

PLANNING COMMISSION

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Wednesday, January 19, 2022 @ 6:00pm

The public is invited to attend this meeting in person

Attend by phone: 1-844-992-4726 Meeting Access Code: 2497 976 2835

Meeting is also streamed live on YouTube: www.youtube.com/CityOfBrainerdMN

1. Call To Order
2. Roll Call
3. Pledge Of Allegiance
4. Election Of Officers

Documents:

[ELECTION OF OFFICERS.PDF](#)

5. Approval/Amendment Of Agenda
6. Approval Of Minutes
 1. Regular Meeting Held on December 15, 2021

Documents:

[2021-12-15 DRAFT.PDF](#)

7. Old Business
 - 7.a. Zoning Code Update - Draft Zoning Map And Table Of Uses

Documents:

[ZONING CODE UPDATE - DRAFT ZONING MAP AND TABLE OF USES.PDF](#)

8. New Business
 - 8.a. Supportive Housing Village - PUD Conceptual Review

Documents:

[SUPPORTING HOUSING VILLAGE PUD GENERAL CONCEPT PLAN.PDF](#)

9. 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
10. Community Development Director's Report
11. Commissioner Questions/Comments

12. Adjourn

MEMO



TO: Planning Commission

FROM: David Chanski, Community Development Director

DATE: January 13, 2022

RE: Election of Officers

The Planning Commission Bylaws state that “The Commission, at its first regular meeting in January of each year, shall select a Chairperson and Vice Chairperson.”

The duties of the Chair are:

1. Preside at all meetings of the Commission
2. Call special meetings of the Commission in accordance with the City Ordinance
3. Sign documents of the Commission
4. See that all actions of the Commission are properly taken
5. Cancel or postpone any regularly scheduled meetings
6. Order end to disorderly conduct and direct law enforcement to remove disorderly persons from Planning Commission meetings

The duties of the Vice-Chair are:

1. In the event of the absence, disability or disqualification of the Chairperson, the Vice Chairperson shall exercise or perform all the duties and be subject to all the responsibility of the Chairperson.

For 2021, the Chair was Commissioner Mike Duval, and the Vice-Chair was Commissioner Don Gorham.

Planning Commission Bylaws

Article I. Introduction

Section 1. Purpose

It is the intent of the City of Brainerd Planning Commission to conduct its business and perform its responsibilities and duties in an orderly, efficient, fair and lawful manner. These bylaws are established for that purpose.

Section 2. Application of Bylaws

Unless otherwise specifically indicated, these bylaws shall apply to the transaction and administration of all Planning Commission business and the conduct of all Planning Commission meetings and hearings.

Article II. Offices and Duties

Section 1. Offices Designated

The Commission, at its first regular meeting in January of each year, shall select a Chairperson and Vice Chairperson.

Section 2. Recording of Meetings

The Planning Department shall supply a qualified staff member to perform all general corresponding and recording secretarial duties for the Planning Commission.

Section 3. Duties of Offices

The duties and powers of the office of the Planning Commission shall be as follows:

A. Chairperson

- 1) Preside at all meetings of the Commission
- 2) Call special meetings of the Commission in accordance with the City Ordinance
- 3) Sign documents of the Commission
- 4) See that all actions of the Commission are properly taken
- 5) Cancel or postpone any regularly scheduled meetings
- 6) Order end to disorderly conduct and direct law enforcement to remove disorderly persons from Planning Commission meetings

B. Vice Chairperson

In the event of the absence, disability or disqualification of the Chairperson, the Vice Chairperson shall exercise or perform all the duties and be subject to all the responsibility of the Chairperson.

C. Secretary

A city staff member will be assigned to perform the functions of Secretary. The Secretary shall keep record of the proceedings of every meeting of the Planning Commission.

Section 4. Preparation of the Comprehensive Plan

The Commission shall prepare, adopt and revise from time to time a Comprehensive Plan for the physical development of the City, including proposed public buildings, street arrangements and improvements, public utility services, parks, playgrounds, and other similar developments, the use of property, the density of population, and other matters relating to the physical development of the City. Such plan may be prepared in sections, each of which shall relate to, a major subject of the plan.

Section 5. Means of Executing the Comprehensive Plan

Upon the adoption of the Comprehensive Plan or any section thereof, the Commission shall recommend to the City Council reasonable and practicable means for putting into effect such plan or section thereof in order that the same will serve as a pattern and guide for the orderly physical development of the City and as a basis for the efficient expenditures of the funds thereof relating to the subjects of the plan. Such means shall consist of a zoning plan, the control of subdivision plats, a plan of future streets, coordination of the normal public improvements of the City, a long term program of capital expenditures and such other matters as will accomplish the purpose of the plan.

Article III. Members

Section 1. Number

The Planning Commission shall consist of seven (7) voting members, one of which is a City Council member.

Section 2. Members Appointed.

Voting member shall be appointed by the City Council for three years. Terms shall run from January 1 through December 31. Terms shall be staggered so that there will be continuity of the Commission.

Section 3. Removal

City Council has the power to remove a Commissioner by a 5/7 vote.

Section 4. Voting

A member must be present to vote.

Section 5. Vacancies.

Vacancies shall be filled by appointment of the City Council for the unexpired portion of the term.

Article IV. Meetings and Hearings

Section 1. Notice

Notices of all meetings and hearings of the Planning Commission shall be made in accordance with all statutory and ordinance notification requirements.

Section 2. Meetings

All meetings of the Planning Commission shall be open to the public.

Section 3. Workshops

Workshops and other meetings whose sole purpose is for general information and/or educational purposes will be open to the public. Public testimony may or may not be allowed.

Section 4. Meeting Records

All tapes, minutes, evidence, exhibits, correspondence, maps, plats, etc. shall be made a part of the record, become the property of the City Brainerd, and be maintained as a permanent record.

Section 5. Meetings

A. Date and Time

The Planning Commission shall meet regularly on the third Wednesday of each month at 6:00 pm, or as soon as practical.

B. Location

The Commission shall meet in regular session in the City Hall Council Chambers.

C. Order of Business

- 1) Call to Order
- 2) Approval/Amendment of Agenda
- 3) Approval of Minutes
- 4) New Business
- 5) Public Forum
- 6) Old Business
- 7) Commissioners' Questions/Comments
- 8) City Planner Report
- 9) Adjourn

D. Special meetings

The Chair person, Vice Chairperson, City Council, or Mayor may call for a special meeting at any time. Notice of the time and place shall conform to the Open Meeting Law.

E. Additional Agenda Items

After an agenda has been published, at the discretion of the Chair and approval by the Commission items may be added up to the time of the published meeting.

Section 6. Parliamentary Procedure

All Commission meetings shall be governed by Sturgis Standard Code of Parliamentary Procedure in all cases to which they are applicable and not in conflict with these bylaws, City Code, or other rules this Commission may adopt.

Section 7. Agenda

- A. The agenda shall be prepared by the City Planner with the input of the Chair as requested for the Planning Commission meeting and shall close 7 days prior to the meeting.
- B. Any Planning Commission member can place an item on the agenda. No item shall be placed on the agenda unless the item is expressed in such a way as to clearly show the subject matter involved.

- C. The agenda may be amended during a Planning Commission meeting by a majority vote of the Commission.
- D. The agenda shall generally organize matters to be addressed at the meeting so as to best promote opportunities for effective public input and the timely and efficient performance of Planning Commission responsibilities. Items of business likely to attract the attendance of many persons should generally be placed early on the agenda.
- E. Planning staff shall prepare a written report detailing the request and the ordinance provisions that apply to the matter.

Section 8. Procedure for Public Hearings

Planning staff or consultants, if any, shall summarize for the public the relevant issues of the application contained in the written staff report. The Commission members may direct question to staff regarding the application.

- A. The Chairperson shall call the public hearing to order and declare the time, and prior to taking testimony, shall explain:
 - 1) The order of testimony
 - 2) The purpose and requirements of the public hearing under Minnesota Law
 - 3) That each speaker shall provide their name and address and that public comments should be limited to matters pertinent to the application under review and avoid duplicative testimony. The Chairperson may place reasonable time limits on public comments, depending on the number of persons waiting to testify on the matter.
- B. The applicant and/or representative shall be given an opportunity to present evidence in support of the request and rebut any issues or conditions identified in the staff report
- C. Members of the public, if any, may testify, either in person or through their agent. Written testimony submitted may be read and will be added to the public record.
- D. The applicant shall have an opportunity to answer questions from the Commission.
- F. The Commission may direct questions to the applicant, planning staff, or public to clarify issues but no further testimony may be received from the public.
- G. When all public comment has been received the Commission shall close the public hearing by motion and majority vote of the Commission. The Commission may deliberate and decide the matter. Should the Commission identify relevant facts that remain unknown or disputed the Commission may postpone closing the hearing by motion and majority vote until the Planning Commission's next meeting and refer the issue to planning staff for further fact finding.

Section 9. Protocol for Public Hearings

- A. Everyone who wishes to give testimony shall be given a reasonable opportunity to speak.
- B. All statements or questions should be directed to the chairperson.
- C. All statements should be as factual as possible and should not involve personalities.
- D. Speakers should refrain from repeating what has already been stated.
- E. Each speaker shall provide his or her name and address to the recorder.
- F. The Planning Commission reserves the right to question any speaker.
- G. Written testimony may be received.
- H. No additional testimony may be offered after the close of the public hearing.

Section 10. Communication with Public and Applicant

- A. General. Prior to the public hearing or Commission deliberation, no Commission member shall lobby the merits of a pending case with staff, applicant, Commission member, or the general public.
- B. Disclosures. If a commissioner has discussed the pending case, the commissioner shall disclose the facts relating to such discussion during the public hearing.
- C. Exception. Nothing in this section shall preclude the general information communication by Commission members relating to the general conduct of a meeting or hearing, nor shall anything in this section forbid staff or commissioners from discussing with commissioners an upcoming meeting, so long as the facts or merits of the meeting are not discussed.

Section 11. Quorum

A majority of the Commission members entitled to vote shall constitute a quorum for the transaction of business.

Section 12. Conflict of Interest

Any member of the Planning Commission who shall feel that he or she may appear to have or in fact has, a conflict of interest on any matter that is on the Planning Commission agenda shall voluntarily excuse himself or herself, vacate his or her seat, and refrain from discussing and voting on said matter as a Planning Commissioner.

A conflict of interest is any direct contractual, pecuniary, or other beneficial interest in the outcome of a matter before the Planning Commissioner.

Section 13. Orientation of new Planning Commissioners

To assist new Planning Commission members in learning their responsibilities, and to develop their understanding of the planning process as quickly as possible, they will be required to:

- A. Attend an orientation session with the City Planner, Planning Commission Chair, and City Council member.
- B. Read the Comprehensive Plan and Zoning Ordinance.

Article V. Education, Conference and Convention Policy

The City Council and Planning Commission of the City of Brainerd recognize and accept the concept that the acquisition and maintenance of a body of knowledge and skills are necessary and desirable to perform the job of the Planning Commissioner. Further, both groups encourage and highly recommend periodic attendance at various educational opportunities conferences and conventions.

The following is the policy of the City of Brainerd Planning Commission on educational meetings, conferences, and conventions:

- A. Attendance at educational meetings, conferences, and conventions is subject of availability of funds.
- B. Attendance at educational meetings, conferences, and conventions is voluntary. Planning Commission members are encouraged to attend educational meetings, conferences, and conventions.
- C. Involvement in relevant professional organizations such as APA-MN, office holding, or committee work is considered educational.
- D. Planning Commission members are encouraged to participate in the budget process and to request allocations for educational purposes.

PLANNING COMMISSION
Wednesday, December 15, 2021

#1 Call to Order

Planning Commission Chair Duval called the meeting of the Brainerd Planning Commission to order at 6:00 pm in the City Hall Council Chambers.

#2 Roll Call

Noted present were Commissioners Woodward, Erickson, Gorham, and Duval. Commissioners Kallroos, and Foley were noted as absent. Also noted as present were Council Members Stenglein and Bevans (Bevans departed at 7:15), City Administrator Bergman, Community Development Director Chanski, and Consultants Jennifer Haskamp and Michael Lamb from Swanson Haskamp.

#3 Pledge of Allegiance

Commissioner Duval opened the meeting with the Pledge of Allegiance to the flag.

#4 Approval/Change of Agenda

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND GORHAM, DULY CARRIED, TO APPROVE THE AGENDA.

#5 Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND GORHAM, DULY CARRIED, TO APPROVE THE MINUTES FROM THE NOVEMBER 17, 2021 REGULAR MEETING.

#6 Old Business

6a. Discussion on Miscellaneous Zoning Code Update Standards

Community Development Director Chanski indicated miscellaneous items, the industrial districts, and the general building design of the zoning code will be the topics for discussion.

Jennifer Haskamp gave an update to the schedule going forward. She indicated the Technical Advisory Group will be meeting January 6th to review the zoning map which will then be available to the Commission. She said discussion will also take place on the allowed uses. A full code session with a public hearing will be scheduled sometime in the near future.

Michael Lamb indicated there are a couple of outlying areas; one in northeast Brainerd and the Mills land in southwest Brainerd that he suggests being zoned RL-1 until future development takes place. It would then be zoned TN-3G for example. He started with discussion on the industrial districts by explaining a new defined district; Maker-Employment District (ME-1). Ms. Haskamp and Mr. Lamb continued discussion and the following items were noted.

- General Industrial and Light Industrial uses to be under one category: General Industrial
- Lot sizes and setback requirements were discussed
- Ninety percent (90%) of industrial properties are in Industrial Park
- Summaries of changes for the following were reviewed:
Overall: Matched Section 4 Standards with Zoning District Standards and maintained Consistent Definitions across all divisions
 - o Division 1: General Building Design Standards
 - o Minimum 20-feet principal structure frontage
 - o Added new Accessory Dwelling Unit language
 - o Reduce size minimum to 500 SF to allow for tiny houses
 - o Minimum one enclosed garage space – discussed reasons for keeping in the revised code
 - o Add language that all homes must have permanent foundation
 - o Building Materials
 - Must create visual interest through materials, colors, textures, or other characteristics that create articulation either between units or floors; add language about keeping it in character and context according to code within its district or setting
 - Metal roofs are allowed and not just standing seam metal material for primary and accessory structures
 - 4-1-7 Ground Water Elevation – not needed and may be omitted
 - o Accessory Buildings, Uses and Equipment - match zoning code to building code regarding accessory structures; permit required over 200 square feet. No “hoop houses”, or tarp materials
 - o Swimming pools – revise to no fence required for pools up to 24” deep or 5,000 gallons
 - o Division 2: Lot and Yard Provisions – most of the updates are definition clarifications
 - o Division 3: Outdoor Lighting
 - o Division 4: Landscaping, Green Space, Screening, and Fence Requirements – discussed green space definition and parking lot updates. Remove II. Other incentives as approved by the City Council from 4-4-4 B. Green Space section.

Discussion took place and questions asked/answered in each area.

#7 New Business

None

#8 Public Forum

The Chair opened the public forum at 8:50 p.m.

No one came forward.

The Chair closed the public forum at 8:50 p.m.

#9 Community Development Director’s Report

Community Development Director Chanski gave a brief update of the crypto-mining proposals presented to the City recently.

#10 Commissioner's Questions/Comments

None

#11 Adjourned at 9:00 p.m.

MOVED AND SECONDED BY COMMISSIONERS GORHAM AND YEAGER, DULY CARRIED, TO ADJORN.

Michael Duval, Planning Commission Chair

MEMO



TO: Planning Commission

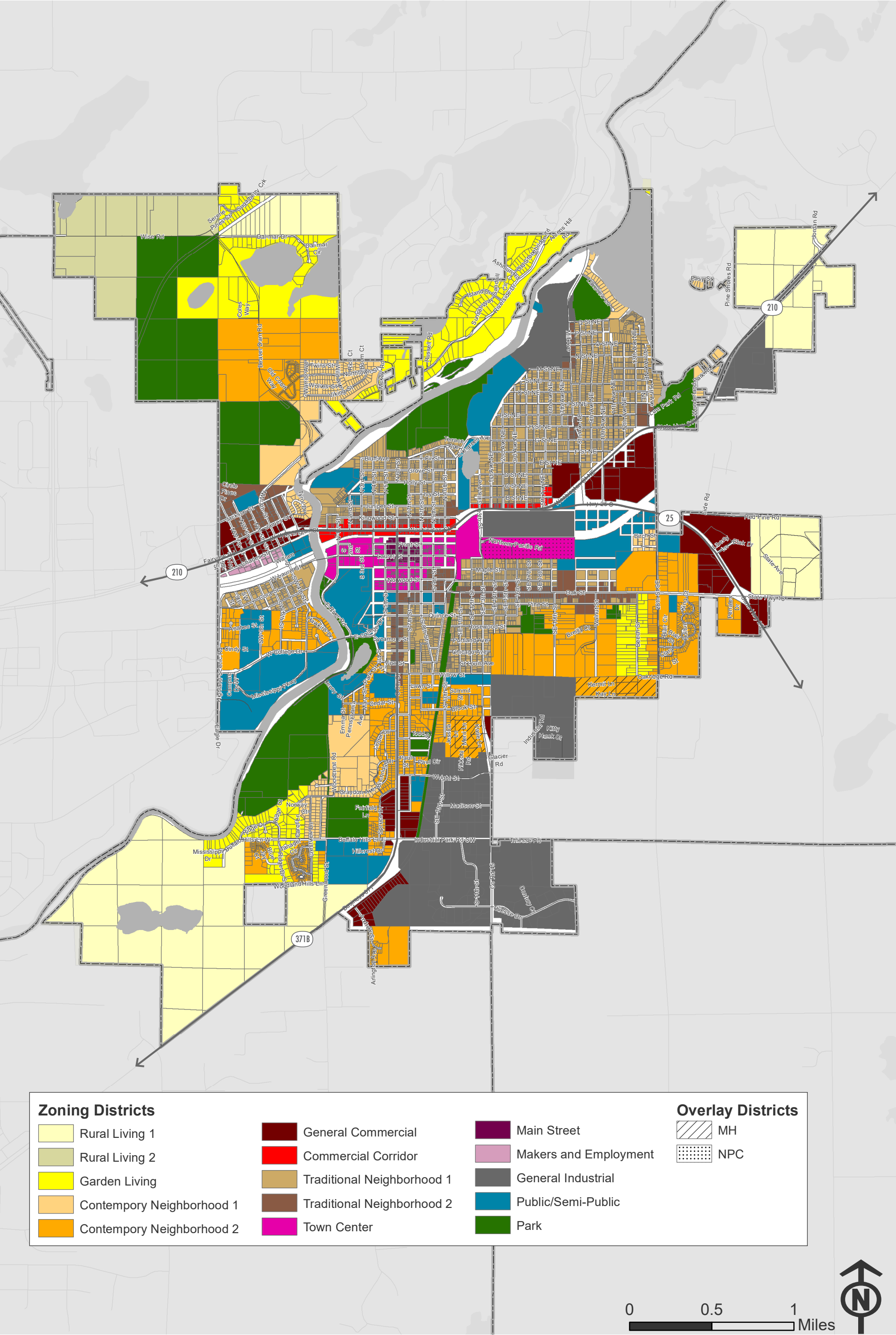
FROM: David Chanski, Community Development Director

DATE: January 13, 2022

RE: Zoning Code Update – Draft Zoning Map and Table of Uses

A draft of the Zoning Map for the new zoning code as well as a draft of the Table of Uses are attached. Jennifer Haskamp will be participating in the January 19 Planning Commission meeting to review and received comments on the proposed zoning map with the Commission.

The Commission is also asked to review the proposed Table of Uses and provide any comment to staff.



BRAINERD, MN
Section 51X.XX (DRAFT ALLOWED USES)

51X TABLE OF USES

P - Permitted
AP - Administrative Permit
C - Conditional Use Permit
I - Interim Use Permit
N - Not Permitted (to be filled in after agreement on all uses)

ZONING DISTRICT	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
RESIDENTIAL USES																
Agriculture uses	P	P														
Accessory buildings under 200 SF	AP	AP	AP	AP	AP	AP	AP	AP								
Accessory buildings including tool houses, sheds	P	P	P	P	P	P	P	P								
Accessory Dwelling Unit (ADU)																
Home businesses not meeting criteria (See section X)	AP	AP	AP	AP	AP	AP	AP	AP			AP	AP				
In home day care, serving no more than 14 persons	AP	AP	AP	AP	AP	AP	AP	AP								
Multi-family attached dwelling units (5+ Units)					C		C	P			C	C				
Mixed-Use Building including residential use							P	P			P	P				
Personal storage of recreational vehicles & equipment	P	P	P	P	P	P	P	P								
Recreational Facilities for private residential use	P	P	P	P	P	P	P	P								
Senior housing	P	P	P	P	P	P	P	P								
Single Family Detached Dwelling Unit	P	P	P	P	P	P	P	P			C					
Single Family Attached Dwelling Unit (2-4 Units)				P	P	P	P	P			P	P				
COMMERCIAL/GENERAL BUSINESS USES																
Adult Establishments and/or Uses as regulated by Section 33 of this Ordinance.														C		
Animal hospital, clinic, kennels and shelters							C	C	C	C			C	C		
Armories									C	C						
Auto dealership									C	C						
Bed & breakfast	C	C	C	C	C	C	C	C								

DRAFT SECTION 51X ALLOWED USES
Adopted XX.XX.2022

BRAINERD, MN
Section 51X.XX (DRAFT ALLOWED USES)

ZONING DISTRICT	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
Boarding houses							C	C								
Brew Pub/Brewery (off-sale, on-sale, taproom, tasting room, etc.), cidery, microdistillery, cocktail room							C	C	C	C	C	C	P	P		
Car wash accessory to motor vehicle sales									P	P						
Commercial animal kennels	I															
Commercial car washes (drive-up, mechanical and self service)									C	C						
Commercial day care facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Commercial greenhouses supporting the operations of a restaurant or floral shop											I	I				
Commercial riding stables	C															
Commercial/Retail establishments							P	P	P	P	P	P				
Commercial laundry facilities									P	P						
Drive-through business							C	C	P	P						
Contractor offices									CUP	CUP			P	P		
Cultural facilities such as museums, art centers, or art institute							P	P	P	P	P	P	P			
Drive-up service facilities (?)									P	P						
Financial Institutions such as banks and credit unions									P	P	P	P				
Funeral homes, mortuaries							C	C	C	C			C			
Health clubs/Gyms/Indoor Recreation Facilities							P	P	P	P	P	P	P	P	P	
Hospitality businesses limited to hotels, motels, conference/convention/reception facilities							C	P	P	P	P	P	P	P		
Liquor sales, on and off sale							C	C	C	C						
Motor vehicle fuel sales							C	C	C	C		C				
Nurseries, greenhouses (commercial)	P								C	C			C	C		
Nursing homes & similar group housing					C		C	C	C	C						

DRAFT SECTION 51X ALLOWED USES
Adopted XX.XX.2022

BRAINERD, MN
Section 51X.XX (DRAFT ALLOWED USES)

ZONING DISTRICT	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
Off street parking lots or parking garages (as principal use)						C	C	C	C	C	C					
Office businesses – (general use, medical clinic)							P	P	P	P	P	P	P	P		
Off-street loading as regulated in Section 23 of this Ordinance									A	A			A	A		
Outdoor dining facilities accessory to a restaurant							C	C	C	C	C	C				
Pawn shops									P	P						
Personal services such as barber/beauty shop, nail salon, tanning salon, therapeutic massage and spas.									P	P	P	P	P			
Private clubs & lodges							C	C	C	C	C	C	C			
Recreation Centers (large health clubs, gyms, etc.) exceeding 30,000 SF													P	P		
Restaurants – sit down, take out or delivery									P	P	P	P				
Restaurants without drive-up windows									C	C			C			
Retail businesses contained within a principal building									P	P	P	P	P			
Seasonal Non-Agricultural Merchandise Sales include fruit/vegetables, Christmas trees, plants and ancillary products in which less than one half of the product retailed is initially planted and raised therein									AP	AP						
Senior center					C		C	C	C	C						
Short term rentals (VRBO, Air BnB, etc.)	I	I	I	I	I	I	I	I			I	I				
Signs	See Section XXX for Permit Requirements															
Specialty food shops							C	C	C	C	C	C				
State licensed residential facilities (serving 7-16 persons)					C		C	C	C	C						
Studios – art, dance, music, design, photography, etc							C	C	P	P	P	P				
Taxi or bus dispatch sites									P	P						
Telecommunication towers as regulated by Section 35 of this Ordinance													AP	AP		

BRAINERD, MN
Section 51X.XX (DRAFT ALLOWED USES)

ZONING DISTRICT	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
Temporary classroom buildings (public or private schools)				I	I	I	I	I								
Temporary mobile towers as regulated by Section 35 of this Ordinance.													AP	AP		
Temporary roadside stands	A															
Temporary/seasonal outdoor promotional events and sales									AP	AP	AP	AP	AP			
Theaters – except drive-in									P	P	P	P				
PUBLIC/SEMI-PUBLIC USES																
Boarding Schools									C	C						
Business or trade school when conducted entirely within a building									P	P						
Cemeteries															P	
Colleges and universities									C	C					P	
Government & public buildings (including utility buildings and structures)	C	C	C	C	C	C	C	C	P	P	C	C	P	P	P	
Hospitals				C	C	C	C	C	C	C					P	
Forest and game management areas	P														P	P
Places of worship & related buildings	C	C	C	C	C	C	C	C	P	P	C	C	P	P		
Public & private schools	C		C	C	C	C	C	C							P	
Public recreation areas and buildings	P		P	P	P	P	P	P							P	
Public, semi-public recreational buildings, community centers	C		C	C	C	C	C	C							P	
Shelter									I	I	I					
Trade/specialty schools.													C	C		
INDUSTRIAL AND UTILITY USES																
Auto wrecking or salvage yard, junk yard, used auto parts, and similar uses.														C		

BRAINERD, MN
Section 51X.XX (DRAFT ALLOWED USES)

ZONING DISTRICT	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
Automobile and truck repair – major and minor (including body shops									C	C				C		
Automobile body shop and transmission repair.													P	P		
Billboard signs													I	I		
Bulk liquid storage (including crude oil, gasoline, liquid fertilizer, or other liquid storage)													C	C		
Coal, tar, creosote, concrete or asphalt processing or distillation and acid manufacturing.														C		
Commercial/retail sales accessory to the principal manufacture, processing or wholesaling of products manufactured on, processed on or wholesaled from the premises.													P	P		
Commercial stockyards and slaughtering of animals provided that the use complies with all Federal regulations including USDA rules and regulations.														C		
Machine shops; paper products from previously processed paper; electronics assembly and testing; commercial printing and publishing establishments; laundry, dry cleaning or dyeing plants; food/beverage processing; cosmetics/toiletries; drugs and pharmaceuticals; beverage bottling; recycling center; woodworking (indoors)..													P	P		
Construction equipment sales and repair													P	P		
Electrical/Plumbing/Heating/Air Conditioning products and parts													P	P		
Equipment rental (indoor)									P	P						
Essential services (re Section 36)	P		P	P	P	P	P	P	P	P	P	P	P	P		
Kilns, forges or other heat processes fired by means other than electricity.														C		
Light manufacturing									C	C						
Major auto and truck repair.														P		

DRAFT SECTION 51X ALLOWED USES
Adopted XX.XX.2022

BRAINERD, MN
Section 51X.XX (DRAFT ALLOWED USES)

ZONING DISTRICT	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
Metal Sales such as steel and other raw materials													P	P		
Mini self-storage facilities.														C		
Mining or land reclamation (re Section 26)	I															
Outdoor service, sales and rental as a principal or accessory use.													C	C		
Outdoor storage accessory to a principal use with enclosed building.									C	C			P	P	P	
Outdoor storage as a principal use													I	I		
Personal wireless service towers	C		C	C	C	C	C	C	AP	AP	AP	AP	AP	AP		
Placement and operation of outdoor wood burning furnaces.													C	C		
Radio & television antennas	A		A	A	A	A	A	A								
Radio and television receiving antennas, satellite dishes, TV Receive Only (TVRO) three (3) meters or less in diameter, short-wave 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.									A	A	A	A	A	A		
Radio and television studios									C	C			P	P		
Sale of parts and sale and repair of tires for construction equipment and semi tractor trailers													P	P		
Sales and distribution of propane, acetylene, helium, CO2 and similar tanks													P	P		
Recycling centers, refuse/garbage collection, recycling and incineration or reduction of water material.														C		
Regional pipelines	C												C	C		
Research and development laboratories													P	P		
Residence for night watchman or other security personnel													A	A		

BRAINERD, MN
Section 51X.XX (DRAFT ALLOWED USES)

ZONING DISTRICT	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
Self-service laundromat with dry cleaning pick up and drop off											P	P				
Small engine and boat repair									C	C						
Solar energy systems, structures	A		A	A	A	A	A	A								
Storage, utilization or manufacture of materials which could decompose by detonation, including but not limited to dynamite, trinitrotoluene (TNT), nitroglycerine, guncotton, blasting caps and cartridge primers.														C		
Testing labs for water and soil, rocks/minerals and air quality									P	P						
Tire vulcanizing and recapping.														P		
Truck and semi-tractor/trailer sales and repair													P	P		
Trucking terminals.														C		
Warehousing, distribution facilities and wholesale businesses.														P		
Wind energy conversion system	I	I												I		

MEMO



TO: Planning Commission

FROM: David Chanski, Community Development Director

DATE: January 13, 2022

RE: Supportive Housing Community – PUD Conceptual Review

Vicky Kinney has submitted a request for a concept review of a proposed planned unit development for a supportive housing community with small cottages, a clubhouse, and one to two more accessory use buildings. This PUD request is for a three-phase development between the east-west boundary of NW 4th St. and NW 2nd St. and a north-south boundary of NW 4th St. and James St.

Per [Section 515-11-1](#) of the Code of Ordinances, the purpose and intent of a Planned Unit Development is to:

1. To encourage a more creative and efficient development of land and its improvements than is possible under the more restrictive application of zoning requirements such as lot sizes and building setbacks, while at the same time meeting the standards and purposes of the Comprehensive Plan for Brainerd and preserving the health, safety, and welfare of the citizens of Brainerd.
2. To allow for a mixture of residential units in an integrated and well-planned area.
3. To ensure concentration of open space into more usable areas, and the preservation of the natural resources of the site including wetlands, woodlands, steep slopes, and scenic areas.
4. Facilitate the economical provision of streets and public utilities.
5. An efficient use of land resulting in smaller networks of utilities and streets thereby lowering development costs and public investments.
6. Promotion of a desirable and creative environment that might be prevented through the strict application on zoning and subdivision regulations of the City.

Per Section 515-11-11, the purpose of the General Concept Plan is to “provide an opportunity for the applicant to submit a plan to the City showing basic intent and the general nature of the entire development before incurring substantial cost.” Additionally, “this concept plan serves as the basis for public comment so that the proposal may be publicly considered at an early stage.”

It is important to note that, per Section 515-11-11.E, “Planned Unit Development concept approval only provides direction for the applicant to proceed to Planned Unit Development (PUD), Development Stage Plan submission. The concept plan approval does not convey any development rights or privileges to the applicants.”

Therefore, review of this General Concept Plan is very high level. Per Section 515-11-11.C, the process for reviewing this General Concept Plan shall be as follows:

1. The applicant shall appear before the Planning Commission in order to answer questions concerning the proposed development.
 - a. Questions should be kept high level as technical details such as lot dimensions, right-of-way size and exact location, building elevations and design, landscaping, etc. are generally delegated to the Development Stage.
2. The Planning Commission shall review and make a recommendation to the City Council on the General Concept Plan.
 - a. Such recommendations could include (with or without suggested amendments)
 - i. Support for the proposed development in the proposed location and direct staff to work with the applicant on a Development Stage Plan, or
 - ii. Support for the proposed development in the proposed location and return to the Planning Commission with a further developed General Concept Plan, or
 - iii. Express concern over such things as the proposed development as a whole, the location of the proposed development, the potential impacts of the proposed development to surrounding neighborhoods or infrastructure, or the capability of the proposed development with the Comprehensive Plan.
3. The City Council shall review all recommendations and indicate its support or concerns about the General Concept Plan as presented or amended.

While Section 515-11-11 does not require a public hearing during the General Concept Plan stage, the applicant, upon staff's recommendation, did request that the Planning Commission conduct a formal public hearing on the proposed development. Staff has issued a Notice of Hearing to all properties within 350 feet of the proposed development area. Additionally, it is staff's understanding that the applicant also mailed a letter to certain neighboring properties, describing the proposed development.

The proposed development area is currently zoned R-2 (Medium Density Residential) District and R-3 (High Density Residential District). Per the proposed zoning map for the new zoning code, the proposed development area will be zoned Traditional Neighborhood 2 (TN-2) upon adoption of the new zoning code. Consultants with Swanson Haskamp Consulting have been made aware of the proposed development and have not expressed concern over the its alignment with the new zoning code.



City Planning Department

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

Receipt # _____
Check # _____
Date Paid: _____

LAND USE 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)
ZONING TEXT AMENDMENT	☐ (\$250.00)	☐ (\$400.00)
PLANNED UNIT DEVELOPMENT	☒ (\$250.00 + \$1,000.00 escrow deposit)	☐ (\$400.00 + \$1,000.00 escrow deposit)

PROPERTY ADDRESS:

Between 4th & 2nd Streets NW, and north of Jackson Street

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: _____
(attach description if lengthy) Attached - 22 lots

Property Owner Name: Gustafson Properties of Brainerd LLC

Street Address: 424 3rd St. NW City: Brainerd State: MN Zip Code: 56401

Phone Number: 218-831-6551 Fax: _____ E-mail: _____

Applicant Name: (If different than Property Owner) Vicky Kinney

Street Address: 8660 Fernmont Road City: Lake Shore State: MN Zip Code: 56468

Phone Number: 218-821-7875 Fax: _____ E-mail: vicky.j.kinney@yahoo.com

Description of Request: Approval for a PLUD in three phases. The 1st & 2nd phases are for a supportive housing development with small cottages, a clubhouse and 1 or 2 more small buildings.
Phase 3 - re-divide lots for 17 small homes - for home ownership, and a park area.

T.J. Lake
Property Owner Signature

12-19-21
Date

T.J. Lake
(Please print name)

Vicky Kinney
Applicant Signature

12/19/2021
Date RECEIVED

Vicky Kinney
(Please print name)

DEC 23 2021

CITY OF BRAINERD
ADMINISTRATION

(OVER)

ARENA ADDITION TO THE CITY OF BRAINERD

- LOT 1 BLOCK 3, EXCEPT THAT PARCEL SHOWN AS PARCEL 258D ON MN DOT ROW PLAT #18-90 CERT OF TITLE #67399

WEST BRAINERD

- LOTS 1 THRU 6 INCLUSIVE BLOCK S EX. PART OF LOTS 4, 5, AND 6 FOR HWY. AND ALSO INCLUDING THE E 10 FT OF VACATED N-S ALLEY IN BLOCK S, EXCEPT THAT PORTION FOR HWY.
- LOT 6 BLOCK N
- LOT 5 BLOCK N
- LOTS 3 AND 4 BLOCK N
- LOT 2 BLOCK N
- LOT 1 BLOCK N AND THE ADJACENT N'LY 1/2 OF VACATED ROBERT STREET
- LOT 6 BLOCK F AND THE ADJACENT S'LY 1/2 OF VACATED ROBERT STREET
- LOTS 4 AND 5 BLOCK F
- LOTS 9 THRU 12 INCLUSIVE BLOCK N AND THE ADJACENT N'LY 1/2 OF VACATED ROBERT STREET
- LOTS 7 THRU 9 INCLUSIVE BLOCK M
- LOT 10 BLOCK M
- LOT 11 BLOCK M
- LOT 12 BLOCK M AND THE ADJACENT N'LY 1/2 OF VACATED ROBERT STREET
- LOT 7 BLOCK E AND THE ADJACENT S'LY ½ OF VACATED ROBERT STREET.
- LOT 8 BLOCK E
- LOTS 9 AND 10 BLOCK E
- LOTS 1 THRU 6 INCLUSIVE BLOCK M AND THE ADJACENT N'LY 1/2 OF VACATED ROBERT STREET.
- LOTS 5 AND 6 BLOCK E AND THE ADJACENT S'LY 1/2 OF VACATED ROBERT STREET.
- LOT 4 BLOCK E
- LOT 3 BLOCK E

TYROL HILLS ADDITION

- OUTLOT 2

Brief Description of MNTLC's Supportive Housing Community PUD Plan:

1. We'd like to develop the property in 3 phases. The first phase would be the 2 lots north of Jackson. Our plan is to construct approximately 10 to 15 homes along with an additional structure to be used as an arts/hobby room (though depending on financing, may be temporarily used as a community center). The area would be gated with parking for residents and guests.
2. Phase 2: Develop the lots north of the steep slope (north of James) and between 2nd and 3rd Streets. This section would contain the community center, gardens, park, and playground, along with approximately 20 homes. Again, the neighborhood would be fenced and gated with parking in front of the community center and throughout the development. A one-way road would likely be built closer to the outer edge of the property, with screenings of trees and plants surrounding the property edges (opposite of the hand drawn, sample site plan).
3. Phase 3: Depending on need and funding, we may either expand supportive housing units, or build a neighborhood consisting of small homes for sale. The style and park like theme would continue through this development.

Requests from the city:

1. Being 2nd Street ends in a cul-de-sac and does not connect to 3rd Street through Jackson, we'd like to be able to use that space (where Jackson is not being used as a road) to build a drive and parking areas- which won't restrict access through the lot.
2. Future suggestion – We think the property around Whiskey Creek to the Mississippi River would make a lovely city park and bike trail. We would have an acre on the Mississippi River that could possibly be added for this purpose. This could redirect the bike corridor away from the busy 4th Street and round-about area and more safely connect to the Riverside and Beaver Dam corridors.

Some potential concerns and those expressed from local residents:

Q. Will having people, who have formerly experienced homelessness, live close by in a supportive housing community, increase the crime rate?

A. Studies in similar developments have shown that the crime rate actually decreased.

Q. Will we have to be dealing with neighbors who are drug users?

A. If someone else develops the property, you can't choose who will become your neighbor and control for that. With our plan, residents must abide by the regulations set up for the community, which will include that no drunkenness or drugs will be allowed on the property. Some residents may struggle with addictions but by choosing to live in community, will understand that a big part of that is being a good neighbor. It won't appeal to everyone.

Q. Will there be a lot of “comings and goings” and how can you control for non-residents who may be up to no good, coming onto the property?

A. The housing community will be fenced and gated. All visitors will need to sign in at the office and residents will be responsible for their guests.

Q. How can we be assured that this property will be maintained and not become a crime and/or drug center?

A. All rentals are on a month-to-month basis and will be owned by a non-profit organization based on and motivated by Christian values and principles. We want everyone who lives in the community to be successful and will do all we can to support that. However, we do realize that this lifestyle isn’t going to be suitable for everyone, and those who decide that it is not what they want, based by their behavior or words, will need to find other housing (which hopefully we will be able to help with- our desire isn’t to kick anyone to the curb).

Q. What kind of people do you expect will be living there?

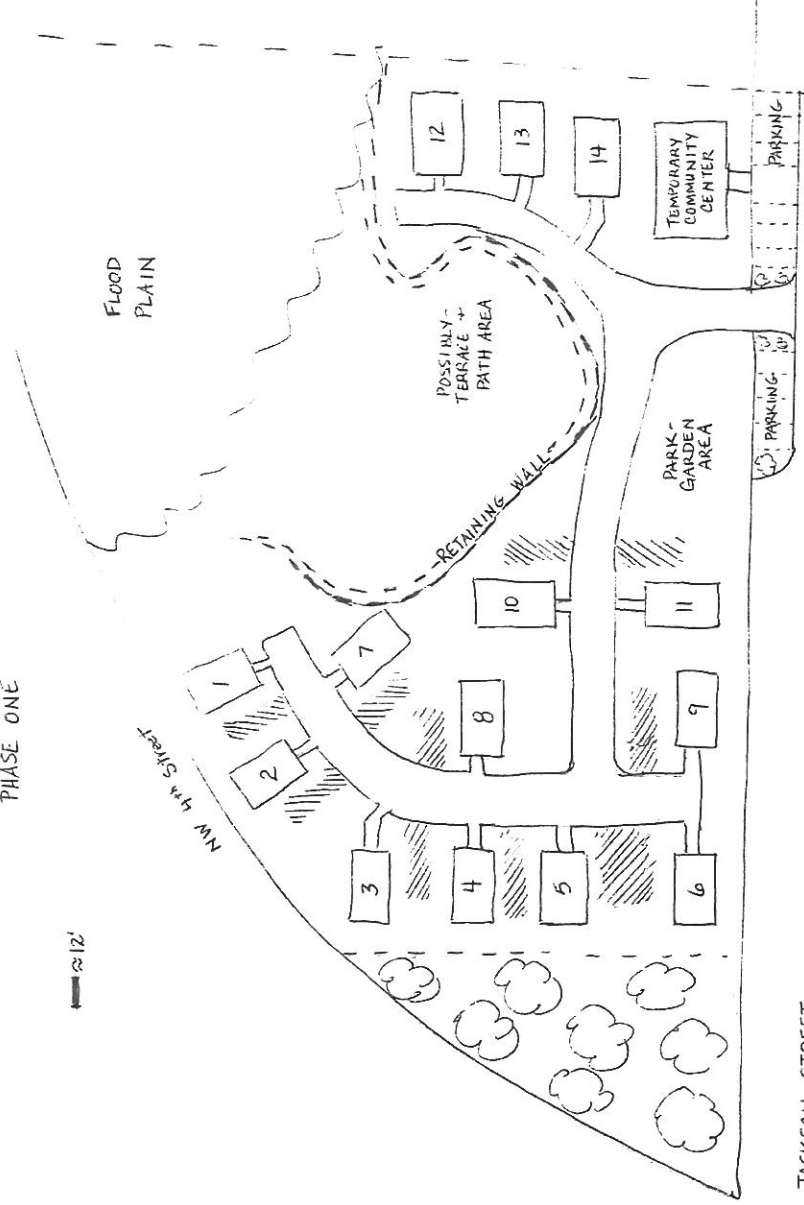
A. All kinds. We anticipate people who are employed but are having trouble finding housing, people who have experienced homelessness and need support getting back on their feet, parents with children who also are having trouble finding safe and affordable housing, people with disabilities who want to live in a supportive community, and we may open up a small percentage of homes for “missional” people who just want to live there and help out.

Q. It’s a nice area to go for a walk. What would happen to all of the trees and vegetation?

A. There’s no easy answer for this one. We will do our absolute best to save as many trees as possible. We value nature and also, it’s expensive to replace trees! Because of the varied terrain, there will need to be leveling done to put in homes. On the outer edges of the property, we intend to put in tree and vegetation screening, and because it is our plan to create a neighborhood that is park like and filled with gardens and permaculture areas, we will replace trees and green the area up as much as possible.

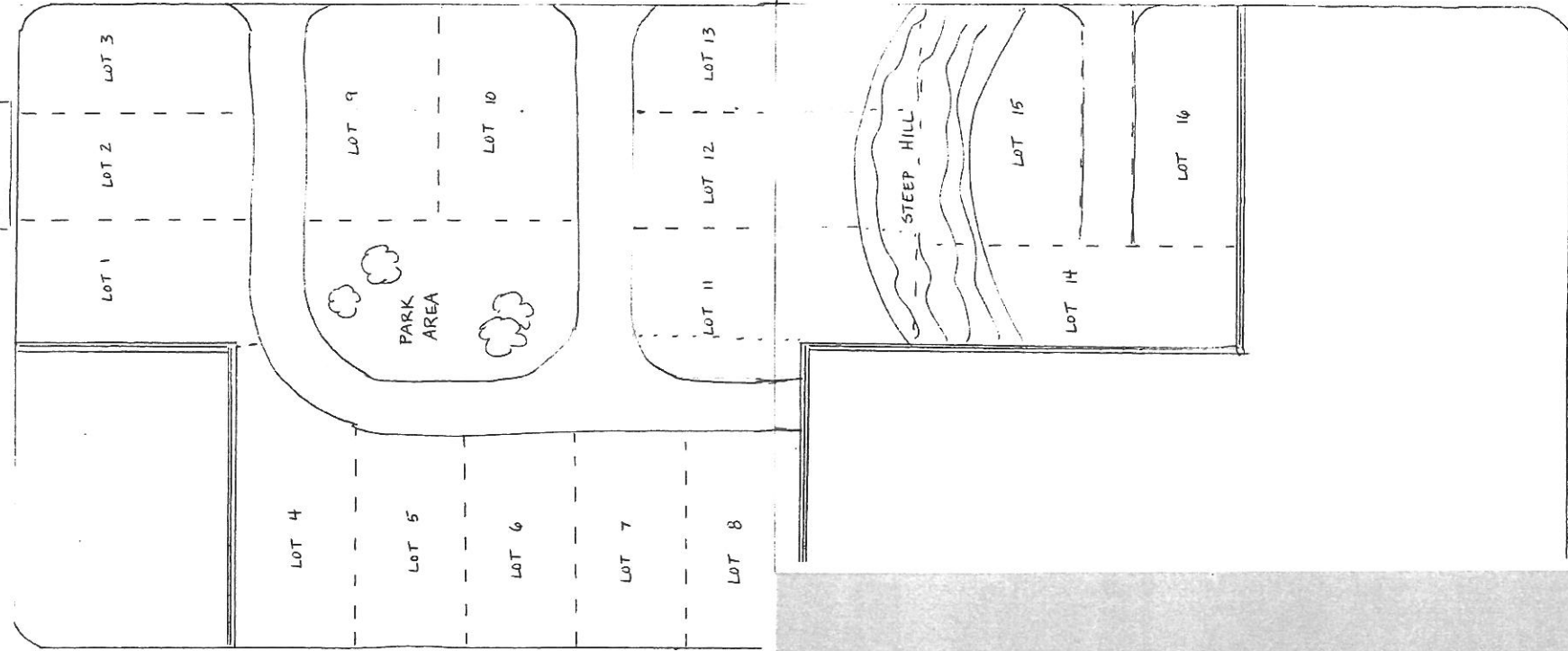
PHASE ONE

12'



JACKSON STREET

PHASE 3

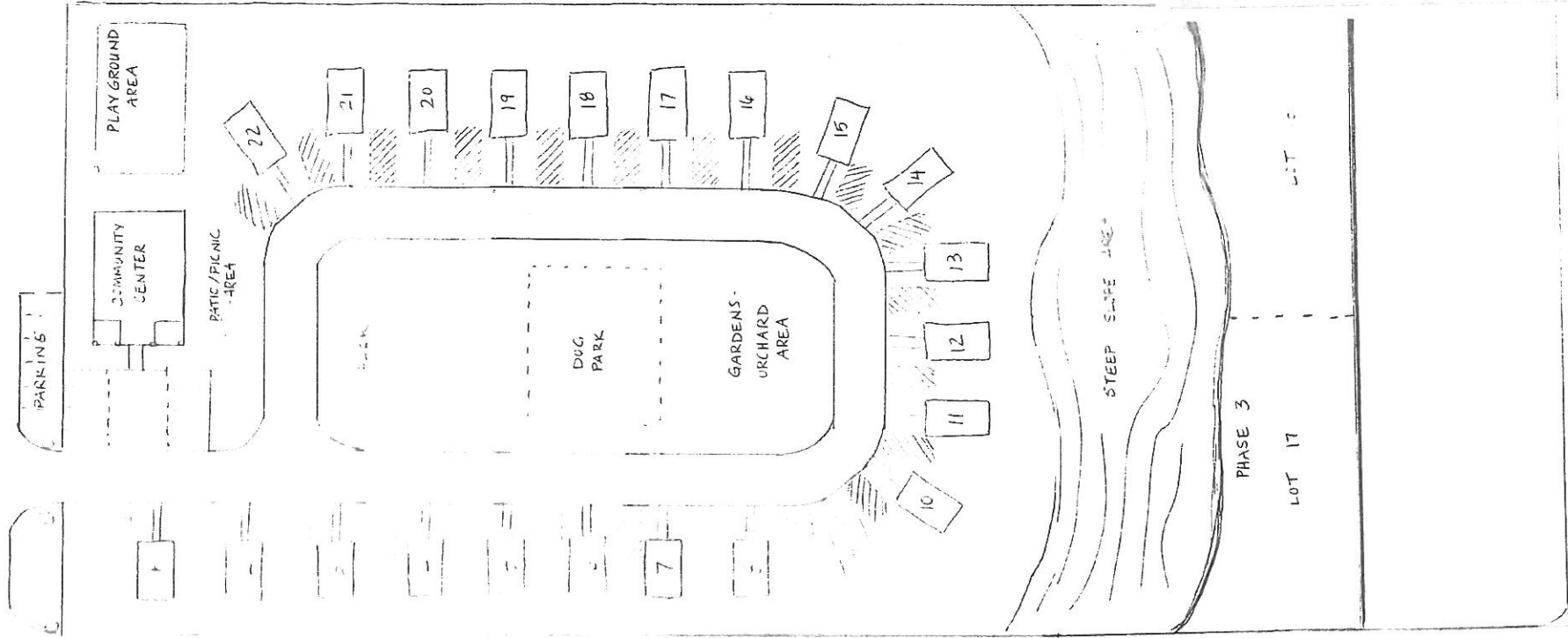


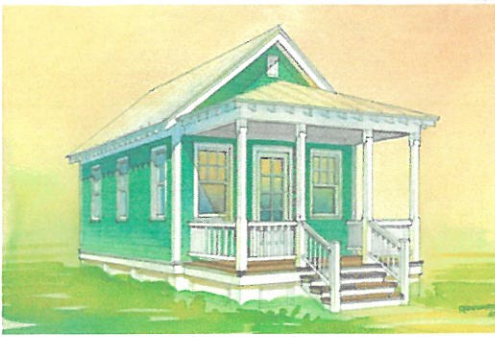
NW 4th

NW 3rd STREET

JAMES STREET

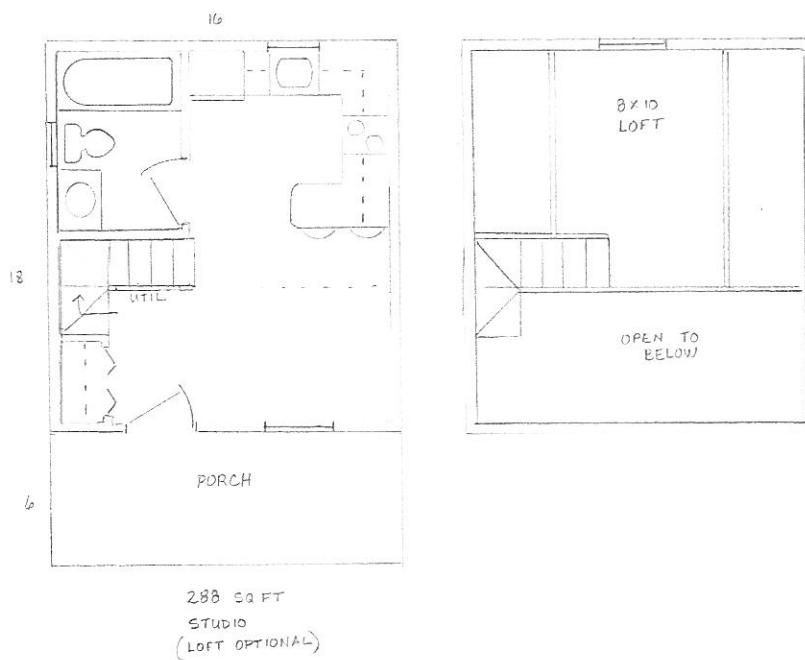
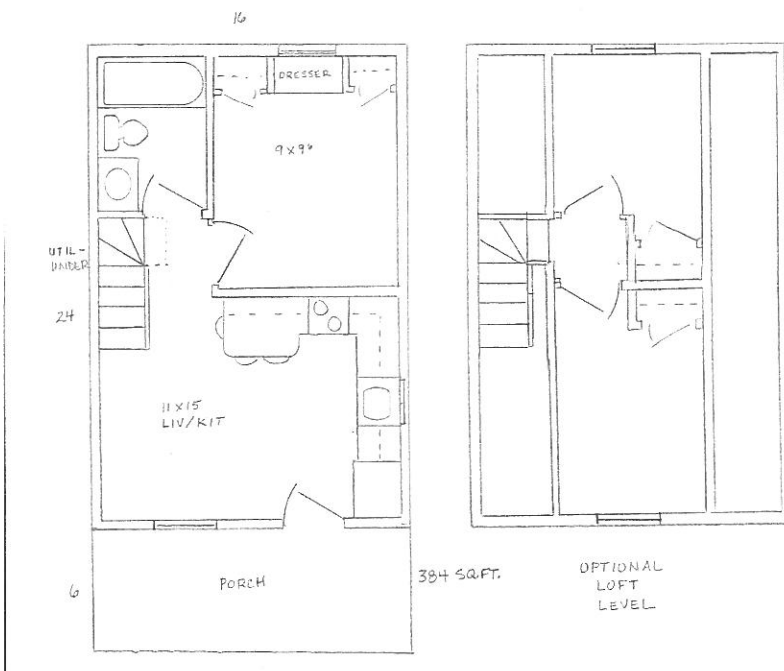
NW 2nd STREET

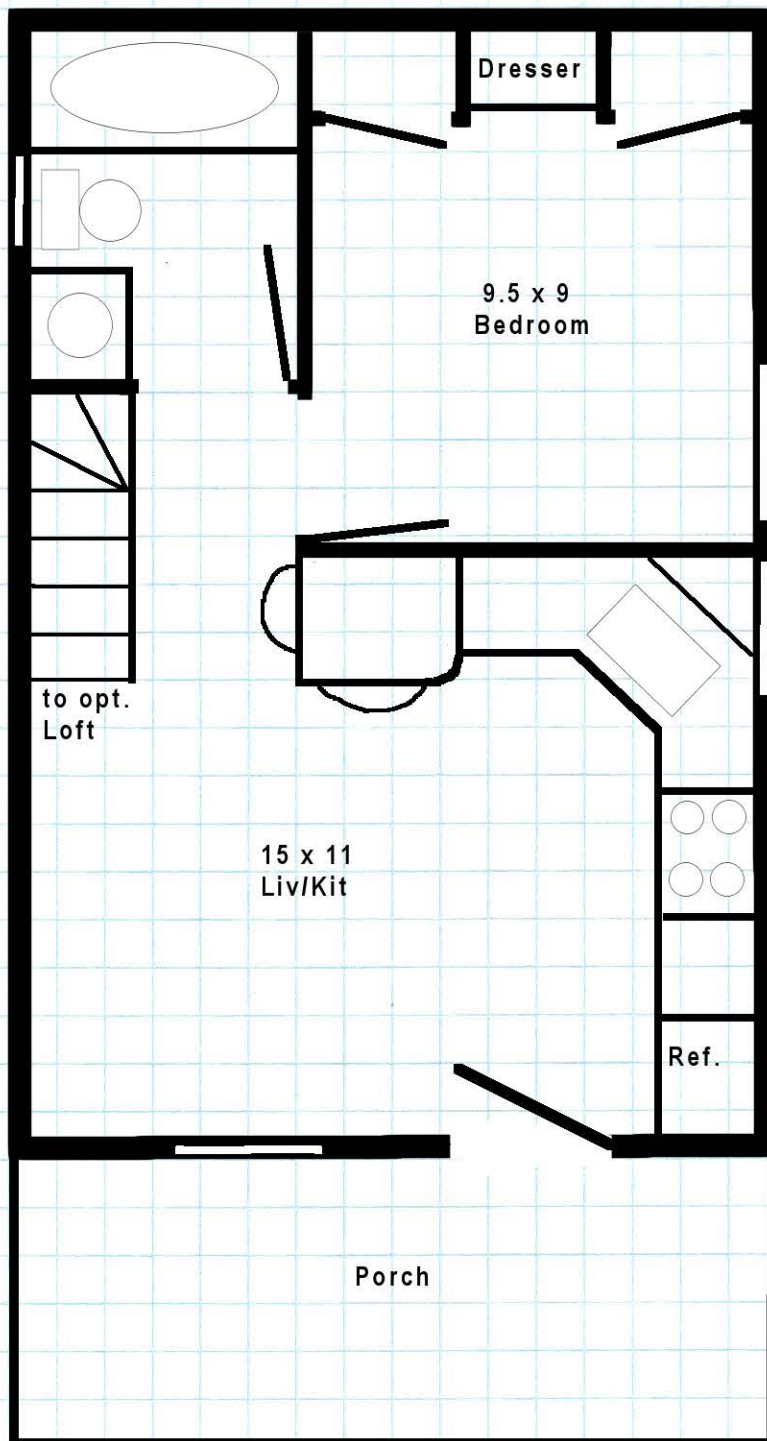




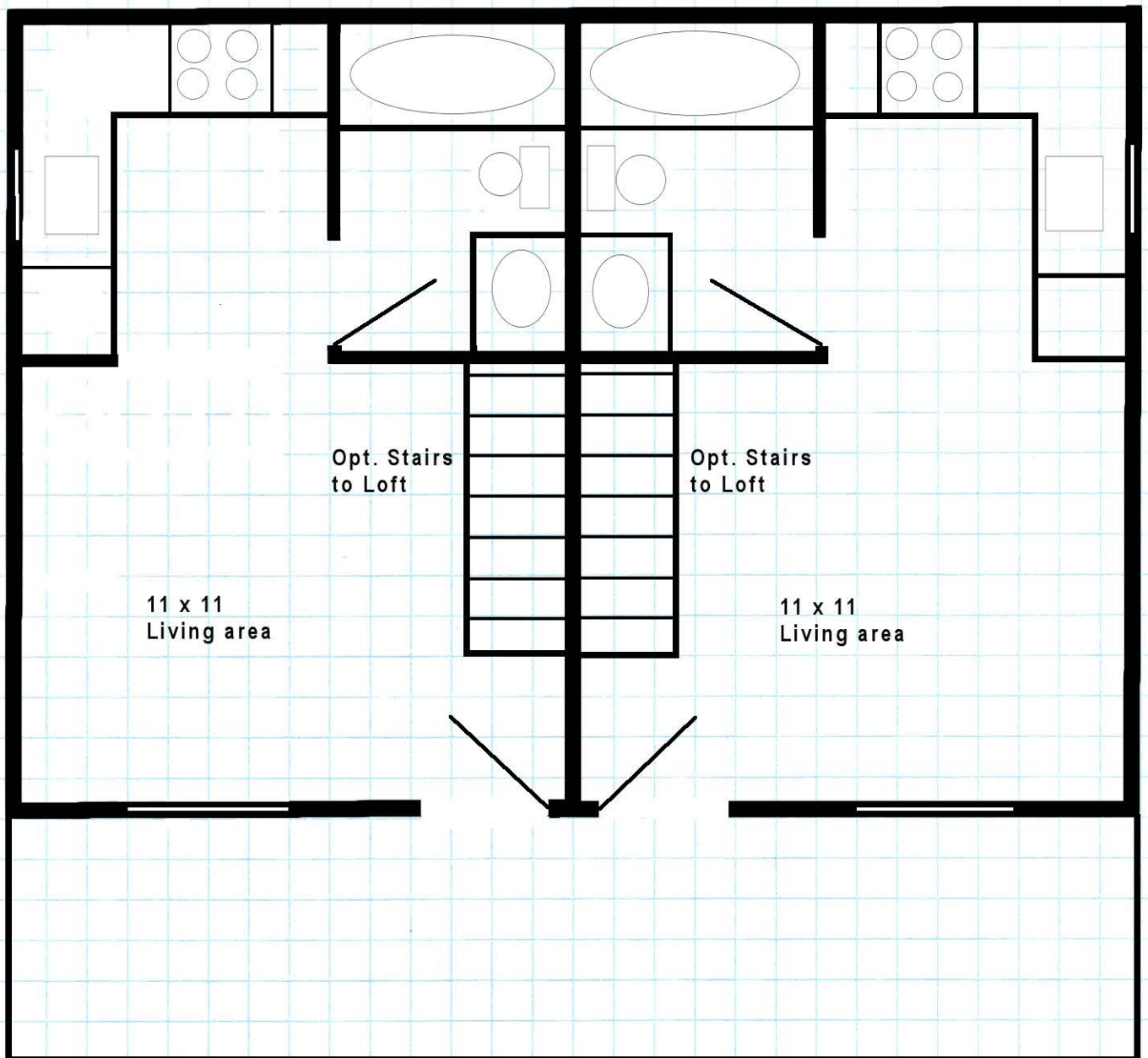
Above are examples of similar elevations of cottage designs we hope to build.

Below are floor plan examples. Stairs and loft areas are optional. 288 square feet for studio and 384 square feet for the 1 bedroom.





384 Square Feet - 1 Bedroom with optional loft



288 Square Foot
Each Studio

The Village Amenities

1. Pool
2. Clubhouse
3. Fitness Center
4. Yoga Studio
5. Dog Parks
6. Community Garden
7. Community Firepit
8. Bocce Ball Court
9. Upper Pond
10. Dunn Creek



THE VILLAGE :: ILLUSTRATIVE MASTER PLAN

SIMPLE LIFE
 FLAT ROCK, NORTH CAROLINA
 28 April, 2020

This plan is conceptual in nature and subject to change. The concepts represented are not intended for construction and may require further engineering and architectural review through the design and implementation process.

Simple Life

SEWER PANT LINE

EXISTING 10" IRON PN
NO ID

CURB INLET
GRATE EL+102.00

CENTERLINE OF
GREYNA ROAD

GREYNA ROAD

WTE VAULT

EXISTING 6" IRON PN
GL. STATION 1+00.00

- A. Art And Woodworking Studio
- B. Outdoor Movie And Amphitheater
- C. 3-Bay Auto Shop
- D. Welcome Center
- E. TBD
- F. Chapel
- G. Connection To Elevate Branson Campus
- H. Security gate and fencing limits overnight access to residents only.

elevate
BRANSON
CAMPUS

Simple Life

Live large. Carry less.

LEGEND

- 134 HOMES SITES
- PHASE 1 = 35 HOME SITES
- HOME SITE SIZES RANGE 2,100-3,100 SQ. FT



THE HAMLET :: CONCEPTUAL MASTER PLAN

SIMPLE LIFE

FLAT ROCK, NORTH CAROLINA

OCTOBER 1, 2020

This plan is conceptual in nature and subject to change. The concepts represented are not intended for construction and may require further engineering and architectural review through the design and implementation process. This map may not be to scale.

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Vicky Kinney has submitted a request for a concept review of a proposed planned unit development for a supportive housing community with small cottages, a clubhouse, and one to two more accessory use buildings. The applicant is currently in the General Concept Plan process and is seeking review and a recommendation from the Planning Commission. This PUD request is for a three-phase development between the east-west boundary of NW 4th St. and NW 2nd St. and a north-south boundary of NW 4th St. and James St.

A copy of the site plan is on file for review with the Community Development Department.

The applicant has requested a public hearing as part of the concept review of the proposed planned unit development. The public hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. on Wednesday, January 19th, 2022, in the City Council Chambers at 501 Laurel St., Brainerd, MN 56401.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

Dated this 5th day of January 2022

Publication Date: January 8th, 2022



David C. Chanski, MPA
Community Development Director

