

BRAINERD PLANNING COMMISSION

Wednesday, August 21, 2019
6:00 p.m.
City Hall Council Chambers

1. Call To Order
2. Approval/Amendment Of Agenda
3. Approval Of Minutes
 1. Regular Meeting Held on July 17, 2019
 2. Special Meeting Held on August 7, 2019

Documents:

[2019-07-17 DRAFT.PDF](#)
[2019-08-07 DRAFT.PDF](#)

4. New Business

- 4.a. Conditional Use Permit Amendment - Mark Lelwica, Roundhouse Brewery

Documents:

[ROUNDHOUSE BREWERY CUP AMENDMENT.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. Set Date For Comprehensive Plan Workshop

Documents:

[SET DATE FOR COMPREHENSIVE PLAN WORKSHOP.PDF](#)

- 6.b. Comprehensive Plan - Call For Public Hearing

Documents:

[COMPREHENSIVE PLAN CALL FOR PUBLIC HEARING.PDF](#)

- 6.c. Proposed Lighting Ordinance Language

Documents:

[LIGHTING STANDARDS REVISED PROPOSED ORDINANCE
LANGUAGE.PDF](#)

- 6.d. Legal Nonconforming Rentals

Documents:

[ADDRESSING LEGAL NONCONFORMING RENTALS.PDF](#)

7. Commissioner Questions/Comments
8. Community Development Director's Report
9. Adjourn To Comprehensive Plan Workshop

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

PLANNING COMMISSION

Wednesday, July 17, 2019

#1 Call to Order

Planning Commission Chair Gorham 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 Gorham, Duval, Woodward and Foley; and Council Liaison Lambert. Commissioners Burslie and Marohn were noted as absent. Community Development Director Chanski and Planning Intern Colin Mieras were also noted as present.

#2 Approval/Amendment of Agenda

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

#3 Approval of Minutes

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND WOODWARD, DULY CARRIED, TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD JUNE 19, 2019.

#4 New Business

4a. Rezoning – Property at 701 7th St. NW from a B-4 (General Commercial) District to an R-1 (Single Family Residential) District

Community Development Director Chanski explained the Commission brought forth the desire to consider rezoning this property to allow the applicant the ability to obtain a building permit, since the previous application for a variance was denied by the City Council on May 5, 2019. He stated the applicant would like to add a garage, a bedroom and a bathroom on the property. He explained the Findings of Fact shown below.

Findings of Fact

1. 701 7th St. N.W. was rezoned from R-3 High Density Residential District to B-4 General Commercial District in June 1978.
2. The property has continued as a legal nonconforming residential use since the time the property was rezoned.
3. 701 7th St. N.W. is in close proximity to other residential structures with the 28-unit Circle Pines Apartments, which are zoned R-3 (High Density Residential) District, one block to the north on 7th St. N.W., and the Westwood trailer park, a similar legal nonconforming residential use, located across the street.
4. If the property were to be rezoned as an R-1 (Single Family Residential) District, the property and primary structure would meet the land use requirements as set forth in Section 515-54 of the Code of Ordinances.

The Chair opened the public hearing at 6:06 p.m.

The Chair recognized Mr. Mitch Tuomi, 701 7th St. NW, Brainerd, who stated he appreciates the effort from the Planning Commission to work on his behalf, so he is able to move forward with his desire to make improvements on the home.

The Chair closed the public hearing at 6:08 p.m.

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND DUVAL, DULY CARRIED, TO RECOMMEND APPROVAL OF REZONING THE PROPERTY LOCATED AT 701 7TH STREET NW, BRAINERD FROM A B-4 (GENERAL COMMERCIAL) DISTRICT TO AN R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT BASED ON THE FINDINGS OF FACT.

#5 Public Forum

The Chair opened public forum at 6:09 p.m.

No one came forward.

The Chair closed the public forum at 6:11 p.m.

#6 Old Business

6a. Comprehensive Plan Timeline Update

Community Development Director Chanski indicated at last month's meeting, Sourcewell consultants made a presentation to the Commission regarding the status of the comprehensive plan update process. He explained the details of the upcoming preliminary dates as follows:

- Open 30-day public comment period – On or about August 7th
 - Only a quorum of 4 members needed (Commissioners Gorham, Duval, Lambert and Foley have committed to attend)
- Call for public hearing – August 21st
- Hold Planning Commission Workshop – On or about September 11th
- Conduct public hearing – September 18th
- Recommend adoption of Comprehensive Plan to the Council – By October 16th
- Adoption of the Comprehensive Plan by Council – October 21st

6b. Lighting Standards Proposed Ordinance Language

Community Development Director Chanski stated the past few meetings have had discussion regarding lighting standards and had directed staff to propose language modifications to the ordinance. He indicated staff has drafted new language for Section 515-18 as follows, with added items in bold:

515-18-5: Performance Standards.

A. Residential District Standards. All exterior lighting shall be directed away from adjoining residential property or from any public right-of-way. All lighting shall be installed in accordance with the following provisions:

1. The light source shall be controlled so as not to light adjacent property in excess of the maximum light levels defined by this Ordinance.

2. The maximum height of the fixture, pole and base above the ground grade permitted for light sources is thirteen (13) feet. A light source mounted on a building shall not exceed the height of the building.

a. If the bulb/light source is fully shielded from view by an observer at ground level, an increase in light source height to a maximum of twenty (20) feet may be allowed by Conditional Use Permit.

3. The luminaire shall contain a full cut off fixture which directs and cuts off light at an angle of ninety (90) degrees or less.

B. Business/Industrial District Standards. All exterior lighting shall be directed away from adjoining residential property or from any public right-of-way. All lighting shall be installed in accordance with the following provisions:

1. The luminaire shall contain a full cut off fixture which directs and cuts off light at an angle of ninety (90) degrees or less.

2. The light source shall be controlled so as not to light adjacent property in excess of the maximum light levels defined by this Ordinance.

3. Architectural/historical lights that include fixtures that are not shielded, or lighting of entire facades or architectural features of a building are permitted. In no case shall the light affect adjacent property in excess of the maximum light levels defined in this Ordinance.

~~4. The maximum height of the fixture, pole and base above the ground grade permitted for light sources is thirty (30) feet. A light source mounted on a building shall not exceed the height of the building. In no case shall the height of the light source mounted on a pole or on a building exceed the height limits of the zoning district in which the use is located, unless allowed by Conditional Use Permit.~~

4. The maximum height of the fixture, pole and base above the ground grade permitted for light sources is thirteen (13) feet. A light source mounted on a building shall not exceed the height of the building.

a. If the bulb/light source is fully shielded from view by an observer at ground level, an increase in light source height to a maximum of twenty (20) feet may be allowed by Conditional Use Permit.

Commissioner Duval stated number 2a. and 4a. should specify a point of reference or location at ground level instead of the general statement of “...by an observer at ground level...”. He also indicated the ordinance should emphasize “downward oriented illumination” and “upward oriented illumination” as direction to the potential applicant.

Community Development Director Chanski stated the upward illuminating lights, like the ones on Laurel Street would only be a consideration by Conditional Use Permit.

Commission discussion took place.

The Planning Commission directed Community Development Director Chanski to draft the language regarding lighting and return to the Commission at the August meeting for review.

6c. Kingwood Walking Tour Recap

Community Development Director Chanski reviewed some of the comments of the Kingwood Street walking tour that was included in the packet. He stated some of the main topics were related to parking lots, trees and landscaping and the maintenance of rental property.

Commission discussion took place on the comments received from the walk.

Commissioner Gorham stated the one thing he received out of the walk was the City needs to plant more trees.

Commissioner Lambert indicated she would like the City to implement a project citywide encouraging the planting of trees.

Commissioner Duval stated City Engineer Sandy would need to be part of the conversation regarding tree planting.

#7 Commissioner's Questions/Comments

Commissioner Lambert questioned the maintenance and upkeep of the recently closed business, Tim Horton's. Community Development Director Chanski stated it is the responsibility of the property owner and the issue has been addressed.

Commissioner Gorham stated the events that occurred Sunday night when the City received 4" rainfall and caused damage is a direct result of climate changes that are taking place.

#8 Community Development Director's Report

Community Development Director Chanski updated the Commission on the decisions from the City Council on the topics addressed at the Planning Commission last month:

- The Conditional Use Permit for 1002 Laurel Street was approved with the condition that the applicant provide the Council an agreement for parking with the adjoining property owner. He said the variance application for that property failed.
- The rezoning of the property at 215 N 3rd Street was approved and adopted by the City Council.
- The Zoning Review Committee is continuing to work on language for the ordinance updates as the Council approved the process being done.

Community Development Director Chanski said discussion has taken place in the building department regarding the non-conforming rentals that are improperly zoned in the City. The department is working on gathering all the options for the Commission and will be brought forth at the August meeting. He announced this is the last Planning Commission meeting that our Intern, Colin Mieras will be attending, as he is returning to college. Colin has done a great job this summer and was thanked for the job well done.

#9 Adjourn

The Chair adjourned at 6:59 p.m.

Don Gorham, Planning Commission Chair

PLANNING COMMISSION
Wednesday, August 7, 2019

#1 Call to Order

Planning Commission Chair Gorham called the Special Meeting of the Brainerd Planning Commission to order at 6:00 p.m. in the City Hall Council Chambers.

Noted present were Commissioners Gorham, Duval, Marohn and Woodward. Commissioners Burslie and Foley were noted as absent. Council Member Lambert was also noted as absent. Community Development Director Chanski was noted as present.

#2 Approval/Amendment of Agenda

MOTION AND SECONDED BY COMMISSIONERS DUVAL AND WOODWARD, DULY CARRIED, TO APPROVE THE AGENDA.

#3 Consider Opening the Comprehensive Plan 30-Day Public Comment Period

MOTION AND SECONDED BY COMMISSIONERS DUVAL AND WOODWARD, DULY CARRIED, TO OPEN THE 30-DAY COMPREHENSIVE PLAN PUBLIC COMMENT PERIOD.

#4 Adjourn

The Chair adjourned at 6:02 p.m.

Planning Commission Chair

City of Brainerd Community Development Department

TO: Planning Commission

FROM: David Chanski, Community Development Director

DATE: August 16, 2019

RE: Roundhouse Brewery CUP Amendment

Mark Lelwica, 1551 Northern Pacific Road, Brainerd, MN 56401, has submitted an application for an amendment to the Condition Use Permit at Roundhouse Brewery. The purpose of the Conditional Use Permit amendment is to increase the previously permitted patio from 12' x 50' to 18.6' x 75.7'.

The original CUP, which was approved by the City Council on May 2, 2016, is attached.

Findings of Fact

1. The current permitted patio is 12' x 50' for a total of 600 square feet.
2. As the internal area of the taproom is 4,214 square feet, the maximum allowable area for the patio is 1,264 square feet (30% of the total customer floor area within the principle structure).
3. The proposed patio expansion would bring the patio to approximately 1,405 square feet, 141 square feet more than the currently allowable area.
4. A customer service area of 4,683 square feet (an additional 469 square feet) would be needed to allow a patio of 1,405 square feet.
5. The applicant has stated that an addition of a bathroom should increase the floor space to the required levels.
6. The patio area would be fenced as requirement by the Zoning Code and State Building Code.
7. The increased patio area would be concrete the same as the current area.

As of this writing, no parties have come forward to express their objections to this Conditional Use Permit amendment.

Staff Opinion

Staff recommends approval of this CUP application with the condition that proof of the additional 469 square feet of service area be provided to staff prior to any permit issuance and construction.



City Planning Department

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

Permit 2019-00042
Receipt # _____
Check # _____
Date Paid: _____

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: 1551 Northern Pacific Rd, Brainerd, MN 56401
LEGAL DESCRIPTION: Lot(s): 020 Block: 220 Addition: _____
(attach description if lengthy)

Property Owner Name: NP Center LLC
Street Address: 1511 NP Road City: Brainerd State: MN Zip Code: 56401
Phone Number: _____ Fax: _____ E-mail: _____
Applicant Name: (If different than Property Owner) Roundhouse Brewery, LLC
Street Address: 1537 Northern Pacific Rd, Brainerd State: MN Zip Code: 56401
Phone Number: 218 454 2739 Fax: _____ E-mail: doug@roundhousebrew.com

Description of Request: Roundhouse desires to expand its existing 12'x50' patio to 18.6' x 75.7'. Fencing similar to the existing fencing will surround the patio, and a sun shade will be added. Cement will be used as the surface. 1405 ft² total

[Signature]
Property Owner Signature
Mike Higgins
(Please print name)
[Signature]
Applicant Signature
Mark Lehwica
(Please print name)

8/8/19
Date
8/8/19
Date

AGENCY REVIEW CHECKLIST

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

BRAINERD FIRE DEPARTMENT

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

BRAINERD POLICE DEPARTMENT

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

BRAINERD PUBLIC UTILITIES

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

BWSR (MN Board of Water and Soil Resources)

Attn: Chris Pence; 1601 Minnesota Dr; Brainerd, MN 56401; 218-828-2383; chris.pence@state.mn.us

CITY OF BAXTER

Attn: Josh Doty; Community Development Director, 13190 Memorywood Dr; Baxter, MN 56425; 218-454-5100

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

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

HRA

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

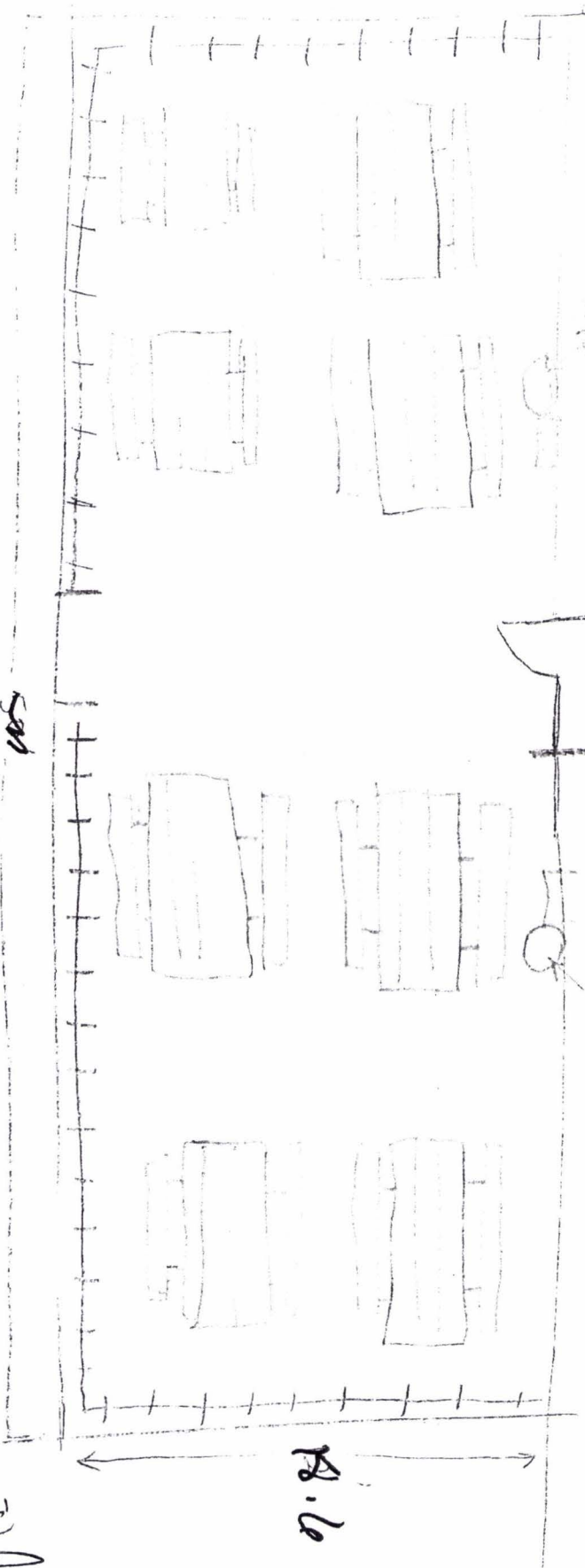
MINNESOTA POLLUTION CONTROL AGENCY

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

1551 N P CURR



~~25.6~~ 25.6'

Trash

18.6

~~Submittal~~
~~Planning Commission~~
~~2/14/12~~

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Mark Lelwica, 1551 Northern Pacific Road, Brainerd, MN 56401, has submitted an application for an amendment to the Conditional Use Permit at Roundhouse Brewery to expand a permitted patio from 12' x 50' to 18.6' x 75.7'. The property included in this application is described as:

*Lot 1 Block 1 Northern Pacific Plat
P.I.N. 41300557*

The property is zoned Mixed Use, and Zoning Ordinance Section 515-72-2 permits non-enclosed areas for dining and/or serving alcohol as a conditional use. A copy of the proposed site plan is on file for review at the Community Development Department.

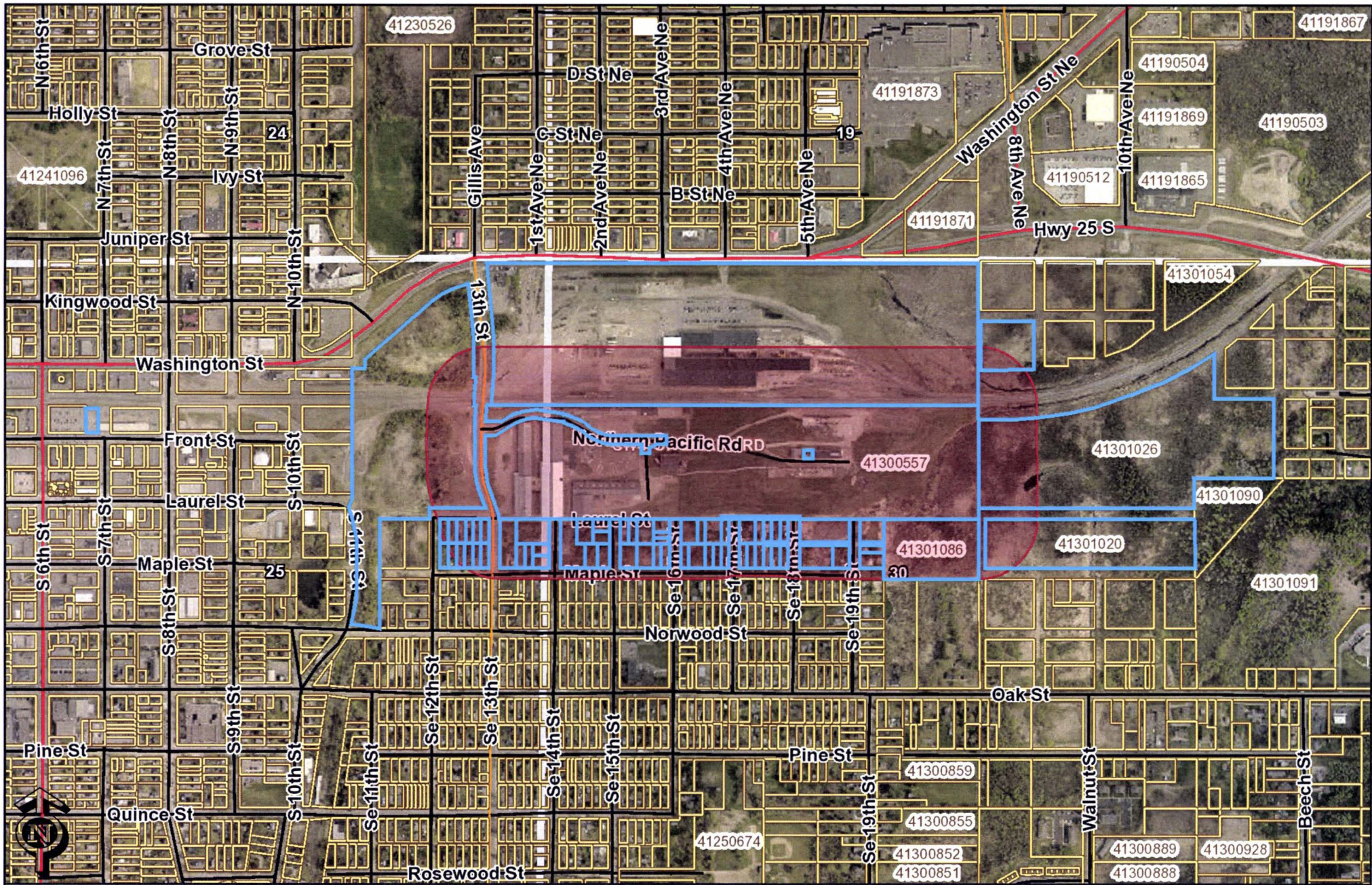
A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, August 21, 2019 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the Conditional Use Permit request.

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

Dated this 9th day of August 2019



David C. Chanski, MPA
Community Development Director



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

1551 Northern Pacific Rd

Date: 8/9/2019 Time: 10:49:59 AM



Parcel Num	Legacy Parcel Number	Municipal Tax Name	Tax Address	Tax Address 2	Tax Address 3	Tax Address 4	Physical Address	Physical City	Physical Zip
41301088	050302200A00009	CITY OF BR AMERICAN TOWER MANAGEMENT	PROPERTY TAX DEPT	P O BOX 723597	ATLANTA, GA 31139				
41301087	050302200Z00009	CITY OF BR NORTHERN PACIFIC, CENTER INC	1511 NORTHERN PACIFIC RD		BRAINERD MN 56401				
41301086	050302400A00009	CITY OF BR CITY OF BRAINERD	CITY ADMINISTRATOR-CITY HALL	501 LAUREL ST	BRAINERD, MN 56401			0 BRAINERD	56401
41301053	09119006001Z009	CITY OF BR TAX FORFEITED	CROW WING COUNTY LAND SERV	322 LAUREL ST STE 15	BRAINERD, MN 56401-3590			0 BRAINERD	56401
41301026	09119017000Z009	CITY OF BR CITY OF BRAINERD	CITY ADMINISTRATOR-CITY HALL	501 LAUREL ST	BRAINERD, MN 56401			0 BRAINERD	56401
41301020	09119029000Z009	CITY OF BR CITY OF BRAINERD	CITY ADMINISTRATOR-CITY HALL	501 LAUREL ST	BRAINERD, MN 56401			0 BRAINERD	56401
41300795	91640010010009	CITY OF BR FUCHS, RONALD W	1716 LAUREL ST	BRAINERD, MN 56401			1716 LAUREL ST	BRAINERD	56401
41300794	91640010020009	CITY OF BR PARKER, ROY C	1720 LAUREL ST	BRAINERD MN 56401			1720 LAUREL ST	BRAINERD	56401
41300793	91640010030009	CITY OF BR CULLINANE, JOHN	PO BOX 583	315 N 3RD ST	BRAINERD, MN 56401			1724 LAUREL ST	BRAINERD 56401
41300792	91640010040009	CITY OF BR JUDES, ASHLEY	1717 MAPLE ST	BRAINERD MN 56401			314 18TH ST SE	BRAINERD	56401
41300791	91640010050009	CITY OF BR JUDES, ASHLEY	1717 MAPLE ST	BRAINERD MN 56401			1717 MAPLE ST	BRAINERD	56401
41300790	91640010060009	CITY OF BR BURGSTALER, JAMES B & AURORA	404 4TH AVE NE	BRAINERD MN 56401			1715 MAPLE ST	BRAINERD	56401
41300757	09164006001Z009	CITY OF BR CITY OF BRAINERD	CITY ADMINISTRATOR-CITY HALL	501 LAUREL ST	BRAINERD, MN 56401			0 BRAINERD	56401
41300756	09164006007Z009	CITY OF BR STEPHAN, ARDYCE & FORREST	1821 MAPLE ST	BRAINERD MN 56401			1821 MAPLE ST	BRAINERD	56401
41300755	09164006009Z009	CITY OF BR CITY OF BRAINERD	CITY ADMINISTRATOR-CITY HALL	501 LAUREL ST	BRAINERD, MN 56401			0 BRAINERD	56401
41300754	09164007001Z009	CITY OF BR BURGSTALER, JAMES B & AURORA	404 4TH AVE NE	BRAINERD MN 56401				0 BRAINERD	56401
41300753	09164007004X009	CITY OF BR BURGSTALER, JAMES B & AURORA	404 4TH AVE NE	BRAINERD MN 56401			317 19TH ST SE	BRAINERD	56401
41300752	09164007004Z009	CITY OF BR BURGSTALER, JAMES B & AURORA	404 4TH AVE NE	BRAINERD MN 56401			323 19TH ST SE	BRAINERD	56401
41300743	91810010010009	CITY OF BR DEASON, CARY L & STACY M	11171 TOWN HALL ST	BRAINERD MN 56401			1712 LAUREL ST	BRAINERD	56401
41300742	09181001002Z009	CITY OF BR SWARTOUT, SAMUEL J & CHRISTY C	1708 LAUREL ST	BRAINERD MN 56401			1708 LAUREL ST	BRAINERD	56401
41300741	91810010040009	CITY OF BR JM ANDERSON PROPERTIES LLC	23226 ANDERSON BLVD	MERRIFIELD MN 56465			1701 MAPLE ST	BRAINERD	56401
41300740	91810010050009	CITY OF BR ONUKHOVSKA, MARIYA	1705 MAPLE ST	BRAINERD MN 56401			1705 MAPLE ST	BRAINERD	56401
41300739	91810010060009	CITY OF BR LIND, DAN RUSSELL	1709 MAPLE ST	BRAINERD MN 56401			1709 MAPLE ST	BRAINERD	56401
41300738	91810020010009	CITY OF BR BOURASSA, KURT C	1614 LAUREL SE	BRAINERD MN 56401				0 BRAINERD	56401
41300737	09181002002Z009	CITY OF BR BOURASSA, KURT C & JANICE N	1614 LAUREL ST	BRAINERD, MN 56401			1614 LAUREL ST	BRAINERD	56401
41300736	91810020040009	CITY OF BR BOURASSA, KURT C & JANICE N	1614 LAUREL ST	BRAINERD, MN 56401					
41300735	09181002005Z009	CITY OF BR BURGSTALER, JAMES B & AURORA	404 4TH AVE NE	BRAINERD MN 56401			1602 LAUREL ST	BRAINERD	56401
41300734	91810020070009	CITY OF BR METZ, BRYANT	1601 MAPLE ST	BRAINERD MN 56401			1601 MAPLE ST	BRAINERD	56401
41300733	09181002008Z009	CITY OF BR PUERINGER, DAVID F PUERINGER IN	616 1/2 FRONT ST	BRAINERD, MN 56401			1613 MAPLE ST	BRAINERD	56401
41300732	91810020100009	CITY OF BR BURGSTALER, JAMES B & AURORA	404 4TH AVE NE	BRAINERD MN 56401				0 BRAINERD	56401
41300731	91810020110009	CITY OF BR BEMENT, HARRY & ARLISS	11279 ASH AVE	BRAINERD, MN 56401			1617 MAPLE ST	BRAINERD	56401
41300730	91810020120009	CITY OF BR BURGSTALER, JAMES B & AURORA	404 4TH AVE NE	BRAINERD MN 56401				0 BRAINERD	56401
41300729	09181003001A009	CITY OF BR WENDEL PROPERTIES LLC	17122 STATE HWY 371	BRAINERD, MN 56401			314 SE 16TH ST	BRAINERD	56401
41300728	09181003001B009	CITY OF BR KOUBA, AMY	C/O WEICHERT REALTY	17122 STATE HIGHWAY 371	BRAINERD MN 56401		312 SE 16TH ST	BRAINERD	56401
41300727	09181003001Z009	CITY OF BR WOODEN, TODD WAYNE	1522 LAUREL ST	BRAINERD, MN 56401			1522 LAUREL ST	BRAINERD	56401
41300726	09181003003Z009	CITY OF BR LARSON, GREGORY J & MICHELE L	11348 SORENSON LAKE RD	MERRIFIELD, MN 56465				0 BRAINERD	56401
41300725	91810030050009	CITY OF BR DEGEN, MICHAEL	10935 GULL LAKE RD	EAST GULL LAKE, MN 56401			1506 LAUREL ST	BRAINERD	56401
41300724	91810030060009	CITY OF BR BENNETT, DAVID J & WEDNESDAY	303 15TH ST SE	BRAINERD, MN 56401			303 15TH ST SE	BRAINERD	56401
41300723	91810030070009	CITY OF BR KEMP, PAUL D JR & HEATHYR K	1503 MAPLE ST	BRAINERD MN 56401				0 BRAINERD	56401
41300722	09181003008Z009	CITY OF BR LAKES AREA HABITAT FOR HUMANIT	PO BOX 234	1110 WRIGHT STREET	BRAINERD, MN 56401			0 BAXTER	56425
41300721	09181003011Z009	CITY OF BR MATTEN, JOLEEN R	1521 MAPLE ST	BRAINERD, MN 56401				0 BAXTER	56425
41300720	09181003012A009	CITY OF BR PRIMROSE, JODI F	316 16TH ST SE	BRAINERD, MN 56401					
41300719	09181004001Y009	CITY OF BR COLVIN, MELODY	302 15TH ST SE	BRAINERD MN 56401			302 15TH ST SE	BRAINERD	56401
41300718	09181004001Z009	CITY OF BR TAX FORFEITED	CROW WING COUNTY LAND SERV	322 LAUREL ST STE 15	BRAINERD, MN 56401-3590		308 15TH ST SE	BRAINERD	56401
41300717	09181004003Z009	CITY OF BR STEDIN PROPERTIES LLC	12995 17TH AVE SW	BRAINERD, MN 56401			1408 LAUREL ST	BRAINERD	56401
41300716	09181004005Z009	CITY OF BR PORT OF CROW WING, COUNTY	115 1ST ST N	PO BOX 488	BRAINERD, MN 56401		1406 LAUREL ST	BRAINERD	56401
41300715	09181004010Z009	CITY OF BR CLUEVER CONSTRUCTION INC	12674 KNOLLWOOD DR	BAXTER MN 56425					
41300714	91810040110009	CITY OF BR PUERINGER, DAVID F	616 1/2 FRONT ST	BRAINERD MN 56401			316 15TH ST	BRAINERD	56401
41300713	09181005001Z009	CITY OF BR ANDERSON, KAYLA D	308 14TH ST SE	BRAINERD, MN 56401			308 14TH ST SE	BRAINERD	56401
41300712	09181005005Y009	CITY OF BR HAMM, DANIEL	22137 BLUEGILL RD	IRONTON, MN 56455			1307 MAPLE ST	BRAINERD	56401
41300711	91810050090009	CITY OF BR LARSON, GREGORY & MICHELE	11348 SORENSON LAKE RD	MERRIFIELD, MN 56465				0 BRAINERD	56401
41300710	91810050100009	CITY OF BR LARSON, GREGORY & MICHELE	11348 SORENSON LAKE RD	MERRIFIELD, MN 56465			1315 MAPLE ST	BRAINERD	56401
41300709	09181005011Y009	CITY OF BR HILL, VERNETTE J	318 14TH ST SE	BRAINERD MN 56401			318 14TH ST SE	BRAINERD	56401
41300708	09181005011Z009	CITY OF BR BRITTON, BARBARA L & LEROY A	324 14TH ST SE	BRAINERD, MN 56401			324 14TH ST SE	BRAINERD	56401

41300707 91810060010009	CITY OF BR RZ HOLDINGS LLC	13263 COUNTY ROAD 23	BRAINERD, MN 56401-5048	1224 LAUREL ST	BRAINERD	56401
41300706 91810060020009	CITY OF BR WILT, DAVID A & JOYCE I & RICHARD	5389 PIONEER TRL	BRAINERD MN 56401	1218 LAUREL ST	BRAINERD	56401
41300705 09181006003Y009	CITY OF BR RZ HOLDINGS LLC	13263 COUNTY ROAD 23	BRAINERD, MN 56401-5048	1216 LAUREL ST	BRAINERD	56401
41300704 09181006003Z009	CITY OF BR HALL, KATHRYN	1212 LAUREL ST	BRAINERD, MN 56401	1212 LAUREL ST	BRAINERD	56401
41300703 91810060050009	CITY OF BR ZEBROSKI, RICHARD J	1208 LAUREL ST	BRAINERD, MN 56401	1208 LAUREL ST	BRAINERD	56401
41300702 91810060060009	CITY OF BR KUHN, DALE P & DEBRA L	10154 DEPOT ST	BRAINERD, MN 56401	1202 LAUREL ST	BRAINERD	56401
41300701 91810060070009	CITY OF BR YDE, DAVID E	1310 PORTLAND AVE	BRAINERD MN 56401	1201 MAPLE ST	BRAINERD	56401
41300700 91810060080009	CITY OF BR JM ANDERSON PROPERTIES LLC	23226 ANDERSON BLVD	MERRIFIELD MN 56465	1205 MAPLE ST	BRAINERD	56401
41300699 91810060090009	CITY OF BR LEFLER, MICHAEL T & LAURA R	1209 MAPLE ST	BRAINERD MN 56401	1209 MAPLE ST	BRAINERD	56401
41300698 91810060100009	CITY OF BR LENDTVEDT, STEVEN	6203 FAIRFAX COURT	BAXTER, MN 56425	1215 MAPLE ST	BRAINERD	56401
41300697 91810060110009	CITY OF BR MASONIC TEMPLE ASSOC OF BRD IN P O BOX 81		BRAINERD, MN 56401	1221 MAPLE ST	BRAINERD	56401
41300696 91810060120009	CITY OF BR ENDRES, ALEC & KAYLA PIERZINSKI	1223 MAPLE ST	BRAINERD, MN 56401	1223 MAPLE ST	BRAINERD	56401
41300557 92740010010009	CITY OF BR NORTHERN PACIFIC CENTER LLC	1511 NORTHERN PACIFIC RD	BRAINERD MN 56401	101 13TH ST SE	BRAINERD	56401

\$46
city
work

CERTIFICATION OF CONDITIONAL USE PERMIT

STATE OF MINNESOTA)
COUNTY OF CROW WING) ss.
CITY OF BRAINERD)

A Special Meeting of the City Council of the City of Brainerd, Minnesota, was duly held at the Brainerd City Hall Chambers on the 2^{3rd} day of May, 2016 at 6:00 P.M.

Upon roll call, the following members were noted present: Johnson, Borkenhagen, Hilgart, Koep, Pritschet, Bevans and Scheeler. Mayor Menk was also noted as present

Conditional Use Permit – Roundhouse Brewery, 1551 Northern Pacific Road, Brainerd, MN 56401, for an Exterior Patio Adjacent to Unit to be used for Outdoor Seating and Alcohol Service – Approved

0

Lot 1 Block 1 Northern Pacific Center

P.I.N. # 092740010010009

Findings-of-Fact:

1. The property is zoned MU (Mixed Use) District and patios and outdoor seating and alcohol service are permitted conditional uses in the district.
2. The NP Center is approximately 48 acres.
3. The patio is 50' x 12' = 600 sq. ft. with a concrete floor. The taproom area is 98' x 43' = 4,214 sq. ft. The patio area can be up to 1,264 sq. ft.
4. The patio will be located in the NP Center court yard. It will be buffered from the residential areas to the south by a 500 ft. long 2 story NP Center building. The dwellings on the other side of the building are 630 ft away from the patio.
5. The patio is over 600 ft. from 13th Street S.
6. There is industrial property to the north, vacant land to the east and west.
7. The patio will only be accessible from within the building. A 4 ft. tall aluminum rail fence will be installed around the perimeter. The fence will have a security latch on the gate openable only from within the patio.
8. A patio layout identifies 8 picnic tables and 2 trash cans.
9. The patio egress is an emergency exit and provides and a direct access to the gate is required. The patio table layout depicts a direct access to the gate.
10. A 93 space parking lot is under construction for use by NP Center visitors and staff.
11. The Comprehensive Plan Goals and Strategies support the Conditional Use:

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

- Actively promote development and redevelopment within the community...
- Strengthen and maintain a diverse retail base...

LAND USE

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

Strategy

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

12. The President of the Brewery was present at the meeting and answered questions of the Commission.

Condition:

1. The perimeter fence gate security latch must be approved by the Fire Department and the Building Department.

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO APPROVE THE CONDITIONAL USE PERMIT APPLIED FOR BY ROUNDHOUSE BREWERY, 1551 NORTHERN PACIFIC CENTER, FOR OUTDOOR PATIO SEATING AND ALCOHOL SERVICE BASED ON THE 12 FINDINGS-OF FACT, 1 CONDITION AND THE RECOMMENDATION OF THE PLANNING COMMISSION.


JIM THOREEN
City Administrator

(SEAL)

**OFFICE OF COUNTY RECORDER
CROW WING COUNTY, MINNESOTA**

DOCUMENT A- 875401

RECORDED ON:

June 29, 2016 1:34 PM

MARK B. LIEDL

CROW WING COUNTY RECORDER

BY: TD

RETURN TO: **BRAINERD, CITY OF
501 LAUREL STREET
BRAINERD, MN 56401**

**FEE: \$46.00
PAGES: 2**

May 26, 2016



www.ci.brainerd.mn.us

Mr. Mark Lelwica
Roundhouse Brewery
1551 Northern Pacific Center
Brainerd, MN 56401

Dear Mr. Lelwica:

At its May 23, 2016 special meeting, the Brainerd City Council approved the Conditional Use Permit for a 12'x50' patio to be built directly adjacent to the Roundhouse Brewery. The approval is subject to the perimeter fence gate security latch being approved by the City's Fire and Building Departments. An extension of premises license was also approved allowing outdoor alcohol service through June 30, 2016. Effective July 1, 2017, the 2016-2017 On-Sale Taproom License (inclusive of patio area) will be valid.

A copy of the approved Conditional Use Permit will be filed with the County Recorder's Office. You will receive a copy when that has occurred. It may take a few weeks for the filing process to be completed.

If you have any questions do not hesitate to contact me. Good luck with this project.

Cordially,

A handwritten signature in black ink, appearing to read "Mark Ostgarden". The signature is fluid and cursive, written over the printed name.

Mark Ostgarden AICP
City Planner

CC: Mr. David Hutton, Property Owner
City of Brainerd Fire and Building Departments

Brainerd, MN
May 23, 2016

Pursuant to due call and notice thereof, the Special Meeting of the Brainerd City Council was called to order at 6:00 P.M. by Council President Scheeler.

Upon roll call, the following members were noted present: Johnson, Borkenhagen, Hilgart, Koep, Pritschet, Bevans and Scheeler. Mayor Menk was also noted as present.

The Chair opened the meeting with the Pledge of Allegiance to the Flag.

Temporary Liquor License – Submitted by the Crossing Arts Alliance for an Event to be held on June 10, 2016 at the Franklin Art Center, 1001 Kingwood Street, STE 114, Brainerd – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO APPROVE THE TEMPORARY LIQUOR LICENSE AS SUBMITTED BY THE TEMPORARY LIQUOR LICENSE – SUBMITTED BY THE CROSSING ARTS ALLIANCE FOR AN EVENT TO BE HELD ON JUNE 10, 2016 AT THE FRANKLIN ART CENTER, 1001 KINGWOOD STREET, STE 114, BRAINERD.

Roundhouse Brewery, 1551 Northern Pacific Road, Brainerd – Conditional Use Permit to Allow Outdoor Patio Seating & Alcohol Service and Extension of Premises to Allow Alcohol Service on Patio from May 23, 2016 through June 30, 2016 – Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND JOHNSON, DULY CARRIED, TO APPROVE THE CUP TO ALLOW OUTDOOR PATIO SEATING AND ALCOHOL SERVICE AS APPLIED FOR BY ROUNDHOUSE BREWERY, 1551 NORTHERN PACIFIC ROAD, BRAINERD.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND JOHNSON, DULY CARRIED, TO APPROVE THE EXTENSION OF PREMISES TO ALLOW ALCOHOL SERVICE ON PATIO FROM MAY 23, 2016 THROUGH JUNE 30, 2016 AS APPLIED FOR BY ROUNDHOUSE BREWERY, 1551 NORTHERN PACIFIC ROAD, BRAINERD.

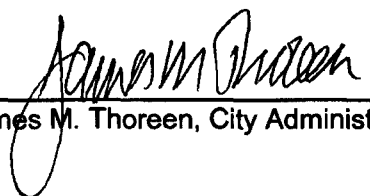
Community Service Officer Resignation & Request to Hire – Accept Resignation of CSO Halverson and Authorize Hiring of Replacement – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF CSO HALVERSON AND AUTHORIZE THE HIRING OF A REPLACEMENT.

Adjourn – To Informal Session to discuss the Brainerd Oaks/Serene Pines/Dal Mar Estates Offer – Discussion Item

Adjourn

The Chair adjourned the meeting at 7:30 P.M.


James M. Thoreen, City Administrator



Brainerd City Council Agenda Request

#4

Agenda Item #

Requested Meeting Date: May 23, 2016 Special Meeting

Title of Item: Roundhouse Brewery CUP for Outdoor Patio Seating & Alcohol Service

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading *provide copy of published hearing notice
Submitted by: Mark Ostgarden	Department: Planning
Presenter (Name & Title): Same	Estimated Time Needed: 5 Minutes
Summary of Issue: Roundhouse Brewery desires an outdoor patio for outdoor seating and alcohol service. The Planning Commission recommended approval with one condition: The perimeter fence gate security latch be approved by the Fire Department and Building Department. Attached please find the DRAFT minutes from the May 18, 2016 Planning Commission meeting at which this recommendation was made unanimously.	
Alternatives, Options, Effects on Others/Comments: 1. Deny the request which will mean a patio cannot be constructed. 2. Approve the request as recommended by the Planning Commission. 3. Should the City Council have concerns about the use, it can impose additional conditions it thinks necessary to protect the public health, safety and welfare.	
Recommended Action/Motion: Motion by _____, second by _____ to approve the Conditional Use Permit for Roundhouse Brewery, 1551 Northern Pacific Center. for outdoor patio seating and alcohol service subject to: The perimeter fence gate security latch be approved by the Fire Department and Building Department.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☒ No <u>Please Explain:</u>	

CONDITIONAL USE PERMIT
STAFF REPORT TO THE PLANNING COMMISSION
May 10, 2016

APPLICANT/LOCATION: David Hutton, 6316 Halifax Ave. S.; Minneapolis MN 55425 on behalf of Roundhouse Brewery (Mark Lelwica) 1551 Northern Pacific Center; Brainerd, MN 56401

Proposed Use: Outdoor patio for the new Roundhouse Brewery

AREA: Patio area is 50' x 12' = 600 sq. ft.

CURRENT ZONING: MU (Mixed Use) District

ADJACENT USES: North: Industrial across the railroad tracks
East: Vacant (wetlands)
South: Residential uses beyond the NP Center building along the south property line.
West: Vacant railroad land across 13th Street

ADJACENT ZONING: North: I-2 (General Industry) District
East: I-2 (General Industry) District
South: R-2 (Medium Density Residential) District
West: I-2 (General Industry) District

PETITION EVALUATION

Roundhouse Brewery desires an outdoor customer patio that will be 50' x 12' (600sq. ft.) in area. The attached aerial of the NP Center depicts the location of the brewery and patio.

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

1. **The proposed use conforms to the district and conditional use provisions and all general regulations of this Ordinance.**
See Planning Department comments on page 5.

2. The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.

Following are the special standards for this class of conditional use:

1. The applicant submits a site plan in accord with Section 5 of this Ordinance that includes information demonstrating the location and type of all tables, refuse receptacles, and wait stations.
The Roundhouse owner has been asked to submit the location of the tables and refuse container.
2. Access shall be provided only via the principal building.
Patio access will be provided from the taproom.
3. The size of the area is restricted to thirty (30) percent of the total customer floor area within the principal structure.
The taproom area is 98' x 43' = 4,214 sq. ft. The patio area can be up to 1,264 sq. ft.
4. The area is screened from view from adjacent residential uses in accordance with Section 20 of this Ordinance.
The building of the NP Center screens the patio from residential uses to the south.
5. All lighting shall be hooded and directed away from adjacent residential uses in accordance with Section 18 of this Ordinance.
There are no residential uses in the vicinity of the patio.
6. The applicant demonstrates that pedestrian circulation is not disrupted as a result of the area by providing the following:
 - a. Minimum clear passage zone for pedestrians at the perimeter of the restaurant shall be at least five (5) feet without interference from parked motor vehicles, bollards, trees, tree gates, curbs, stairways, trash receptacles, street lights, parking meters, or the like.
 - b. Over story canopy of trees, umbrellas or other structures extending into the pedestrian clear passage zone or pedestrian aisle shall have a minimum clearance of seven (7) feet above sidewalk.
7. The area is surfaced with concrete, bituminous, decorative pavers or may consist of a deck with wood or other flooring material that provides a clean, attractive, and functional surface.
A concrete surface for the patio will be provided.
8. Storage of furniture shall not be permitted outdoors between November 1 and March 31. Outdoor furniture that is immovable or permanently fixed or attached to the sidewalk shall not be subject to the storage prohibition of this section. However, any immovable or permanently fixed or attached furniture shall be approved as part of the conditional use permit application.

9. Additional off-street parking may be required pursuant to the requirements set forth in Section 22 of this Ordinance based on the additional seating area provided by the area.
 10. Closed lid refuse containers are to be provided.
 11. So as to deter the free passage of any person or substance beyond the barriers of the non-enclosed areas, a barrier at a minimum of thirty-six (36) inches made of wood, vinyl, wrought iron, brick or natural stone, planters or other approved material shall be provided.

A 4' tall iron rail fence will be installed around the perimeter of the patio. It will have a gate with a latch that can only be operated from the inside. Barrier Openings shall be spaced such that visibility is allowed but the passage of an alcoholic beverage through an opening to a person that is not within the non-enclosed area is prohibited.
 12. The primary access and egress will be from the main premises or structure and no other access or egress will be allowed other than those required as emergency exits. The outdoor sale area will be defined or structurally constructed so as to prohibit the free passage of any person or substance beyond said area.
 13. Smoking in the area, if allowed by the business owner, is permitted provided the area is in compliance with the Minnesota Freedom to Breathe Act of 2007.
 14. The Building Official shall review the suitability of the area in light of the applicable fire, building, and life safety codes and the adequacy of the proposal to provide for the safety of persons on the premises.
 15. There shall be no amplified live music allowed in the area except in the case of special event, which requires a permit from the City. Music shall be kept to a level that is not intrusive to surrounding property.
 16. All licenses required for serving alcohol specified in city code Chapter XIII shall be obtained.
3. **The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.**

The proposed use should not create any conditions as listed above.
 4. **The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.**

The iron rail fence around the patio will help create a harmonious relationship with adjacent buildings and properties.

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

The patio is located within the confines of the NP Center. The "neighborhood" would be the facility "courtyard." There is no impact positively or negatively on the environment and neighborhood.

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

A 93 stall parking lot to serve the brewery and taproom and other NP Center uses is under construction. A copy of the parking lot layout is attached.

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

The Zoning Ordinance Purpose and Intent is to:

- *Protect neighborhoods.*
- *Promote orderly development and redevelopment of land for residential, commercial, industrial, recreational and public areas.*
- *Provide for compatibility of different land uses.*

The Comprehensive Plan Goals and Strategies support the Conditional Use:

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

- Actively promote development and redevelopment within the community...
- Strengthen and maintain a diverse retail base...

LAND USE

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

Strategy

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

STAFF COMMENTS

Building

- Building Department will need a plan with some detail.
- The door to the patio is a required exit, so detail on the type of hardware for the exit gate.
- A floor plan showing the seating arrangement (fixed or not) allowing egress path to the gate.
- Is the patio the same height as the brewery floor or is there going to be a step?

BPU

No issues.

Engineering

No issues.

Fire

I told him that if they were doing a patio they need to make sure the fence gates have exit hardware for the egress issues.

The building is exiting to the patio so we need to make sure they will have clear exit paths and some type of panic hardware on the patio fence gates.

Police

No issues.

Planning Department

With the exception of information about tables and a refuse container, the proposal meets all of the Zoning Ordinance standards and the specific standards listed for outdoor seating and alcohol service.

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission can consider a recommendation at the special meeting on Wednesday May 18, 2016. The City Council can consider the Planning Commission recommendation at it has agreed to consider the request at its Monday June 6, 2016 meeting

Respectfully submitted,



Mark Ostgarden AICP
City Planner

April 25, 2016[Pick the date]

• • •

Mark Lelwica
Roundhouse Brewery
1551 Northern Pacific Rd

City of Brainerd Planning Commission
Brainerd, MN 56401

Dear Commission,

Roundhouse Brewery would like to propose adding a patio for outdoor seating to our unit within the Northern Pacific Center. We plan to add a 50'x12' patio centered around our patio door, as shown in attached diagram. We will add a 3' to 4' fence around the perimeter of the patio. There will also be a gate directly opposite the door to the building allowing exit from the patio without building re-entry.

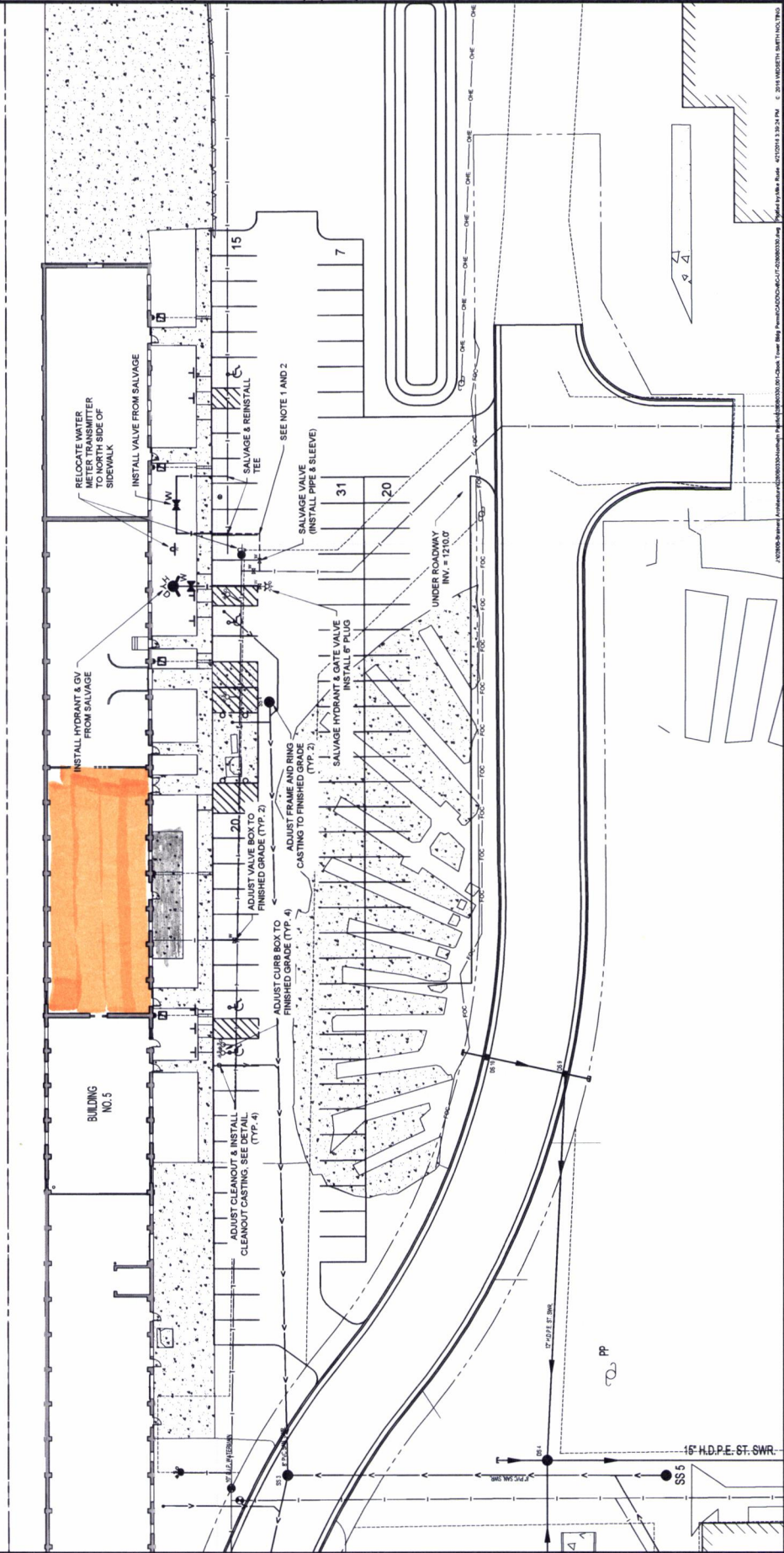
Please consider this proposal and report t me as soon as possible.

A handwritten signature in black ink, appearing to read 'Mark Lelwica', with a long horizontal flourish extending to the right.

Mark Lelwica
President
Roundhouse Brewery

- NOTES:
1. VALVE AND PIPE CONFIGURATION, SIZE, AND MATERIAL ARE NOT FROM CONSTRUCTION OR RECORD DRAWINGS. CONTRACTOR SHALL CAREFULLY EXCAVATE AREA TO DETERMINE EXACT SIZE, LOCATION, AND MATERIAL TO CONFIRM SUITABILITY OF PLANNED MODIFICATIONS.
 2. CONTRACTOR TO SUPPLY PIPE, AND FITTINGS AS REQUIRED AFTER DETERMINING EXISTING CONFIGURATION.

N NORTHERN RAILROAD



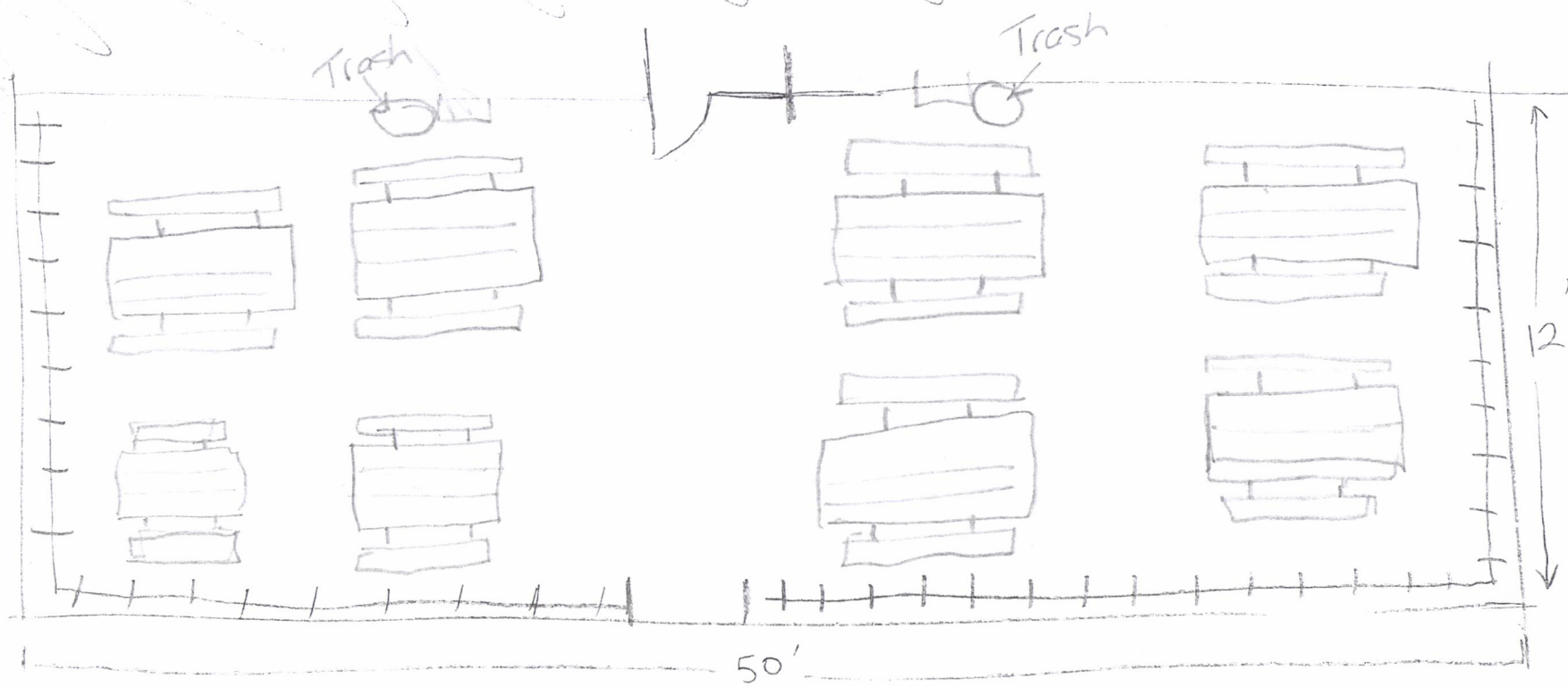


Google earth

feet 100
meters 40



1551 N.P. CNTR



Submitted to the
Planning Commission
on 5/19/16

4'H x 6'W Belleville Spear Top Aluminum

- Powder-coated black aluminum
- Maintenance free
- 4'H x 4'W arched gate available special order (171-6755)
- Designed for 6' on center installation
- Posts sold separately (171-6715)

64⁹⁹
each panel

**Preassembled
Fence Panel**

4'6"H x 6'W

- Powder-coated black al
- Maintenance free
- 4'6"H x 4'W arched gate special order (171-672
- Designed for 6' on cen
- Posts sold separately

Client:

CITY OF BRAINERD

Account # 316123 Ad # 2313095

Phone: (218) 828-2307

Fax:

Address: 501 LAUREL STREET
BRAINERD, MN 56401

Sales Rep.:

3804 Ann Windorski

Phone: (218) 855-5804

Fax:

Email: ann.windorski@brainerddispatch.com

Class.: 9960 MINNESOTA LEGALS

Requested By:

Start Date: 05/06/2016

End Date: 05/06/2016

Nb. of Inserts: 2

Dimensions: 1 col. x 3.25 Inches

Publications: Brainerd Dispatch
brainerddispatch.com

Total Price: \$40.43

Paid Amount: \$0.00

Balance: \$40.43

Page 1 of 1

(Published in the Brainerd Dispatch,
May 6, 2016, 1t.)

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that David Hutton, owner of the Northern Pacific Center has applied on behalf of Roundhouse Brewery, 1551 Northern Pacific Center, Brainerd, MN 56401, for a Conditional Use Permit for Roundhouse Brewery to have an exterior patio adjacent to the brewery for outdoor seating and alcohol service.

The Planning Commission of the City of Brainerd will meet in the Brainerd City Hall Council Chambers, 501 Laurel Street, at 6:00 p.m., May 18, 2016, to consider the request for the Conditional Use Permit.

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

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

Dated this 2nd day of May, 2016
Mark Ostgarden AICP
City Planner

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that David Hutton, owner of the Northern Pacific Center has applied on behalf of Roundhouse Brewery, 1551 Northern Pacific Center, Brainerd, MN 56401, for a Conditional Use Permit for Roundhouse Brewery to have an exterior patio adjacent to the brewery for outdoor seating and alcohol service.

The property is located in a MU (Mixed Use) District and Zoning Ordinance Section 515-72-2: Permitted Uses. reads that all uses allowed as permitted uses and conditional uses in B-4 (General Business) Districts are allowed in the MU District. Zoning Ordinance Section 515-63-6: B-4 (General Commercial) District Conditional Uses. F. allows non-enclosed areas for dining and/or serving alcohol when accessory to a restaurant and/or bar.

The property is legally described as follows:

Lot 1 Block 1 Northern Pacific Plat

P.I.N. # 092740010010009

The Planning Commission of the City of Brainerd will meet in the Brainerd City Hall Council Chambers, 501 Laurel Street, at 6:00 p.m., May 18, 2016, to consider the request for the Conditional Use Permit.

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

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

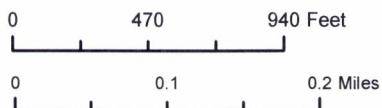
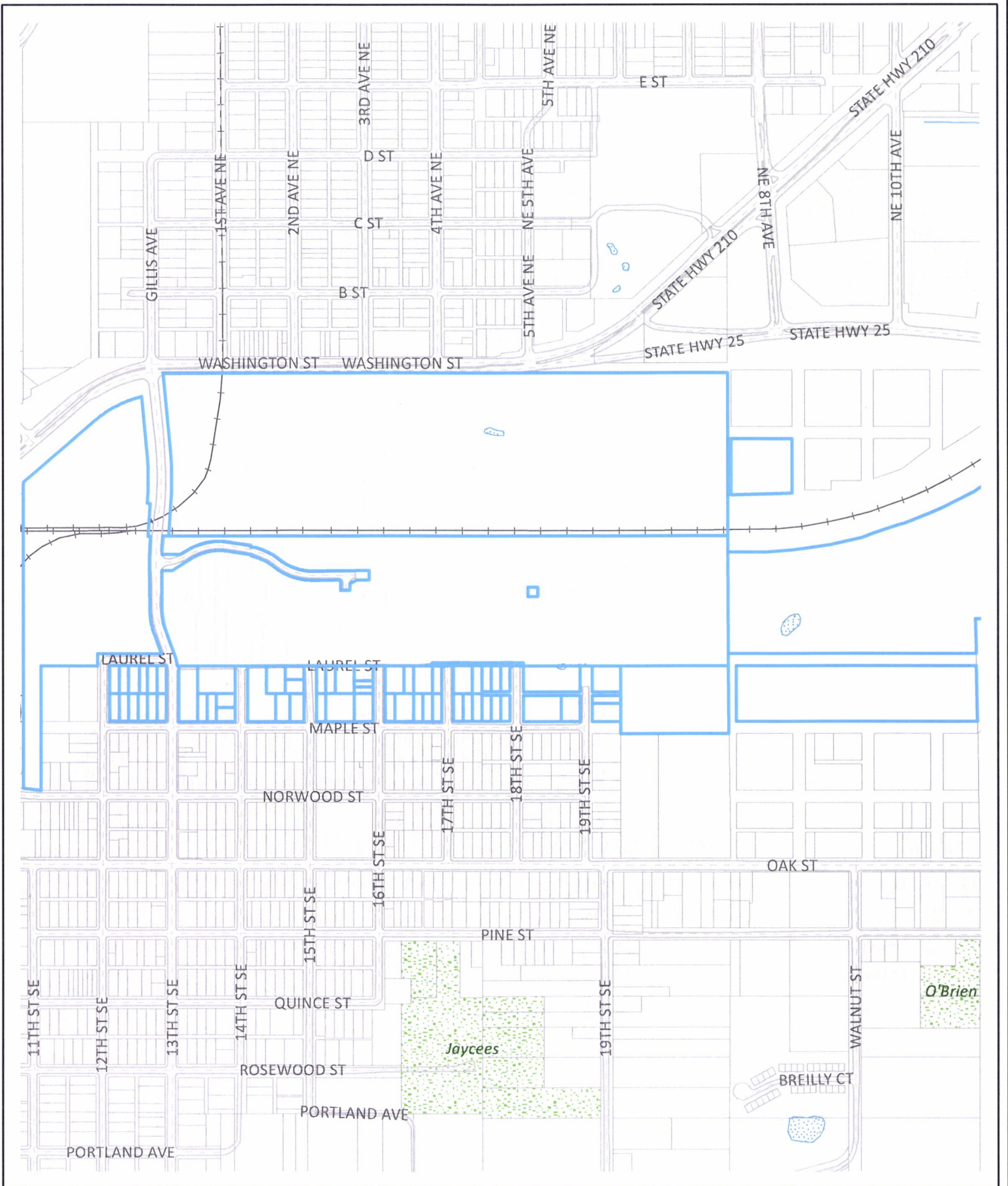
Dated this 3rd day of May, 2016

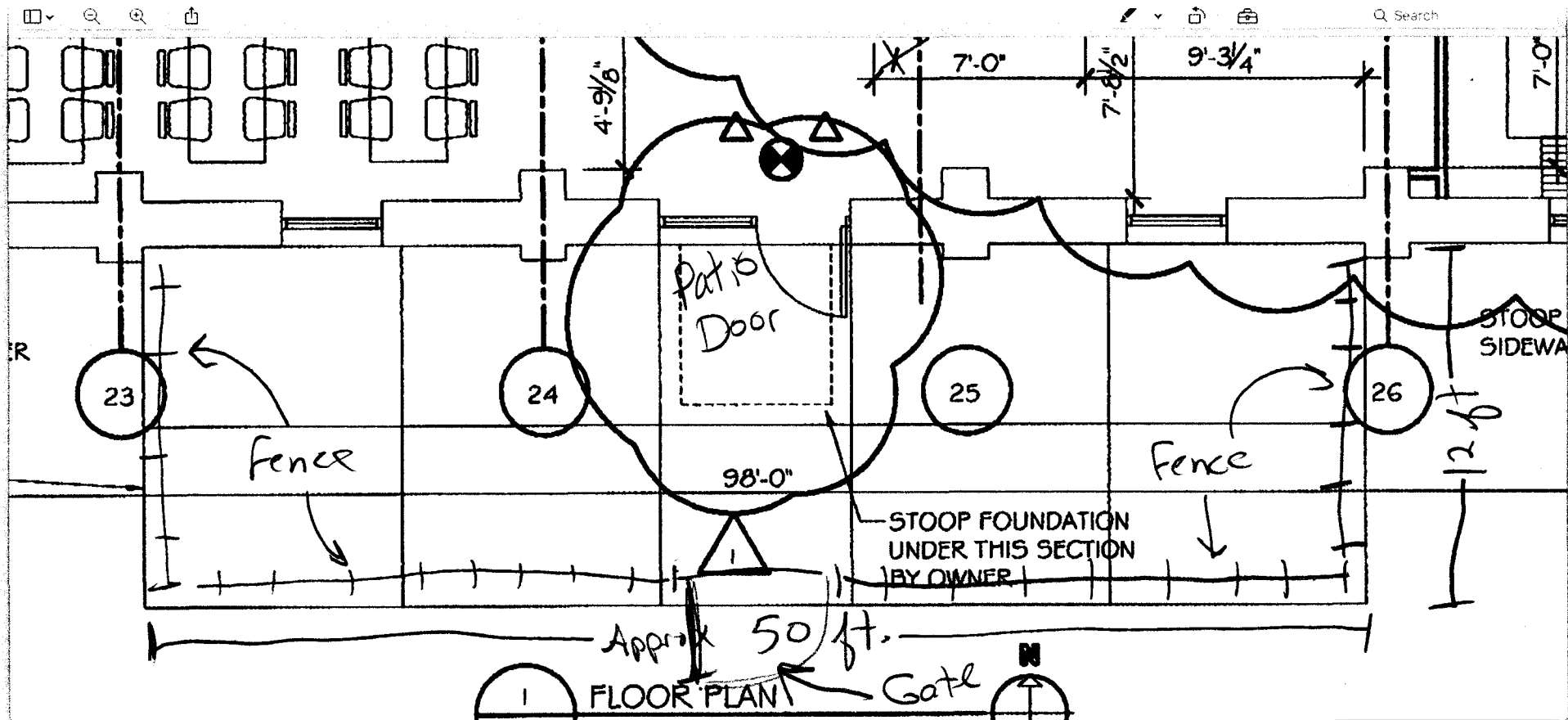

Mark Ostgarden AICP
City Planner

Publication date: May 6, 2016

APPRCL	TXNAME	TXADR1	TXADR2	PHYSADDR
09181004003Z009	ABEAR ENTERPRISES OF BRAINERD LLC	7217 EXCELSIOR RD STE 100	BAXTER MN 56425-8657	1408 LAUREL ST
050302200A00009	AMERICAN TOWER MANAGEMENT INC	P O BOX 723597	ATLANTA, GA 31139	
091810010040009	ANDERSON BRAINERD PROPERTIES LLC	23226 ANDERSON BLVD	MERRIFIELD, MN 56465	1701 MAPLE ST
091810060080009	ANDERSON BRAINERD PROPERTIES LLC	23226 ANDERSON BLVD	MERRIFIELD, MN 56465	1205 MAPLE ST
09181005001Z009	ANDERSON, KAYLA D	308 14TH ST SE	BRAINERD, MN 56401	308 14TH ST SE
091810020110009	BEMENT, HARRY S & ARLISS J	11279 ASH AVE	BRAINERD MN 56401	1617 MAPLE ST
091810030060009	BENNETT, DAVID J & WEDNESDAY	303 15TH ST SE	BRAINERD, MN 56401	303 15TH ST SE
091810020010009	BOURASSA, KURT C	1614 LAUREL SE	BRAINERD MN 56401	
091810020040009	BOURASSA, KURT C & JANICE N	1614 LAUREL ST	BRAINERD, MN 56401	
09181002002Z009	BOURASSA, KURT C & JANICE N	1614 LAUREL ST	BRAINERD, MN 56401	1614 LAUREL ST
09181005011Z009	BRITTON, BARBARA L & LEROY A	324 14TH ST SE	BRAINERD, MN 56401	324 14TH ST SE
09164007004X009	BURGSTALER, JAMES B & AURORA	404 4TH AVE NE	BRAINERD MN 56401	317 19TH ST SE
09164007004Z009	BURGSTALER, JAMES B & AURORA	404 4TH AVE NE	BRAINERD MN 56401	323 19TH ST SE
09164007001Z009	BURGSTALER, JAMES B & AURORA	404 4TH AVE NE	BRAINERD MN 56401	
091810020120009	BURGSTALER, JAMES B & AURORA	404 4TH AVE NE	BRAINERD MN 56401	
091640010060009	BURGSTALER, JAMES B & AURORA	404 4TH AVE NE	BRAINERD MN 56401	1715 MAPLE ST
09181002005Z009	BURGSTALER, JAMES B & AURORA	404 4TH AVE NE	BRAINERD MN 56401	1602 LAUREL ST
091810020100009	BURGSTALER, JAMES B & AURORA	404 4TH AVE NE	BRAINERD MN 56401	
09181001002Z009	CARLSON, BRIAN J & KAREN J KONTOS	1708 LAUREL ST	BRAINERD, MN 56401	1708 LAUREL ST
091810020070009	CHURCHILL, AMY & GARY	6283 ESTATE CIR DR	BRAINERD, MN 56401	1601 MAPLE ST
09119017000Z009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401	
050302400A00009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401	
09119029000Z009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401	
09164006001Z009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401	
09164006009Z009	CITY OF BRAINERD	501 LAUREL ST	BRAINERD, MN 56401	
09181004010Z009	CLUEVER CONSTRUCTION INC	12674 KNOLLWOOD DR	BAXTER MN 56425	
091640010030009	CULLINANE, JOHN	PO BOX 583	BRAINERD, MN 56401	1724 LAUREL ST
091810030050009	DEGEN, MICHAEL	10935 GULL RIVER RD	EAST GULL LAKE, MN 56401	1506 LAUREL ST
091810060090009	DONALD & DANIELLE ADDISON	1209 MAPLE ST	BRAINERD, MN 56401	1209 MAPLE ST
091810060120009	ENDRES, ALEC & KAYLA PIERZINSKI	1223 MAPLE ST	BRAINERD, MN 56401	1223 MAPLE ST
091640010010009	FUCHS, RONALD W & SANDRA	1716 LAUREL ST	BRAINERD MN 56401	1716 LAUREL ST
09181006003Z009	HALL, KATHRYN	2013 4TH ST SE	WADENA MN 56482	1212 LAUREL ST
09181005005Y009	HAMM, DANIEL	22137 BLUEGILL RD	IRONTON MN 56455	1307 MAPLE ST
09181004001Y009	HILL, DAVID S	15798 JORDAN RD	BRAINERD MN 56401	302 15TH ST SE
09181005011Y009	HILL, VERNETTE J	318 14TH ST SE	BRAINERD MN 56401	318 14TH ST SE

09181003001B009	KOUBA, AMY	312 SE 16TH ST	BRAINERD, MN 56401	312 SE 16TH ST
091810060060009	KUHN, DALE P & DEBRA L	10154 DEPOT ST	BRAINERD, MN 56401	1202 LAUREL ST
091810030070009	LAKES AREA HABITAT FOR HUMANITY	PO BOX 234	BRAINERD, MN 56401	
09181003008Z009	LAKES AREA HABITAT FOR HUMANITY	PO BOX 234	BRAINERD, MN 56401	
091810050100009	LARSON, GREGORY & MICHELE	11348 SORENSON LAKE RD	MERRIFIELD, MN 56465	1315 MAPLE ST
091810050090009	LARSON, GREGORY & MICHELE	11348 SORENSON LAKE RD	MERRIFIELD, MN 56465	
09181003003Z009	LARSON, GREGORY J & MICHELE L	11348 SORENSON LAKE RD	MERRIFIELD, MN 56465	
091810060100009	LENDTVEDT, STEVEN	6203 FAIRFAX COURT	BAXTER, MN 56425	1215 MAPLE ST
091810010060009	LIND, DAN RUSSELL	1709 MAPLE ST	BRAINERD MN 56401	1709 MAPLE ST
091810060110009	MASONIC TEMPLE ASSOC OF BRD INC	PO BOX 81	BRAINERD MN 56401	1221 MAPLE ST
09181003011Z009	MATTEN, JOLEEN R	1521 MAPLE ST	BRAINERD, MN 56401	
092740010010009	NORTHERN PACIFIC, CENTER INC	6316 HALIFAX AVE S	MINNEAPOLIS, MN 55424-1915	101 13TH ST SE
050302200Z00009	NORTHERN PACIFIC, CENTER INC	6316 HALIFAX AVE S	MINNEAPOLIS, MN 55424-1915	
091640010020009	PARKER, ROY C	1720 LAUREL ST	BRAINERD MN 56401	1720 LAUREL ST
091810010050009	PARKHILL, MATT	12965 243RD AVE	ZIMMERMAN, MN 55398	1705 MAPLE ST
09181004005Z009	PORT OF CROW WING, COUNTY	PO BOX 488	BRAINERD, MN 56401	1406 LAUREL ST
091810040110009	PUERINGER, DAVID F	616 1/2 FRONT ST	BRAINERD MN 56401	316 15TH ST
09181002008Z009	PUERINGER, DAVID F PUERINGER INVEST	616 1/2 FRONT ST	BRAINERD, MN 56401	1613 MAPLE ST
09181006003Y009	RZ HOLDINGS LLC	13263 COUNTY ROAD 23	BRAINERD MN 56401	1216 LAUREL ST
091810060010009	RZ HOLDINGS LLC	13263 COUNTY ROAD 23	BRAINERD, MN 56401-5048	1224 LAUREL ST
09164006007Z009	STEPHAN, ARDYCE & FORREST	1821 MAPLE ST	BRAINERD MN 56401	1821 MAPLE ST
09119006001Z009	TAX FORFEITED	326 LAUREL ST	BRAINERD, MN 56401-3590	
09181004001Z009	TAX FORFEITED	326 LAUREL ST	BRAINERD, MN 56401-3590	308 15TH ST SE
091640010040009	THRUGSTAD, DUANE E & LENORE	1717 MAPLE STR	BRAINERD MN 56401	314 18TH ST SE
091640010050009	THRUGSTAD, DUANE E & LENORE M	1717 MAPLE ST	BRAINERD MN 56401	1717 MAPLE ST
091810010010009	UNITY BANK	724 W WASHINGTON ST	BRAINERD MN 56401	1712 LAUREL ST
09181003001A009	WENDEL PROPERTIES LLC	17122 STATE HWY 371	BRAINERD, MN 56401	314 SE 16TH ST
091810060020009	WILT, DAVID A & JOYCE I & RICHARD E	5389 PIONEER TRL	BRAINERD MN 56401	1218 LAUREL ST
09181003001Z009	WOODEN, TODD WAYNE	1522 LAUREL ST	BRAINERD, MN 56401	1522 LAUREL ST
091810060070009	YDE, DAVID E	1310 PORTLAND AVE	BRAINERD MN 56401	1201 MAPLE ST
091810060050009	ZEBROSKI, RICHARD J	1208 LAUREL ST	BRAINERD, MN 56401	1208 LAUREL ST





Bionic Eye
 Cancer Gene Therapy
 The Seizure Stopper
 The Hepatitis Cure
 Heart Saving
 Airplane



One of the trends that concerns me is that many things have become more difficult to do because of increasing need for security. For example, money laundering regulations make it much more difficult for ordinary citizens to go about their business. Using the telephone has become much more fraught with the risks of cold calling telephone spam. Internet banking is grind to a halt with one character wrong in a random sequence password, with a five working day delay for a new one to be sent through the post. Cars can stop working because of a fault in the security system, and this can need a very expensive repair – “blackmail pricing” for a printed circuit board replacement. In the UK, if your car number plate falls off, identity regulations before you can get another one can leave you stranded for days unless you are willing to use your car illegally and risk it being confiscated. If Hitler could “look down”, he’d be laughing at us.

[Log in to Reply](#)



Robert Smith · 12 months ago

I agree with MMAATT78 where are the hardcore advances we would all like to see. Yes these things matter but we need to hear more about medical, energy generation & storage as well food & water security advances

[Log in to Reply](#)



Guy · 12 months ago

What I find most fascinating in this list is the acceleration embedded the list from the recent decade. Take the first 5 vs the latter half for the same organizations listed and we get a clear picture of how vast the opportunities are with shortened development cycles. Consider autonomy for example. Google's million miles is impressive to be sure. Add another 1.5M from rolling up all the miles across all manufacturers and consider that's a 100X improvement over human drivers today. By this time next year all the necessary programming will be on a single chip and high end sensors will be south of \$100. 5 years ago, we were talking \$35,000 each. These are truly amazing times to make a difference!

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CITY OF BRAINERD
501 LAUREL STREET
BRAINERD, MN 56401-
(218) 828-2309 FAX: (218) 828-2316

PERMIT NO.: 2016-00012

DATE ISSUED: 04/19/2016

ADDRESS : 1551 NORTHERN PACIFIC RD
PIN : T003034
LEGAL DESC : UNAVAILABLE
: LOT 0Z0 BLOCK 220
PERMIT TYPE : CONDITIONAL USE PERMIT FEE - COMM
PROPERTY TYPE : COMMERICAL
CONSTRUCTION TYPE : CONDITIONAL USE PERMIT

NOTE: A 12' X 50' PATIO TO BE BUILT DIRECTLY ADJACENT TO UNIT TO BE USED FOR OUTDOOR SEATING. FENCE WITH GATE TO BE INSTALLED FOR SEPARATION.

APPLICANT	
NORTHERN PACIFIC CENTER, INC. 6316 HALIFAX AVE S MINNEAPOLIS, MN 55424- (218) 851-8437	CONDITIONAL USE PERMIT FEE - COMM 400.00 TOTAL 400.00 Payment(s) CHECK 1022 400.00
OWNER	
NORTHERN PACIFIC CENTER, INC. 6316 HALIFAX AVE S MINNEAPOLIS, MN 55424-	
AGREEMENT AND SWORN STATEMENT I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction. _____ Signature of Applicant _____ Date This permit becomes null and void if construction authorized is not commenced within 180 days, or if construction is suspended for a period of 180 days at any time after work is commenced.	

SEPARATE PERMITS REQUIRED FOR WORK OTHER THAN DESCRIBED ABOVE.



City Planning Department

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

Receipt # 2016-00012
Check # 1022
Date Paid: 4-19-16

MJ

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: 1551 Northern Pacific Rd
LEGAL DESCRIPTION: Lot(s): 1 Block: 1 Addition: Northern Pacific Center
(attach description if lengthy)

Property Owner Name: David Hutton
Street Address: 6316 Halifax Ave S City: Mpls State: MN Zip Code: 55424
Phone Number: 612-986-2900 Fax: _____ E-mail: _____
Applicant Name: (If different than Property Owner) Roundhouse Brewery (Mark Lehwica)
Street Address: 1551 Northern Pacific Rd City: Brainerd State: MN Zip Code: 56401
Phone Number: 218-851-8437 Fax: _____ E-mail: mlehwica@gmail.com

Description of Request: _____
A 12'x 50' patio to be built directly adjacent to unit to be used for outdoor seating. Fence with gate to be installed for separation

Rick Fargo for David Hutton
Property Owner Signature
Rick Fargo for David Hutton
(Please print name)
Mark Lehwica
Applicant Signature
Mark Lehwica
(Please print name)

4/15/16
Date
4/15/16
Date

City of Brainerd Community Development Department

TO: Planning Commission

FROM: David Chanski, Community Development Director

DATE: August 16, 2019

RE: Set Date for Comprehensive Plan Workshop

The public comment period for the Comprehensive Plan is set to conclude on September 7th. As previously proposed, staff would like to hold a workshop for the sole purpose of providing the Planning Commission with an opportunity to review the Comprehensive Plan in its entirety. A summary of the public input gathered during the public comment period will be made available at that time.

The proposed date for this workshop is Wednesday, September 11 at 6:00pm.

City of Brainerd Community Development Department

TO: Planning Commission

FROM: David Chanski, Community Development Director

DATE: August 16, 2019

RE: Comprehensive Plan Call for Public Hearing

With the public comment period for the Comprehensive Plan underway, the next step in the review and adoption process is to call for a formal public hearing. This is a required step in the adoption process.

Staff is recommending setting a public hearing for September 18, which is the regular Planning Commission meeting in September. By then, the Commission will have conducted their workshop on the Comprehensive Plan and amendments to the Plan should be complete. Once the Commission has held the public hearing, it will have the opportunity to formally recommend approval of the Plan to the City Council.

City of Brainerd

Community Development Department

TO: Planning Commission

FROM: David Chanski, Community Development Director

DATE: August 16, 2019

RE: Lighting Standards Revised Proposed Ordinance Language

Upon direction from the Planning Commission, staff drafted language to amend the light pole height standards in Section 515-18 of the Code of Ordinances. The Planning Commission requested some additional language to address how light is viewed from ground level. The revised proposed language reads as follows:

515-18-5: Performance Standards.

A. Residential District Standards. All exterior lighting shall be directed away from adjoining residential property or from any public right-of-way. All lighting shall be installed in accordance with the following provisions:

1. The light source shall be controlled so as not to light adjacent property in excess of the maximum light levels defined by this Ordinance.
2. **The maximum height of the fixture, pole and base above the ground grade permitted for light sources is thirteen (13) feet. A light source mounted on a building shall not exceed the height of the building.**
 - a. **If the bulb/light source is fully shielded from view by an observer standing on ground level at the nearest property line, an increase in light source height to a maximum of twenty (20) feet may be allowed by Conditional Use Permit.**
3. **The luminaire shall contain a full cut off fixture which directs and cuts off light at an angle of ninety (90) degrees or less.**

B. Business/Industrial District Standards. All exterior lighting shall be directed away from adjoining residential property or from any public right-of-way. All lighting shall be installed in accordance with the following provisions:

1. The luminaire shall contain a full cut off fixture which directs and cuts off light at an angle of ninety (90) degrees or less.
2. The light source shall be controlled so as not to light adjacent property in excess of the maximum light levels defined by this Ordinance.

3. Architectural/historical lights that include fixtures that are not shielded or lighting of entire facades or architectural features of a building are permitted. In no case shall the light affect adjacent property in excess of the maximum light levels defined in this Ordinance.

~~4. The maximum height of the fixture, pole and base above the ground grade permitted for light sources is thirty (30) feet. A light source mounted on a building shall not exceed the height of the building. In no case shall the height of the light source mounted on a pole or on a building exceed the height limits of the zoning district in which the use is located, unless allowed by Conditional Use Permit.~~

4. The maximum height of the fixture, pole and base above the ground grade permitted for light sources is thirteen (13) feet. A light source mounted on a building shall not exceed the height of the building.

a. If the bulb/light source is fully shielded from view by an observer standing on ground level at the nearest property line, an increase in light source height to a maximum of twenty (20) feet may be allowed by Conditional Use Permit.

City of Brainerd

Community Development Department

TO: Planning Commission

FROM: David Chanski, Community Development Director

DATE: August 16, 2019

RE: Legal Nonconforming Rentals

Attached to this memo, you will find a map of the registered residential rental structures throughout the City of Brainerd, excluding HRA properties. If you compare this map to the City's zoning map, you will see that there are many duplex and multi-family rentals in single family residential districts. These duplex or multi-family (three or more rentals in one structure) rentals in a single-family residential district are considered legal nonconforming as long as they existed prior to the zoning designation and remain registered with the City.

Unfortunately, there are many duplex and multi-family structures that, for one reason or another, have units whose licenses have lapsed more than 365 days. By [Section 515-15-6.B](#) of the Code of Ordinances, the rental licenses for these units cannot be reestablished as the structure is a nonconforming use. Additionally, should a duplex or multi-family "ghost rental" (a structure that has operated as a rental but not registered with the City) in a single family residential district apply for a rental license out of either compliance or a change in ownership, the structure similarly cannot be established as a legal rental as it was previously considered illegal nonconforming. As a result, unsuspecting buyers will unintentionally purchase a property they intent to use as a rental that they cannot, in fact, legally license as a rental.

During the June 19 Planning Commission meeting, staff was directed to bring back potential options for the Commission to consider that may address this issue. Below are some options that the Commission may consider. This is not an exhaustive list, and options could be mixed and matched or additional options proposed. Options are listed in order from most inclusive to least inclusive. And as a simple reminder, any action taken by the Planning Commission must be ratified by the City Council.

- Update the R-1 Single Family Residential District zone to include multi-family housing.
 - Potential Impacts:
 - All currently legal nonconforming multi-family units within R-1 zones will immediately become conforming.
 - Creates the opportunity for additional multi-family units within predominantly single-family areas.

- Establish a resolution granting all existing multi-family units within R-1 zones conforming status.
 - Potential Impacts:
 - All currently legal nonconforming multi-family units within R-1 zones will immediately become conforming, but new units will not be allowed.
 - All multi-family units will be allowed to expand or conduct other projects that increase the area/space of the structure
- Grant one-time amnesty to all current legal nonconforming multi-family units within R-1 zones, allowing them to register currently unregistered units but not granting conforming status.
 - Potential Impacts:
 - Unregistered units within multi-family structures could be registered.
 - No new multi-family units within R-1 zones would be allowed.
 - Current multi-family units within R-1 zones would stay nonconforming and, therefore, would not be able to expand or conduct other such improvements.
 - A deadline could be imposed, limiting the amnesty period.

Rental Properties

Brainerd, MN

