Query result
- Roads
- City Limits
- Water
- Railroad
- Parcels Crow Wing



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

January 8, 2018

Dear Property Owner:

A public hearing notice dated January 4, 2018 was mailed to you regarding the property rezoning at the southeast corner of Kingwood Street and N. 2nd Street from B-1 (Residential Office) District to a B-6 (Washington Street Commercial) District. That notice incorrectly listed uses allowed in a B-4 (General Commercial) District, not uses allowed in the proposed B-6 (Washington Street Commercial) District. Following is the list of allowed B-6 (Washington Street Commercial) District use:

515-65-2: Permitted Uses.

- A. Decorating and photography studios.
- B. Financial institutions.
- C. Liquor sales, on and off sale.
- D. Offices.
- E. Pawn shops.
- F. Personal services limited to barber shops, beauty salons, nail salons, tanning salons, therapeutic massage and tattooing.
- G. Recreation businesses – indoor.
- H. Restaurants – sit down, takeout and delivery.
- I. Retail businesses within a principal building.
- J. Repair services limited to jewelry, radio and electronics, televisions and household appliances.
- K. On-site service businesses such as tailoring, dry cleaning, self-service laundry and copy centers.
- L. Music, art and dance studios.
- M. Adult uses.
- N. Essential services as regulated by Section 36 of this Ordinance.
- O. Personal, Professional, and Recreational Vehicle Repair, Minor.
- P. Brew Pub Off-Sale.
- Q. Brew Pub On-Sale. A brewer with an on-sale malt liquor license subject to the provisions of Minnesota Statutes 340A and the following:
- R. Brewery with Taproom On-Sale.
- S. Brewery with Taproom Off-Sale.
- T. Microdistilleries and Cocktail Rooms

515-65-3: Accessory Uses.

- A. Accessory uses customarily incidental to permitted uses.
- B. Loading and unloading areas as regulated by Section 23 of this Ordinance.
- C. Signs.
- D. Fences.
- E. Drive-up service facilities provided that:
- F. Radio and television receiving antennas, satellite dishes, ...
- G. Car wash accessory to motor vehicle sales.
- H. Outside services, sales, and equipment rental accessory to the principal use...

515-65-4: Uses by Administrative Permit.

- A. Temporary/seasonal outdoor sales and promotional events provided that:

515-65-5: Interim Uses.

- A. None.

515-65-6: Conditional Uses.

- A. Motor vehicle fuel sales provided that:
- B. Planned Unit Development (PUD)...
- C. Non-enclosed areas for dining and/or serving alcohol...
- D. Small engine and boat repair provided that:
- E. Animal hospital or clinic and kennels provided that:
- F. Radio and television studios.
- G. Automobile dealerships provided that:
- H. Commercial day care facilities...
- I. Car wash.
- J. Personal, Professional, and Recreational Vehicle Repair, Major.

Mark Ostgarden AICP
City Planner



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

Receipt # _____
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CONDITIONAL USE/REZONING/VARIANCE APPLICATION

	RESIDENTIAL	COMMERCIAL
CONDITIONAL USE PERMIT	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)
REZONING	☐ (\$300.00)	☒ (\$500.00)
VARIANCE	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: SE corner of N 2nd Street and Kingwood

LEGAL DESCRIPTION: Lot(s): W 1/2 of 1834 Block: 52 Addition: First
(attach description if lengthy)

Property Owner Name: JOHN E BAILEY

Street Address: 212 2nd ST. N City: BRAINERD State: MN Zip Code: 56401

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

Applicant Name: (If different than Property Owner) Shingobee Real Estate Company, LLC

Street Address: 669 N Medina City: Loretto State: MN Zip Code: 55357

Phone Number: 763-331-4964 Fax: 763-479-3267 E-mail: jfahning@shingobee.com

Description of Request: Request zoning change from B-1 to B-6, to provide off street parking for all employees and customers for a new retail pharmacy planned for N 2nd Street and Washington Ave.

John E Bailey Deborah Halke 12-22-2017
Property Owner Signature Personal Representative Date
JOHN E BAILEY DEBORAH HALKE
(Please print name)
Dean Dalzell 1-2-18
Applicant Signature Date
DEAN DALZELL
(Please print name)

(OVER)



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VARIANCE	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 206 Kingwood

LEGAL DESCRIPTION: Lot(s): _____ Block: 52 Addition: First
(attach description if lengthy)

Property Owner Name: RA DOER LLC

Street Address: 20410 98th PLACE City: KENT State: WA Zip Code: 98051

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

Applicant Name: (if different than Property Owner) Shingobee Real Estate Company, LLC

Street Address: 669 N Medina City: Loretto State: MN Zip Code: 55357

Phone Number: 763-331-4964 Fax: 763-479-3267 E-mail: Jfahning@shingobee.com

Description of Request: Request zoning change from B-1 to B-6, to provide off street parking for all employees and customers for a new retail pharmacy planned for N 2nd Street and Washington Ave.

RA DOER LLC
Naomi V. Hanson-Calema
Property Owner Signature

Naomi V. HANSON-CALEMA
(Please print name)

Dean Saez
Applicant Signature

DEAN SAEZ
(Please print name)

12/26/17
Date

1-2-18
Date

(OVER)



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BA DOER LLC
Naomi V. Hanson-Calema
Property Owner Signature
(Please print name)
Naomi V. HANSON-CALEMA
Dean Salzell
Applicant Signature
(Please print name)
DEAN SALZELL

12/26/17
Date
1-2-18
Date

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Property Owner Signature Personal Representative Date
JOHN E BAILEY DEBORAH HULKE
(Please print name)
Dean Dazell
Applicant Signature
DEAN DAZELL
(Please print name) 1-2-18
Date

(OVER)

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City of Brainerd has initiated a public hearing to consider input related to amending the City of Brainerd Zoning Ordinance: *Section 17-8 C. Accessory Buildings, Uses and Equipment* to permit fabric construction material for commercial and industrial accessory buildings.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, January 17, 2018 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider amending the Zoning Ordinance. The public is invited to attend the hearing to offer input regarding the proposed amendment.

If there are any questions about the amendment or if any individual needs special accommodations, please call (218) 828-2309.

Dated this 3rd day of January, 2018

Mark Ostgarden AICP
City Planner

Publication Date: January 5, 2018

Planning Commission Meeting on December 20, 2017

DRAFT Zoning Ordinance Amendment to Section 17-8 C. Accessory Buildings, Uses and Equipment.

Commercial, Industrial or Public/Semi-Public Accessory Buildings.

1. Commercial or industrial **ACCESSORY** buildings shall not exceed thirty (30) percent of the gross floor space of the principal building.
2. Accessory buildings shall meet all the required setbacks of the principal building.
3. Accessory buildings ~~shall~~ **CAN** be constructed of building materials to match the principal structure ~~and comply with the building material requirements within this Section of Ordinance.~~ **OR WITH ANY OF THE FOLLOWING FABRIC MATERIAL:**
 - **TEFLON COATED FIBERGLASS (PTFE)**
 - **SILICONE-COATED FIBERGLASS (SIPE)**
 - **WOVEN PTFE (EPTFE)**
 - **ETHYLENE TETRAFLUOROETHYLENE (ETFE)**
 - **VINYL COATED POLYESTER (PVC)**
 - **HIGH-DENSITY POLYETHYLENE (HDPE)**



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Parents express concerns about Grand Forks school facilities plan

2018-01-08 | GRAND FORKS HERALD

Jan. 08 --Parents of children who attend Wilder Elementary School are concerned about Grand Forks School Board discussion of possible closure of north end elementary schools--and the negative impact closures could have on the future vibrancy of that area of the city. Several of them, in a Friday meeting with the Herald editorial board, said they wondered what's driving the closure discussion.

"Why are we even looking at this?" said Shannon Mikula , who lives in the Riverside neighborhood. "It's not budget-driven. It's not enrollment-driven."

Justin and Whitney Berry, who live in the Riverside neighborhood and who have a child attending Wilder and two older children, say they went through a similar scenario six years ago when a demographic study group considered closures of Wilder, West and Winship elementary schools, due to dwindling enrollments.

The study group determined then that none of those schools should be closed because enrollments were predicted to rebound, which they did, and that a new elementary school should be built on the city's south side, which led to construction of Discovery.

In the past 10 months or so, the JLG Architects firm, which was hired by the School Board to conduct an assessment of school district facilities, has developed a master facilities plan that includes options to close West, Wilder, Winship, and Lewis and Clark elementary schools.

"We feel like, here we go again," Justin Berry said. "We're kind of surprised that these options are coming out of nowhere, especially when this was looked at by the board only six years ago."

Mikula, whose two young children are not yet in elementary school, said as she's gathered more information, she has "become increasingly concerned" about the focus on school closures.

"I'm concerned about what this is going to do to the community character of this end of town," Mikula said.

The reason she and her husband, who moved here from Colorado, bought a home in Riverside was the established nature of the neighborhood and its proximity to Wilder, Mikula said.

She and other Wilder parents said they like that their children can, and do, walk to school.

"I think there's a misconception (among Board members) that no kids walk to school" in Grand Forks, said Whitney Berry.

"A lot of kids walk to Wilder ... and to Valley (Middle School)," where another of the Berry children is enrolled, Justin Berry said.

"In 2005, Riverside was full of empty-nesters. Wilder had some 70 students," he said. Now the neighborhood is filled with young families and the school's enrollment "is 170 to 180."

"I think people in other parts of town don't understand the impact (closures) would have," Whitney Berry said. "These decisions will have a huge impact on a vast area of the community."

"Closing schools would be detrimental to all of these neighborhoods on the north end of the city," her husband said.

They also do not believe that a larger school, with an enrollment of 750, for example, would provide a better education than their children are receiving in a small school with fewer than 200 students.

Justin Berry also questioned whether the School Board is communicating with the city and county about plans for development.

"The MPO has stated that safety and walkability are important" to the quality of life here, he said.

Further, Whitney Berry said, "I'm a little uncomfortable about a consultant (JLG) that would potentially be hired to build a new school" creating the facilities master plan.

While the School Board has expressed an interest in achieving educational "equity," meaning that students throughout the district receive the same quality of education, the Wilder parents question that reasoning.

"I have yet to hear somebody who wants a 'Discovery of the north,' if it means shutting down a school," said Justin Berry .

"There's an assumption that we want something different," said Gretchen Kindseth . "We like what we have."

Some of the parents expressed concern that decisions are being made or will be made before sufficient public input is gathered.

"It seems like there's a push to get this done before the superintendent retires--and before the next (school) board elections," Justin Berry said.

The public forum, where the master facilities plan will be the focus of discussion, is set for Jan. 22 at South Middle School .

At its next regular meeting, on Monday, the Grand Forks School Board will discuss plans for the forum and receive a report from its Facilities Committee. The meeting begins at 6 p.m. at the Mark Sanford Education Center , 2400 47th Ave. S.

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