

BRAINERD PLANNING COMMISSION

Wednesday, August 15, 2018
6:00 p.m.
City Hall Council Chambers

1. Call To Order
2. Approval/Amendment Of Agenda
3. Approval Of Minutes
Regular Meeting Held July 18, 2018

Documents:

[2018-07-18 DRAFT.PDF](#)

4. New Business

- 4.a. Public Hearing - Rezone Request At 15770 Dellwood Drive From A B-1 (Residential Office) District To An I-1 (Light Industry) District

- Shannon Tibbetts, 16693 Carlson Lake Road, Brainerd has applied to rezone his property at 15770 Dellwood Drive to construct a self-storage facility

Documents:

[SHANNON TIBBETTS - DELLWOOD DRIVE.PDF](#)

- 4.b. Review Draft Changes To Zoning Ordinance Section 57-2 R-3 High Density Residential District Permitted Uses

- To Permit Single-Family Dwellings

Documents:

[SEC 57 R-3 DISTRICT REVISIONS TO PERMIT SINGLE FAMILY DWELLINGS.PDF](#)

5. Presentations

- 5.a. Presentation Of Intern Program Activities - Planning Department Intern Jared Booms

6. 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

7. Old Business

8. Commissioners' Questions/Comments

9. City Planner's Report

10. Adjourn

Any individual needing special accommodations, or that desires more information about the above items, please call 218-828-2309

PLANNING COMMISSION

Wednesday, July 18, 2018

#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 Burslie, Gorham, Headley, and Marohn; and Council Liaison Lambert. Noted absent were Commissioners Antolak and Wussow. Also present was City Planner Ostgarden, Administrative Specialist Bestul and Planning Intern Jared Boom.

#2 Approval of Agenda

MOTION BY COMMISSIONER LAMBERT AND GORHAM, DULY CARRIED, TO APPROVE THE AGENDA.

#3 Approval of Minutes of the Regular Meeting held on June 20, 2018

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND BURSLIE, DULY CARRIED, TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON JUNE 20, 2018.

#4 New Business

A. Public Hearing – Rezoning Request to Rezone Property from an R-1 (Single-Family Residential) District to an R-2 (Medium Density Residential) District – 1110 Pine Street and all other property owners on Block 9, 2nd Addition

Mr. John Groenwold, 13713 Olivewood Drive, Baxter has applied on behalf of himself, for his property at 1110 Pine Street and all the other property owners shown below on Block 9, 2nd Addition to Brainerd. The request is to rezone the block from an R-1 (Single-Family Residential) District which permits only single-family dwellings to an R-2 (Medium Density Residential) District which permits single-family and two-family (duplexes) dwellings.

- Donna Pearson, 1106 Pine Street
- Dianna Lorimor, 1114 Pine Street; 1107 and 1109 Quince Street
- B.A. Doer, 1120 Pine Street
- Jeffery Kollars, 1126 Pine Street
- Jan Walters, 1103 Quince Street
- Brainerd Housing & Redevelopment Authority (HRA), 1113 and 1115 Quince; 714 and 716 - 12th Street SE

City Planner Ostgarden had suggested to Mr. Groenwold that he obtain the permission from all the property owners to possibly rezone the entire block rather than try to rezone just his parcel. Mr. Groenwold did so and received letters of support from the property owners and they are also applicants on the request.

City Planner Ostgarden reviewed an overhead map that specifies which properties are single family dwellings and which ones are duplexes as follows:

1106 Pine Street -	Single Family	1110 Pine Street -	Single Family
1114 Pine Street -	Single Family	1120 Pine Street -	Duplex
1126 Pine Street -	Single Family	1103 Quince Street -	Single Family
1107 Quince Street -	Duplex	1109 Quince Street -	Duplex
1113 Quince Street -	Duplex	1115 Quince Street -	Duplex
714 12 th Street SE -	Duplex	716 12 th Street SE -	Duplex

City Planner Ostgarden stated the property is adjacent to an existing R-2 zoning classification. In 2011, the Planning Commission changed some of the R-2 zoning to R-1 on that block due to the predominate single family dwellings in the area and to encourage more home ownership.

City Planner Ostgarden reviewed the findings of fact and comprehensive plan goals and strategies.

Commissioner Gorham inquired if the efforts of 2011 in changing the zoning made an impact in home ownership. City Planner Ostgarden replied that currently, he did not have those results.

Commissioner Marohn questioned if the differences in the R-1 and R-2 districts permitted uses are basically single-family versus multi-family housing. City Planner Ostgarden stated the R-2 district allows single-family and four unit or less buildings.

Commissioner Burslie asked if there are density standards, which City Planner Ostgarden confirmed there are standards per lot size.

The Chair opened the public hearing at 6:15 p.m.

The Chair recognized Mr. John Groenwold, 13713 Olivewood Drive, Baxter who is the property owner of 1110 Pine Street, Brainerd. He stated this property is already set up as a duplex and can not be used as a single-family home in its current state. He said the previous owner sold it due to this reason and it would cost more money to convert it to a single-family home than to remodel it.

The Chair closed the public hearing at 6:17 p.m.

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND GORHAM, DULY CARRIED, TO RECOMMEND APPROVAL OF THE REZONING REQUEST AT 1110 PINE STREET AND THE OTHER PARCELS LISTED ON BLOCK 9, 2ND ADDITION TO BRAINERD FROM AN R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO AN R-2 (MEDIUM DENSITY RESIDENTIAL) DISTRICT BASED ON THE FINDINGS OF FACT AND GOALS AND STRATEGIES SHOWN BELOW.

1. John Groenwold, 13713 Olivewood Drive, Baxter, MN 56425 has submitted a request on behalf of himself, for his property at 1110 Pine Street and all the other property owners on Block 9, 2nd Addition to Brainerd:
 - Donna Pearson – 1106 Pine Street
 - Dianna Lorimor – 1114 Pine Street; 1107 and 1109 Quince Street
 - B.A. Doer – 1120 Pine Street
 - Jeffrey Kollars – 1124 Pine Street
 - Jan Walters – 1103 Quince Street
 - HRA – 1113 Quince Street, 1115 Quince Street, 714 12th Street SE, 716 12th Street SE

To rezone a block bounded by Pine Street, 11th St. SE, Quince Street and 12th St. SE property from an R-1 (Single Family Residential) District to an R-2 (Low to Medium Density Residential) District.

2. All the property owners on the block have submitted letters to be part the rezoning application.
3. The area is generally single-family units with some two-family units in the area.
4. Zoning to the north is an R-1 (Single Family Residential) District; to the east is an R-2 (Low to Medium Density Residential) District; to the south is an R-1 (Single Family Residential) District and the west is an R-1 (Single Family Residential) District.

5. The block has 5 – two-family dwellings and 5 – single-family dwellings. The rezoning will change that to 6 – two-family dwellings and 4 – single-family dwellings.
6. The block is approximately two acres. There are currently 16 dwelling units on the block, which equates to 8 units/acre. If rezoned, there is a density potential of 10 units/acre. The densities are at the low end of the 5 to 20+ units/acre medium to high density Comprehensive Plan Future Land Use Designations.
7. City sewer and water are available and capable of providing for additional density.
8. During the 2011 City-wide Zoning Map review and update, a significant area of R-2 zoning was changed to R-1 zoning. This is one of the areas affected.
9. The rezoning 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

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.

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.

B. Public Hearing – Rezoning Request to Rezone Property from an R-3 (High Density Residential) District to an R-2 (Medium Density Residential) District – 1202 13th Street SE and 1210 13th Street SE

City Planner Ostgarden explained that all three of the requests on tonight's agenda are situations where the neighbors came together to propose a rezoning.

City Planner Ostgarden stated the applicant purchased the property with the intentions of remodeling the structure into a single-family home. It currently has a vacant windowless building that has been empty for many years. The property is in an R-3 zoning district which prohibits a single-family dwelling. It was suggested the applicant seek the permission of the property owner to the north in rezoning both parcels.

City Planner Ostgarden indicated there are two apartment buildings at the corner of Willow Street and 13th Street SE and the structure at the northeast corner was constructed as a three unit building. It is currently being used as a group home. The zoning map was displayed showing the area along 13th Street to the north, south and west are currently zoned R-2. By rezoning these two properties from R-3 to R-2, it would be constituent to the area.

City Planner Ostgarden reviewed the findings of fact and comprehensive plan goals and strategies.

Commissioners Marohn and Burslie suggested re-examining all the residential districts in the City to possibly make amendments.

The Chair opened the public hearing at 6:29 p.m.

The Chair recognized Mr. Chase Vreeland, 1507 S 6th Street, Brainerd who is the property owner of 1210 13th Street SE, Brainerd. He thanked the commission for the opportunity to present the information for consideration. He indicated the building was used as a furniture storage unit by the previous owner who owned a furniture store but has been vacant for several years. Mr. Vreeland wishes to remodel the building into a single-family home.

The Chair closed the public hearing at 6:31 p.m.

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND BURLIE, DULY CARRIED, TO RECOMMEND APPROVAL OF THE REZONING REQUEST OF 1202 13TH STREET SE AND 1210 13TH ST SE FROM AN R-3 (HIGH DENSITY RESIDENTIAL) DISTRICT TO AN R-2 (MEDIUM DENSITY RESIDENTIAL) DISTRICT BASED ON THE FINDINGS OF FACT AND THE GOALS AND STRATEGIES SHOWN BELOW.

1. Chase Vreeland, 1507 South 6th Street, Brainerd, MN 56401, owner of 1210 13th Street SE and Mustang Sally Investments, 10471 State Highway 25, Brainerd, MN 56401 owner of 1202 13th Street SE submitted an application to rezone the two 13th Street SE properties from an R-3 (High Density Residential) District which permits two-family dwellings (duplexes) and multi-family dwellings to an R-2 (Medium Density Residential) District that permits single-family dwellings and two-family dwellings.
2. Lands to the north are developed with single-family dwellings, land to the east are developed with a single-family dwelling, land to the south is developed with a two multi-family buildings and lands to the west are developed almost entirely as single-family dwellings.
3. Zoning to the east is an R-1 (Single-family Residential) District, zoning to the north and west is R-2 (Low and Medium Residential) District and zoning to the south is an R-3 (High Density Residential) District.
4. The rezoning area totals 22,500 sq. ft. with a building on each parcel. The north parcel has a group home in a building designed as a three-family dwelling, the south parcel has a vacant building that has never been occupied, however it can be remodeling for that purpose.
5. 13th Street SE capable of supporting additional traffic from development of the parcels.
6. City sewer and water is available to the site.
7. The parcels are identified as Medium to High Density Residential on the Comprehensive Plan Future Land Use Map. Density is 6 units/acre which is considered Medium to High Density Residential density in the Comprehensive Plan.
8. The rezoning is supported by the following Comprehensive Plan Goals and Strategies:

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

Strategies

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

5. 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 #4: *Plan land uses and implement standards to minimize land use conflicts.*

Strategies

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

C. Public Hearing – Rezoning Request to Rezone Property from an R-3 (High Density Residential) District to an R-1 (Single-Family Residential) District – 1015 Walnut Street and 1014, 1016 and 1018 Walnut Street properties

City Planner Ostgarden explained the applicant owns a parcel at the south end of Walnut Street on which they would like to construct a single-family home. The current zoning of R-3 does not allow single-family dwellings. A large portion of land in this area is wetland and undevelopable property. It was suggested that the applicant reach out to the other property owners to rezone the entire area rather than just his parcel. The property owners of 1014, 1016 and 1018 Walnut Street have signed the rezoning application and are in support of the change.

- Annamarie Denti, 1014 Walnut Street
- Michael and Lynn Jannetta, 1016 Walnut Street
- Cyris and Kathleen Poorwell, 1018 Walnut Street

City Planner Ostgarden reviewed the overhead maps, findings of fact and comprehensive goals and strategies. He stated the significant impact of this area is the large amount of wetland and it is very limited to future development. There currently is no city sewer or water service in this area.

Commissioner Marohn asked if the road is gravel or paved. City Planner Ostgarden indicated the private section is a gravel surface.

The Chair opened the public hearing at 6:44 p.m.

The Chair recognized Mr. Bruce Isebrand, 815 SE 19th Street, Brainerd who is the property owner of 1015 Walnut Street and would like to build a home on the parcel. Mr. Isebrand constructed the road which is a dead end private drive off Walnut Street and consists of gravel which the three current property owners maintain themselves. Mr. Isebrand will be the fourth property owner to assist in the road maintenance if the rezoning is approved. He thanked the commission for their consideration.

The Chair closed the public hearing at 6:46 p.m.

City Planner Ostgarden indicated it would be impossible for Walnut Street to continue through due to the wetlands.

MOTION AND SECONDED BY COMMISSIONERS BURLIE AND LAMBERT, DULY CARRIED, TO RECOMMEND APPROVAL OF THE REZONING REQUEST OF 1015 WALNUT STREET AND THE PROPERTY AT 1014, 1016 AND 1018 WALNUT STREET FROM AN R-3 (HIGH DENSITY RESIDENTIAL) DISTRICT TO AN R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT BASED ON THE FINDINGS OF FACT AND GOALS AND STRATEGIES SHOWN BELOW.

1. Bruce and Sharon Isebrand, 815 SE 19th Street, Brainerd, MN 56401 property owners 1015 Walnut Street, have submitted a request on behalf of themselves and Annamarie Denti, 1014 Walnut Street; Michael and Lynn Jannetta, 1016 Walnut Street; and Cyris and Kathleen Poorwell, 1018 Walnut Street

to rezone their property from an R-3 (High Density Residential) District to an R-1 (Single-Family Residential) District.

2. Land use to the north is condominiums, with remaining area wetland with some wooded area.
3. R-3 (High Density Residential) District zoning surrounds the rezoning area.
4. Access to the area is via a private drive off Walnut Street.
5. Over 6 acres of the 9.5-acre area is wetland.
6. The public portion of Walnut Street can support the additional traffic from an additional single-family dwelling.
7. City sewer and water is not available to the area.
8. The area is identified as Low to Medium Density Residential on the Comprehensive Plan Future Land Use Map. The area density is less than 1 units/acre which is considered Low to Medium Density Residential density in the Comprehensive Plan.
9. The vacant parcel has the potential for multi-family development. The R-1 zoning removes the potential multifamily use density which should be beneficial to the area wetlands.
10. The existing single-family dwellings are non-conforming uses limiting the potential for expansion on the parcels. They will become conforming uses with R-1 zoning.
11. The rezoning is supported by the following Comprehensive Plan Goals and Strategies:

LAND USE GOAL #1: *Support the efficient and orderly growth of all urban development, including residential, commercial and industrial areas. Strengthen the distinction between the urban city and the rural countryside with well-planned and carefully coordinated services appropriate to the distinct needs of each*

Strategy

Identify areas of significant natural resource benefit and protect these areas from premature or incompatible development.

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

Strategies

1. Encourage development of low density and high-density family housing units in those areas designated on the adopted Land Use Plan.
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 #4: *Plan land uses and implement standards to minimize land use conflicts.*

Strategy

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

#5 Public Forum

The Chair opened the public forum at 6:47 p.m.

No one came forward.

The Chair closed the public forum at 6:48 p.m.

#6 Old Business

A. Comprehensive Plan Update Report – Ms. Ashley Kaisershot, ASLA Sourcewell Planning & Zoning Specialist

The Chair welcomed Ms. Ashley Kaisershot, Planning & Zoning Specialist at Sourcewell previously NJPA. Ms. Kaisershot distributed handouts to the commission and discussed the progress of the Comprehensive Plan Update. The Steering Committee has met four times with the fifth scheduled for next week at The Shop. The dialog has been fantastic and there have been many good conversations. The committee was very interested in hearing from the youth in the community. At this point in time, they are at the community involvement and information gathering stage of the process with public outreach efforts taking place. There is a live community survey available online until September 16, 2018. It was discovered that Brainerd is a young community with the average age being 32 years. She stated it is very important to be proactive in reaching the younger residents.

Ms. Kaisershot stated there have been three larger groups heard from to date which are as follows:

- The Community Survey Panel – started in 2016 with approximately 300 people participating
- Four Ward Meetings - spring of 2018
- Focus Groups

Ms. Kaisershot reviewed some of the questions and responses from the community survey panel, the results from the ward meetings and details and findings from the focus groups. She asked the commission to participate in and share the online survey on the website www.imaginebrainerd.org. The survey is posted on the city website and on social media. The following steps will be taking place in the project:

- Survey will close on September 16, 2018
- Internal work to study, evaluate and identify the leading themes
- Open House to be held to meet with residents to share what we have heard
- Draft the Goals and Policies

Commission discussion took place and questions answered. Ms. Kaisershot will present another update to the commission this fall.

#7 Commissioners' Questions/Comments

Commissioner Marohn indicated it appears there are some ordinance amendments needed and suggests a public hearing regarding the residential zoning districts. The commissioners discussed combining districts with consistent requirements. City Planner Ostgarden will draft an amendment to review at the next planning meeting.

Commissioner Marohn stated he is working on a letter to send to the Kingwood Street residents regarding parking.

#8 City Planner's Report

City Planner Ostgarden indicated the City Council meeting held on Monday, July 16, 2018 had a large public turnout regarding the future of the historic water tower and the need for funding resources if it is to be restored.

#9 Adjourn

The Chair adjourned at 7:10 p.m.

Respectfully submitted,

City Planner

STAFF REPORT TO THE PLANNING COMMISSION

August 15, 2018

APPLICANT/LOCATION:	Shannon Tibbetts, 16693 Carlson Lake Road, Brainerd, MN 56401
REQUESTED ACTION:	Rezone property at 15770 Dellwood Drive, from a B-1 (Residential Office) District to an I-1 (Light Industry) District
AREA:	2.5 acres
ADJACENT USES:	North: Undeveloped East: Undeveloped South: Undeveloped West: Undeveloped
ADJACENT ZONING:	North: R-R (Rural Residential) District East: R-R (Rural Residential) District South: City of Baxter West: City of Baxter

PETITION EVALUATION

Shannon Tibbetts has purchased a 2.5-acre parcel on Dellwood Drive and plans to use the site for a self-storage facility. The site was rezoned to a B-1 (Residential Office) District in 2015, however, development did not occur after the rezoning. The current B-1 zoning does not permit self-storage units. Following is information from Mr. Tibbetts about the proposed use:

I am requesting the rezoning of my property located at 15770 Dellwood Drive, Brainerd, MN to start a self-storage facility business. I would have no sewer or water to damage or upset the natural environment. There will be no residents residing at the location as well as no trash or garbage to contend with. The entire site will be securely fenced, well-lit and quiet. I am designing the building layout to keep as much green space as possible. The property will be well kept, clean and taken care of always. Thank you for your consideration in this matter. I appreciate it.

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.

See the Planning Department Review for a response to this question.

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

Baxter zoning to the south and southwest is Regional Commercial and Office Service. To the west and northwest is Special Residential Cluster. The area is generally undeveloped. North of the site there are two single family dwellings in Brainerd and one single family dwelling north of the site in Baxter. A self-storage facility will require no on-site employees, trash removal, semi or truck traffic, or create large traffic volumes and noise. The parcel size and the lack of utilities limit the site's development potential.

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

Dellwood Drive is the north/south street that provides access to this area. Neighborhood street capacity will not be negatively affected by this individual change. The only activity associated with this type of use is renters coming and going. The site will have a security fence and have security lighting.

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

Vehicle trips per day can be difficult to quantify for this type of land use. The Institute of Traffic Engineers estimate between .17 - .23 Vt/d for each 1,000 sq. ft. of storage. Should the site have 8 - 4,000 sq. ft. buildings = 32,000 sq. ft. of storage = $32,000 \times .17 = 5,440/1,000 = 5.4$ vehicle trips/day. A typical single-family dwelling would generate 9-10 trips per day.

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

PLANNING DEPARTMENT REVIEW

Dellwood Drive is split half in Baxter and half in Brainerd where we have a common border. The nearest utilities to Dellwood Drive are Beaver Dam Road. Baxter is in a better position than Brainerd.

Although the Future Land Use Map identifies this area as low to medium density residential, it is unlikely that will occur anytime soon without utilities. The better use for the area may be those that have little sewer/water needs, such as self-storage units and warehouses.

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission can consider a recommendation on this request at its August 15, 2018 meeting. The City Council can receive the Planning Commission recommendation and can consider an Ordinance First Reading on August 20, 2018 meeting and an Ordinance Second/Final Reading on TUESDAY, September 4, 2018.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

Findings of Fact

1. The site is proposed for self-storage units at the property, which is not permitted in B-1 Districts.
2. The property is 2.5 acres and vacant. In a 40-acre area to the north and east, there are two single family dwellings along Dellwood Drive and one dwelling located off Wise Road.
3. The property was rezoned to a B-1 (Residential Office) District in 2015. Development did not occur after the rezoning.
4. The property does not have city sewer or water and the nearest sewer and water is on Beaver Dam Road, which is almost 1 mile to the east. The proposed use will have no need for sewer and water.
5. The Institute of Traffic Engineers estimate that between .17 and .23 vehicle trips per day for each 1,000 sq. ft. of storage space can be expected. A 32,000 sq. ft. facility can be expected to have less than 6 trips per day on average. A typical single-family dwelling would generate 9-10 trips per day.

Dellwood Drive was improved in 2016 and at minimum can be considered a collector street. Its capacity will not be affected by a self-storage facility.

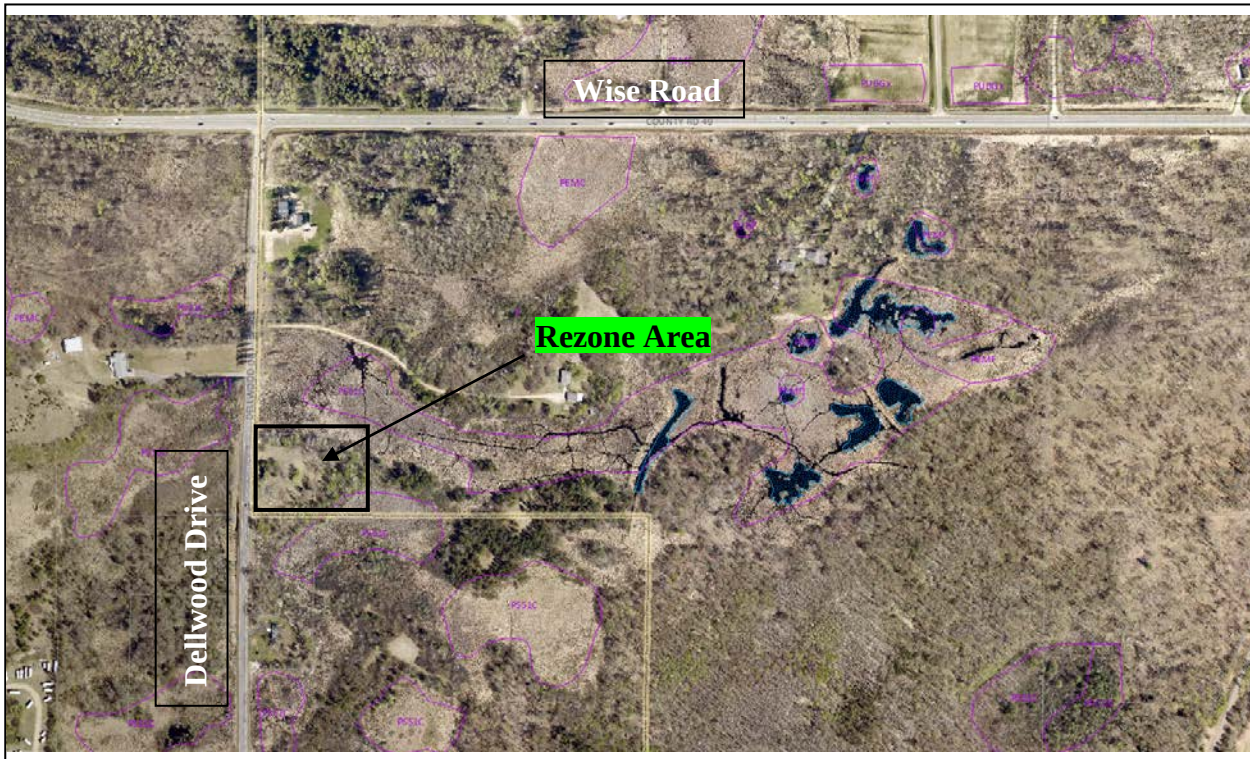
6. The following Comprehensive Plan Goals and Strategies support the rezoning:

Goal: *PLAN FOR THE ORDERLY, EFFICIENT AND FISCALLY RESPONSIBLE GROWTH OF COMMERCIAL AND INDUSTRIAL DEVELOPMENT IN BRAINERD.*

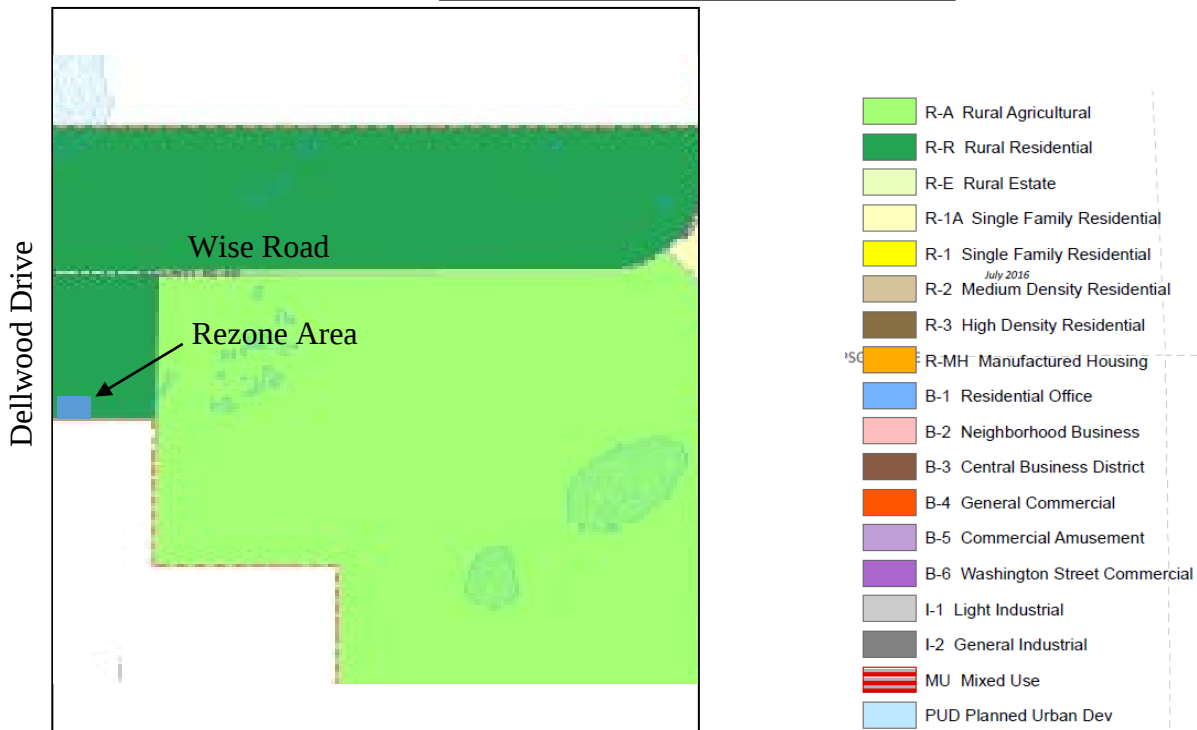
Strategies

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

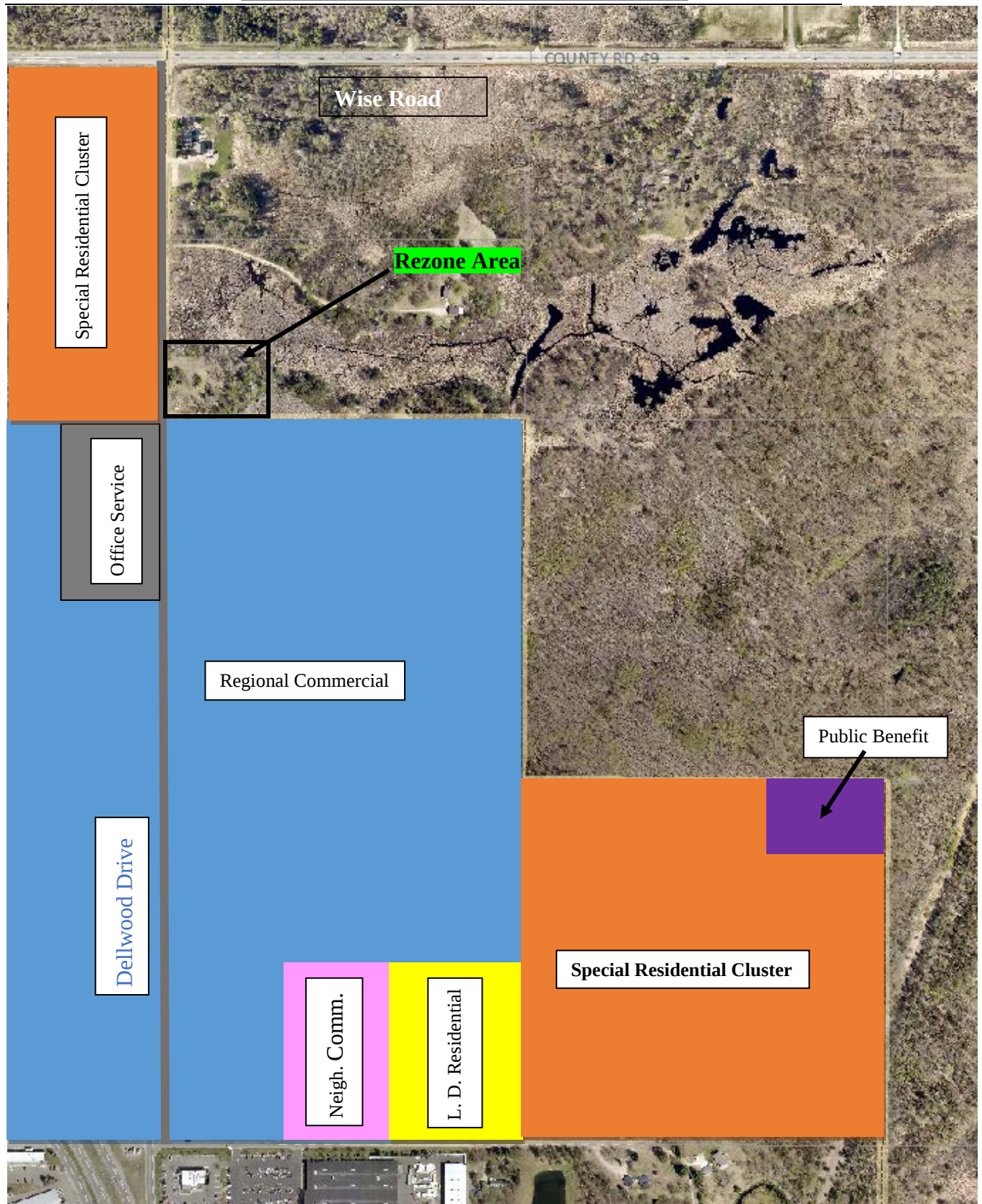
Aerial Map



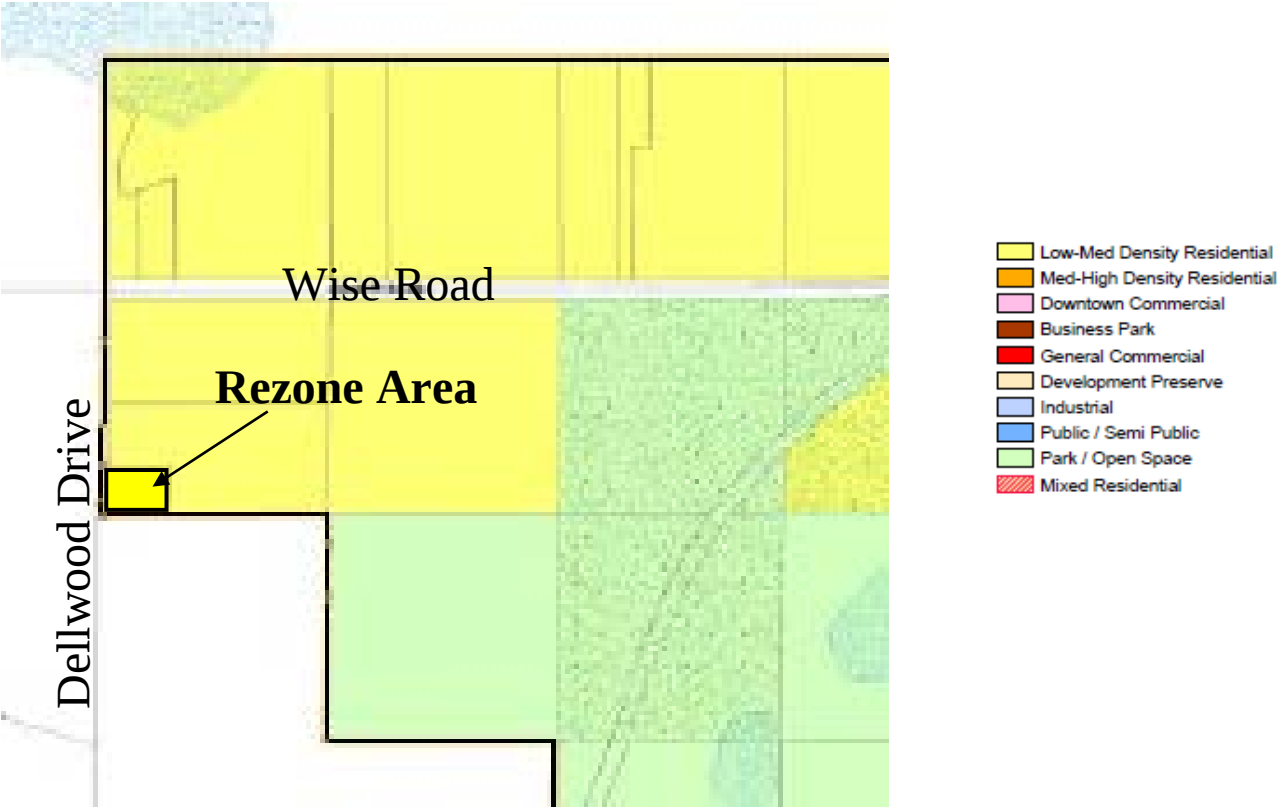
Brainerd Zoning



Baxter Zoning



Existing Land Use



NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Shannon Tibbetts, 16693 Carlson Lake Road, Brainerd, MN 56401 has applied to rezone property at 15770 Dellwood Drive, Brainerd, MN 56401 from a B-1 (Residential Office) District to an I-1 (Light Industrial) District. The property legal description is:
S 275 FT OF W 400 FT OF NW 1/4 OF NW 1/4, Township 134, Range 28, Section 32 and the PID is 080322200B00009.

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.

515-60-4: 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 ...
- 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 70 – I-1, LIGHT INDUSTRY DISTRICT

515-70-2: Permitted Uses.

- A. Conducting a process, fabrication, wholesale operation, manufacturing or providing a service, ...
- B. Radio and television studios.
- C. Research laboratories.
- D. Warehousing and wholesaling.
- E. Guard/Reserve facilities.
- F. Automobile body shop and transmission repair subject to the following conditions: ...
- G. Government and public utility buildings and structures.
- H. Office business ...
- I. Contractor offices.
- J. Essential services as regulated by Section 36 of this Ordinance.
- K. Retail sales operated by non-profit organizations to benefit said non-profit organizations ...
- L. Electrical/Plumbing/Heating/Air Conditioning products and parts.
- M. Metal Sales such as steel and other raw materials.
- N. Construction equipment sales and repair.
- O. Truck and semi tractor/trailer sales and repair.
- P. Sale of parts/sale and repair of tires for construction equipment and semi tractor trailers.
- Q. Sales and distribution of propane, acetylene, helium, CO2 and similar tanks.
- R. Commercial sales incidental to the manufacture, processing or wholesaling of products ...
- S. ...commercial uses permitted in B-1, B-2, B-3, B-4, and B-6 zoning districts subject to....
- T. Fitness and Recreation Centers ...
- U. Brew Pub Off-Sale ...
- V. Brew Pub On-Sale ...

- W. Brewery with Taproom On-Sale ...
- X. Brewery with Taproom Off-Sale ...
- Y. Microdistilleries and Cocktail Rooms ...

515-70-4: Interim Uses.

- A. Outdoor storage as a principal use provided that: ...
- B. Billboard signs as regulated by Section 37 of this Ordinance.
- C. Decommissioning, ...

515-70-5: Conditional Uses.

- A. Outdoor sales lot, ...
- B. Bulk liquid storage provided that: ...
- C. Planned Unit Developments (PUD) as regulated by Section 11 of this Ordinance.
- D. Placement and operation of outdoor wood burning furnaces subject to the following conditions: ...
- E. Animal hospital, clinic, kennels and shelters provided that: ...
- F. Trade/specialty schools.
- G. Mini self storage facilities provided that: ...

515-70-6: Uses by Administrative Permit.

- A. Personal wireless service antennas as regulated by Section 35 of this Ordinance.
- B. Telecommunication towers as regulated by Section 35 of this Ordinance.
- C. Temporary mobile towers as regulated by Section 35 of this Ordinance.

* See the Brainerd Zoning Ordinance for a complete description of the listed uses.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, August 15, 2018 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider rezoning the property.

The public is invited to attend the hearing to offer input regarding the proposed rezoning.

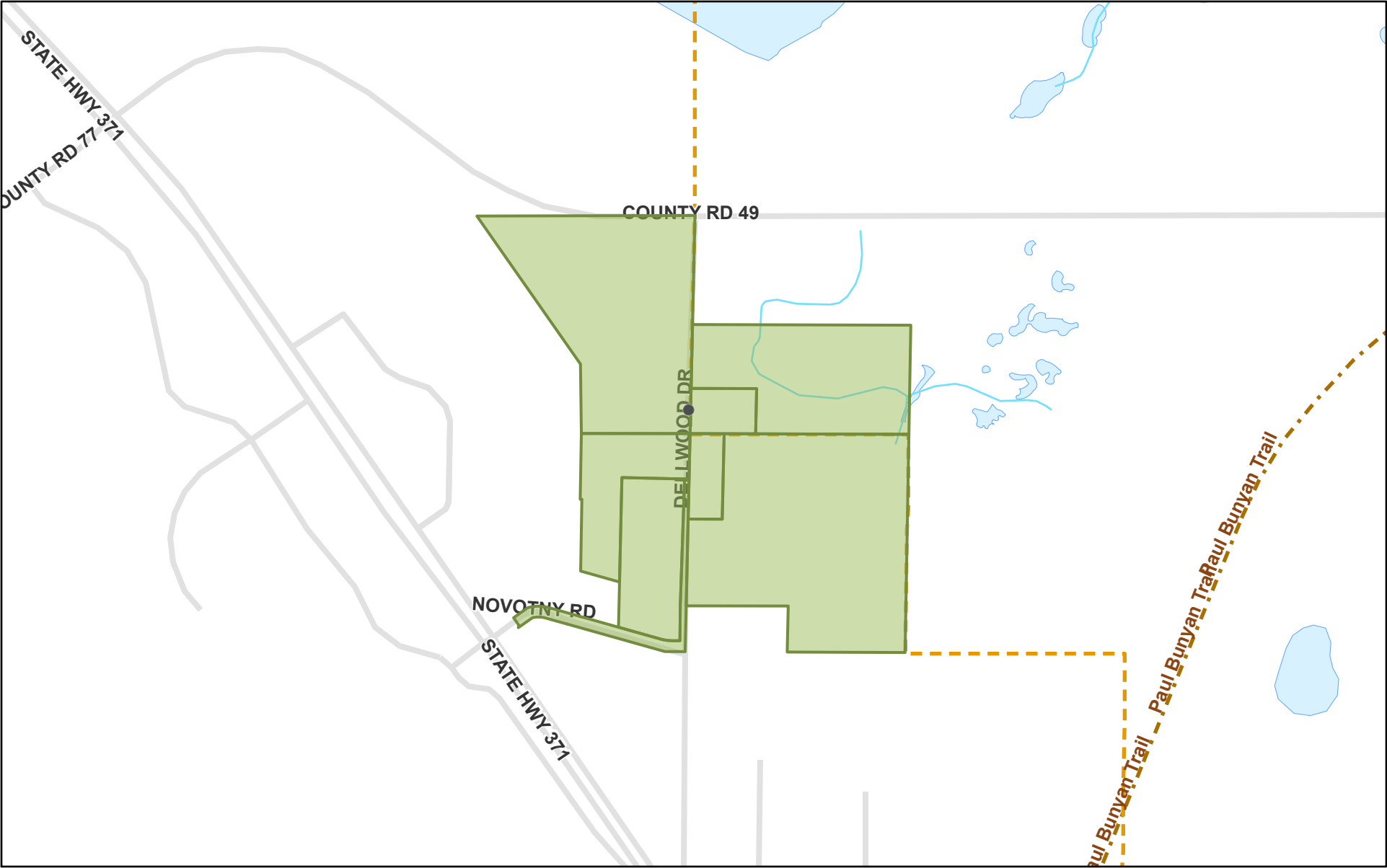
Any individual needing special accommodations please call (218) 828-2309.

Dated this 2nd day of August 2018.

Mark Ostgarden AICP
City Planner

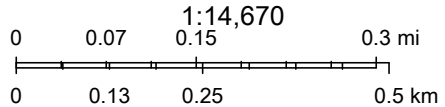


15770 Dellwood Dr



7/31/2018 1:55:31 PM

- Select Parcels _Query result
- Trails
- Streams
- City Limits
- Roads
- Water



Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community

PIN	TXNAME	TXADR1	TXADR2	TXADR3	TXADR4	Physical Address	PHYS	CITY	PHYSZIP
080322200B00009	TAYLOR, DERRICK	Returned in mail				15770 DELLWOOD DR	BRAINERD,		56401
080322200B00009	TIBBETTS, SHANNON	16693 CARLSON LAKE RD	BRAINERD, MN 56401			15770 DELLWOOD DR	BRAINERD,		56401
080322200AB0009	MERTES, RANDY RENE	15876 DELLWOOD DR	BRAINERD, MN 56401			15876 DELLWOOD DR	BRAINERD,		56401
030311100A00009	PETERSON, JOAN M & CYNTHIA CARLSON	15840 AUDUBON WAY	BAXTER, MN 56425			15847 DELLWOOD DR	BRAINERD,		56401
030322300B00009	ELLEVOOLD, YVONNE JEAN	15694 DELLWOOD DR	BRAINERD, MN 56401			15694 DELLWOOD DR	BRAINERD,		56401
030311400AAA009	PEARO LAND COMPANY	7810 UNIVERSITY AVE NE	FRIDLEY, MN 55432			15279 DELLWOOD DR	BAXTER MI		56425
030311400AC0009	BJORNSEN, MELVIN O & LINDA K	7444 NOVOTNY RD	BRAINERD MN 56401			7444 NOVOTNY RD	BRAINERD		56401
030311400BD0009	CITY OF BAXTER	JEREMY VACINEK FINANCE DIR	CITY HALL	P O BOX 2626	BAXTER, MN 56425				
030322300AA0009	REIKOFSKI, CRAIG	15532 DELLWOOD DR	BRAINERD, MN 56401				BRAINERD		56401

**City Planning Department**

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

RECEIVED

JUL 19 2018

CITY OF BRAINERD
ADMINISTRATION

Receipt #	2018-00033
Check #	2597
Date Paid:	7/19/18

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: 15770 Dellwood Drive Brainerd MN 56401

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

SEC:32 TWP:134.0 RG:28 S 275 FT OF W 400 FT OF NW 1/4 OF NW 1/4

Property Owner Name: Shannon J Tibbetts

Street Address: 16693 Carlson Lake Rd City: Brainerd State: MN Zip Code 56401

Phone Number: 218-821-2335 Fax: _____ E-mail: carking.69@hotmail.com

Applicant Name: (If different than Property Owner) _____

Street Address: _____ City: _____ State: _____ Zip Code: _____

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

 Description of Request: I am requesting the rezoning of my property on Dellwood Drive to C-1
 light industrial in order to place a self storage business on the property.

07/19/2018

Property Owner Signature

Date

Shannon J Tibbetts

(Please print name)

Applicant Signature

Date

(Please print name)

(OVER)

AGENCY REVIEW CHECKLIST

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

*Also - City of Baxter
Josh Doty Community Development
Director*

✓
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; *Chris Pince*
[~~john.overland@state.mn.us~~](mailto: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.org

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~~](mailto: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: Steve Voss; 7694 Industrial Park Rd.; Baxter, MN 56425; 218-828-5779; steve.voss@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

SECTION 57
R-3, HIGH DENSITY RESIDENTIAL DISTRICT

Section:	
515-57-1:	Purpose and Intent
515-57-2:	Permitted Uses
515-57-3:	Accessory Uses
515-57-4:	Interim Uses
515-57-5:	Conditional Uses
515-57-6:	Uses by Administrative Permit
515-57-7:	Lot Area and Setback Requirements
515-57-8:	Lot Coverage and Building Height
515-57-9:	Building Performance Standards
515-57-10:	Lot Coverage

These are the changes to the R-3 District to permit single family dwellings as a permitted use. A change is needed to Section 17 to add single family dwellings to the accessory dwelling size limitations.

515-57-1: Purpose and Intent. The purpose of the High Density Residential District is to provide for areas of high density residential housing ~~in multiple family structures~~ including senior housing.

515-57-2: Permitted Uses.

A. SINGLE FAMILY DETACHED DWELLINGS.

- A. Multiple family dwellings.
- B. Two family attached dwellings.
- C. Public recreation areas and related accessory buildings and structures.
- D. Residential care facilities serving six (6) or fewer persons.
- E. Essential services as regulated by Section 36 of this Ordinance.

515-57-3: Accessory Uses.

- A. Accessory buildings including garages, tool sheds and similar buildings for the storage of domestic **TOOLS SUPPLIES AND** equipment and supplies and non-commercial recreational equipment as regulated by Section ~~17~~ **24** of this Ordinance.
- B. Fences as regulated by Section 19 of this Ordinance.
- C. Storage of recreational vehicles and equipment as regulated by Section 24 of this Ordinance.

- D. Private recreational facilities operated for the enjoyment of the on-site residents and their occasional guests.
- E. Noncommercial greenhouses as regulated by Section 17 of this ordinance.
- F. Rental offices.
- G. Garages and off-street parking for private residential use subject to provisions of Section 17 of this Ordinance.
- H. Solar energy systems and structures.
- I. Home Businesses as regulated by Section 26 of this Ordinance.
- ~~J. Tool houses and sheds and other such buildings for the storage of domestic tools, supplies and equipment subject to the provisions of Section 17 of this Ordinance.~~
- K. Private recreational facilities for the enjoyment of the residents of the principal structure and their occasional guests.
- L. In home day care serving fourteen (14) or fewer persons in a single family detached dwelling.
- M. Radio and television receiving antennas, satellite dishes, TV Receive Only (TVRO) three (3) meters or less in diameter, short-wave radio dispatching antennas, or those necessary for the operation of electronic equipment including radio receivers, ham radio transmitters and television receivers as regulated by Section 35 of this Ordinance.

515-57-4: Interim Uses.

- ~~A. None~~
- A. HOME EXTENDED BUSINESSES AS REGULATED BY SECTION 26 OF THIS ORDINANCE.
- B. TEMPORARY BUILDINGS ASSOCIATED WITH A PUBLIC OR PRIVATE PRINCIPAL SCHOOL BUILDING AND USED FOR CLASSROOMS.
- C. SHORT TERM RENTALS IN ONE AND TWO FAMILY DWELLINGS PROVIDED THAT:
 - 1. THE MINIMUM RENTAL PERIOD SHALL NOT BE MORE THAN 28 CONSECUTIVE NIGHTS.

2. THE PERMIT HOLDER (OWNER) OF A SHORT TERM RENTAL MUST APPLY FOR AND RECEIVE AN INTERIM USE PERMIT. OWNER OCCUPIED DWELLINGS THAT ARE ALSO SHORT TERM RENTALS DO NOT REQUIRE AN INTERIM USE PERMIT.
3. THE APPLICATION FOR AN INTERIM USE PERMIT SHALL INCLUDE:
 - A. ALL INFORMATION REQUIRED FOR A CONDITIONAL USE PERMIT.
 - B. FLOOR PLAN OF THE STRUCTURE, INCLUDING THE NUMBER OF BEDROOMS WITH DIMENSIONS AND ALL OTHER SLEEPING ACCOMMODATIONS.
 - C. A TO-SCALE SITE PLAN WHICH SHOWS LOCATIONS AND DIMENSIONS OF PROPERTY LINES, THE DWELLING UNIT INTENDED FOR LICENSING, ACCESSORY STRUCTURES, PARKING AREAS AND SHORELAND RECREATIONAL FACILITIES.
 - D. A PLAN FOR GARBAGE DISPOSAL BY THE PERMIT HOLDER.
 - E. A PET POLICY.
4. THE PERMIT HOLDER SHALL POST EMERGENCY CONTACT INFORMATION (POLICE, FIRE, HOSPITAL) AND SHOW RENTERS THE LOCATION OF FIRE EXTINGUISHERS IN THE SHORT TERM RENTAL UNIT.
5. A PERMIT HOLDER MUST PROVIDE THE NAME, ADDRESS, AND PHONE NUMBER FOR THE MANAGING AGENT OR LOCAL CONTACT TO ALL PROPERTY OWNERS WITHIN 100' OF THE PROPERTY BOUNDARY. THE PERMIT HOLDER SHALL NOTIFY ALL PROPERTY OWNERS WITHIN 100' OF THE PROPERTY BOUNDARY WITHIN 10 DAYS OF A CHANGE IN THE MANAGING AGENT OR LOCAL CONTACT'S CONTACT INFORMATION.
6. A PERMIT HOLDER MUST DISCLOSE IN WRITING TO THEIR RENTERS THE FOLLOWING INFORMATION:
 - A. THE MANAGING AGENT OR LOCAL CONTACT'S NAME, ADDRESS, AND PHONE NUMBER.
 - B. THE MAXIMUM NUMBER OF GUESTS ALLOWED AT THE PROPERTY.
 - C. THE MAXIMUM NUMBER OF VEHICLES, RECREATIONAL VEHICLES AND TRAILERS ALLOWED AT THE PROPERTY AND WHERE THEY ARE TO BE PARKED.

- D. PROPERTY RULES RELATED TO USE OF EXTERIOR FEATURES OF THE PROPERTY, SUCH AS DECKS, PATIOS, GRILLS, POOLS, HOT TUBS, SAUNAS, RECREATIONAL FIRES AND OTHER OUTDOOR RECREATIONAL FACILITIES.
- E. APPLICABLE SECTIONS OF CITY ORDINANCES GOVERNING NOISE, PARKS, PARKING AND PETS.
7. THE OCCUPANCY OF A SHORT TERM RENTAL SHALL BE LIMITED TO NOT MORE THAN 2 PEOPLE PER BEDROOM.
8. ROOMS USED FOR SLEEPING SHALL BE PROVIDED WITH EGRESS WINDOWS AND SMOKE DETECTORS IN LOCATIONS THAT COMPLY WITH THE MINNESOTA STATE BUILDING CODE OR THE REQUIREMENTS OF THE BUILDING DEPARTMENT, WHICHEVER IS STRICTER.
9. THE SHORT TERM RENTAL SHALL BE CONNECTED TO CITY SEWER AND WATER.
10. A SHORT TERM RENTAL SHALL HAVE A FULL BATHROOM (SINK, TOILET AND TUB OR SHOWER).
11. ADDITIONAL OCCUPANCY BY USE OF RECREATIONAL VEHICLES, TENTS, ACCESSORY STRUCTURES OR FISH HOUSES IS NOT PERMITTED.
12. THE PERMIT HOLDER SHALL PROVIDE A PHYSICAL VISUAL DEMARCATION OF THE PROPERTY LINES.
13. THE PERMIT HOLDER SHALL KEEP A REPORT, DETAILING USE OF THE SHORT TERM RENTAL BY RECORDING THE FULL NAME, ADDRESS, PHONE NUMBER AND VEHICLE LICENSE NUMBER OF GUESTS USING THE RENTAL. A COPY OF THE REPORT SHALL BE PROVIDED TO THE PLANNING DEPARTMENT UPON REQUEST.
14. A SHORT TERM RENTAL SHALL BE A LICENSED RENTAL UNIT BY THE CITY AND SHALL MEET THE REQUIREMENTS OF ALL STATUTES, RULES, REGULATIONS, AND ORDINANCES INCLUDING, BUT NOT LIMITED TO THE CITY OF BRAINERD'S RENTAL HOUSING MAINTENANCE CODE. EACH UNIT SHALL BE INSPECTED ANNUALLY BY THE RENTAL HOUSING INSPECTOR AND THE FIRE MARSHALL.
15. THE PLANNING COMMISSION MAY IMPOSE CONDITIONS THAT WILL REDUCE THE IMPACTS OF THE PROPOSED USE ON NEIGHBORING PROPERTIES, PUBLIC SERVICES, NEARBY WATER BODIES, PUBLIC SAFETY AND SAFETY OF RENTERS. SAID CONDITIONS MAY INCLUDE

BUT NOT BE LIMITED TO – FENCING OR VEGETATIVE SCREENING, NATIVE BUFFER ALONG THE SHORELINE, NOISE STANDARDS, DURATION OF PERMIT, RESTRICTIONS AS TO THE DOCKING OF WATERCRAFT, AND NUMBER OF RENTERS.

16. A PERMIT HOLDER MUST POST THEIR PERMIT NUMBER ON ALL PRINT, POSTER OR WEB ADVERTISEMENTS.

17. A PERMIT HOLDER MUST APPLY FOR AND BE GRANTED STATE AND LOCAL SALES TAX NUMBERS, INCLUDING HOTEL AND MOTEL USE SALES TAX.

18. IN ADDITION TO AN INTERIM USE PERMIT, SHORT TERM RENTALS RENTED FOR LESS THAN 7 DAYS ARE CONSIDERED A HOTEL AND ARE REQUIRED TO HAVE A MINNESOTA DEPARTMENT OF HEALTH LICENSE.

19. ALL SHORT TERM RENTALS, OPERATING PRIOR TO THE EFFECTIVE DATE OF THESE STANDARDS, SHALL BE IN COMPLIANCE WITH THIS SECTION BY SEPTEMBER 1ST, 2017.

515-57-5: Conditional Uses.

A. Public or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions limited to elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples and synagogues provided that:

1. Side yards shall be double that required for the district.
2. Screening from abutting residential uses in accordance with Section 20 of this Ordinance.
3. Off-street parking and access must be provided on the site or on lots directly abutting or across the street from the principal use subject to the provisions of Section 22 of this Ordinance.
4. Off-street loading and service entrances subject to Section 23 of this Ordinance.

B. Nursing homes and similar group housing, not including hospitals, provided that:

1. Side yards are double the minimum requirements established for the district.
2. The site shall be served by an arterial or collector street of sufficient capacity to accommodate traffic that will be generated from the site.

3. All State Statutes and regulations governing such use are strictly adhered to and all required operating permits are secured.
 4. Off-street parking is provided in compliance with Section 22 of this Ordinance.
 5. Off-street loading areas are provided in compliance with Section 23 of this Ordinance.
- C. Senior housing provided that:
1. Not more than twenty (20) percent of the occupants may be persons fifty-five (55) years of age or younger.
 2. To continue to qualify for the senior housing classification, the owner or agency shall annually file with the City Clerk and/or the Zoning Administrator a certified copy of a monthly resume of occupants, listing the number of tenants by age and clearly identifying all occupants age fifty-five (55) or under.
 3. Off-street parking in compliance with Section 22 of this Ordinance.
 4. Off-street loading space in compliance with Section 23 of this Ordinance.
 5. Parking areas shall be screened and landscaped from view of surrounding and abutting residential districts in compliance with Section 20 of this Ordinance.
 6. Elevator service shall be provided to each floor of the building.
 7. Usable open space shall be at a minimum of twenty (20) percent of gross lot area.
- D. Residential Planned Unit Developments: townhomes and quadraminiums as regulated by Section 11 of this Ordinance.
- E. Government and public regulated utility buildings and structures necessary for the health, safety and general welfare of the community provided that when abutting a residential use in a residential use district, the property is screened and landscaped in accordance with Section 20 of this Ordinance.
- F. Personal wireless service towers and antennas as regulated by Section 35 of this Ordinance.
- G. Places of Worship and related buildings provided that:
1. Side yards shall be thirty (30) feet.
 2. Adequate screening from abutting residential uses and landscaping is provided in compliance with Section 20 of this Ordinance.

3. Adequate 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 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.
 4. Adequate off-street loading and service entrances are provided and regulated where applicable by Section 23 of this Ordinance.
- H. State Licensed Residential Care Facilities serving seven (7) to sixteen (16) persons provided that:
1. The facility is licensed by the State and the operator of the facility provides documentation of compliance with all applicable Federal, State and County regulations.
 2. The entrance of the facility is located within four hundred (400) feet of a public transit route and transit stop, pedestrian access is available, or the operators provide a transportation/access plan which is found acceptable by the City Council.
- I. 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.
 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.
- J. Senior center provided that:
1. Off-street parking is provided in accordance with Section 22 of this Ordinance.
 2. Off-street loading is provided in accordance with Section 23 of this Ordinance.
 3. The site is landscaped as regulated by Section 20 of this Ordinance.
 4. The entrance to the senior center is located within four hundred (400) feet of a public transit route and transit stop, pedestrian access is available, or the operators

provide a transportation/access plan which is found to be acceptable by the City Council.

K. BOARDING HOUSES PROVIDED THAT:

1. ADEQUATE OFF-STREET PARKING AND ACCESS IS PROVIDED.

2. LANDSCAPING AND SCREENING IS PROVIDED IN ACCORDANCE WITH SECTION 20 OF THIS ORDINANCE.

L. 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

515-57-6: Uses by Administrative Permit.

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

515-57-7: Minimum Lot Area and Setback Requirements.

A. Lot Area Per Unit for lots created after June 15, 2009:

1 SINGLE FAMILY:

- | | | |
|-------|---------------------------|--|
| 1. 2. | Two Family: | Three thousand (3,000) square feet |
| 2. 3. | Multiple Family: | Two thousand (2,000) square feet |
| 3. 4. | Multiple Family (senior): | One thousand one hundred (1,100) square feet |

A lot of record existing prior to June 15, 2009 is not required to meet minimum lot area requirements.

B. Principal Building Setbacks:

1. SINGLE FAMILY AND TWO FAMILY:

- | | | |
|----|---------------------|-----------------------|
| A. | FRONT YARD: | TWENTY-FIVE (25) FEET |
| B. | SIDE YARD: | FIVE (5) FEET |
| C. | SIDE YARD (CORNER): | FIFTEEN (15) FEET |
| D. | REAR YARD: | TWENTY-FIVE (25) FEET |

3. 2. Multiple family:

- | | | |
|----|-------------|-------------------|
| a. | Front Yard: | Thirty (30) feet |
| b. | Side Yard: | Fifteen (15) feet |

- c. Side Yard (corner): Twenty (20) feet
- d. Rear Yard: Twenty-five (25) feet

C. Accessory building and structure setbacks:

1. **SINGLE FAMILY AND** Two Family:

- a. Front Yard: Thirty (30) feet
- b. Side Yard: Three (3) feet
- c. Rear Yard: Three (3) feet

2. Multiple Family and Multiple Family (senior):

- a. Front Yard: Thirty (30) feet
- b. Side Yard: Fifteen (15) feet
- c. Side Yard (corner): Twenty (20) feet
- d. Rear Yard: Fifteen (15) feet

Lots created after June 15, 2009 require four thousand five hundred (4,500) square feet per unit up to two units and three thousand (3,000) square feet per unit for more than two units up to four units.

B. Lot Width Per Unit:

- 1. Single Family: Fifty (50) feet
- 2. Two-Family: Twenty-five (25) feet
- 3. Multiple Family: One hundred (100) feet

C. Principal Building Setbacks:

1. Single Family and Two Family:

- a. Front Yard: Twenty-five (25) feet
- b. Side Yard: Five (5) feet
- c. Side Yard (corner): Fifteen (15) feet
- d. Rear Yard: Twenty-five (25) feet

D. Accessory Building and Structure Setbacks:

1. Single Family and Two Family:

- a. Front Yard: Twenty-five (25) feet
- b. Side Yard: Three (3) feet
- c. Rear Yard: Three (3) feet

515-57-8: Building Height.

- A. **SINGLE FAMILY AND** Two family dwellings shall not exceed thirty-five (35) feet in height. Multi family dwellings, permitted non-residential uses and conditional uses taller than thirty-five (35) feet shall require a Conditional Use Permit.
- B. Accessory building and structure height shall be governed by Section 17 of this Ordinance.

515-57-9: Building Performance Standards.

- A. Minimum Floor Area per **MULTI FAMILY** Dwelling Unit:
 - 1. Efficiency: Four hundred (400) square feet.
 - 2. One bedroom: Five hundred (500) square feet.
 - 3. Two bedroom: Six hundred fifty (650) square feet.
 - 4. For each additional bedroom after two, six hundred fifty (650) square feet plus one hundred (100) square feet per bedroom in excess of two.

A. MINIMUM FLOOR AREA PER DWELLING UNIT (CONFORMING LOTS):

- 1. **SINGLE FAMILY: SEVEN HUNDRED FIFTY (750) SQUARE FEET**
- 2. **TWO-FAMILY: SEVEN HUNDRED FIFTY (750) SQUARE FEET**
- 3. **MULTIPLE FAMILY:**
 - A. **EFFICIENCY: FOUR HUNDRED (400) SQUARE FEET**
 - B. **ONE BEDROOM: FIVE HUNDRED (500) SQUARE FEET**
 - C. **TWO BEDROOM: SIX HUNDRED (600) SQUARE FEET**
 - D. **FOR EACH ADDITIONAL BEDROOM AFTER TWO (2), SEVEN HUNDRED FIFTY (750) SQUARE FEET PLUS ONE HUNDRED (100) SQUARE FEET PER BEDROOM IN EXCESS OF TWO (2)**

B. MINIMUM FLOOR AREA PER DWELLING UNIT (NONCONFORMING LOTS): FIVE HUNDRED (500) SQUARE FEET.

C. MINIMUM WIDTH/LENGTH PER DWELLING UNIT (NONCONFORMING LOTS): NONE

D. 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 SIX HUNDRED FIFTY (650) SQUARE FEET ARE PERMITTED TO BE LESS THAN TWENTY-TWO (22) FEET WIDE.

- E. MINIMUM WIDTH/LENGTH FOR A DWELLING LESS THAN SEVEN HUNDRED FIFTY (750) SQUARE FEET ON NONCONFORMING LOTS: EIGHTEEN (18) FEET.

515-57-10: Lot Coverage.

- A. Residential Uses. Impervious surface lot coverage shall not exceed sixty (60) percent of the total lot area.
- B. Non-Residential Uses. Impervious surface lot coverage shall not exceed fifty (50) percent of the total lot area unless otherwise allowed by a grading and drainage plan approved by the City Engineer.

515-56-11: DESIGN REQUIREMENTS.

ALL DWELLINGS SHALL ADHERE TO THE FOLLOWING DESIGN REQUIREMENTS. WHILE CREATIVITY AND VARIATION IN ARCHITECTURAL DESIGN IS ENCOURAGED, THE PURPOSE OF THESE REQUIREMENTS IS TO ENSURE COMPATIBILITY OF INFILL DEVELOPMENT WITH THE CHARACTER OF NEARBY EXISTING RESIDENTIAL STRUCTURES.

DWELLINGS SHALL MEET THE FOLLOWING DESIGN CRITERIA, AS DEFINED BY THE PREDOMINANT CHARACTER OF THE EXISTING RESIDENTIAL BLOCK FRONT. THE BLOCK FRONT SHALL CONSIST OF ALL RESIDENTIAL PROPERTIES ALONG BOTH SIDES OF THE PUBLIC OR PRIVATE RIGHT-OF-WAY ON WHICH THE DEVELOPMENT FRONTS. THE BLOCK FRONT SHALL BE MEASURED FROM INTERSECTION TO INTERSECTION, TO THE ROAD END, OR TWO HUNDRED (200) FEET IN EITHER DIRECTION FROM THE DEVELOPMENT SITE, WHICHEVER IS NEAREST.

1. BUILDING ORIENTATION ON LOTS SHALL MATCH THE PREDOMINANT ORIENTATION OF OTHER BUILDINGS ALONG THE BLOCK FRONT.
2. ACCESS AND LOCATION OF OFF-STREET PARKING ON LOTS SHALL BE SIMILAR TO THE PREDOMINANT CHARACTER OF EXISTING DEVELOPMENT ALONG THE BLOCK FRONT. PRIMARY VEHICULAR ACCESS SHALL BE THROUGH REAR ALLEYS WHERE SUCH REAR OF PROPOSED STRUCTURES, INsofar AS THIS IS CONSISTENT WITH THE PREDOMINANT CHARACTER OF THE BLOCK FRONT.
3. ROOFS ON PROPOSED RESIDENTIAL STRUCTURES SHALL BE SIMILAR IN SLOPE AND STYLE TO EXISTING DEVELOPMENT AND SHALL INCORPORATE ANY OR ALL OF THE FOLLOWING FEATURES, INsofar AS SUCH FEATURES ARE COMPATIBLE WITH EXISTING DEVELOPMENT ON THE BLOCK FRONT:
 - A. DORMERS;

- B. GABLED OR HIPPED ROOFS;
- C. PITCHED ROOFS;
- D. PARAPETS OR CORNICES.

- 4. UNLESS IT IS THE PREDOMINANT EXISTING STYLE ON THE BLOCK FRONT, FLAT ROOFS SHALL NOT BE ALLOWED.
- 5. HORIZONTAL FACADES LONGER THAN TWENTY-FIVE (25) FEET SHALL BE TREATED TO REDUCE BUILDINGS MASS AND VISUAL BULK USING AT LEAST ONE OF THE FOLLOWING TECHNIQUES:
 - A. BAYS OR RECESSES (MINIMUM DEPTH OF EIGHTEEN (18) INCHES);
 - B. WINDOW PATTERNS;
 - C. CONTRASTING MATERIALS OR COLORS;
 - D. UPPER STORY SETBACKS;
 - E. BALCONIES.

THE APPLICANT SHALL DEMONSTRATE THAT THE SELECTED TECHNIQUES ARE EITHER CURRENTLY PRESENT ON THE BLOCK FRONT OR ARE NOT SUBSTANTIALLY INCOMPATIBLE WITH EXISTING DEVELOPMENT.