

PLANNING COMMISSION

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Wednesday, July 20, 2022 @ 6:00pm

The public is invited to attend this meeting in person

Attend by phone: 1-844-992-4726 Meeting Access Code: 2481 371 2556

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

1. Call To Order

2. Roll Call

___ T. Erickson ___ D. Gorham ___ M. Kallroos
___ T. Woodward ___ K. Yeager ___ M. Duval ___ Vacant

3. Pledge Of Allegiance

4. Approval/Amendment Of Agenda

5. Approval Of Minutes

1. Regular Meeting Held on June 15, 2022.

Documents:

[2022-06-15 DRAFT.PDF](#)

6. Old Business

7. New Business

7.a. Variance From Fence Height Setbacks Standards - 401 Holly St

Documents:

[VARIANCE - FENCE SETBACK - 401 HOLLY ST.PDF](#)

7.b. Facade Interpretation In New Zoning Code

Documents:

[FACADE INTERPRETATION.PDF](#)

7.c. Conditional Use Permit - Commercial Day Care Facility - 1002 Laurel St.

Documents:

[CUP - TEENY BUBBLES - 1002 LAUREL ST.PDF](#)

7.d. Interim Use - Warming Shelter - 1926 S. 7th St.

Documents:

8. 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

9. Community Development Director's Report

10. Commissioner Questions/Comments

11. Adjourn

PLANNING COMMISSION
Wednesday, June 15, 2022
6:00 pm

#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, Yeager, Gorham, and Duval. Commissioner Kallroos was noted as absent. Also noted as present was City Administrator Bergman and Community Development Director Kramvik.

#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 ERICKSON AND YEAGER, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

#5 Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS WOODWARD AND ERICKSON, DULY CARRIED, TO APPROVE THE MINUTES FROM THE MAY 18, 2022 REGULAR MEETING.

#6 Old Business

6a. PSP District Discussion and Public Hearing and Recommendation for Proposed Zoning Code and Zoning Map

Community Development Director Kramvik gave a brief review of the memo provided in the packet regarding the recommendation to approve the proposed zoning code and map.

The Chair opened the public hearing at 6:08 pm.

No one came forward.

The Chair closed the public hearing at 6:09 pm.

MOVED AND SECONDED BY COMMISSIONERS WOODWARD AND ERICKSON, DULY CARRIED, TO RECOMMEND APPROVAL OF THE ZONING CODE AND ZONING MAP AS PRESENTED.

#7 New Business

7a. Variance from Setback Standards – 704 Norwood Street

Community Development Director Kramvik explained the details of the request for a variance from setbacks to construct a garage.

The Chair opened the public hearing at 6:14 pm.

The Chair recognized Mitch Brinks, who is representing the property owner, Dave Bennett, as he was unable to attend the meeting. Mr. Brinks stated the request will allow them to construct the garage farther back on the property to give additional recreation space. There are also multiple cables and power lines behind the main structure they are trying to avoid.

The Chair closed the public hearing at 6:21 pm.

Commission discussion took place.

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND ERICKSON, DULY CARRIED, TO RECOMMEND APPROVAL OF THE VARIANCE REQUEST WITH THE CONDITION THAT THE APPLICANT PROVIDE STAFF WITH AN ACCEPTABLE STORMWATER RUN OFF PLAN TO DIVERT RAINWATER TO THE SOUTH AND EAST FROM NEIGHBORING PROPERTIES.

7b. Variance from Setback Standards – 521 N 9th Street

Community Development Director Kramvik gave a brief summary of the variance request. He said the property owner would like to construct an addition which will align with the primary structure.

The Chair opened the public hearing at 6:32 pm.

The Chair recognized Sarah Hayden-Shaw, 521 N 9th St., who stated they would like to build an addition for an extra bedroom, bathroom and living area. She said their plan will aesthetically blend with the existing structure and setbacks will match the other homes on the block.

The Chair closed the public hearing at 6:37 pm.

Commission discussion took place.

MOVED AND SECONDED BY COMMISSIONERS WOODWARD AND ERICKSON, DULY CARRIED, TO RECOMMEND APPROVAL OF THE VARIANCE AS PRESENTED.

#8 Public Forum

The Chair opened the public forum at 6:40 pm.

No one came forward.

The Chair closed the public forum at 6:41 p.m.

#9 Community Development Director's Report

Community Development Director Kramvik gave the following updates:

- Update from the EDA – DEED awarded the Initiative Foundation \$4.5 million. The IF has allocated \$765,600 to Brainerd to be used in the River to Rail corridor. The EDA identified Housing, (Landscaping/ Lighting/ Greenspace/ Parking), Small Business, Childcare as top priorities.
 - The eligible uses for the funds are:
 - Repair or renovation of real property
 - Building construction
 - Landscaping and streetscaping
 - Demolition and site preparation
 - Project pre-design and design
 - Engineering
 - Non-municipal infrastructure
- The groundbreaking ceremony for the Mississippi Landing Trailhead Park took place on June 6th.
- A future topic will be a possible Interim Moratorium placed on properties within the R-1 District to deny demolition permits of homes on lots with no plans to rebuild.

#10 Commissioner's Questions/Comments

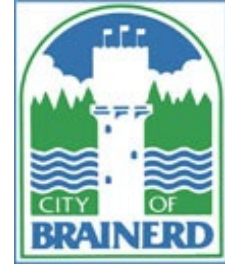
None

#11 Adjourned at 6:50 p.m.

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

Michael Duval, Planning Commission Chair

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: July 20, 2022

RE: Variance from Fence Height Setback Standards – 401 Holly St.

Kelsie Randall has submitted a variance request at 401 Holly St. to exceed the side yard (corner) setback requirement for fences greater than 4 feet. The applicant is requesting a zero-foot setback along the North 4th St side yard (corner) property line for the construction of a 6-foot wood fence.

The requested variance is from [Section 515-19-7.C Height](#). The applicant is requesting a zero-foot setback along the North 4th St side yard (corner) property line.

Findings of Fact

1. 401 Holly St. is in a R-1 (Single Family Residential) District.
2. Section 515-19-7.C states should the rear lot line of a lot be common with the side lot line of an abutting lot, that portion of the rear or side lot equal to the required front yard of the abutting lot shall not contain a fence greater than four (4) feet. For the purpose of this section, the front and side yards of the abutting lot shall be as defined in this Ordinance rather than the house as built (see Diagram B).
 - a. [Section 515-54-7.B](#) requires a Twenty (20) foot front yard setback in the R-1 Zoning District.
 - b. Section 515-19-7.C requires a 20 foot setback from the side yard (corner) property line for fences greater than 4 ft in the R-1 Zoning District.
3. [Section 515-7-2](#), Subdivision 3A – Variances shall only be permitted:
 - a. When they are in harmony with the general purposes and intent of the ordinance
 - i. The purpose of a R-1 (Single Family Residential) District is to “allow and preserve areas in the City of quiet neighborhoods of one and two family homes, free from other uses except those which are compatible with residents of such a district.”
 1. *Fences are an accessory use in the R-1 District as regulated by Section 19 of this Ordinance.*
 - b. When the variances are consistent with the Comprehensive Plan
 - i. Staff believes this variance request is supported by Goal 3 of Chapter 3 of the Comprehensive plan which states, “Ensure quality living conditions for all residents.”
 1. *Policy 2 under Goal 3 states, “Promote the maintenance and rehabilitation of all properties.”*



City Planning Department

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

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: 401 N Holly St Brainerd mn 56401

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

Property Owner Name: Kelsie Randall

Street Address: 401 N Holly St City: Brainerd State: MN Zip Code 56401

Phone Number: (320) 232-5096 Fax: _____ E-mail: Randall.Kels@Gmail.com

Applicant Name: (If different than Property Owner) _____

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

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

Description of Request: Requesting a variance to bring 6ft fence to the sidewalk replacing our existing 4ft fence. This will improve the safety / Privacy for our family + Pets our corner lot gets the hospitals overflow parking / traffic on both sides it can be noisy unsafe and gives us zero Privacy. losing this part of our yard will mean losing our beloved lilac bush / tree + leave a huge unused awkward space a new fence will improve the overall appearance of the entire neighborhood. a 6ft fence there does not impede traffic or the overall view.

Property Owner Signature

Kelsie Randall

(Please print name)

07/05/22

Date

Applicant Signature

Date

(Please print name)

B. Variance Request

marohn fence

Crow Wing County

6 1/2

412' X 1

68.90'

6.48'

150.33'

150.33'

150.33'

103.31'



Scale 1: 300 G - gate D - existing Drives / Property - line

1/4 - set back - 20' -

22, 10:54 AM

Interactive Map

Crow Wing County





1 Items

PARCEL NUMBER	APPRCL	TDTDNM	OWNIDN	OWNNAME	OWADR1	OWADR2	OWADR3	OWADR4
41240829	09196170	CITY OF BRAINERD	166659	RANDALL, 401 HOLLY ST KELSIE			BRAINERD MN 56401	



Example of Proposed fence 😊

July 14, 2022

Dear Planning Commission Members,

Good fences make good neighbors. My wife and I own the property adjoining 401 Holly Street and we would like to see our neighbor, Kelsie Randall, construct a fence along our shared property line in conformance with the city's code. This is an action that will be good for everyone.

Our only request to you is that Randall be required to adhere to the city's zoning code, regulations that all of us are required to follow in order to protect the health, safety, and welfare of the community. Unfortunately, Randall has not followed the code in pursuing this project. Even more tragically, neither has the city.

Kelsie Randall has constructed a fence on my property without my permission. To do this, Jessie Hartman, who also resides at 401 Holly Street, has repeatedly trespassed on my property. The ongoing physical occupation of my property by this illegal fence, and the repeated violation of my property by Hartman, are the very definition of trespassing.

The city, through its actions and inactions, has directed, authorized, and seemingly tolerated this violation of my basic property rights. This situation is unacceptable and must be remedied.

Over the past couple of weeks, as I have protested the city's actions and inactions, multiple city officials have told me that the city "needs to be fair to everyone." I have been asked to tolerate the ongoing illegal occupation of my property, and the repeated trespass by Hartman, in the name of "fairness."

The city has also stated, in writing, that the property line is a "contested civil matter," this after city officials researched, advised, and directed the actions of my neighbors, and then permitted a fence – in violation of the plain language in the city's own code – to be constructed partially on my property.

This is patently unfair, and I am unwilling to continue in this manner. For city government, the only way to be "fair to everyone" is to follow the code. I ask for nothing more.

Summary

Kelsie Randall applied for a permit to construct a fence. That permit was issued by the city in violation of multiple parts of the city's code. Randall then didn't follow the permit. For reasons that are unclear, that permit has not been rescinded. Citing authorization provided by that permit, Jessie Hartman trespassed on my property and constructed a fence that extends onto my property. The fence that was constructed compounds the code violation by building further

into the 4th Street North setback than was erroneously permitted. This permit needs to be formally rescinded and a restoration order must be issued to remove the portion of the fence along our property line.

Randall has now applied for a variance. This is an acknowledgement that the fence, as constructed, does not meet the code. Even so, some construction has continued on the project, including additional trespass on my property, in the time since Randall was directed to cease. There are no practical difficulties or other factors that support the variance request. It should be denied.

After Randall filed for a variance under the old code, the City Council adopted a new zoning code. The new code contains significantly different language regarding fences. There is ambiguity in the new code as applied to this specific situation. I request that the Planning Commission provide guidance to the staff that clarifies the relevant ambiguities.

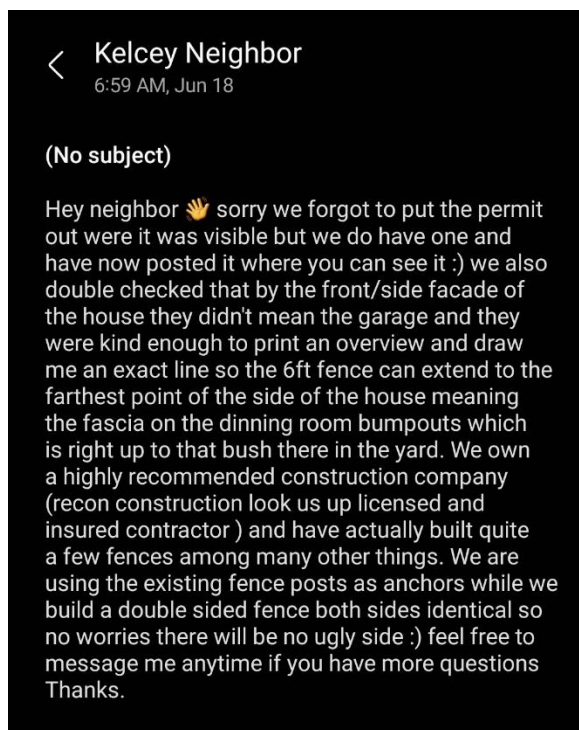
Part 1. The Existing Fence Permit

In mid-June, the residents of 401 Holly Street began building a fence. I contacted them to see if they had a permit because the fence they were constructing did not appear to meet the code. I provided them with a copy of the ordinance regarding fences, highlighting areas of concern. In a response by text message, Kelsie Randall assured me that she had a permit. Randall noted they were licensed contractors and knew what they were doing.

As construction proceeded, it became clear that their plan did indeed violate the code, especially when one of the residents, Jessie Hartman, trespassed on my property to construct part of the fence. As you are aware, the city's ordinance states (emphasis added):

515-19-4: Location. All fences or walls shall be located entirely within the property of the person or firm constructing the fence **unless the owner of the adjoining property agrees, in writing**, that such fence may be erected on the common property line of the respective properties.

Not only have I not agreed to the fence, in writing or otherwise, but my neighbor has never discussed this project with me or anyone in my family. **Without a statement in writing, the permit should never have been issued.** The city cannot authorize someone to trespass on another's property,



and so to have a fence in this location – one that requires trespass by Randall to construct and maintain – my agreement is necessary.

The “good neighbor” provision of requiring a signed agreement is in place to ensure that neighbors have conversations before a permit is granted. The city doesn’t need to be party to the conversation, but the city does need to ensure that the conversation has happened, thus the requirement in the code for a statement in writing.

The city does not establish the property line, but the ordinance clearly states that “burden of proof for property line and pin locations shall be the responsibility of the property owner” (515-4-11, Subpart C). It is Randall’s obligation to either (1) obtain a letter of agreement from me or (2) provide proof for property line and pin locations and be sufficiently set back from that as to not trespass. It is the city’s obligation to receive one or the other (or both) before a permit is issued. The city obtained no letter and requested no proof.

Instead, the city staff guided Randall – incorrectly – on the location of the property line and the placement of her fence. City staff performed survey measurements using the county’s website and relayed those measurements, as guidance, to Randall, who then used the city-provided measurements to complete a permit application.

Reliance on the county’s GIS map is improper as the map is wildly inaccurate at the scale of a single lot. Crow Wing County has the following disclaimer on their GIS mapping site (emphasis added):

DISCLAIMER: Crow Wing County, makes no representation or warranties, express or implied, with respect to the use or reuse of the data provided herewith, regardless of its format or the means of its transmission. THE DATA IS PROVIDED "AS IS" WITH **NO GUARANTEE OR REPRESENTATION ABOUT THE ACCURACY, CURRENCY, SUITABILITY, PERFORMANCE, MERCHANTABILITY, RELIABILITY, OR FITNESS OF THE DATA** FOR ANY PARTICULAR PURPOSE.

It is wholly improper for city staff to rely on the county GIS map to issue common line fence permits. It is even more egregious, and completely inappropriate, for city staff to communicate to Randall, based on the county GIS map, that her property line is 3.5 feet north of the current common line fence.

For our common line, the county’s GIS map shows a 10-foot shift between the 2016 update, where the line is about 7 feet on Randall’s property, and the 2019 update, where it shows the line as roughly 3-feet on mine. **This map is not accurate and the city’s staff knows that.**

After failing to follow the plain language in the code, your staff has now suggested that the illegal fence is a civil matter between two property owners. This makes no sense. If that is the case, why is there a municipal permitting process? What is the role of the city in reviewing a fence permit if not to administer the plain language in the code? Why have a zoning code, a permitting official, the requirement for a statement in writing, or a permitting process at all if its enforcement and administration is to be done entirely in civil proceedings?

Will the city issue me a permit to build a fence on Randall's property and then tell Randall that any objection she has is a civil matter? If the city is going to now claim that the issue of trespass is solely a private matter between Randall and I, why did the city's staff communicate their opinion on the location of the lot line to Randall at all? Why did the staff print out the map and do a drawing for them? Why is unqualified staff providing technical guidance that can only be provided by a licensed land surveyor?

If the city is indifferent on the lot line location during the permitting process, if "proof" is something the applicant provides themselves and not the city, then why does the city staff take the time and effort to provide this technical guidance? Why not just tell Randall to go and figure it out herself – give "proof" to herself – instead of bringing up the county's GIS system and performing measurements on her behalf?

The reality is that the city staff made multiple mistakes with this application. They failed to follow the plain language in administering the code. They failed to ask for a good neighbor letter agreeing to the lot line and the fence. They failed to require proof that Randall knew the location of the property line. They provided incorrect guidance to Randall, technical information they were not qualified to provide, using tools not fit for such an evaluation. They accepted and approved an incomplete application that contained no information pertinent to administering the code. They permitted a fence height in violation of the code. **The city's staff failed to perform the most basic tasks of a permit review, and now that their failure has resulting in a fence being built on my property, they are suggesting the onus should be on me to remedy the situation with a civil action.**

This is wrong. The city needs to take immediate steps to remedy this situation including rescinding the permit and ordering the site restored.

Let's be clear: **There is no ambiguity over where the lot line is.** The common line fence extends from 4th Street through to 5th Street, establishing the common line boundary of six different properties on our block.

Before purchasing the property, I researched the available survey data in the vicinity of this block and, as is common in plats of this era (1800s), there are no known monuments or original control points. In such a situation, a licensed land surveyor, in order to formally establish a lot line, will need to prepare a certificate of survey establishing all the property lines on the block. A surveyor will not just go out and identify a single lot line – there is no basis for doing so without a full certificate for the entire block to properly apportion the space.

In this situation, a certificate of survey will involve nine property owners, in addition to the city (for the alley). Such a survey will rely on research into established structures and historically accepted boundary lines, among other things.

It is highly unlikely that any survey of our block would seek to relocate long established and accepted property lines, not without quit claim deeds that reestablished those lines. If a

surveyor did propose such a shift on my property, it would impact all my other neighbors and create years of litigation. That is generally not how these proceedings work.

That's because, if that litigation somehow resulted in the unlikely event of a judge issuing an order to move the boundary line from its long-established location, then I would merely file an adverse possession claim as I, the Engelsteds prior to me, and the Carlsons for decades prior to that, have maintained the property up to the common fence line.

The case law is clear, and the city staff should know this. If county GIS data is going to be used to initiate boundary line disputes across a city where there are 150-year-old plats, the city's property market will grind to a halt, all infrastructure projects will be encumbered with years of survey work, and there would be an endless number of petty boundary disputes because nobody knows where the original lot lines are.

That is why all paths in the process of determining such lines end in long-established, accepted boundary markers, like we have in this situation. That is why the city's code requires property owners to get a signed agreement with their neighbors – it further codifies and secures the city's tax base, which is in everyone's interest.

In 2016, I constructed a common line fence along part of the shared boundary line between Randall's property and mine. I sought and received a signature from the prior owner agreeing to the fence and the location of the common line. Randall inherited that agreement when she purchased the property in 2020.

In short, there is no property line dispute. There has never been any ambiguity over the lot line. The city staff, none of which are licensed surveyors, erroneously determined the lot line and then issued a permit for construction on my property. That permit is illegal and must be rescinded.

Unfortunately for Randall, even though the city failed to follow its own code, case law is also clear: even when the city makes a mistake, it does not allow a property owner to break the city's code. This is especially true when the individual doing the illegal activity is a licensed contractor who should have known better, one who I provided copies of the specific provisions of the code prior to their performing the illegal construction.

Randall signed the permit application. At the top of the page that Randall signed, it says:

1. It is important that a fence is placed on the property so as not to encroach on the neighbor or public property.

and:

10. All measurements shall be from the property line.

The certification Randall signed states:

I have read this application and certify that the information provided is true and accurate and I understand and agree to conform to the city of Brainerd fence requirements.

Randall indicated that the contractor installing the fence was Jessie Hartman of Recon Construction. Neither Randall nor Hartman did any research into the location of the property line. Apparently, neither of them knows how property lines are established. Hartman, in specific, has made bizarre and unsupported claims that the Randall property extends well north of the existing fence line.

Neither Randall nor Hartman is a surveyor. Neither of them consulted a surveyor prior to erecting the fence. A neighbor sent me a screen shot of Hartman's Facebook account where he asks, on July 6 (23 days after Randall signed the permit application and construction of the illegal fence commenced) whether he has "any buddy's that are certified land surveyors." They clearly have no clue what they are doing.



This cluelessness has not prevented Hartman, a licensed contractor, from brazenly entering my property, constructing a fence that is physically on my property, and – when I demanded that he leave – harassing me and my family, making aggressive gestures, after which *he filed a restraining order against me*. On my own property!

What Randall certified to on her permit is false and inaccurate. That alone should void the permit. The brazenness with which Randall and Hartman have operated should dispel any sense that they are thoughtful actors caught up in the errors of staff. They clearly knew their responsibilities here and did not even take minimal steps to meet them.

The existing permit must be rescinded, and the city needs to direct Randall to remove the portion of fence that was constructed on my property in violation of the city code.

Part 2. Variance Request

Randall has applied for a variance from the code in order to build a six-foot fence within the side yard setback of 4th Street North, completely up to the sidewalk.

Randall is making this request in the hopes of being able to keep the fence that was erroneously permitted, illegally built, and currently trespassing on my property. **There is no basis for the Planning Commission or the City Council to authorize, after-the-fact, ongoing trespass on my property without my permission.** For the sake of this request, the city must

consider this a new application without consideration to the current illegal fence (which must be removed).

The city's code is also clear on the height of the fence. It states (emphasis added):

515-19-7: Height.

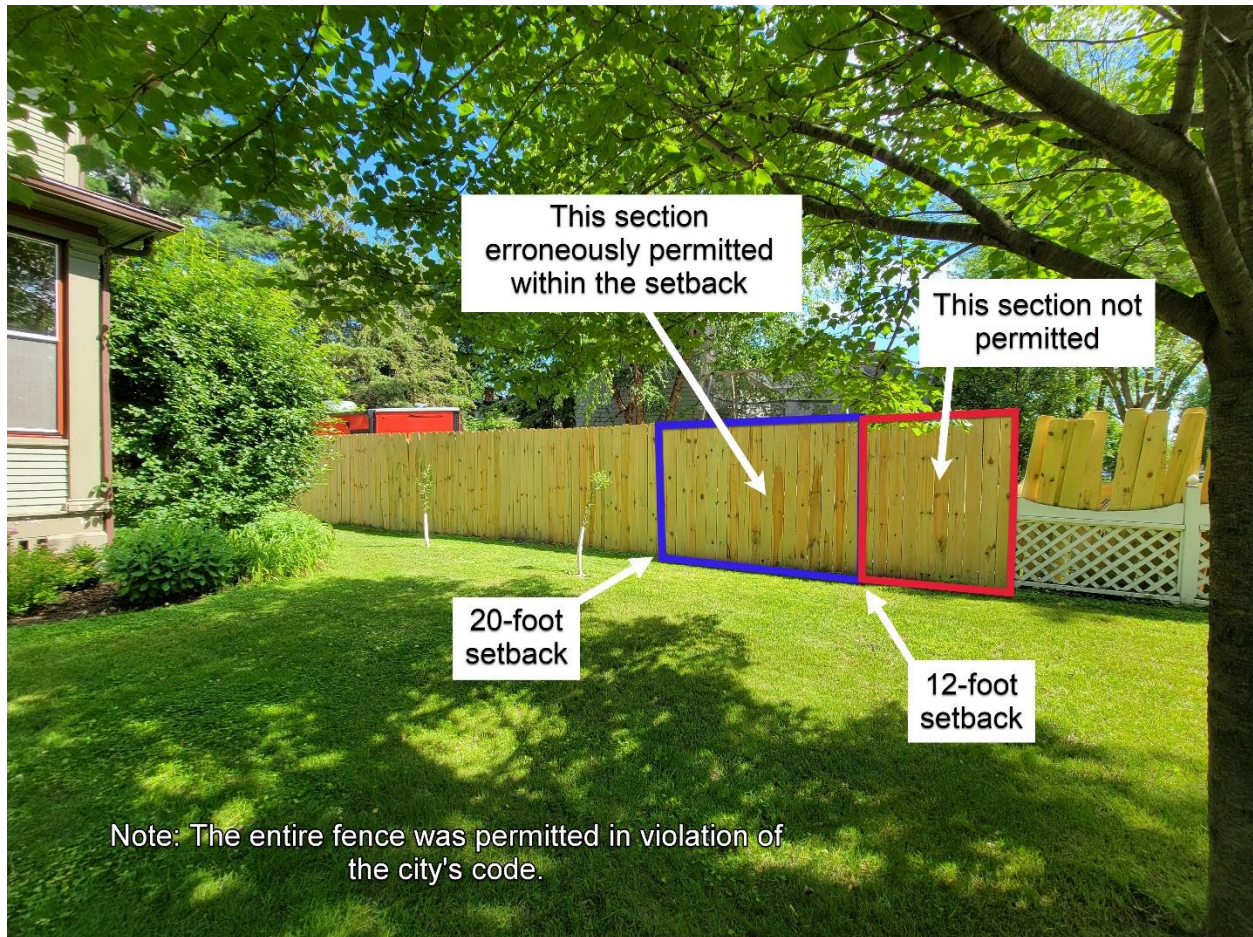
C. Should the rear lot line of a lot be common with the side lot line of an abutting lot, that portion of the rear or side lot **equal to the required front yard of the abutting lot shall not contain a fence greater than four (4) feet**. For the purpose of this section, the front and side yards of the abutting lot shall be as defined in this Ordinance rather than the house as built (see Diagram B).

The required front yard setback for my property – which is the adjoining property – is 20 feet. The errant permit authorized construction of a fence exceeding four feet in height within that setback, in violation of the city's code. **This is yet another error that both the city and the property owner, a licensed contractor, should have identified.** Again, this permit should never have been issued.

Randall was aware of this 6-foot height setback requirement before she built the portion of the fence on my property. I gave the fence ordinance to Randall, highlighting this specific section. She assured me that she and Hartman were licensed contractors and knew what they were doing. That was not true.

Compounding things further, Randall constructed the fence even further into the setback than the original permit erroneously allowed. This action by Randall has compounded the series of errors that have been made by both Randall and the city in regards to this site.

The following photo shows the fence at it was on July 6. I staked the proper 20-foot setback as well as the 12-foot setback the city erroneously authorized. Note how the construction goes beyond the legal setback (20 feet) *and* the permitted setback (12 feet).



In the application, Randall argues that the variance will:

- Improve safety for our family and pets,
- Improve privacy and safety from traffic and parking,
- Allow a lilac bush to be maintained,
- Prevent an “awkward space” between the fence and the sidewalk,
- Improve the overall appearance, and
- Not impede the overall view.

I understand the desire to build a 6-foot-high fence to the sidewalk in violation of the code, but nothing submitted with this application supports that desire with facts that meet the variance criteria.

As the code states, variances shall only be permitted, “When they are in harmony with the general purposes and intent of the ordinance.” The purpose and intent of the ordinance – the plain language of 515-19-4 – is clear; it is to prevent the negative walling effect that comes from building high fences within the side yard setback. This variance request is not in keeping with the spirit and intent of the code, nor is it consistent with, or respectful of, properties within the vicinity.

Further, the city can approve a variance when there are practical difficulties, which the ordinance defines as:

- I. The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance;
- II. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
- III. The variance, if granted, will not alter the essential character of the locality.

This request fails on all three criteria.

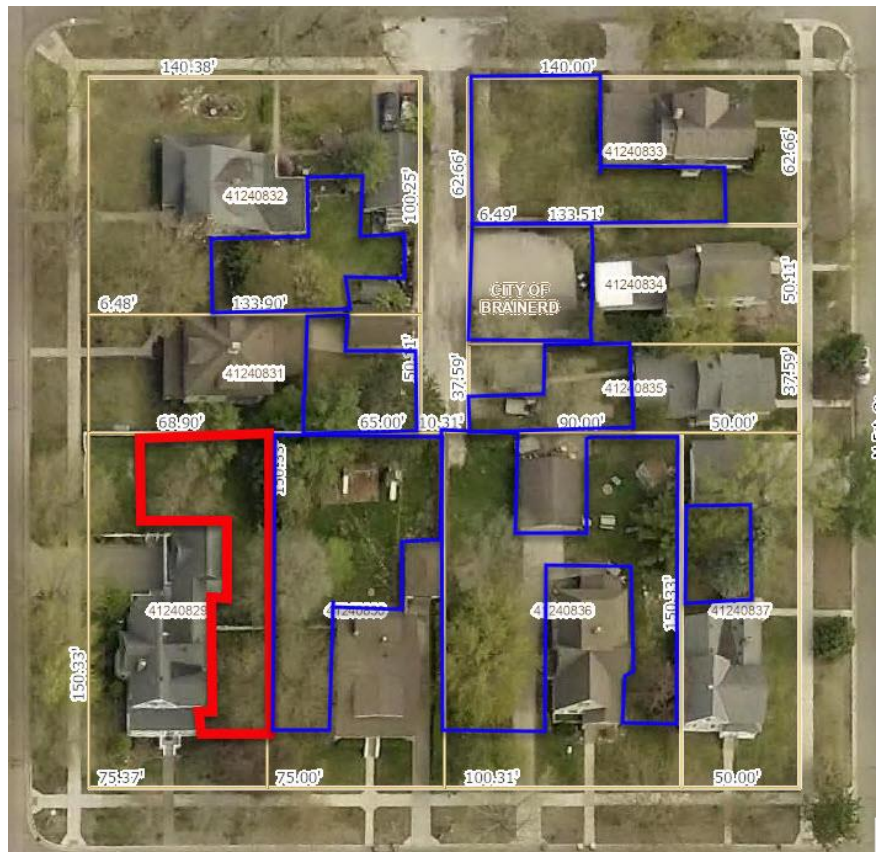
This diagram shows the approximate locations of the backyards on this block, with the Randall property shown in red. Even strictly adhering to the code, Randall will have one of the larger fenced (6 foot) backyards in the neighborhood.

Nobody else is allowed to extend to the sidewalk, or into the setback, and suggesting unique treatment in this instance is unreasonable.

There is nothing unique about this property that makes it unsafe for family or pets or

makes it uniquely lacking in privacy from traffic or parking. The circumstances here are part of living in North Brainerd, which is a great neighborhood that is generally safe with limited traffic and parking, even near the hospital. To the contrary, a street fronted by tall fences instead of doors, porches, and open spaces is a more dangerous neighborhood, one where the natural safety of eyes-on-the-street is impaired. This proposal, if allowed, will make the neighborhood less safe.

There is nothing compelling Randall to destroy a lilac bush to construct the fence. In fact, constructing the fence in compliance with the code would place it far behind the lilac bush. Likewise, any “awkward space” is a result of Randall’s actions, not something inherent to the property.



Finally, granting this variance will substantially alter the character of the locality. There are no other homes on this block, or the adjacent blocks, that have fences of this height going up to the right-of-way. Randall's structure is already non-conforming, encroaching within the required setback along 4th Street North. Allowing further encroachment for a fence is inconsistent with the character of the neighborhood.

The fence creates a wall along my southern property line; where once the view was of the yards up and down the street there is now a compound-esque wall completely out of character with my property and my other neighbors' properties. The fence is unneighborly, disrespectful, and, contrary to Randall's assertion, will obviously impede my view and the view of others who walk or drive this part of 4th Street.

For these reasons, the variance must be denied.

Part 3. Ambiguity in the New Code

The existing permit must be rescinded, and the existing fence removed. Regardless of what the city does with the variance request, Randall retains the option to construct a new fence consistent with the new code. There are two ambiguities with this that I ask the Planning Commission to provide guidance on.

Ambiguity #1: Common Line Setback. As with the old code, the new code requires that "All fences or walls shall be located entirely within the property of the person or firm constructing the fence **unless the owner of the adjoining property agrees, in writing**, that such fence may be erected on the common property line of the respective properties." (515-4-11, Subpart D)

Randall has three options with respect to our common property line. (1) We can reach an agreement in writing on a new fence, (2) Randall can go through the process of obtaining a survey and disputing the established property line, or (3) Randall can build a fence sufficiently on her own property so as to not need to trespass to build or maintain the fence.

To be clear, good fences make good neighbors. **I want to see my neighbor build a fence (consistent with the code) and am willing to sign an agreement authorizing its construction along our shared boundary.** I have provided a copy of my proposed agreement with this letter and am willing to sign it if it is acceptable to Randall. If the Planning Commission believes I am being unreasonable in any aspect of this agreement, I am open to discussing that. I want to get this done.

In the absence of a written agreement, I ask the city to interpret the code to not allow construction of a new fence within the side yard setback. There is no other way to build and maintain a fence without trespassing than to have it meet the setback.

Ambiguity #2: Required 4th Street Setback. The new ordinance removes the provision that protected properties like mine from having a tall fence built in front of the home and/or within

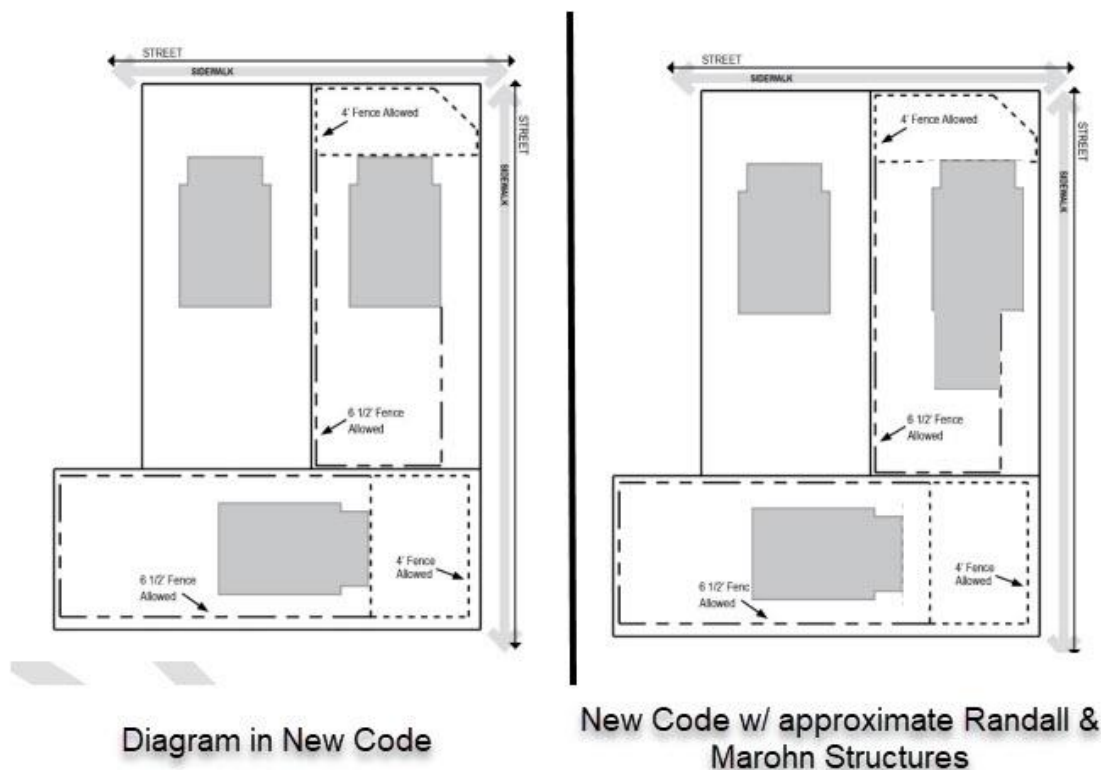
the required setback for the home. I do not support this change and would have voted against it. If the desire is to provide corner lots with more expansive use of the shared lot line, that is a situation where the practical difficulties are applicable. I ask the Planning Commission to consider reinserting the protections provided to middle lots in Section 515-19-4 of the old code.

Unfortunately, that likely won't be done in time to apply it to this situation, and so there is need to clarify the language in the new code. The new code states (emphasis added):

Except as prohibited by Section [D] a fence up to six and one half (6½) feet high may be erected from **a line extended** from the front façade of the principal building to the side lot lines, and then along the side lot lines and the rear lot line.

The diagram in the code shows a home dissimilar in shape and configuration to the one at 401 Holly Street; the diagram shows a rectangular home, but the applicant's home has an original, non-conforming section and then an addition that is set back to conform to the code. The dwelling at 401 Holly is non-conforming (it lies within the setback of 4th Street North). For these reasons, the diagram is not helpful in providing guidance in this instance.

The following is the applicable diagram from the new code (left) alongside a diagram showing the approximate disposition of the Randall property and my property (right). The non-conforming structure on Randall's corner lot lies within the 4th Street setback, which is not contemplated in the new code. My structure is further back from the setback than is represented in the new code.



My interpretation of the new code, and the use of the word “extended,” is that the fence can **extend** from the closest point of the principal structure to the lot line. In other words, the fence can start at the back corner of the house – in this case, the northwest corner – and *extend* north to our shared property line.

Note that, with this clarification of the word “extended,” Randall still has a very large backyard to be fenced in with a 6-foot fence. As stated earlier, it is one of the larger yards on the entire block. Such a clarification also doesn’t lead to the walling effect from constructing a tall fence out to the non-conforming portion of the westerly facade.

I have been informed that, in the old code, staff’s interpretation on fence location was based off the furthest projection of the building, which is not what the plain language of the new code says (nor the old code, for that matter). There is no basis in the code for this interpretation by city staff.

Any interpretation of the word “extended” that relies on stretching the meaning to include the furthest encroaching extremity of the structure, a projection more than 20 feet away from the closest point to our shared lot line, cries out for reinstatement of Section 515-19-4 from the old code, if only to avoid practical absurdities.

The Randall principal structure is non-conforming – it is within the 20-foot setback from the 4th Street North right-of-way – and it certainly can’t be the intent of the code, or of this Planning Commission, to allow a fence to be built at the extremity of such a non-conformity.

Request for Clear Guidance and Urgent Action

Unfortunately, this process – and the city’s handling of it – has taken a difficult neighborhood situation and made it openly hostile, antagonistic, and volatile.

Randall has been in the home at 401 Holly Street for less than two years, Hartman for some unknown period less than that. In the time since Hartman arrived, we – my family as well as other neighbors adjacent to and across from the Randall residence – have all struggled to adapt. Whether it is sidewalks that are rarely cleared of snow, an aggressive and unattended dog that barks for hours at a time, contracting equipment parked up and down the street, 2AM sessions of yardwork and flood-lit construction, or a myriad of other annoyances, we have all endured a lot on unneighborly behavior from the current occupants of this residence.

Since this fence project was initiated, behavior that would best be described as disrespectful or rude has become aggressively antagonistic, especially once the city asked them to cease construction. Within a couple hours of the city staff’s site visit, a large fish house that had been stored off site for months was brought in and parked along our common lot line. Jessie Hartman continues to walk on the north side of the fence, on my property, standing outside my dining room window, making threatening gestures and antagonistically claiming that my yard is

his land and he can “walk there whenever [he] wants.” There have now been mutual restraining orders applied for and, sadly, judges will now be asked to intervene.

Living with neighbors requires us all to be both generous and patient, yet we are now being terrorized by people who are exuding not only disrespect for others but a sense of entitlement, that the city’s codes, not to mention long established boundaries and trespass laws, should not apply to them, that they have no responsibility for due diligence, let alone to be decent neighbors.

I don’t expect the city to solve all these problems, but the process you have in place is meant to moderate the worst antisocial instincts some people have. **By not following that process, the city has made a difficult neighborhood situation much worse.** I hope Commission members can acknowledge this and recognize that there is an urgent need for the city to do its part to resolve this matter and not let it fester for months.

To that end, my wife and I have engaged legal counsel and, if the existing fence is not removed in a timely manner, we are prepared to take action to end the illegal trespass on our property.

In summation, I recognize that good fences make for good neighbors. I am supportive of my neighbor building a 6-foot fence along our common property line. I only ask that it be done in accordance with the codes that we all must follow, that it be done in a manner that is respectful to my property and the surrounding neighborhood, and that the process you follow ensures that at least the minimum level of respect and neighborliness be adhered to.

Thank you for your time.

Sincerely,

Charles Marohn
616 N 4th Street

Cc: Mayor and City Council
Kelsie Randall

Agreement to Construct a Fence Along Common Lot Line

I, Charles Marohn, resident of 616 N 4th Street, do hereby agree to the construction of a fence 6-feet in height along the common property line with 401 N. Holly Street, so long as the following is observed:

1. The current common line fence is entirely removed. It is tacked on to a rotting fence and, in its current condition, will become a nuisance in a short period of time. Let's do this right.
2. Fence posts of 4" treated lumber must be used to ensure integrity of the new fence.
3. The slats of the fence are even and reasonably uniform, level across the top, with the construction sturdy, consistent with the submission made to the city.
4. The fence will be constructed in accordance with the city's code, including finished side facing out (towards the north) and any required setbacks from the property line along 4th Street North adhered to.
5. The ordinance allows me to finish the north side of the fence, the side facing my property. I intend to do this and do not want any objections.
6. I will be informed, in advance, when you intend to enter on my property to construct or maintain the fence and you must receive my authorization before proceeding (a minimum of neighborly respect). I will remain cordial and willing to accommodate such requests.
7. Construction, or related yardwork, will not occur after 10:00 PM, as prohibited by city code.
8. If the fish house remains stored on your property, it must be moved to comply with the setback as per Section 515-3-28 of the code and may not be used as a temporary dwelling, as per Section 515-4-1.

Charles L. Marohn, Jr.

Date

As the owner of the home at 401 N. Holly Street, the above agreement is acceptable and I agree to construct a common-line fence within these parameters.

Kelsie Randall

Date

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Kelsie Randall has submitted a variance request at 401 Holly St. to exceed the side yard (corner) setback requirement for 6 ft high fences. The applicant is requesting a zero-foot setback along the North 4th St side yard (corner) property line. The property included in this application is described as:

*W. 75 FT OF LOTS 19 THRU 24 INCLUSIVE BLOCK 170
TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD
P.I.N. 41240829
Section 24, Township 45, Range 31*

The property is currently zoned R-1 (Single Family Residential) District and will be zoned TN-1 (Traditional Neighborhood 1) District in the new zoning map. The new City of Brainerd Zoning Ordinance, Ordinance 1535, will be in effect on July 17th. 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, July 20th, 2022 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the variance request.

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

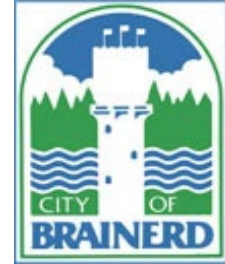
Dated this 6th day of July 2022



James Kramvik
Community Development Director

Publication Date: July 10th 2022

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: July 20, 2022

RE: Façade Interpretation in New Zoning Code

Front Façade and Façade of Principal Structure Interpretation

City Council approved Ordinance No. 1535 which completely repeals and replaces Section 515 of the City Code and the Zoning Map. This Ordinance will go into effect on July 17th, 2022. The New Zoning Code includes numerous sections of code that rely on setbacks or alignment of the principal building's façade and front façade. Staff has historically interpreted the front façade as the outermost face of the principal building in the front yard or side (corner) yard that is part of the foundation and covered by the roof. With the adoption of the new zoning code, staff would like the Planning Commission to review example properties with different configurations and interpret "front façade of principal building" and "façade of principal structure".

Sections of Code Referencing Façade

Zoning District Standards

Garage must be setback behind façade of principal structure a minimum of 5'

515-4-11.F.2 Fence Height

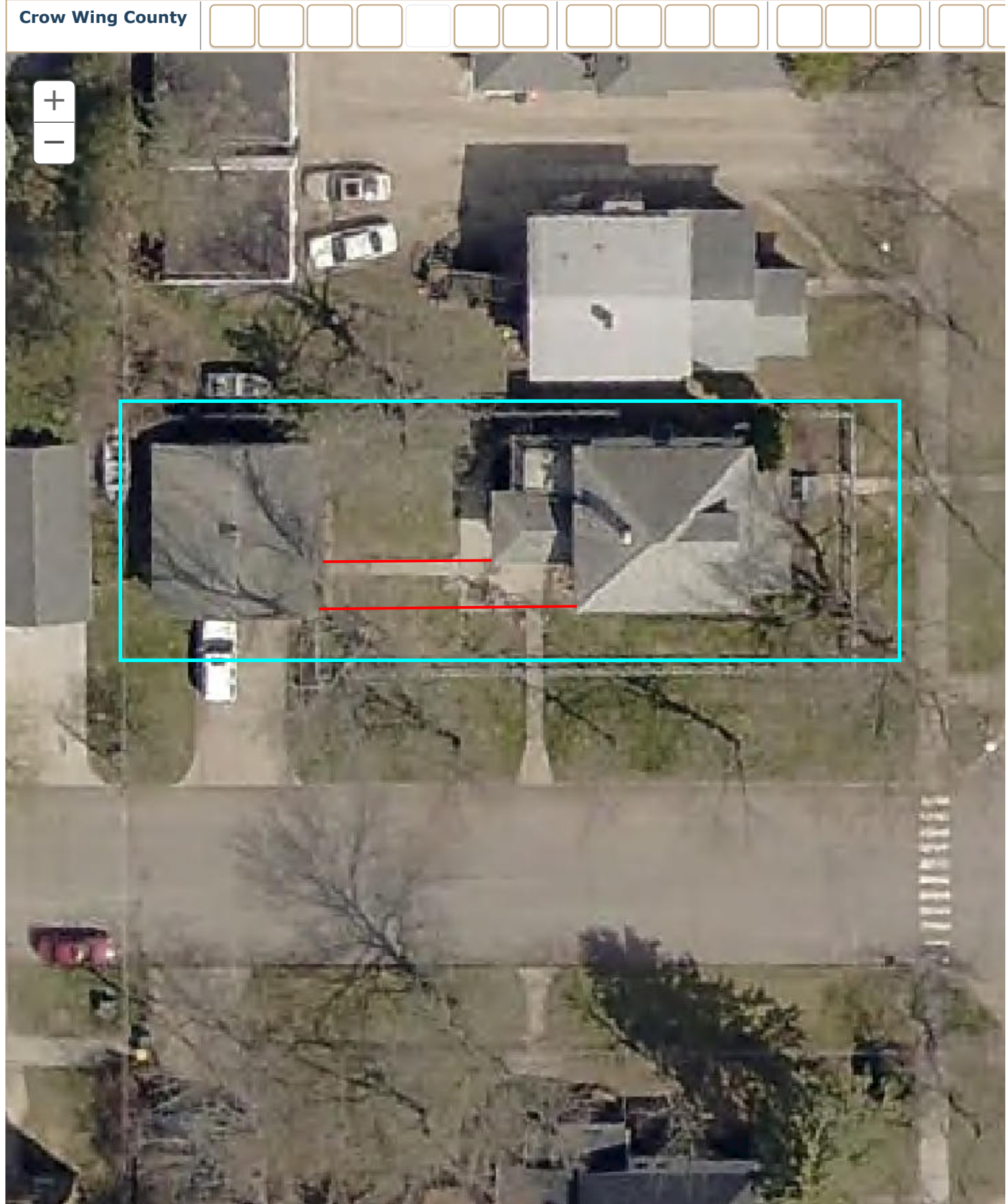
Except as prohibited by Section [D] a fence up to six and one half (6½) feet high may be erected from a line extended from the front façade of the principal building to the side lot lines, and then along the side lot lines and the rear lot line (see Figure 515-4-11.1).

Staff Recommendations

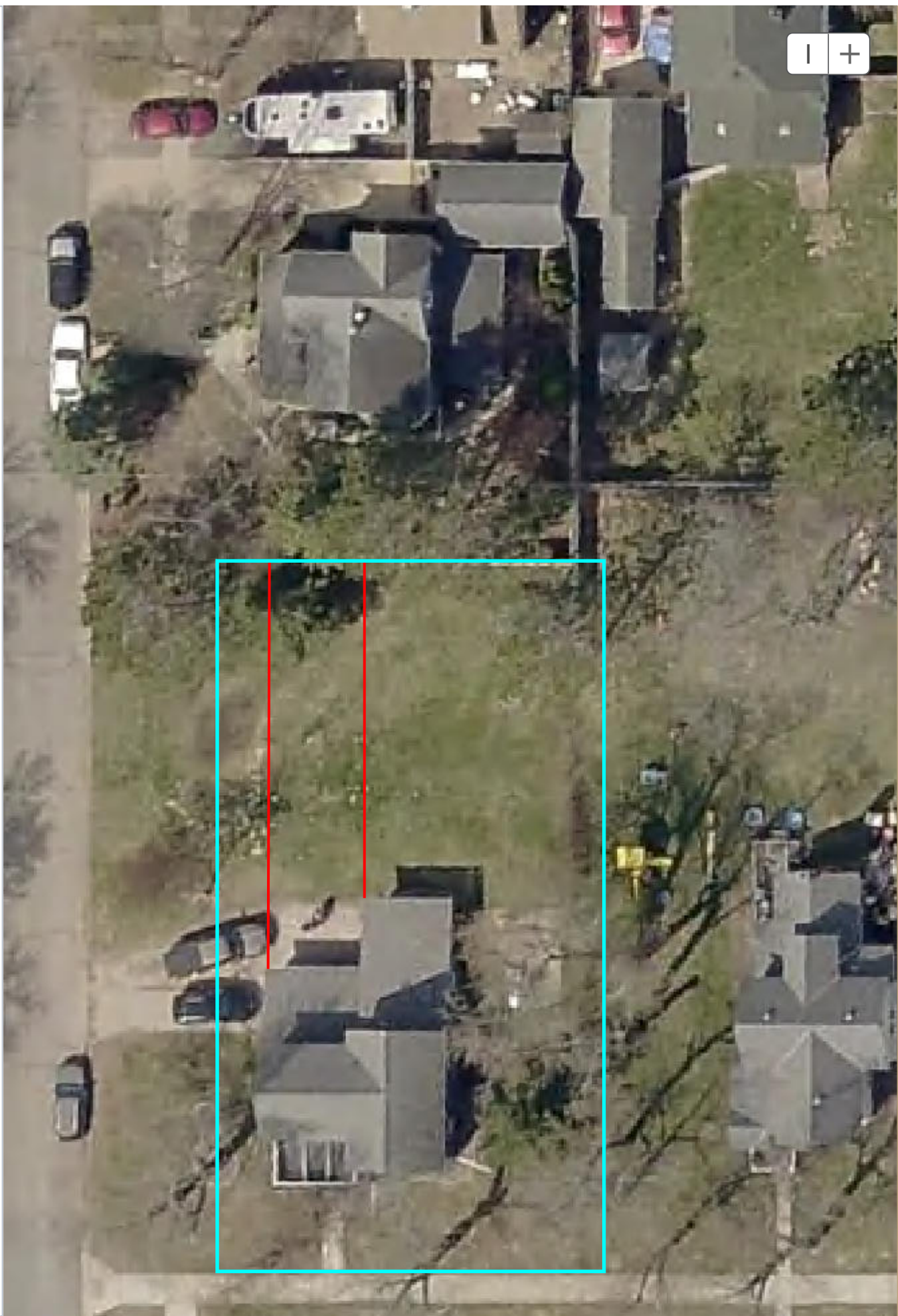
Staff will guide the Planning Commission through options for the interpretation of principal building façade and front façade with examples of structures located in Brainerd.

Options

- 1. Front façade is the furthest most extension of the primary structure into the front yard that is part of the foundation and covered by a roof.*
- 2. Front façade of the principal building is the dominant face of the primary structure.*
- 3. Front façade of the principal building is any portion of the primary structure facing the front yard.*
- 4. Should attached accessory structures count as principal building front façade?*

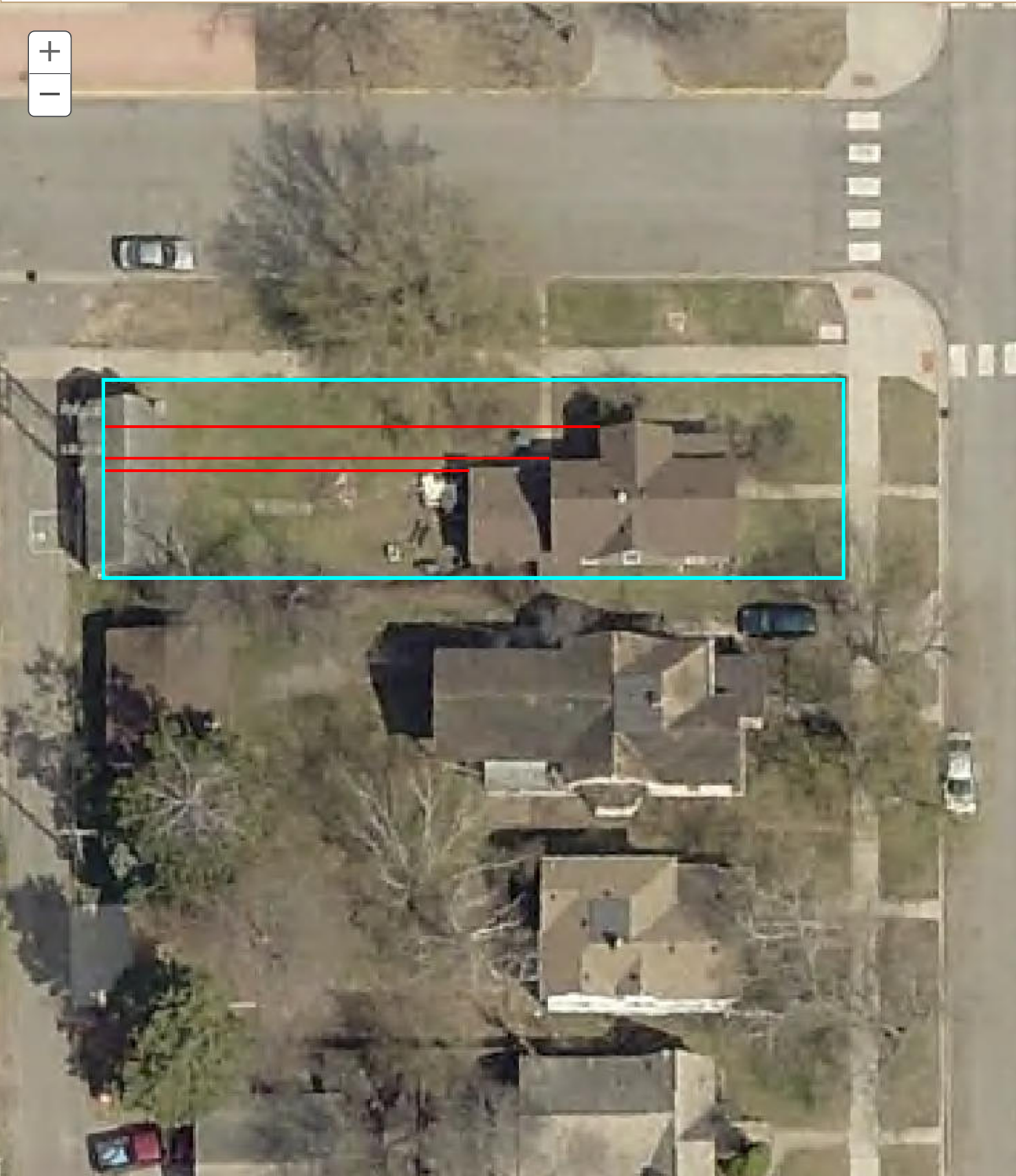


Crow Wing County



Scale 1 : 300

Crow Wing County



Scale 1:

Crow Wing County

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Scale 1: 300

Brainerd, MN
Chapter 515 ZONING (DRAFT for PUBLIC HEARING)

5. **Maintenance.** Landscaping required by this Ordinance shall be maintained in a healthy, neat, and orderly appearance, free from refuse and debris. A healthy, neat and orderly appearance includes proper pruning, regular mowing of lawns, and removal of all litter and the replacement of dead and unhealthy plant material. All unhealthy and dead plant material shall be replaced immediately upon notice from the City of Brainerd, unless the season is not appropriate for planting, in which case such plant material shall be replaced at the beginning of the next planting season.
- a. All landscaped areas shall be provided with a readily available and acceptable supply of water, with at least one spigot located within 300 feet of all plant material to be established and maintained. Trees, shrubs, and other plantings and lawn areas shall be watered regularly throughout the growing season.
 - b. *Exception.* Some requirements of preceding Subsection (E.) may be waived if a drought tolerant landscape plan is approved and proper maintenance and management plan is established specifically for the plant schedule identified.
 - c. Maintenance of a required buffer plantings shall be the responsibility of the individual property owners or, if applicable, the homeowner's association.
 - d. All constructed or manufactured landscape elements, such as but not limited to benches, retaining walls, edging, and so forth, shall be maintained in good condition and neat appearance. Rotted, deteriorated, or damaged landscape elements shall be repaired, replaced, or removed. Replacement of landscape materials or plantings in a required buffer shall be consistent with the original screen design. All repair or replacement of plantings in a required buffer shall be done within ten (10) days of written notification from the City.

515-4-11 Fence Standards.

- A. **Permit Required.** A fence permit is required for any fence, partition, structure, wall or gate constructed within the required yard.
- B. **Fence Exemptions.** Fences which are ninety (90) percent open (barb wire, chain link, woven wire, and other similar type fences) which are used for containing non-domestic animals within the RL-1, RL-2 and GL Zoning Districts are not subject to the provisions of this Section and do not require a fence permit.
- C. **Fencing Sketch Plan.** An application for a fence permit shall be accompanied by a scaled Sketch Plan providing lot dimensions, the location of existing buildings, structures, and easements on the lot, and the location of the proposed fence. Burden of proof for property line and pin locations shall be the responsibility of the property owner.
- D. **Fence Location.** All fences or walls shall be located entirely within the property of the person or firm constructing the fence unless the owner of the adjoining property agrees, in writing, that such fence may be erected on the common property line of the respective properties.
 - 1. No fence or wall shall be permitted on public rights-of-way.
 - 2. Traffic visibility requirements set forth in the Base Zoning District shall be met.
 - 3. No fence or wall shall obstruct natural drainage or extend within a wetland, drainage ditch, stream, or river.
 - 4. Fences may be constructed within utility and drainage easements with the written permission of the Zoning Administrator.
 - 5. Wire fences other than chain link are not permitted within five (5) feet of the property line.
 - 6. All fences shall be located at least four (4) feet from an alley right-of-way.
- E. **Fence Construction and Maintenance.**
 - 1. Every fence shall be constructed in a professional manner and of substantial materials reasonably suitable for the purpose for which it is intended. The materials and design shall be compatible with other structures in the area in which the fence is located and shall not cause blight or a negative impact.

Brainerd, MN
Chapter 515 ZONING (DRAFT for PUBLIC HEARING)

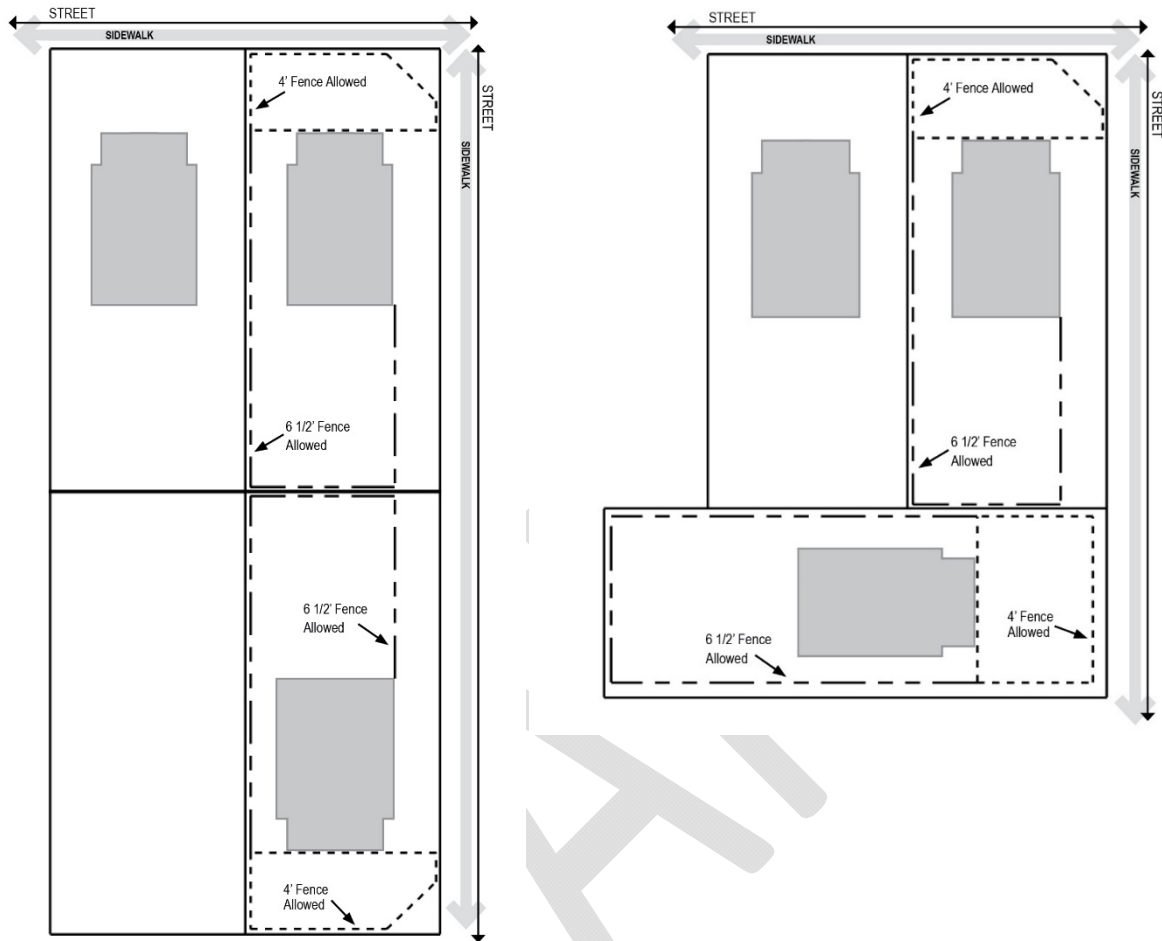
2. Every fence shall be regularly maintained and shall not become or remain in a condition of disrepair, or constitute a nuisance.
3. All posts or similar supporting devices used in the construction of fences shall face inward toward the property being fenced. That side of the fence considered to be the face shall be oriented toward abutting property or rights-of-way.
4. Electric and barb wire fences are prohibited in residential districts.
5. Within non-residential districts, barbed wire may be attached to the tops of fences with the following conditions:
 - a. Fences shall be a minimum of eight (8) feet in height exclusive of the security arm.
 - b. The security arm shall be angled in such a manner that it extends only over the property of the permit holder.
 - c. Wire security fencing shall not be permitted within the required front yard or along a property line abutting a residential use.
6. Solid walls, including retaining walls in excess of forty-eight (48) inches in height require a building permit.
7. The good or finished side shall face the neighboring property.
8. All fences that completely enclose an area shall contain a gate to provide public safety access.

F. Fence Height.

1. Fences may be located in any yard up to a height of four (4) feet.
2. Except as prohibited by Section [D] a fence up to six and one half (6½) feet high may be erected from a line extended from the front façade of the principal building to the side lot lines, and then along the side lot lines and the rear lot line (see Figure 515-4-11.1).
3. Fence height shall be measured from the adjacent ground level to the top of the fence section on the side facing the neighboring property. Fence posts above the fence section and ornamental post features are exempt from the height limits.

Brainerd, MN
Chapter 515 ZONING (DRAFT for PUBLIC HEARING)

Figure 515-4-11.1 Fence Height Lot Diagrams



4. Height Exceptions.

- a. Fences for sport courts may be up to 12 feet in height with ten (10) foot setback from any property line, and must be located behind the principal structure
- b. Residential fences up to eight and one half (8½) feet in height are permitted along a property line abutting a commercial, industrial, or semi-public use or non-residential zoning district.
- c. Non-residential fences up to eight and one half (8½) feet in height are permitted. Such fences in a front yard must be ninety (90) percent open.
- d. Fences taller than eight and one half (8½) feet in non-residential districts require a Conditional Use Permit.

515-4-12 Off-Street Parking

- A. Purpose and Intent.** The regulations of off-street parking spaces within this Ordinance is to alleviate or prevent congestion of the public right-of-way and to promote the safety and general welfare of the public establishing minimum requirements for off-street parking of motor vehicles in accordance with the utilization of various parcels of land or structures.

Brainerd, MN
Chapter 515 ZONING (DRAFT for PUBLIC HEARING)

515-2-8 Traditional Neighborhood 1 (TN-1)

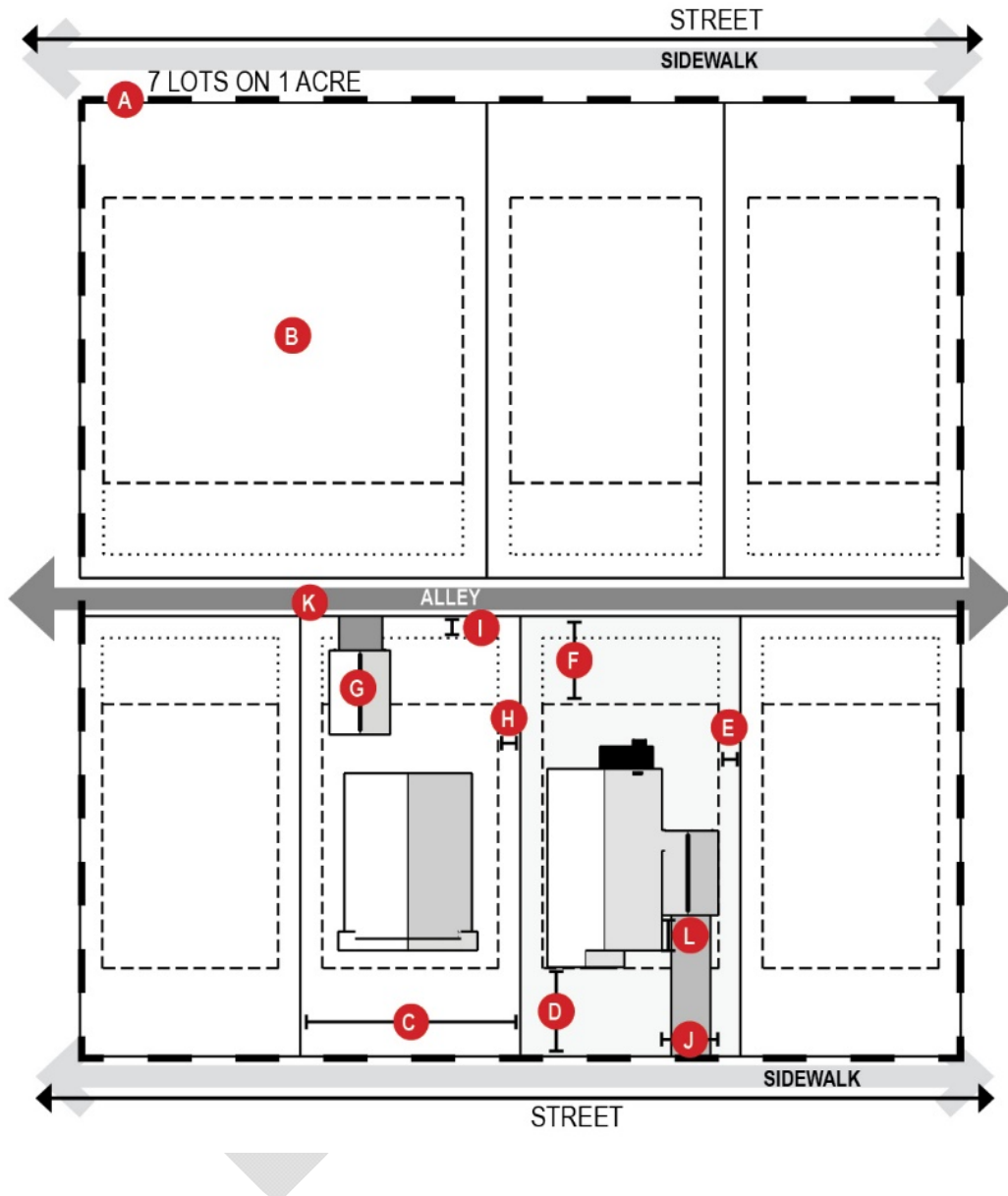
- A. **Purpose of Traditional Neighborhood 1 Zoning District.** The TN-1 Zoning District is intended to provide for a compact, pedestrian-oriented mix of residential uses. This District reinforces the existing pattern of small, connected lots, blocks and street and supports future development or redevelopment that is consistent with this pattern.
- B. **Permitted Uses.** See Appendix A: Table of Uses.
- C. **TN-1 Zoning District Dimensional Standards.** Table 515-2-8.1 identifies the Dimensional Standards for Principal and Accessory Structures.

Table 515-2-8.1. TN-1 Dimensional Standards – Density, Lot Size, Coverage and Height Standards

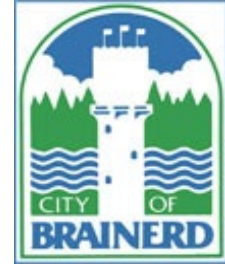
Lot Dimensions		
A	Lot Size (range) Density (range)	5,000-7,500 SF 4-9 DU/AC
B	Buildable Area (minimum)	Outside all setbacks
C	Lot Frontage on All Roads (range)	50 – 60'
Principal Building & Attached Accessory Building Standards		
D	Front Yard Setback (range)	20' minimum/30' maximum (non riparian) If Riparian, minimum setback is average of setback of adjacent principal structures
E	Side Yard Setback (minimum)	5'/15' corner
F	Rear Yard Setback (minimum)	20'
	Accessory Building SF, attached	Counts towards Total Allowable SF
	Accessory Building Number, attached	Does not count towards Permitted Number
Accessory Building Standards		
G	Location, detached	Behind Principal Building
H	Side Yard Setback, detached (minimum)	5'/10' corner
I	Rear Yard Setback, detached (minimum)	5'
	Total Allowable Accessory Building SF	750 SF or 10%, whichever is greater
	Total Number of Permitted Accessory Buildings	2
	▪ Exception if no Attached Accessory Building is present, total Number Permitted	3
	Accessory Dwelling Unit (ADU), attached or detached	Permitted on Corner lot; CUP for interior lots
	▪ Size of ADU, attached or detached (maximum)	650 SF
Coverage and Height Standards		
	Impervious Surface Coverage (maximum)	60%
	Principal structure height (maximum) See Section 515-4-3	35'
	Accessory structure height (maximum)	Up to 35' but may not exceed height of principal structure
Other Standards		
J	Driveway	If front loaded, Width at ROW maximum is 18'
K	Alley	If present, access and garage/parking is required
L	Garage	If front loaded, must be setback behind façade of principal structure a minimum of 5'
	Sidewalk/Trail Standards	See Subdivision Ordinance Chapter 500

Brainerd, MN
Chapter 515 ZONING (DRAFT for PUBLIC HEARING)

Figure 515-2-8.1. TN-1 Density and Lot Dimensional Standards Diagram



MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: July 20, 2022

RE: Conditional Use Permit - Commercial Day Care Facility - 1002 Laurel St.

Kassondra Kubesh, 17140 State Hwy 371, Brainerd, MN 56401, has submitted an application for a Conditional Use Permit to operate a commercial day care facility at 1002 Laurel St.

Findings of Fact

1. **1002 Laurel St.** is located in TC (Town Center) District. Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of commercial day care facilities in the TC District as a conditional use as regulated by Section 515-3-14 of the Brainerd Zoning Ordinance.
2. **Purpose and Intent.** The regulation of commercial day care facilities in this Ordinance is to establish standards and procedures by which day care facilities can be conducted within the City without jeopardizing the health, safety and general welfare of the day care participants and/or the surrounding neighborhood. This Section establishes the City's minimum requirements for the establishment of a day care facility which is not defined as a permitted use by State Statute or which are operated in places other than single family homes. Day care facilities defined as permitted uses by State Statutes operate in a single-family dwelling as an accessory use.
3. **General Provisions.** Day care facilities shall be allowed as a principal use, provided that the day care facilities meet all the applicable provisions of this Section.
 - a. Lot Requirements and Setbacks. The proposed site for a day care facility must have a minimum lot area as required by the applicable Base Zoning District in which it is located and as determined by the Minnesota Department of Health and Human Services. The City Council may increase the required lot area in those cases where such an increase is considered necessary to ensure compatibility of activities and maintain the public health, safety and general welfare. The day care facility must meet the minimum setback requirements of the respective Base Zoning District. The City Council may increase setback requirements if considered necessary to ensure compatibility.
 - i. *1002 Laurel St. has an approximate area of 21,000 SQFT. The TC District does not have a minimum lot size requirement. The TC District has a zero-foot setback requirement to all property lines.*

- b. Sewer and Water. All day care facilities shall have access to municipal sewer and water or have adequate private sewer and water to protect the health and safety of all persons who occupy the facility.
 - i. *The facility has access to municipal sewer and water and the plumbing review will be conducted by the Building Official.*
- c. Screening. A day care facility shall provide screening along any shared property boundaries, regardless of adjacent use.
 - i. *The proposed location has a fence additional natural screen along the south side of the property, a fence along the west side of the property, and the applicant will be constructing a fence to enclose a play area along the east side of the property.*
- d. Parking. There shall be off-street parking located separately from any outdoor play area and must comply with all applicable standards.
 - i. *The proposed off-street parking is located separately from any outdoor play area. There are no abutting residential uses from which the parking must be screened. Additionally, off-street parking requirements are exempt within the TC (Town Center) District. One off-street handicap parking space is a requirement of the State Building Code.*
- e. Loading. Off-street loading spaces must be provided.
 - i. *The designated off-street loading space adequately complies with Section 515-4-12.*
- f. Signage. All signing and informational or visual communication devices shall be in compliance with the provisions of Section [515-3-35] of this Ordinance.
 - i. *The applicant must submit a sign permit separate from the building permit before installation. Signage must comply with section 515-3-35 of the Zoning Ordinance.*
- g. Compliance with State Requirements. The building and operation shall be in full compliance with State of Minnesota, Department of Health and Human Services regulations and be licensed accordingly.
 - i. *Prior to operation the Community Development Department will ensure that the facility is compliant with the State of Minnesota.*

As of this writing no one has contacted the Community Development Department with concerns about the Conditional Use Permit application for the proposed commercial day care facility.

Staff Opinion

Staff recommends approval of the Conditional Use Permit for the operation of a commercial day care facility at 1002 Laurel St.

**City Planning Department**

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

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)*R2R*PROPERTY ADDRESS: 1002 Laurel Street

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

Property Owner Name: Teeny Bubbles Childcare and Learning Center LLPStreet Address: 17140 State Hwy 371 N City: Brainerd State: MN Zip Code: 56401Phone Number: 218-454-8820 Fax: 218-297-2059 E-mail: teenybubbles17@outlook.comApplicant Name: (If different than Property Owner) Kassondra KubeshStreet Address: 14825 Ironwood Lane City: Brainerd State: MN Zip Code: 56401Phone Number: 218-839-3547 Fax: _____ E-mail: kassondra@teenybubbles.orgDescription of Request: We would like to open a childcare center in the area.


 Property Owner Signature
6/31/2022

Date

Kassondra Kubesh

(Please print name)



 Applicant Signature
6/31/2022

Date

Kassondra Kubesh

(Please print name)

(OVER)

TEENY BUBBLES CHILDCARE & LEARNING

1002 LAUREL STREET, BRAINERD, MN 56401



SHEET INDEX	
SHEET #	SHEET NAME
GENERAL	
G1.1	TITLE SHEET
G1.2	CODE INFO- DOOR CLEARANCE, ACCESS, ROUTES
G1.3	CODE INFO- TOILET ROOMS, MISC.
G1.4	CODE INFO- STAIRS, RAMPS, ELEVATORS, SITE
LIFE SAFETY PLANS	
LS1.1	LIFE SAFETY PLAN
DEMOLITION	
AD1.15	MAIN LEVEL DEMOLITION PLAN
ARCHITECTURAL	
A1.15	FIRST LEVEL FLOOR PLAN
A1.20	SITE PLAN
9 OF SHEETS	



STATE MAP

PROJECT LOCATION



VICINITY MAP

ABBREVIATIONS

AB	ABOVE FINISHED FLOOR	ELECT	ELECTRICAL (ALL)	LB	LAD BOLT	PLYW	PLYWOOD	UG	UNDERGROUND
AF	ACCESS PANEL	ELWC	ELECTRIC WATER COOLER	LAM	LAMINATE (ED)	PT	POINT	UNF	UNFINISHED
ACT	ACOUSTIC CEILING TILE	EL	ELEVATOR	LAV	LAVATORY	LBS	POUNDS	UNO	UNLESS NOTED OTHERWISE
AC	AIR CONDITIONING	EQU	EQUAL	LH	LEFT HAND	PS	POUNDS PER SQUARE INCH	UR	URINAL
AS	ANCHOR BOLT	EOP	EQUIPMENT	LT	LIGHT	PC	PRECAST	VP	VAPOR BARRIER
ALT	ALTERNATE	EXIST	EXISTING	LL	LIVE LOAD	PTF	PREFINISHED	VNR	VENER
AL	ALUMINUM	EXP	EXPANSION	LLH	LONG LEG HORIZONTAL	QT	QUARRY TILE	VEST	VESTIBULE
ANG	ANGLE	EB	EXPANSION BOLT	LLV	LONG LEG VERTICAL	QV	QUARRY TILE	VIN	VINYL
APX	APPROXIMATE	EJ	EXPANSION JOINT	LVR	LOUVER	RAO	RADIUS	VCT	VINYL COMPOSITE TILE
ARCH	ARCHITECT (URAL)	EXT	EXTERIOR	MFR	MANUFACTURER	REFR	REFRIGERATOR	REFR	REFRIGERATOR
BSMT	BASEMENT	FB	FACE BRICK	MAS	MASONRY	RE	REQUIRED	RE	REQUIRED
BH	BEAM @ BENCHMARK	FOC	FACE OF CONCRETE	MO	MASONRY OPENING	RA	RETURN AIR	RA	RETURN AIR
BRG	BEARING	FOM	FACE OF MASONRY	MTL	MATERIAL (S)	RVS	REVERSE	WP	WATERPROOFING
BPL	BEARING PLATE	FOS	FACE OF STUDS	MAX	MAXIMUM	REV	REVISION	WV	WELDED WIRE FABRIC
BIT	BITUMINOUS	FIN	FINISH	MECH	MECHANICAL	RH	RIGHT HAND	WV	WEST OR WIDTH, WIDE
BLK	BLOCK	FTE	FINISHED FLOOR ELEVATION	MED	MEDIUM	ROW	RIGHT OF WAY	WG	WINDOW
BLKG	BLOCKING	FRBK	FIRE BRICK	MEM	MEMBER	R	RISER	WG	WIRED GLASS
BRK	BRICK	FE	FIRE EXTINGUISHER	MFR	MEMBRANE	RD	ROOF DRAIN	WM	WIRE MESH
BLDG	BUILDING	FEC	FIRE EXTINGUISHER CABINET	MET	METAL	RM	ROOM	W	WITH
CAB	CABINET	FF	FIRE PROOF	MIL	MICROLAM	RO	ROUGH OPENING	WO	WOOD
CPT	CARPET (ED)	FLG	FLASHING	MIN	MINIMUM	SND	SANITARY NAPKIN DISPENSER	WO	WROUGHT IRON
CSMT	CASEMENT	FLR	FLOOR (ING)	MIR	MIRROR	SNR	SANITARY NAPKIN RECEPTOR		
CB	CATCH BASIN	FD	FOOT	MISC	MISCELLANEOUS	SEC	SECTION		
CE	CEILING	FTG	FOOTING	MOLD	MOLDING	SH	SHEET		
CL	CENTERLINE	FRA	FRESH AIR	MT	MOUNT (ED), (ING)	SHTH	SHEATHING		
CH	CHANNEL	FND	FOUNDATION	MULL	MULLION	SHR	SIMILAR		
CHBD	CHALKBOARD	FUR	FURRED (ING)	NOM	NOMINAL	SC	SOLID CORE		
CLR	CLEAR	FUT	FUTURE	N	NORTH	SAB	SOUND ATTENUATING BATT INSULATION		
CL	CLOSE	GAL	GALVANIZED	NC	NOT IN CONTRACT	SP	SOUNDPROOF		
COL	COLUMN	GA	GAUGE	NTS	NOT TO SCALE	S	SOUTH		
CONC	CONCRETE	GEN	GENERAL CONTRACTOR	NO	NUMBER	SPEC	SPECIFICATION (S)		
CONG	CONCRETE MASONRY UNIT	GL	GLASS	OC	ON CENTER	SS	STAINLESS STEEL		
CONST	CONSTRUCTION	GB	GRAB BAR	OP	OPPOSITE	STD	STANDARD		
CONTR	CONTRACTOR	GO	GRADE (ING)	OBS	ORIENTED STRAND BOARD	ST	STEEL		
CJT	CONTROL JOINT	GRB	GRAB BAR	OD	OUTSIDE DIAMETER	STL	STEEL JOIST		
DL	DEAD LOAD	HR	HOUR	OA	OVERALL	STO	STORAGE		
DEPT	DEPARTMENT	HT	HEIGHT	OH	OVERHEAD	STR	STRUCTURAL		
DTL	DETAIL	HVAC	HEATING/VENTILATION/AIR CONDITIONING	PNT	PAINT	SUS	SUSPENDED		
DAM	DAM	HTG	HEATING	PNL	PANEL	SYM	SYMMETRICAL		
DM	DIMENSION	HT	HEIGHT	PR	PAPER	SYS	SYSTEM		
DNR	DENSIFIER	HC	HOLLOW CORE	PH	PANIC BAR	TKBD	TACK BOARD		
DR	DOOR	HM	HOLLOW METAL	PTD	PAPER TOWEL DISPENSER	TKL	TACK STRIP		
DH	DOUBLE HUNG	HOR	HORIZONTAL	PTR	PAPER TOWEL RECEPTOR	TEL	TELEPHONE		
DN	DOWN	HDB	HOT WATER HEATER	PAR	PARTICLE BOARD	TEL	TELEVISION		
DWG	DRAWING	HR	HOUR	PTH	PARTITION	TERR	TERRAZZO		
DT	DRAWING FOUNTAIN	ID	INSIDE DIAMETER	PVMT	PERFORATE (ED)	THR	THRESHOLD		
EA	EACH	INS	INSULATE (D),(ION),(ING)	PERI	PERIMETER	TPD	TOILET PAPER DISPENSER		
EW	EACH WAY	INT	INTERIOR	PLAS	PLASTIC LAMINATE	T&G	TONGUE AND GROOVE		
		JO	JOINT	PLM	PLATE	TOS	TOP OF BLOCK		
		J	JOIST	PLB	PLUMBING	TOP	TOP OF DECK		
				±	PLUS OR MINUS	TOS	TOP OF STEEL		
						TYP	TYPICAL		

SHEET STANDARDS



DESIGN TEAM:

ARCHITECTURAL:	Widseth Smith Nolting & Assoc. 7804 Industrial Park Rd Brainerd, MN 56402 Phone: (218) 829-5117 Contact: Mike Angland
STRUCTURAL:	Widseth Smith Nolting & Assoc. 7804 Industrial Park Rd Brainerd, MN 56402 Phone: (218) 829-5117

PROJECT NAME: TEENY BUBBLES CHILDCARE & LEARNING
PROJECT ADDRESS: 1002 LAUREL STREET, BRAINERD, MN 56401
PROJECT #: 2020-1038



WIDSETH SMITH NOLTING
Engineering | Architecture | Surveying | Environmental

REVISIONS		
#	DESCRIPTION	DATE

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

Mike Angland

MIKE ANGLAND

DATE: SIGN DATE LIC: # 45375

DATE:

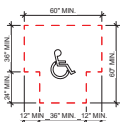
MARCH 18, 2020

SHEET NO.

G1.1



WHEEL CHAIR
CIRCULAR
TURNING SPACE
(SECT 304.3)



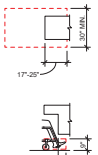
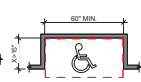
WHEEL CHAIR
T-SHAPED
TURNING SPACE



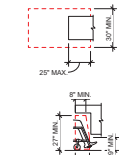
POSITION OF CLEAR FLOOR SPACE



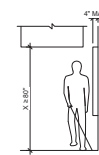
MANEUVERING CLEARANCE IN AN ALCOVE
(SECT 305.7)



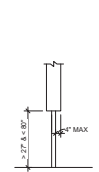
TOE CLEARANCE



KNEE CLEARANCE
(SECT 306.2.3)



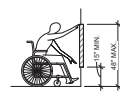
PROTRUDING OBJECTS
(SECT 307.2)



POST-MOUNTED PROTRUDING OBJECTS
(SECT 307.3)



REDUCED VERTICAL CLEARANCE
(SECT 307.4)



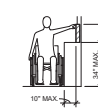
UNOBSTRUCTED FORWARD REACH
(SECT 308.2.1)



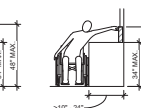
OBSTRUCTED FORWARD REACH
(SECT 308.2.2)



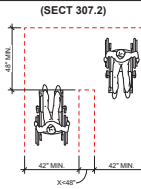
UNOBSTRUCTED SIDE REACH
(SECT 308.3.1)



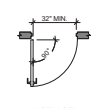
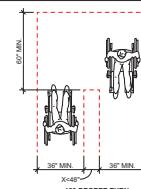
OBSTRUCTED HIGH SIDE REACH
(SECT 308.3.2)



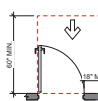
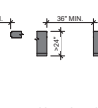
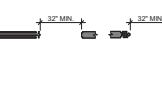
CLEAR WIDTH OF AN ACCESSIBLE ROUTE
(SECT 403.5)



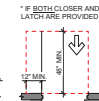
CLEAR WIDTH AT TURN
(SECT 403.5.2)



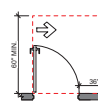
CLEAR WIDTH OF DOORWAYS
(SECT 404.2.2)



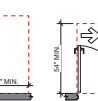
FRONT APPROACH,
PULL SIDE



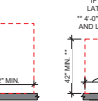
FRONT APPROACH,
PUSH SIDE



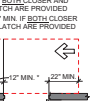
HINGE APPROACH,
PULL SIDE



HINGE APPROACH,
PUSH SIDE

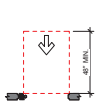


LATCH APPROACH,
PULL SIDE



LATCH APPROACH,
PUSH SIDE

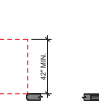
MANEUVERING CLEARANCE AT MANUAL SWINGING DOORS
(SECT 404.2.3)



FRONT APPROACH

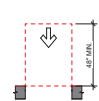


POCKET OR HINGE
APPROACH

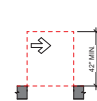


STOP OR LATCH
APPROACH

MANEUVERING CLEARANCE AT SLIDING AND FOLDING DOORS
(SECT 404.2.3.3)

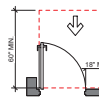


FRONT APPROACH

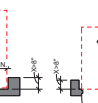


SIDE APPROACH

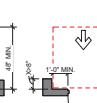
MANEUVERING CLEARANCE AT DOORWAYS
WITHOUT DOORS
(SECT 404.2.3.4)



PULL SIDE

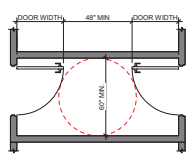
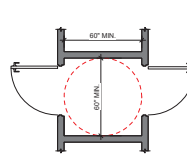


PUSH SIDE



PUSH SIDE, DOOR PROVIDED
WITH BOTH CLOSER AND LATCH

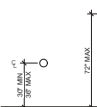
MANEUVERING CLEARANCE AT RECESSED DOORS
(SECT 404.2.3.5)



TWO DOORS IN A SERIES
(SECT 404.2.5)

MOUNTING HEIGHTS

- NOTE:
- ADA CLEARANCES & MOUNTING HEIGHTS ARE PROTOTYPICAL.
 - REFER TO ACTUAL PLANS & ELEVATIONS FOR MORE DETAILED PROJECT INFORMATION.



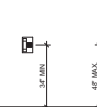
AUTOMATIC DOOR
PUSHBUTTONS



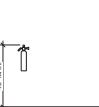
MARKER &
TACK BOARDS



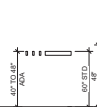
TACK STRIP



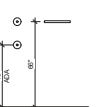
TELEPHONE



FIRE
EXTINGUISHER



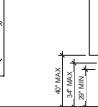
HOOKS/SHELF



MOP
CLIP
STRIP



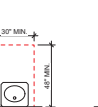
TYPICAL ADA MIRROR
REQUIREMENTS



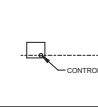
TYPICAL ADA LAVATORY
REQUIREMENTS



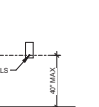
FORWARD APPROACH



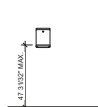
ELECTRIC
HAND DRYER



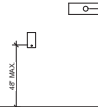
WALL MOUNTED
SOAP DISPENSER



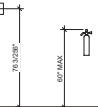
PAPER TOWEL
DISPENSER



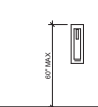
SOAP
DISPENSER



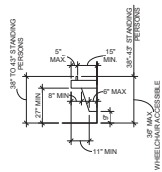
HAIR
DRYER



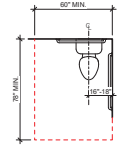
BRACKET
MOUNTED FIRE
EXTINGUISHER



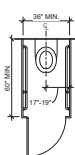
RECESSED FIRE
EXTINGUISHER
CABINET



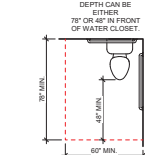
DRINKING FOUNTAIN
(SECT 602)



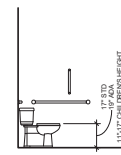
LOCATION AND SIZE OF CLEARANCE FOR WATER CLOSETS
(SECT 604.2)



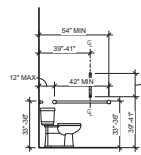
AMBULATORY ACCESSIBLE TOILET COMPARTMENT
(SECT 604.3)



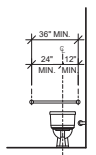
LOCATION AND SIZE OF CLEARANCE FOR WATER CLOSETS (MINNESOTA)
(SECT 604.3)



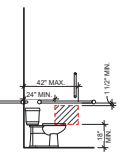
WATER CLOSET SEAT HEIGHT
(SECT 604.4)



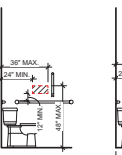
SIDE WALL GRAB BARS FOR WATER CLOSET
(SECT 604.5.1)



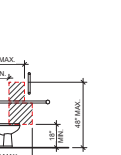
REAR WALL GRAB BAR FOR WATER CLOSET
(SECT 604.5.2)



DISPENSER OUTLET LOCATION
(SECT 604.7)



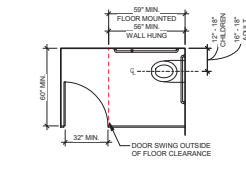
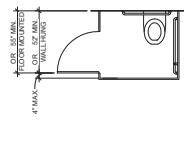
DISPENSER OUTLET LOCATION
(SECT 604.7)



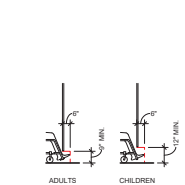
DISPENSER OUTLET LOCATION
(SECT 604.7)



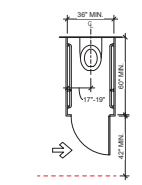
WHEELCHAIR ACCESSIBLE COMPARTMENT DOOR OPENING
(SECT 604.9.3.1)



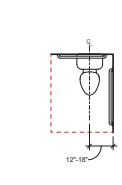
WHEELCHAIR ACCESSIBLE COMPARTMENT DOOR OPENINGS ALTERNATE
(SECT 604.9.3.1 (C))



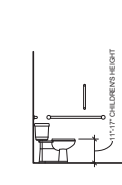
WHEELCHAIR ACCESSIBLE COMPARTMENT TOE CLEARANCE
(SECT 604.9.5)



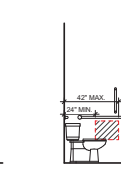
AMBULATORY ACCESSIBLE TOILET COMPARTMENT
(SECT 604.10)



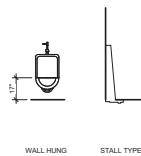
CHILDREN'S WATER CLOSET LOCATION
(SECT 604.11.2)



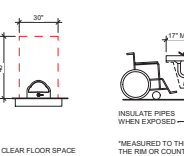
CHILDREN'S WATER CLOSET HEIGHT
(SECT 604.11.4)



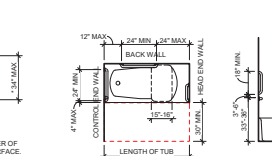
CHILDREN'S DISPENSER OUTLET LOCATION
(SECT 604.11.7)



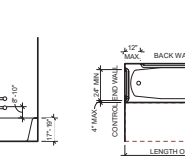
TYPICAL URINAL REQUIREMENTS
(SECT 605.2 & 605.3)



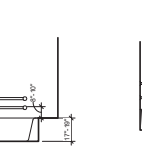
HEIGHT OF LAVATORIES AND SINKS
(SECT 606.3)



BATHTUBS WITHOUT PERMANENT SEATS
(SECT 607.2 & 607.4)



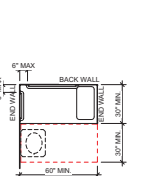
BATHTUBS WITH PERMANENT SEATS
(SECT 607.2 & 607.4)



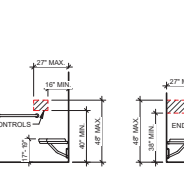
LOCATION OF BATHTUB CONTROLS
(SECT 607.5)



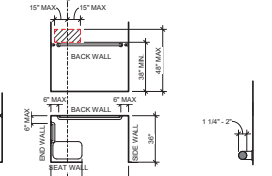
TRANSFER-TYPE SHOWER COMPARTMENT
(SECT 608)



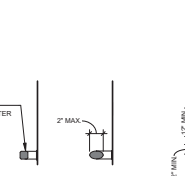
STANDARD ROLL-IN TYPE SHOWER COMPARTMENT
(SECT 608)



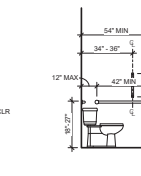
ALTERNATE ROLL-IN TYPE SHOWER COMPARTMENT
(SECT 608)



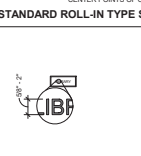
HANDRAIL CROSS SECTION
(SECT 609.2)



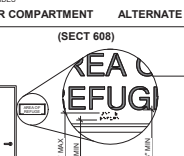
SPACING OF GRAB BARS
(SECT 609.3)



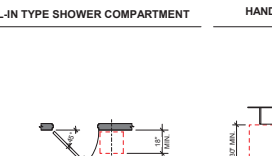
POSITION OF CHILDREN'S GRAB BARS
(SECT 609.4.2)



RECTANGULAR SHOWER COMPARTMENT SEAT
(SECT 610.3.1 & 610.3.2)



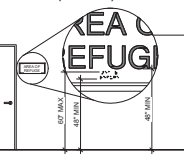
L-SHAPED SHOWER COMPARTMENT SEAT
(SECT 610.3.1 & 610.3.2)



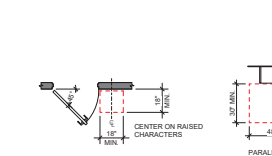
LAUNDRY EQUIPMENT CLEAR FLOOR SPACE
(SECT 611.2 & 611.4)



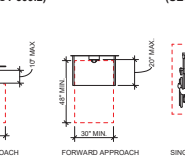
CHARACTER HEIGHT
(SECT 703.3.5)



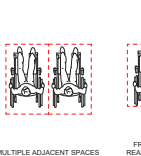
HEIGHT OF BRAILLE AND RAISED CHARACTERS ABOVE FLOOR
(SECT 703.3.10 & 703.4.5)



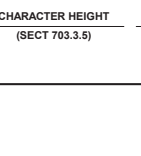
LOCATION OF SIGNS AT DOORS
(SECT 703.3.11)



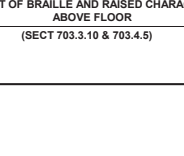
CLEAR FLOOR SPACE FOR TELEPHONES
(SECT 704.2.1)



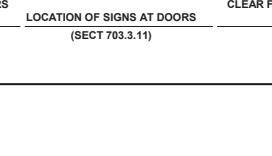
WIDTH OF A WHEELCHAIR SPACE IN ASSEMBLY AREAS
(SECT 802.3)



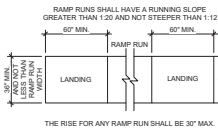
DEPTH OF A WHEELCHAIR SPACE IN ASSEMBLY AREAS
(SECT 802.4)



BENCHES
(SECT 903)



HEIGHT OF CHECKOUT COUNTERS
(SECT 904.4.2)



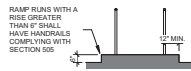
RAMP LANDINGS

(SECT 405.7)



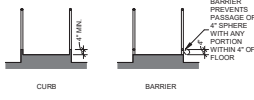
EXTENDED FLOOR SURFACE

(SECT 405.9.1)



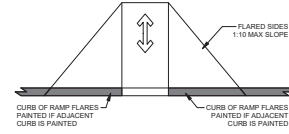
RAMP EDGE PROTECTION

(SECT 405.9.2)



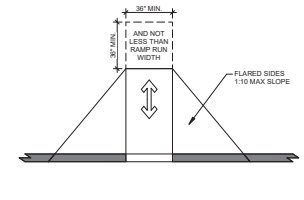
COUNTER SLOPE OF SURFACE ADJACENT TO CURB RAMP

(SECT 406.2)



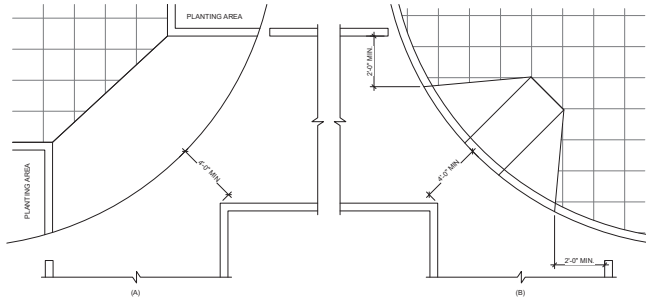
SIDES OF CURB RAMP

(SECT 406.3)



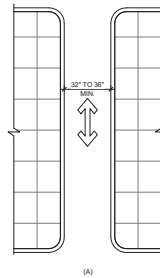
LANDINGS

(SECT 406.7)



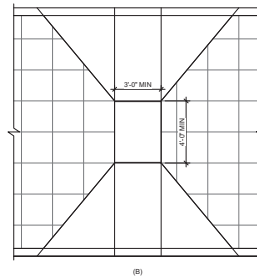
DIAGONAL CURB RAMPS

(SECT 406.10)



CUT-THROUGH AT ISLAND

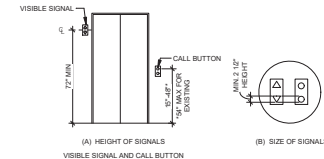
(A)



CURB RAMP AT ISLAND

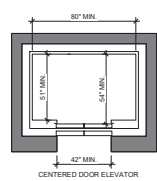
(SECT 406.11)

(B)

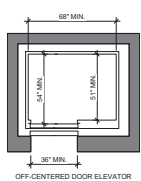


ELEVATORS

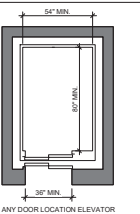
(SECT 407.2.1.1 & 407.2.2.2)



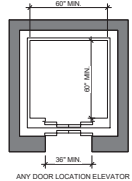
CENTERED DOOR ELEVATOR



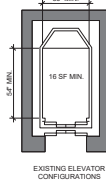
OFF-CENTERED DOOR ELEVATOR



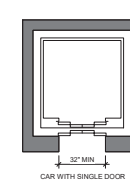
ANY DOOR LOCATION ELEVATOR



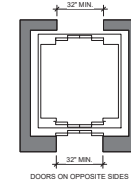
ANY DOOR LOCATION ELEVATOR



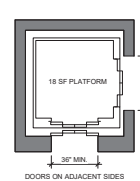
EXISTING ELEVATOR CONFIGURATIONS



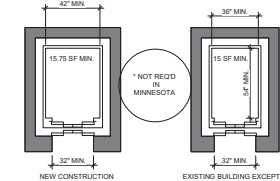
CAR WITH SINGLE DOOR



DOORS ON OPPOSITE SIDES



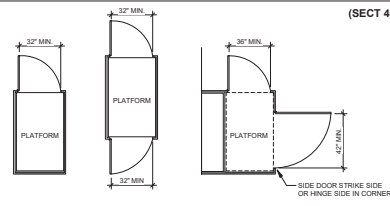
DOORS ON ADJACENT SIDES



INSIDE DIMENSIONS OF LIMITED USE / LIMITED APPLICATION (LULA) ELEVATOR CARS

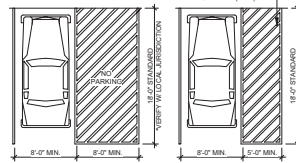
INSIDE DIMENSIONS OF ELEVATOR CARS

(SECT 407.4.1)



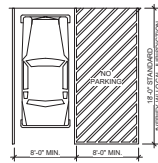
PLATFORM LIFT DOORS AND GATES

(SECT 410.2.1)



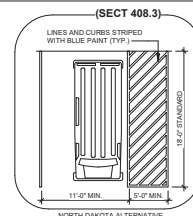
CAR ACCESSIBLE PARKING SPACES

(SECT 502)



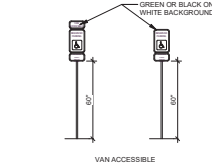
VAN ACCESSIBLE PARKING SPACES

(SECT 502)

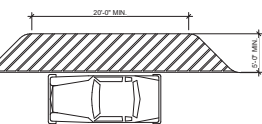


ACCESSIBLE PARKING IDENTIFICATION (MINNESOTA)

(SECT 502.4.4)

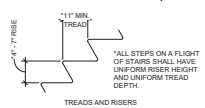


ACCESSIBLE PARKING IDENTIFICATION (NORTH DAKOTA)



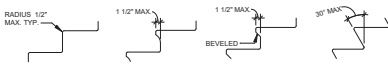
PASSENGER LOADING ACCESS AISLE

(SECT 503.3)



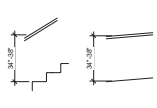
TREADS AND RISERS FOR ACCESSIBLE STAIRWAYS

(SECT 504.2)



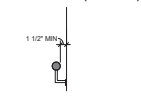
STAIR NOSING

(SECT 504.5)



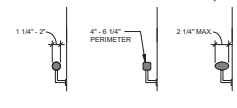
HANDRAIL HEIGHT

(SECT 505.4)



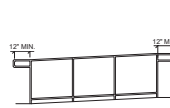
HANDRAIL CLEARANCE

(SECT 505.5)

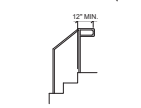


HANDRAIL CROSS SECTION

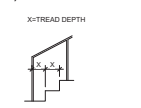
(SECT 505.7)



TOP AND BOTTOM HANDRAIL EXTENSIONS AT RAMPS



TOP HANDRAIL EXTENSIONS AT STAIRS



BOTTOM HANDRAIL EXTENSIONS AT STAIRS

(SECT 505.10)

CODE DATA:
MINNESOTA STATE BUILDING CODE - 2020
ASHRAE ENERGY CODE - 90.1 - 2010
MINNESOTA ACCESSIBILITY CODE - 2020
MINNESOTA STATE FIRE CODE - 2020
MINNESOTA MECHANICAL AND FUEL GAS CODES - 2020
MINNESOTA STATE PLUMBING CODE - 2020
NATIONAL ELECTRICAL CODE - 2020
NFPA 72

GENERAL BUILDING HEIGHTS AND AREAS: (CHAPTERS 5)

DOI: 10.1002/for

ALLOWABLE NUMBER OF STORIES ABOVE GRADE PLANE (TABLE 504.4)

ALLOWABLE AREA FACTOR IN SQUARE FEET (TABLE 506.2)

TYPES OF CONSTRUCTION (CHAPTER 6)

ROOM		
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ROOM NUMBER	ROOM NAME	AREA	SF PER OCCUPANT	# OF OCCUPANTS
101	THERAPY	89.14 SF	150 SF	1
102	PRESCHOOL AREA	596.06 SF	35 SF	18
103	PRESCHOOL AREA	642.55 SF	35 SF	19
104	KITCHEN	278.72 SF	200 SF	2
105	STORAGE	68.32 SF	300 SF	1
107	OFFICE	124.17 SF	150 SF	1
108	STORAGE	98.3 SF	300 SF	1
110	JC	516.2 SF	300 SF	1
114	KITCHENETTE	144.95 SF	200 SF	1
115	INFANT AREA	1,046.97 SF	35 SF	31
117	PRE TODDLER	1,081.49 SF	35 SF	30
118	TODDLER AREA	639.95 SF	35 SF	25
119	MECHANICAL ROOM	93.44 SF	300 SF	1
121	STORAGE	94.25 SF	300 SF	1

TOTAL NUMBER OF OCCUPANTS

POSTING OF OCCUPANT LOAD (1004.9): NOT APPLICABLE

MEANS OF EGRESS SIZING (1005)

EXIT ACCESS TRAVEL DISTANCE = 93.3'

MAXIMUM TRAVEL DISTANCE ALLOWED = 200-0

PLUMBING SYSTEMS: (CHAPTER 29)

OCCUPANCY	AREA	SF PER OCCUPANT	# OF OCCUPANTS	W.C. COUNT	LAV COUNT	D.F. COUNT
BUSINESS	213.31 SF	150 SF	2	0.04	0.04	0.02
DAY CARE	4,209.11 SF	35 SF	123	2.46	4.46	1.23
KITCHEN	423.67 SF	200 SF	3	0.06	0.06	0.03
MECHANICAL	157.69 SF	300 SF	2	0.04	0.04	0.02
STORAGE	218.24 SF	300 SF	3	0.06	0.06	0.03
TOTAL NUMBER OF OCCUPANTS:	5,252.02 SF		133	2.66	2.66	1.33

LAVATORY: 3 REQUIRED < 5 PROVIDED

SERVICE SINK: 1 REQUIRED = 1 PROVIDED

SAFEGUARDS DURING CONSTRUCTION: (CHARTER)

SAFEGUARDS REQUIRED UNDER CHAPTER 33 SHALL BE MAINTAINED BY THE CONTRACTOR

SAFEGUARDS REQUIRED UNDER CHAPTER 33 SHALL BE PROVIDED AND MAINTAINED BY THE CONTRACTOR.

$\frac{B}{IB}$	BUILDING CODE OCCUPANCY TYPE BUILDING CODE CONSTRUCTION TYPE
	ACTUAL EXIT OR STAIR WIDTH REQUIRED WIDTH FOR # OF OCCUPANTS NUMBER OF OCCUPANTS
— — — — —	FIRE/SMOKE RESISTIVE PARTITION

REQUIRED ASSEMBLY RATING		MINIMUM OPENING PROTECTION ASSEMBLY
1	ONE HOUR RATED	20 Minute
2	TWO HOUR RATED	90 Minute
3	THREE HOUR RATED	3 Hour
4	FOUR HOUR RATED	3 Hour

B	FIRE BARRIER	P	FIRE PARTITION
E	EXISTING AND RATED	S	SMOKE BARRIER/ COMPARTMENT
W	FIRE WALL	X	SMOKE TIGHT

FE	FIRE EXTINGUISHER (MAX. TRAVEL 75')	FEC	FIRE EXTINGUISHER CABINET (MAX. TRAVEL 75')
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DF	DRINKING FOUNTAIN	ADA ACCESSIBLE HIGH/LOW
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 EXIT SIGN LOCATIONS

NEW/EXISTING
PATH/EGRESS CORRIDOR

FIRE	SMOKE	COMBINATION
FIREWALL	SMOKE BARRIER	SHAFT
FIRE BARRIER	CORRIDOR	EXIT ENCLOSURES
FIRE PARTITION		STAIRS

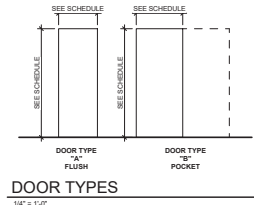
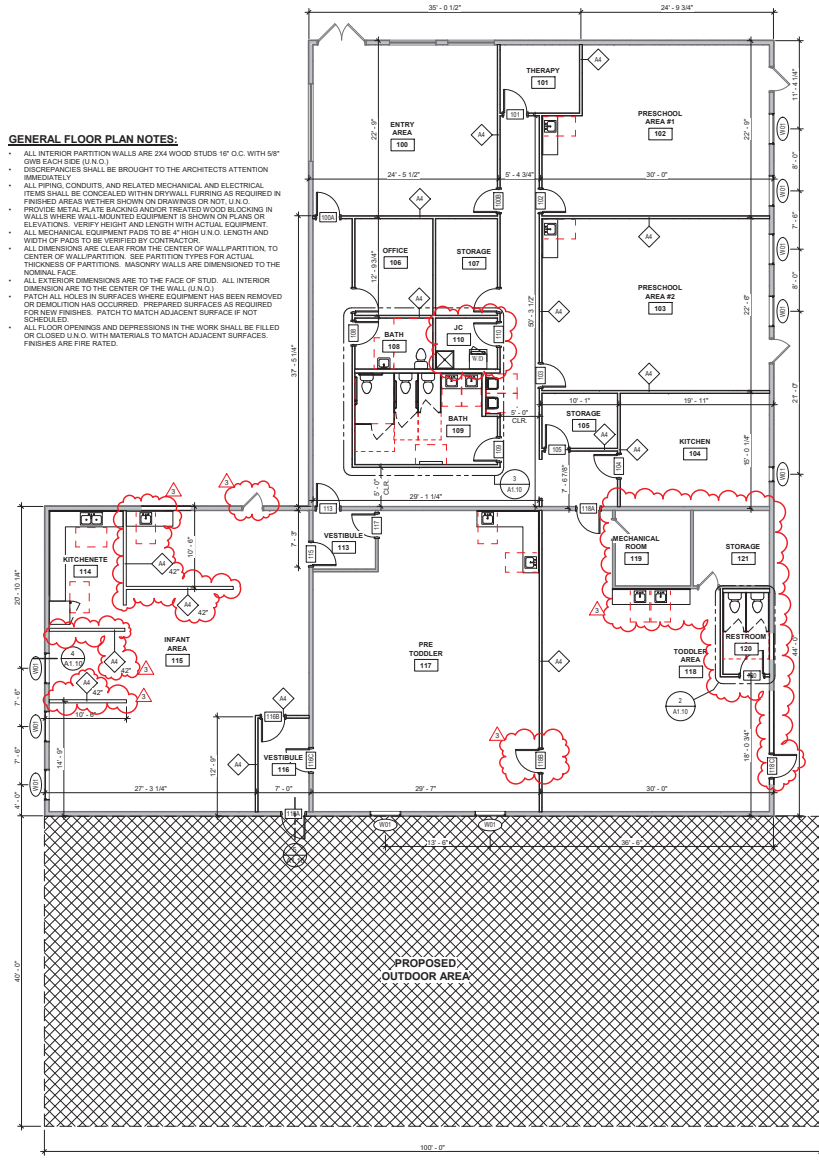


SHEET NO.

LS1.1

GENERAL FLOOR PLAN NOTES:

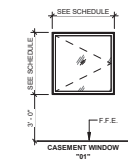
- ALL INTERIOR PARTITION WALLS ARE 2X4 WOOD STUDS 16" O.C. WITH 5/8" GIB EACH SIDE (U.N.O.).
- DISCREPANCIES SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION IMMEDIATELY.
- ALL PIPING, CONDUITS, AND RELATED MECHANICAL AND ELECTRICAL ITEMS SHALL BE CONCEALED WITHIN DRYWALL FURSING AS REQUIRED IN FINISHED AREAS. WEATHER SHOWN ON DRAWINGS OR NOT U.N.O.
- PROVIDE METAL PLATE BACKING AND/OR TREATED WOOD BLOCKING IN WALLS WHERE WALL-MOUNTED EQUIPMENT IS SHOWN ON PLANS OR ELEVATIONS. VERIFY HEIGHT AND LENGTH WITH ACTUAL EQUIPMENT.
- ALL MECHANICAL EQUIPMENT PADS TO BE 4" HIGH U.N.O. LENGTH AND WIDTH OF PADS TO BE VERIFIED BY CONTRACTOR.
- ALL DIMENSIONS ARE CLEAR FROM THE CENTER OF WALL/PARTITION TO CENTER OF WALL/PARTITION. SEE PARTITION TYPES FOR ACTUAL THICKNESS OF PARTITIONS. MASONRY WALLS ARE DIMENSIONED TO THE NOMINAL FACE.
- ALL EXTERIOR DIMENSIONS ARE TO THE FACE OF STUD. ALL INTERIOR DIMENSIONS ARE TO THE CENTER OF THE WALL (U.N.O.).
- PATCH ALL HOLES IN SURFACES WHERE EQUIPMENT HAS BEEN REMOVED OR DEMOLITION HAS OCCURRED. PREPARED SURFACES AS REQUIRED FOR NEW FINISHES. PATCH TO MATCH ADJACENT SURFACE IF NOT SCHEDULED.
- ALL FLOOR OPENINGS AND DEPRESSIONS IN THE WORK SHALL BE FILLED OR CLOSED U.N.O. WITH MATERIALS TO MATCH ADJACENT SURFACES. FINISHES ARE FIRE RATED.



DOOR TYPES

DOOR FRAME TYPES

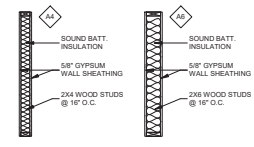
1'4" x 1'0"



WINDOW TYPES

1'4" x 1'0"

WALL TYPES

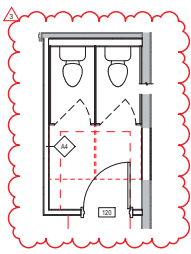


4 WINDOW HEAD DETAIL - TYP.

1'1/2" x 1'0"

5 EXTERIOR DOOR HEAD DETAIL

1'1/2" x 1'0"



2 ENLARGED RESTROOM 120

1'4" x 1'0"

DOOR SCHEDULE

DOOR #	ROOM #	ROOM NAME	HARDWARE SET	WIDTH	HEIGHT	DOOR THICKNESS	TYPE	FINISH	FRAME TYPE	MATERIAL	GLASS TYPE	FIRE RATING	COMMENTS
100A	100	ENTRY AREA		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
100B	100	ENTRY AREA		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
101	101	THERAPY		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
102	102	PRESCHOOL AREA #1		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
103	103	PRESCHOOL AREA #2		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
104	104	KITCHEN		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
105	105	STORAGE		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
106	106	OFFICE		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
107	107	STORAGE		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
108	108	BATH		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
109	109	BATH		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
110	110	LC		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
111	111	VESTIBULE		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
112	112	INFANT AREA		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
113	113	VESTIBULE		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
114	114	VESTIBULE		3'-0"	7'-0"	1-3/4"	C		A	HM			
115	115	VESTIBULE		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
116	116	RESTROOM		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
117	117	PRE TODDLER		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
118	118	TODDLER AREA		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			
119	119	Mechanical Room		3'-0"	7'-0"	1-3/4"	C		A	HM			
120	120	RESTROOM		3'-0"	7'-0"	1-3/4"	A		A	ALUM.			

WINDOW SCHEDULE

WINDOW #	QUANTITY	UNIT SIZE	ROUGH WIDTH	ROUGH HEIGHT	GLAZING	COMMENTS
W001	1	24" x 48"	2'-0"	4'-0"		
W002	1	48" x 60"	4'-0"	5'-0"		

ROOM FINISH SCHEDULE

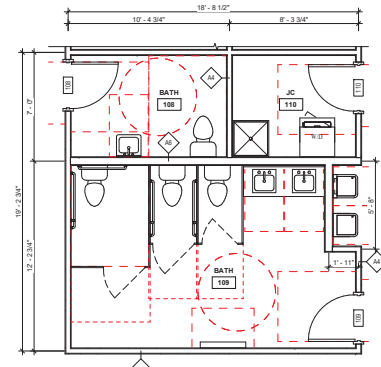
ROOM #	ROOM NAME	FLOOR FINISH	BASE MATERIAL	NORTH WALL FINISH	EAST WALL FINISH	SOUTH WALL FINISH	WEST WALL FINISH	CEILING FINISH	HEIGHT	COMMENTS
100	ENTRY AREA	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		
101	THERAPY	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		
102	PRESCHOOL AREA #1	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		
103	PRESCHOOL AREA #2	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		
104	KITCHEN	TILE	F.R.P.	PAINT	F.R.P.	PAINT	F.R.P.	PAINT		
105	STORAGE	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		
106	OFFICE	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		
107	STORAGE	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		
108	BATH	CERAMIC TILE	CERAMIC TILE	F.R.P.	PAINT	F.R.P.	PAINT	F.R.P.	PAINT	
109	BATH	CERAMIC TILE	CERAMIC TILE	F.R.P.	PAINT	F.R.P.	PAINT	F.R.P.	PAINT	
110	LC	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		
111	VESTIBULE	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		
112	INFANT AREA	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		
113	VESTIBULE	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		
114	KITCHENETTE	TILE	F.R.P.	PAINT	F.R.P.	PAINT	F.R.P.	PAINT		
115	VESTIBULE	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		
116	RESTROOM	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		
117	PRE TODDLER	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		
118	TODDLER AREA	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		
119	Mechanical Room	CERAMIC TILE	CERAMIC TILE	F.R.P.	PAINT	F.R.P.	PAINT	F.R.P.	PAINT	
120	BATH	CERAMIC TILE	CERAMIC TILE	F.R.P.	PAINT	F.R.P.	PAINT	F.R.P.	PAINT	
121	STORAGE	VINYL	GYP BD	PAINT	GYP BD	PAINT	GYP BD	PAINT		

ABBREVIATIONS

F.R.P. FIBERGLASS REINFORCED PANEL

NOTES

1. EPOXY PAINT FINISH TO COMPLY WITH WASHABLE WALL REQUIREMENT.



3 ENLARGED RESTROOM LAYOUT

1'4" x 1'0"

WIDSETH SMITH NOLTING

Engineering | Architecture | Surveying | Environmental

TEENY BUBBLES CHILDCARE & LEARNING

1002 LAUREL STREET, BRAINERD, MN 55401

DATE: MARCH 18, 2020

SCALE: AS NOTED

DRAWN BY: LJR

CHECKED BY: MJA

JOB NUMBER: 2020-1080

REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	3/18/20
2	ISSUED FOR PERMIT	3/18/20
3	ISSUED FOR PERMIT	3/18/20

DATE: MARCH 18, 2020

SCALE: AS NOTED

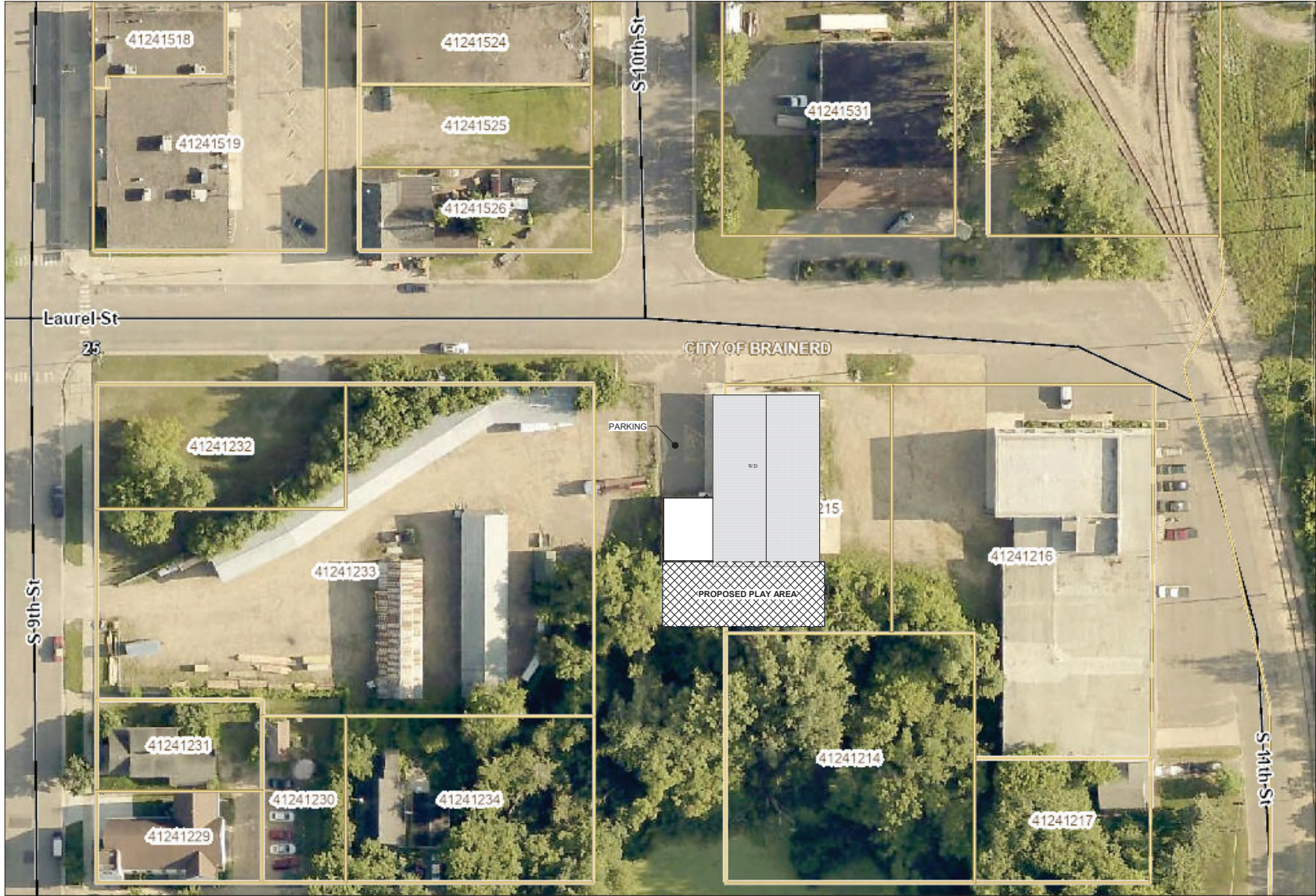
DRAWN BY: LJR

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REVISIONS

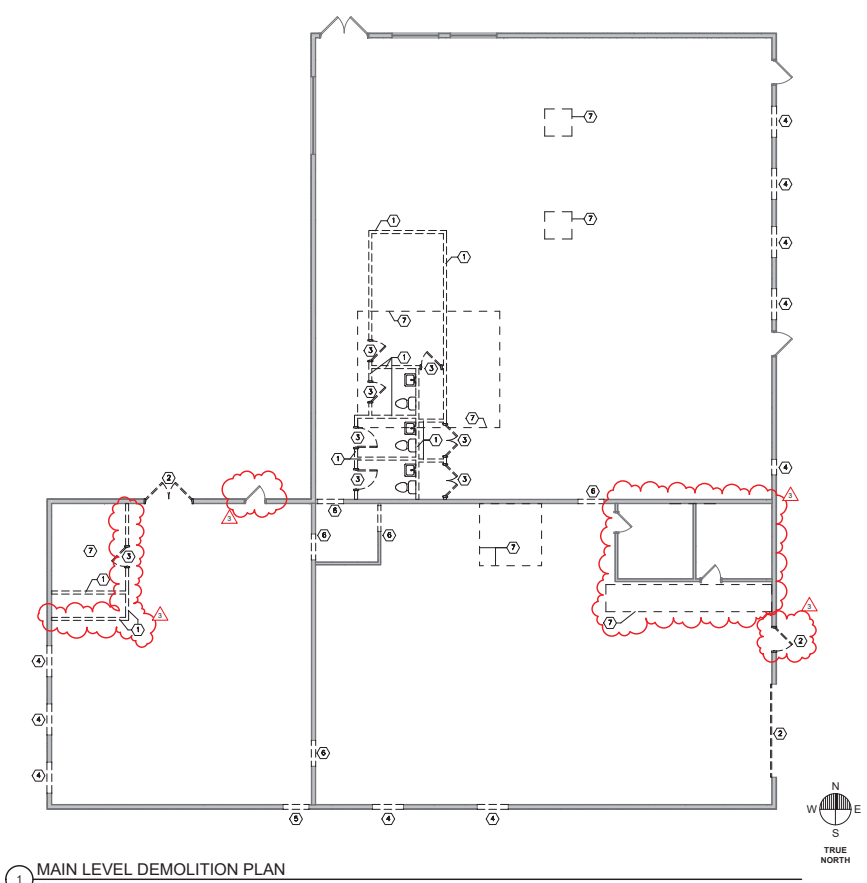
NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	3/18/20
2	ISSUED FOR PERMIT	3/18/20
3	ISSUED FOR PERMIT	3/18/20



1 SITE PLAN
1" = 30'-0"

SITE PLAN LEGEND
 PROPOSED PLAY AREA

TEENY BUBBLES CHILDCARE & LEARNING 1002 LAUREL STREET, BRAINERD, MN 56401		WIDSETH SMITH NOLTING Engineering Architecture Surveying Environmental	
SHEET NO. A1.20		DATE: MARCH 18, 2020 SCALE: AS NOTED DRAWN BY: LJR CHECKED BY: MJA JOB NUMBER: 2020-10380	
SITE PLAN		BY: REVISIONS DESCRIPTION: DATE: RE: DATE: RE: DATE: RE:	
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR OTHER DOCUMENT PREPARED BY ME OR UNDER MY SUPERVISION AND THAT I AM A duly LICENSED ARCHITECT IN THE STATE OF MINNESOTA.		SIGNATURE: DATE: LICENSE NO.: 45375	



1 MAIN LEVEL DEMOLITION PLAN
1/8" = 1'-0"

GENERAL DEMOLITION PLAN NOTES

- VERIFY EXISTING CONDITIONS AND DIMENSIONS. COORDINATE THE EXTENT OF DEMOLITION WORK AND EXISTING WORK TO REMAIN WITH NEW FLOOR PLAN AND PROJECT SITE PRIOR TO PRISING, FABRICATION, AND INSTALLATION. NOTIFY ARCHITECTS OF ALL CONFLICTS IMMEDIATELY.
- WHERE WALLS OR PARTITIONS ARE INDICATED TO BE REMOVED, REMOVE ENTIRE WALL OR PARTITIONS AS WELL AS DUCTS, PIPING, CONDUITS, AND OTHER ELEMENTS IN OR ON THEM WHICH MAY OR MAY NOT BE SPECIFICALLY IDENTIFIED. U.N.O. COORDINATE WITH OWNER ALL EQUIPMENT TO BE SALVAGED.
- REFER TO MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS FOR ADDITIONAL DEMOLITION NOTES.
- REPAIR/PATCH OPENINGS IN WALLS, PARTITIONS, FLOORS, AND CEILINGS THAT ARE EXISTING OR WHERE DEMOLITION OCCURS TO MATCH EXISTING ADJACENT FINISH SURFACE. MAINTAIN CODE AND FIRE RATING REQUIREMENTS.
- EXISTING FINISHES TO BE REMOVED SHALL HAVE THE ORIGINAL SUBSTRATE PREPARED TO RECEIVE NEW FINISHES.
- PROVIDE SAFE MEANS OF EGRESS THROUGH AND/OR AROUND THE BUILDING AND/OR SITE AT ALL TIMES.
- AVOID DISRUPTION TO ADJACENT FLOOR/AREAS AS MUCH AS POSSIBLE. KEEP NOISE TO A LEVEL ACCEPTABLE TO THE OWNER BY SCHEDULING EXCESSIVE NOISE TASKS WITH OWNER. ALL SAW CUTTING AND NOISE FABRICATION PRODUCING CONSTRUCTION TO BE SCHEDULED WITH OWNER AS NOT TO INTERFERE WITH DAILY ACTIVITIES. THIS MAY REQUIRE AFTER HOUR WORK. PROVIDE DUST CONTROL BETWEEN CONSTRUCTION AREAS AND OCCUPIED AREAS AT ALL TIMES.
- ALL SHUTDOWNS OF MECHANICAL, SPRINKLER, FIRE ALARM, AND/OR ELECTRICAL SYSTEMS SHALL BE COORDINATED WITH OWNER.
- ALL ITEMS INDICATED TO BE REMOVED FROM EXISTING WALLS (TACK BOARDS, MARKER BOARDS, BLUPEL RAILS, CORNER GUARDS, MIRRORS, ETC.) SHALL BE RETURNED TO OWNER. U.N.O. PATCH WALLS AS REQUIRED FOR NEW FINISHES.
- PROVIDE FIRE EXTINGUISHERS PER CODE AT ALL TIMES THROUGHOUT CONSTRUCTION AREA.

#	DESCRIPTION
1	REMOVE EXISTING WALL
2	REMOVE EXISTING EXTERIOR DOOR
3	REMOVE EXISTING INTERIOR DOOR
4	DEMOLISH PART OF EXTERIOR WALL FOR NEW WINDOW INFILL
5	DEMOLISH PART OF EXTERIOR WALL FOR NEW DOOR INFILL
6	REMOVE PART OF EXISTING INTERIOR WALL FOR NEW DOOR INFILL
7	REMOVE EXISTING CONCRETE

WIDSETH SMITH NOLTING
Engineering | Architecture | Surveying | Environmental

PROJECT NAME	TEENY BUBBLES CHILDCARE & LEARNING
PROJECT ADDRESS	1002 LAUREL STREET, BRAINERD, MN 56401
PROJECT TYPE	MAIN LEVEL DEMOLITION PLAN
DATE	MARCH 18, 2020
SCALE	AS NOTED
DRAWN BY	LJR
CHECKED BY	MA
JOB NUMBER	2020.10380

BY: MJA

REVISION DESCRIPTION

DATE

BY

DATE

1	3	REVISION		
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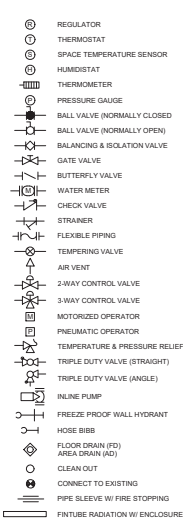
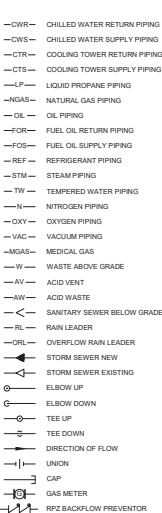
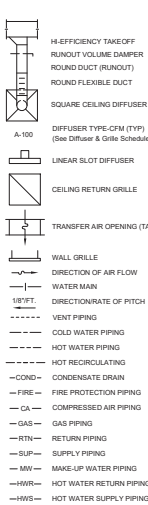
DATE: MARCH 18, 2020
SCALE: AS NOTED
DRAWN BY: LJR
CHECKED BY: MA
JOB NUMBER: 2020.10380

TEENY BUBBLES CHILDCARE & LEARNING
1002 LAUREL STREET, BRAINERD, MN 56401
MAIN LEVEL DEMOLITION PLAN

SHEET NO.
AD1.10

	TURNING VANES
	FLEXIBLE CONNECTION
	VOLUME DAMPER
	PARALLEL BLADE DAMPER
	OPPOSED BLADE DAMPER
	PNEUMATIC DAMPER OPERATOR
	BAFFLE DAMPER
	FIRE DAMPER
	SMOKE FIRE DAMPER
	PNEUMATIC ACTUATOR
	ACCESS DOOR
	TRANSITION
	DUCT OFFSET UP OR DN
	RECTANGULAR DUCT (First number is side sheet)
	RETURN DUCT UP
	RETURN DUCT DOWN
	SUPPLY V DUCT UP
	SUPPLY V DUCT DOWN
	EXHAUST DUCT UP
	EXHAUST DUCT DOWN
	ROOM NUMBER
	DETAIL REFERENCE Top number is the detail Bottom number is the sheet
	ELEVATION REFERENCE First number is the detail second number is the sheet
	REFERENCE NOTE
	DENOTES EXISTING DUCT OR PIPE TO BE REMOVED
	DENOTES EXISTING DUCT OR FIRE TO REMAIN

ABS	AT	ABSORPTION CHILLER
ACC	AC	AIR COMPRESSOR (MECH)
AC	ACE	ABOVE COUNTER (ELEC)
AC	AC	AIR CONDITIONER
AD	AD	DEAD DRAIN
AGA	AF	ABOVE FINISHED FLOOR
AG	AG	ABOVE GROUND
APP	ALT	ALTERNATE
APPROX	AP	APPROXIMATE
APR	AP	AIR SEPARATOR
ATMOSP	ATM	ATMOSPHERIC
ATMOSP	ATM	ATMOSPHERIC VACUUM
B	B	BOILER
B	B	BACKSIGHT DAMPER
BP	BP	BOILER PUMP
BP	BP	BOILER PUMP (MECH)
BP	BP	COLD WATER (MECH)
C	C	CORRUPT (ELEC)
C	C	C COMPRESSED AIR
C	C	COMBUSTION AIR
CAP	CAP	CAPACITOR
CB	CB	CIRCUIT BREAKER
CB	CB	COOLING COIL
CD	CD	CONDENSATE DRAIN
CE	CE	CENTRAL EXHAUST FAN
CE	CE	CEILING FAN
CH	CH	CHUBB FUSE PER MINUTE (AIR)
CH	CH	CLING
CWR	CWR	CHILLED WATER RETURN
CWR	CWR	CHILLED WATER SUPPLY
CL	CL	CIRCUIT
CL	CL	CLEANOUT
COMB	COMB	COMBINATION
CON	CON	CONCRETE
CONN	CONN	CONNECTION
CONV	CONV	CONVEYOR (MECHANICAL)
CO	CO	CIRCULATING PUMP
CO	CO	COMPACTOR
CR	CR	CONDENSATE RECEIVER
CT	CT	CURRENT TRANSFORMER
CU	CU	CORROSION INHIBITOR
CU	CU	COPPER (ELEC)
CU	CU	CABINET LINE HEATER
CV	CV	CONTROL VALVE
CV	CV	COLD WATER
CV(C)	CV(C)	CONDENSER WATER COOLING TOWER



EXISTING ARE BASED ON CASUAL, FIELD OBSERVATIONS AND EXISTING PLANS. CONTRACTOR SHALL BE PRESENT AT PRE-BID AND BRING UP ANY DISCREPANCIES PRIOR TO BIDDING.

B. THIS CONTRACTOR SHALL PROVIDE ALL APPLICABLE MATERIALS, AND APPURTENANCES, AND PERFORM ALL LABOR REQUIRED TO INSTALL CONTRACTOR'S GAS PIPING SYSTEMS, AND PLUMBING SYSTEMS AS INDICATED ON THE DRAWINGS, AS SPECIFIED, AND AS REQUIRED BY APPLICABLE CODES.

C. THIS CONTRACTOR SHALL PURCHASE ALL PERMITS ASSOCIATED WITH THE WORK, AND OBTAIN ALL INSPECTIONS REQUIRED BY THE CITY OF CHICAGO.

D. INSTALL ALL MECHANICAL AND PLUMBING EQUIPMENT, MATERIALS, AND APPURTENANCES IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS, THE CONTRACT DOCUMENTS, AND APPLICABLE CODES AND REGULATIONS.

E. ALL WORK SHALL COMPLY WITH STATE AND LOCAL CODE REQUIREMENTS AS APPROVED AND AMENDED BY THE CITY OF CHICAGO AND THE STATE OF ILLINOIS.

F. CONTRACTORS AND SUB-CONTRACTORS SHALL CAREFULLY REVIEW THE DRAWINGS AND INSTALLATION REQUIREMENTS. NOTIFY THE ARCHITECT IMMEDIATELY IN WRITING OF ANY DISCREPANCIES, OMISSIONS, OR CONFLICTS.

G. THE DRAWINGS ARE DIAGRAMMATIC IN NATURE, SHOWING THE GENERAL LOCATION, TYPE, LAYOUT, AND EQUIPMENT REQUIRED. THE DRAWINGS SHALL NOT BE SCALED FOR EXACT MEASUREMENTS. REFER TO ARCHITECTURAL SPECIFICATIONS AND STANDARD DRAWINGS FOR EXACT MEASUREMENTS. REFER TO STANDARD INSTALLATION DRAWINGS FOR EQUIPMENT CONNECTIONS AND INSTALLATION REQUIREMENTS.

H. COORDINATE THE WORK WITH THE WORK OF OTHER DIVISIONS. COORDINATE PIPING, DUCTWORK, DIFFUSERS AND EXHAUST SYSTEMS, AND MECHANICAL EQUIPMENT WITH THE WORK OF OTHERS. COORDINATE WITH THE ELECTRICAL, LIGHTS, CONDUCITS, PIPING, ROOF DRAIN, STRUCTURAL COMPONENTS ELECTRICAL, EQUIPMENT, AND ANY OTHER TRADES. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO AND THE STATE OF ILLINOIS.

I. IN GENERAL, ALL PIPING AND DUCTWORK SHALL BE RUN CONCEALED IN WALLS WITH SUSPENDED CEILING, CEILING, AND IN GENERAL AND BARS PROVIDED, UNLESS INDICATED OTHERWISE.

J. PROVIDE CUTOFF AND PIPE RISER, DROPS, AND OFFSETS AS REQUIRED FOR FIELD OF INSTALLATION AND TRADE COORDINATION. PROVIDE ALL NECESSARY MATERIALS, AND APPURTENANCES, AND PERFORM ALL LABOR, AND ALL NECESSARY MATERIALS FOR A COMPLETE AND FUNCTIONING SYSTEM.

K. PROVIDE ALL PIPING, DUCTWORK, AND EQUIPMENT, MATERIALS, AND APPURTENANCES, AND THE UNCRIMPING OF THE ROOF STRUCTURE, UNLESS OTHERWISE INDICATED. INSTALL PIPING AND DUCTWORK AS HIGH AS POSSIBLE TO ALLOW FOR FUTURE EXPANSION, BUT NOT LESS THAN 18" ABOVE FINISHED FLOOR OR ROOF. INSTALL EXPOSED DUCTWORK AS HIGH AS POSSIBLE WHEN PASSING UNDER BEAMS AND ROOF JOISTS.

L. CONTRACTORS SHALL BE RESPONSIBLE FOR PATCHING ANY FLOORS, WALLS, CEILING, OR ROOFING DAMAGED BY THE WORK, BUT NOT LESS THAN 18" ABOVE FINISHED FLOOR OR ROOF.

M. ALL ROOF PATCHING SHALL BE BY THE APPROVED PATCHING CONTRACTOR. COORDINATE ALL ROOF CUTTING AND PATCHING WITH THE GENERAL CONTRACTOR.

N. PRESERVE TEST NATURAL GAS PIPING SYSTEM WITHOUT BURNING OR CONSCALING. TEST PIPING AT 1.5 TIMES THE MAINTAINANCE PROPOSED WORKING PRESSURE, BUT NOT LESS THAN 150 PSI FOR 30 MINUTES.

O. PRESSURE TEST NATURAL GAS PIPING SYSTEM WITHOUT BURNING OR CONSCALING. TEST PIPING AT 1.5 TIMES THE

- A. PROVIDE ALL MECHANICAL SYSTEMS COMPLETE WITH ALL NECESSARY APPURTENANCES FOR COMPLETE AND OPERATING SYSTEMS.
- B. COORDINATE GRILLE, REGISTER AND DIFFUSER LOCATIONS WITH ARCHITECTURAL REFLECTED CEILING PLAN. MAKE MINOR ADJUSTMENTS IN DIFFUSER AND DUCTWORK LOCATIONS AS REQUIRED.
- C. MECHANICAL CONTRACTOR SHALL FIELD COORDINATE WITH ELECTRICAL CONTRACTOR FOR ALL POWER REQUIREMENTS.
- D. MECHANICAL CONTRACTOR SHALL BALANCE AIR SYSTEMS TO THE AIR QUANTITIES INDICATED ON THE DRAWINGS. PROVIDE DUCT MOUNTED VOLUME DAMPERS FOR SUPPLY AIR SYSTEM BALANCING. USE OF TERMINAL DAMPERS IS NOT ACCEPTABLE FOR AIR FLOW RATE REGISTERS ARE INDICATED.
- E. PROVIDE RETURN AIR DUCT SMOKE DETECTORS IN ACCORDANCE WITH LOCAL CODES. SMOKE DETECTORS SHALL BE PROVIDED BY MECHANICAL CONTRACTOR AND WIRING BY ELECTRICAL CONTRACTOR. COORDINATE WITH FIRE PROTECTION CONTRACTOR.
- F. ALL OUTSIDE AIR INTAKES SHALL BE A MINIMUM OF 10" FROM ANY EXHAUST AIR OPENINGS OR PLUMBING VENT STACKS.
- G. CONTRACTOR MAY AT HIS OPTION INSTALL ROUND SPINAL DUCTWORK OF EQUIVALENT CAPACITY IN LIEU OF RECTANGULAR DUCTWORK SHOWN, AS LONG AS THE CEILING HEIGHTS ARE NOT AFFECTED.
- H. INSTALL DUCTWORK AS HIGH AS POSSIBLE WHEN PASSING UNDER BEAMS AND JOISTS.
- I. PAINT ALL EXPOSED NASTAL GAS PIPING ON THE INSIDE WITH TWO COATS OF ORANGE YELLOW.
- J. HARD DUCTWORK SHALL BE UTILIZED FOR RUNS TO DIFFUSERS IN OPEN CEILING AREAS.
- K. PROVIDE FACTORY STARTUP OF ALL ROOF TOP UNITS. ROOF TOP UNITS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.

[illegible]

PLANNING COMMISSION
Wednesday, June 19, 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, Burslie, Duval, Woodward and Foley; and Council Liaison Lambert. Community Development Director Chanski and Collin Mieras, Planning Intern were also noted as present. Commissioner Marohn joined the meeting at 8:50 p.m.

Commission Chair Gorham welcomed the two new members to the Commission; Theresa Woodward and Christopher Foley.

#2 Approval/Amendment of Agenda

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

#3 Approval of Minutes

MOTION AND SECONDED BY COMMISSIONERS DUVAL AND LAMBERT, DULY CARRIED, TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD MAY 15, 2019.

#4 New Business

4a. Conditional Use Permit – 1002 Laurel Street – To Operate a Daycare

Community Development Director Chanski explained in a B-3 Central Business District the purpose of operating a daycare is a conditional use. He indicated the Findings of Fact are as follows:

1. *The operation of a school on the aforementioned property is considered a conditional use per [Section 515-62-6.F](#) of the Code of Ordinances.*
2. *The proposed day care facility meets the following criteria as required by the [Section 515-29 Commercial Day Care Facilities](#):*
 - a. *Lot requirements and Setbacks*
 - i. *Minimum lot area, width, setback, and height requirements are not applicable in a B-3 (Central Business) District per Section 515-62-7.*
 - b. *Sewer and Water*
 - i. *The proposed building is connected to municipal sewer and water and has adequate private sewer and water to protect the health and safety of all persons who occupy the facility.*
 - c. *Screening*
 - i. *The proposed location has a fence and additional natural screen along the south side of the property, a fence along the west side of the property, and the applicant will be constructing a fence to enclose a play area along the east side of the property.*
 - d. *Parking*

- i. The proposed off-street parking is located separately from any outdoor play area. There are no abutting residential uses from which the parking must be screened. Additionally, off-street parking requirements are exempt within the B-3 (Central Business) District.
 - e. Loading
 - i. The designated off-street loading space adequately complies with [Section 515-23](#).
 - f. Signage
 - i. While no sign permits have yet been submitted, staff will work with the applicant to ensure that all signing and informational or visual communication devices are in compliance with [Section 515-37](#).
 - 1. At this time, the applicant is only considering a wall sign on the building's front façade.
 - g. Compliance with State Requirements
 - i. The applicant is in the process of receiving the required permits and licenses from the State of Minnesota Department of Health and Human Services and City of Brainerd Building Department and Fire Department.
- 3. Per [Section 515-22](#), a day care facility serving more than 14 persons shall have one parking space per teacher on the largest shift plus one parking space per 10 children based on maximum capacity of the facility. While all businesses within the Central Business District are exempt from off-street parking requirements, staff and the applicant propose the following plan:
 - a. Sixteen spaces would usually be required for teachers and 10 spaces required for children for a total of 26 spaces.
 - b. Staff has worked with the applicant and is proposing allowing on-street parking for the 10 required spaces for children as those spaces will only be used during the drop-off and pick-up times of operation. The area in which the property is located is a low volume section of Laurel Street.
 - c. The applicant is proposing a parking plan to include 20 off-street parking spaces, one off-street handicap space, which is a requirement of the State Building Code.
- 4. Per [Section 515-22](#), all areas intended to be utilized for non-residential parking space shall be surfaced with concrete, bituminous, and pavers/brick.
 - a. The proposed parking area is currently dirt. The applicant has submitted a variance request to allow for dirt surface parking until the lot can be paved.
 - i. The applicant has plans to pave the lot within 5 years.
- 5. Per section 515-22, required parking facilities serving two or more uses may be located on the same lot provided that the total number of spaces furnished shall be no less than the sum of the separate requirements for each use. Conditions required for joint use are:
 - a. The proposed joint parking space within the distance required under 515-22-11 of this Ordinance of the uses it will serve.
 - b. The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint uses of off-street parking facilities is proposed.
 - c. A properly drawn legal document approved by the City Council, executed by the parties concerned, for joint use of off-street parking facilities shall be filed with the City Clerk.

The Chair opened the public hearing at 6:05 p.m.

The Chair recognized Ms. Denise Blood, 17140 State Highway 371, Brainerd who stated she would like to open a daycare at property located at 1002 Laurel Street.

Commissioner Burslie asked the petitioner about the number of parking spaces the petitioner is requesting. Ms. Blood responded they are going to potentially have 16 staff members and will need the spaces indicated.

Community Development Director Chanski explained the off-street parking requirements.

Commissioners asked questions which were answered by the petitioner.

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

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND BURSLIE, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT AT 1002 LAUREL STREET CONTINGENT UPON AN APPROVED PARKING SURFACE WITH A STATEMENT OF AGREEMENT FROM THE ADJOINING PROPERTY OWNER FOR A SHARED PARKING LOT.

4b. Variance Request – 1002 Laurel Street – To Allow Parking on an Unimproved Surface

Community Development Director Chanski indicated this variance is in partnership with the Conditional Use Permit previously approved. He explained a variance is required in order to approve parking on an unpaved surface for the staff of the daycare being developed.

Findings of Fact

1. Section 515-7-2, Subdivision 3A – Variances shall only be permitted:
 - a. *When they are in harmony with the general purposes and intent of the ordinance*
 - i. *The purpose of a B-3 (Central Business) District is to encourage the continuation of viable, traditional downtown area by allowing retail, service, office, and entertainment facilities and public and semi-public uses as well as the allowance of second-story dwelling units located above such uses.*
 - b. *When the variances are consistent with the Comprehensive Plan*
 - i. *The current Comprehensive Plan and updated Comprehensive Plan in development support the reenergizing of the downtown corridor.*
2. Section 515-7-2, Subdivision 3B & Subdivision 4 – Variances may be granted when the applicant for the variances establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - a. *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.*
 - i. *The proposed day care facility is a conditional use within a B-3 District.*
 - b. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*
 - i. *While all off-street parking requirements are exempt in a B-3 District, it is staff's opinion that it is in the best interest of the community to require off-street parking for, at a minimum, the facility's employees as they will have 16 employees present at all times.*
 - c. *The variance, if granted, will not alter the essential character of the locality.*
 - i. *The building for the proposed day care facility is an existing structure. The proposed parking area is also already present.*

The Chair opened the public hearing at 6:23 p.m.

The Chair recognized Mr. Greg Grandahl, 12581 Little Pine Rd SW, Brainerd and is part owner of 1014 Laurel Street, who would be in a contract with the petitioner for shared parking.

Ms. Denise Blood stated the allowance of the five years to complete paving is financially based.

The Chair closed the public hearing at 6:27 p.m.

Commission discussion took place.

MOTION AND SECONDED BY COMMISSIONERS BURSLIE AND LAMBERT, DULY CARRIED, TO RECOMMEND DENIAL OF THE VARIANCE BASED ON THE FINDINGS OF FACT AND FINANCIAL CONSIDERATIONS ALONE DO NOT CONSTITUTE PRACTICAL DIFFICULTY WITH THE UNDERSTANDING THAT THEY CAN SHARE PARKING WITH THE ADJACENT PROPERTY OWNER THAT DOES NOT NEED TO BE IMPROVED AS IT IS A PRE-EXISTING USE.

4c. Variance Request – 501 3rd Ave. NE – Nonconforming Duplex as a Rental

Community Development Director Chanski explained the property was recently purchased with the intent to use the duplex as a rental. It was discovered the property was never registered with the City as a rental by the previous owner, thus establishing it as a nonconforming residential use.

Findings of Fact

1. Section 515-7-2, Subdivision 3A – Variances shall only be permitted:
 - a. *When they are in harmony with the general purposes and intent of the ordinance*
 - i. *The purpose of an R-1 (Single Family Residential) District is to allow and preserve areas in the City of quiet neighborhoods of one-and two-family homes, free from other uses except those which are compatible with residents of such a district.*
 - b. *When the variances are consistent with the Comprehensive Plan*
 - i. *The current Comprehensive Plan and updated Comprehensive Plan in development support maintaining of the historical integrity of the neighborhoods within the City of Brainerd.*
2. Section 515-7-2, Subdivision 3B & Subdivision 4 – Variances may be granted when the applicant for the variances establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - a. *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.*
 - i. *The proposed duplex is an existing home within the North East neighborhood. The home has been used as a rental, but never registered as one with the City of Brainerd.*
 - b. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*
 - i. *The owners purchased the property under the assumption that they could use the property as a multi-family rental as the previous owner did. However, as the previous owner never officially registered the property with the City, the property is considered illegal nonconforming.*
 - c. *The variance, if granted, will not alter the essential character of the locality.*

- i. *The property is an existing home constructed in 1917 and has been previously used as a rental duplex. The current owners are not proposing any kind of expansion to the use except for that which it was previously used.*
3. *The Housing Inspector has inspected the property, and it does conform to the Property Maintenance Code and the Rental Housing Code.*
4. *A rental license has been issued for the property's lower unit.*

Community Development Director Chanski received an email from the previous City Planner, Mark Ostgarden on Tuesday which stated many of these same situations have been brought forth and staff and legal counsel agreed a variance is not an option. Mr. Chanski reached out to the City attorney but did not yet receive a response in time for the meeting.

Commissioners discussed.

MOTION AND SECONDED BY COMMISSIONERS BURLIE AND LAMBERT, DULY CARRIED, TO RECOMMEND THE APPLICANT WITHDRAW THE VARIANCE REQUEST BASED ON THE PROPERTY HAS NOT BEEN REGISTERED IN THE PAST AS A RENTAL PROPERTY AND SECTION 515-15.6.B DOES NOT APPLY. THE PROPERTY OWNER HAS FORMALLY REQUESTED TO WITHDRAW THE VARIANCE AND COMMUNITY DEVELOPMENT DIRECTOR CHANSKI WILL ISSUE A VARIANCE FEE REFUND AND THE APPLICANT WILL COMPLETE A RENTAL LICENSE APPLICATION FOR THE SECOND UNIT.

4d. Rezoning Request – 215 N. 3rd St. – From a B-1 (Residential Office) District to an R-2 (Medium Density Residential) District

Community Development Director Chanski explained the petitioner has requested a rezoning in order to better serve the property as the main residence and business office of the applicant, to be able to construct a larger accessory structure and to allow a second-floor residential rental unit.

Findings of Fact

1. Per Section 515-60-1 of the Code of Ordinances, the purpose and intent of a B-1 District is to allow single family uses and office space uses. Additionally, *"This district serves as a transitional district between residential neighborhoods and commercial uses in areas where redevelopment is anticipated. The district includes uses that will not disrupt nearby, low-density land uses through high traffic generation, noise, or other nuisances."*
 - a. *It is staff's opinion that, while single family dwellings and office spaces are permitted uses within a B-1 District, a property containing an owner-occupied unit with a home business and a rental unit does not fit well.*
2. Per Section 515-56-1 of the Code of Ordinances, the purpose and intent of an R-2 District is to *"provide for low to medium density housing through the mixture of one- and two-unit dwellings and medium density multiple family dwellings as well as directly related complementary uses."*
 - a. *In R-2 Districts, multiple family dwellings containing 4 units or less are permitted uses and home businesses are accessory uses. As such, it is staff's opinion that the use of this structure as an owner-occupied dwelling with a home business and additional residential rental space is much more suitable in an R-2 District.*
3. *As noted throughout various Planning Commission discussions including that of the Thrifty White CUP process and through the walking tours of Kingwood Street recently conducted by Commissioner Marohn, it is the opinion of the Kingwood area neighborhood that residential uses should be the primary uses within the area and commercial uses should only be permitted if they are low impact and conform in shape and manner to the neighborhood.*

- a. *The property seems to be initially designed as a single-family home.*
- b. *The home business use is as a financial advisor.*
- c. *The rezoning of the property would reduce the likelihood of more intense commercial uses being conducted on the property in the future.*
- 4. *If the property is rezoned as an R-2 District, the property will be considered legal nonconforming to the lot coverage requirement for residential uses within an R-2 District.*
 - a. *Section 515-56-10 state that impervious surface lot coverage for residential uses in an R-2 District shall not exceed 60 percent of the total lot area.*
 - b. *The impervious surface lot coverage of this property is approximately 61%.*

The Chair opened the public hearing at 7:07 p.m.

The Chair recognized Ms. Julie Dillion, owner of 215 N 3rd Street and Agate Homes, who explained she recently purchased the property and would like to remove the existing pavement as it is in very poor condition. She stated she would like to construct a garage, repave a smaller area and install a privacy fence in various areas.

The Chair closed the public hearing at 7:15 p.m.

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND WOODWARD TO RECOMMEND APPROVAL OF THE REZONING OF 215 N 3RD ST FROM A B-1 RESIDENTIAL OFFICE DISTRICT TO AN R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT.

Members Lambert, Duval, Gorham, Woodward and Foley voted “aye”. Member Burslie voted “nay”. The Chair declared the motion carried.

#5 Public Forum

The Chair opened public forum at 7:21 p.m.

No one came forward.

The Chair closed the public forum at 7:21 p.m.

#6 Old Business

6a. Comprehensive Plan Update

The Chair welcomed Ms. Ashley Kaisershot and Mr. Jake Huebsch, the Sourcewell Planning Team who thanked the Commission for the opportunity to present and also wanted to acknowledge Region Five for their work on the project. Mr. Huebsch and Ms. Kaisershot gave an update of the progress and timeline for the Comprehensive Plan. Ms. Kaisershot stated there will be a 30 day open public comment period coming up in July, with a draft being brought forward to the Planning Commission in August. She said the final version will be ready for the Planning Commission to hold a public hearing and to make a recommendation to Council in September for adoption in October. The Chair thanked them for the update.

6b. Nonconforming Rentals

Community Development Director Chanski explained there is a concern throughout Brainerd with duplex’ and multi-family structures that have rental units that the licensing has

lapsed for more than 365 days. He said many of these duplex' and multi-family rentals are in single-family residential districts, which are considered legal nonconforming as long as they existed prior to the zoning designation and remain registered with the City. He stated that staff does well at locating and questioning properties that may be rentals that are not licensed.

Commissioners discussed the concerns and available options.

Community Development Director Chanski would like to get to the policy level and possibly suggest changes for the City Council to consider.

Commissioner Duval requested Community Development Director Chanski provide a list of suggested solutions for the Commission to consider and work on.

6c. Nonconformance Discussion – 701 7th St. NW

Community Development Director Chanski explained the details of a previous meeting that resulted in a denial of the variance that was requested for this property.

Commissioner Lambert indicated since this property has been used as residential property for many years, she inquired about the possibility of rezoning this property back to a residential district. She stated this would allow the owner to improve the property as requested.

Commission discussion took place.

MOTION AND SECONDED BY COMMISSIONERS BURLIE AND DUVAL, DULY CARRIED, TO DIRECT COMMUNITY DEVELOPMENT DIRECTOR CHANSKI TO CONTACT THE PROPERTY OWNER AT 701 7TH STREET NW TO INQUIRE IF THEY ARE INTERESTED IN PURSUING A REZONING OF THE PROPERTY TO A RESIDENTIAL DISTRICT.

6d. Kingwood Walking Tour Recap

MOTION AND SECONDED BY COMMISSIONERS DUVAL AND LAMBERT, DULY CARRIED, TO TABLE THIS TOPIC UNTIL THE JULY MEETING.

6e. Zoning Ordinance Review Subcommittee Report

Community Development Director Chanski explained the results of the first subcommittee meeting that met regarding the use of a zoning ordinance matrix in the code. He stated the subcommittee combined uses into categories, which is provided in the packet.

MOTION AND SECONDED BY COMMISSIONERS MAROHN AND LAMBERT, DULY CARRIED, TO DIRECT STAFF TO UPDATE THE COUNCIL OF THE DIRECTION THE SUBCOMMITTEE IS GOING.

6f. Continuation of Lighting Standards Discussion

Community Development Director Chanski explained with the most recent Conditional Use Permit applications, lighting standards have become a concern. He stated the City Council indicated if the Planning Commission feels that the ordinance is inadequate, the Commission should address the standards through ordinance changes.

Commissioner Duval suggested different lighting standards for each defined district. Commission discussion took place.

MOTION AND SECONDED BY COMMISSIONERS MAROHN AND WOODWARD, DULY CARRIED, TO DIRECT STAFF TO RETURN TO THE PLANNING COMMISSION IN JULY WITH EXAMPLES OF POSSIBLE ORDINANCE SOLUTIONS.

#7 Commissioner's Questions/Comments

Commissioner Marohn made a statement that the Planning Commission has power, authority and responsibility regarding applications that indicate the need for excessive parking, lighting requirements not being met and the costs of required lighting. He said it is important for the Commission to feel empowered to get all the facts and take the time to evaluate each application without the feeling of time constraints to make a hasty decision. He indicated the streamlined process of reviewing applications that is currently in place is not allowing the Commission to complete the research and fact gathering. His suggestion would be a 30-day process of research and review prior to a meeting.

Commissioner Gorham stated if a pre-meeting takes place, this is in violation of open meeting laws. He also indicated the Commission members would have to become full time planning commissioners and this would put a huge burden on everyone. He stated he has faith in City staff to do the reviewing and research for the Planning Commission meetings that take place once per month.

#8 Community Development Director's Report

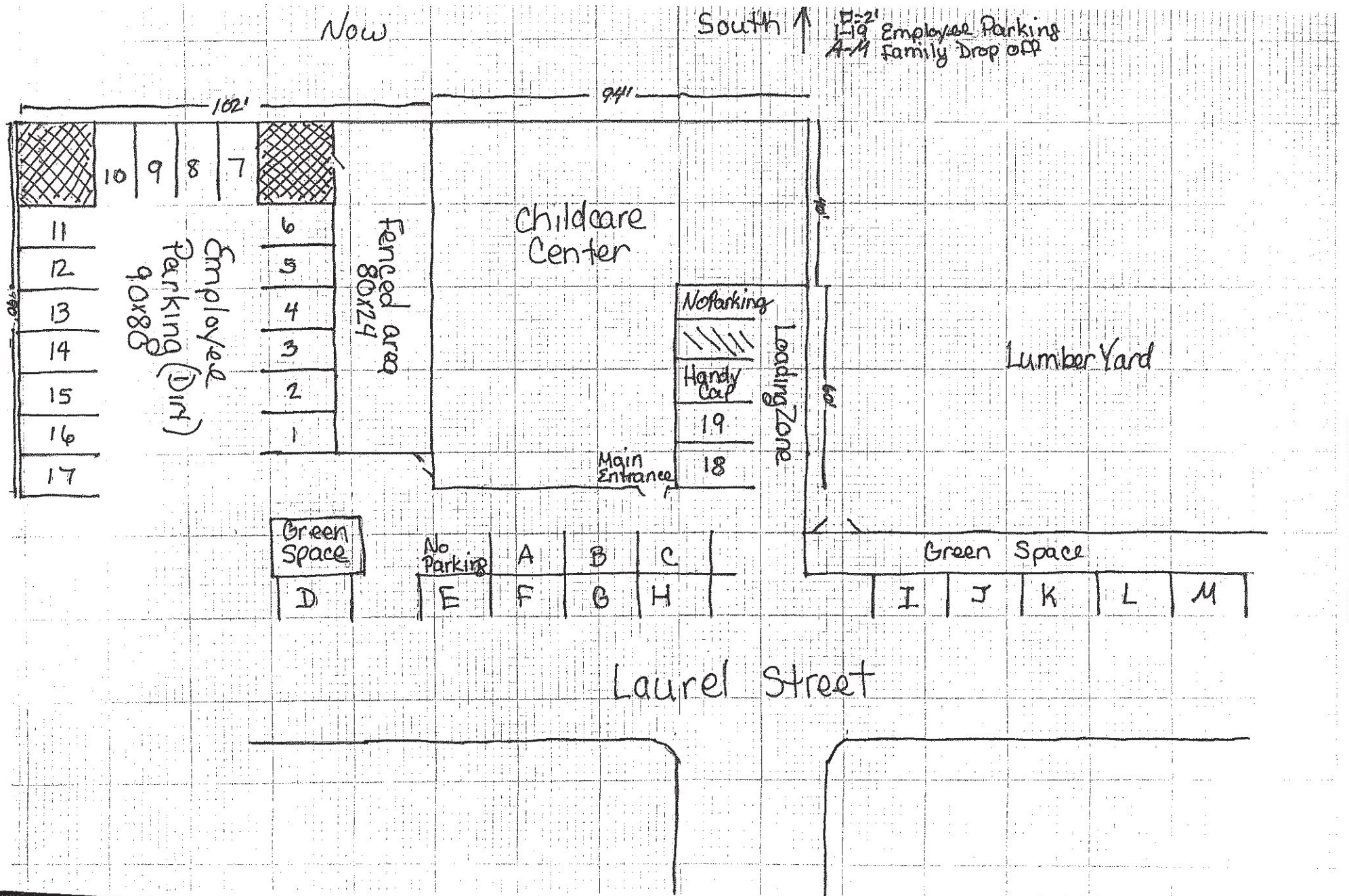
Community Development Director Chanski updated the Commission of past topics that have been reviewed by Council.

- o The high school lighting was approved at a 23' height, which was approved for all the high school property.
- o Council directed staff to work with the school district regarding the landscaping plans.
- o The variance for the school district's performing arts center was approved.
- o The rezoning of the water treatment plant was denied at the June 3rd meeting. BPU requested reconsideration and spoke at the June 17th meeting. The first reading for the rezoning passed.

#9 Adjourn

The Chair adjourned at 9:40 p.m.

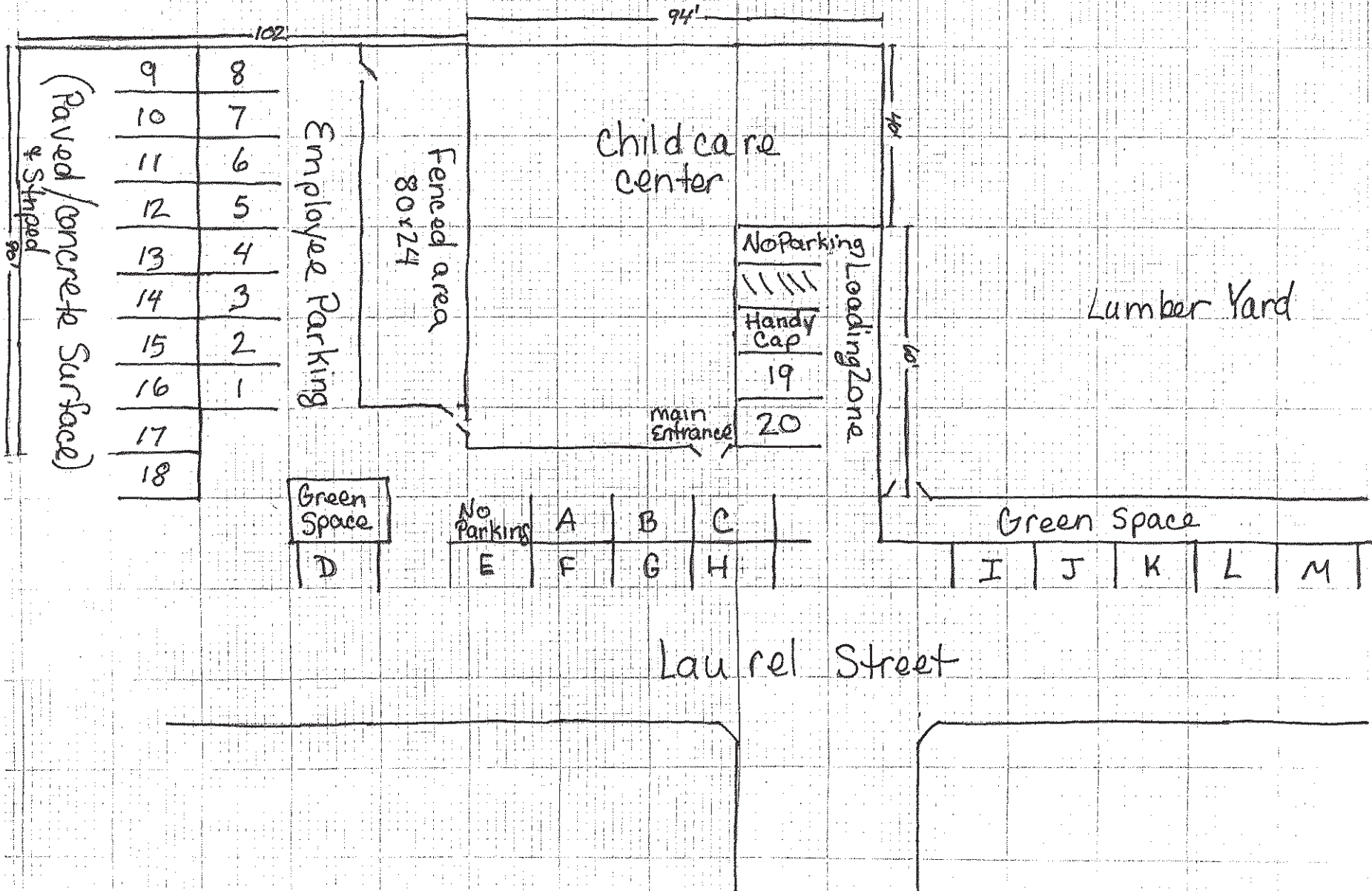
Planning Commission Chair



5 year Plan

South ↑

H=2'
F=20' Employee Parking
A-M Family Drop off



NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Kassondra Kubesh, 17140 State Hwy 371, Brainerd, MN 56401, has submitted an application for a Conditional Use Permit to operate a day care facility at 1002 Laurel St. The property included in this application is described as:

*Lots 13 through 18 inclusive Block 77 except the E 50 FT thereof together with that pt of vacated Tenth Street desc as follows; beg at the NW corner of said Lot 13, thence W'LY on an extended line of the N bndry of said Lot 13 to a point immediately W of the SW corner of said Lot 18, thence E'LY to the SW corner of said Lot 18, Thence N'LY alg the W line of said Lots 18, 17, 16,15,14,13 to the POB,
TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD.
P.I.N. 41241215
Section 24 Township 45 Range 31*

The property is in TC (Town Center) District, and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of commercial day care facilities as a conditional use as regulated by Section 515-3-14 of the Brainerd Zoning Ordinance. The new City of Brainerd Zoning Ordinance, Ordinance 1535, will be in effect on July 17th. 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, July 20th, 2022 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.

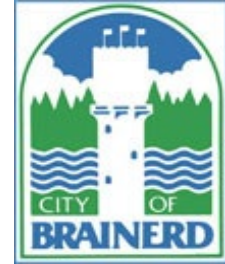
Dated this 6th day of July 2022



James Kramvik
Community Development Director

Publication Date: July 10th 2022

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: July 20, 2022

RE: Interim Use – Warming Shelter – 1926 S. 7th St.

Jana Shogren has submitted a request on behalf of Bridges of Hope for an Interim Use Permit to operate a warming shelter for the homeless in the Brainerd Lakes Area at 1926 South 7th Street.

Findings of Fact

1. 1926 S. 7th Street is located in a GC (General Commercial) District and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of warming shelters as an interim use as regulated by Section 515-3-41 of the Brainerd Zoning Ordinance.
2. The applicant is proposing that the warming shelter operate between the months of September 1 and April 30 of each year dependent on weather and supervisor approval.
3. The warming shelter, for the purpose of temporarily sheltering homeless persons, must meet the following criteria as required by the aforementioned section of the Code:
 - a. Operation may not exceed 16 continuous hours.
 - i. *The applicant states that the shelter will not exceed 14 continuous hours of operation.*
 - b. Facility occupancy shall not exceed 30 beds or total occupancy of facility as set by the Fire Marshal, whichever is less.
 - i. *The Shelter will have 20 twin beds and will have two separate sleeping areas: male side and a female side. The Shelter will have 10 overflow mats. They will not exceed 30 guests on any given night.*
 - c. Facility shall be staffed during all hours of operation.
 - i. *The facility will be staffed at all times when guests are present.*
 - d. 24-hour contact information shall be provided to the City of Brainerd Police Department and Crow Wing County Community Services Department.
 - i. *The shelter will provide all appropriate contact information before operation.*
 - e. Except for bicycle racks, outdoor storage of equipment, furniture, personal items, or other such possessions of those using the facility is not permitted.

- i. Guest bags, outer clothing (coats, snow pants), and property will be locked up upon arrival at the shelter by staff in the secured guest closet indicated on the floor plan*
- f. Facility shall meet all applicable building, safety, fire, and health code requirements.
 - i. The Building Official and Fire Marshal inspected the facility before operation in the first year. The facility met all applicable building, safety, fire, and health code requirements. The Building Official and Fire Marshal would inspect this property prior to resuming operation.*

As of this writing, no one has contacted the Community Development Department with concerns or objections to the Interim Use Permit.

Staff Opinion

Staff recommends approval of the Interim Use Permit contingent upon the following conditions:

- 1) Interim Use Permit shall expire on June 30, 2025.
- 2) If the Brainerd Police Department determines that the facility has been used in a disorderly manner and upon the recommendation of the Police Chief, the Interim Use Permit shall be brought before the City Council for review and consideration for suspending or revoking the permit at the next available City Council meeting.



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: _____

INTERIM USE PERMIT

Application Form (residential - \$250.00 / commercial - \$500.00 + \$500.00 escrow deposit)

(This form must be filled out completely before your application will be accepted)

Property Address for this *Interim Use Permit*: 1926 South 7th Street, Brainerd

I (We) the undersigned, do hereby respectfully request the Brainerd City Council to grant an Interim Use Permit to allow a homeless overnight shelter. The shelter will be used to provide a safe place to sleep. The shelter will be staffed at all times when guests are present.

_____ at the property address listed above until the date of 6/30/2025

Legal Description (attach, if lengthy): Lot 4&5 Block 3 Addition Holiday Inn Addition to Brainerd Section 36 Township 45 Range 031

Property Owner: Edgewood Home Inc, Ronald Madison

Address: 1927 Woodcrest Rd, Brainerd MN 56401

(Street)

(City)

(State)

(Zip)

Contact Information #: (218) 829-9103

(Home)

(218) 829-9103

(Business)

(Fax)

(E-mail)

Applicant: (if different than Property Owner) Bridges of Hope, Jana Shogren

Address: 2011 South 6th Street Brainerd, MN 56401

(Street)

(City)

(State)

(Zip)

Contact Information #: _____

(Home)

(218) 825-7682

(Business)

jana@bridgesofhopemn.org

(Fax)

(E-mail)

Contact Person: (if different than Property Owner) Jana Shogren or Ann Hunnicutt

Address: 2011 South 6th Street Brainerd, MN 56401

(Street)

(City)

(State)

(Zip)

Contact Information #: _____

(Home)

(218) 825-7682

(Business)

(Fax)

(E-mail)

This Interim Use Permit may be approved if sufficient facts are presented at the Planning Commission and City Council meetings to support a finding that all of the attached criteria for granting an Interim Use Permit have been met.

Obtaining this *Interim Use Permit* does not absolve the applicant from obtaining all other applicable permits, such as Building Permits, MnDOT access permits, etc.

I (We) certify that I (we) have submitted all the required information to apply for an Interim Use Permit and that the information is factual.

Signed by: Edward Homs Inc
Ronald R. Madson President Date: 6/6/22
(Property Owner)

RONALD R MADSON
(Property Owner-Please print Name)

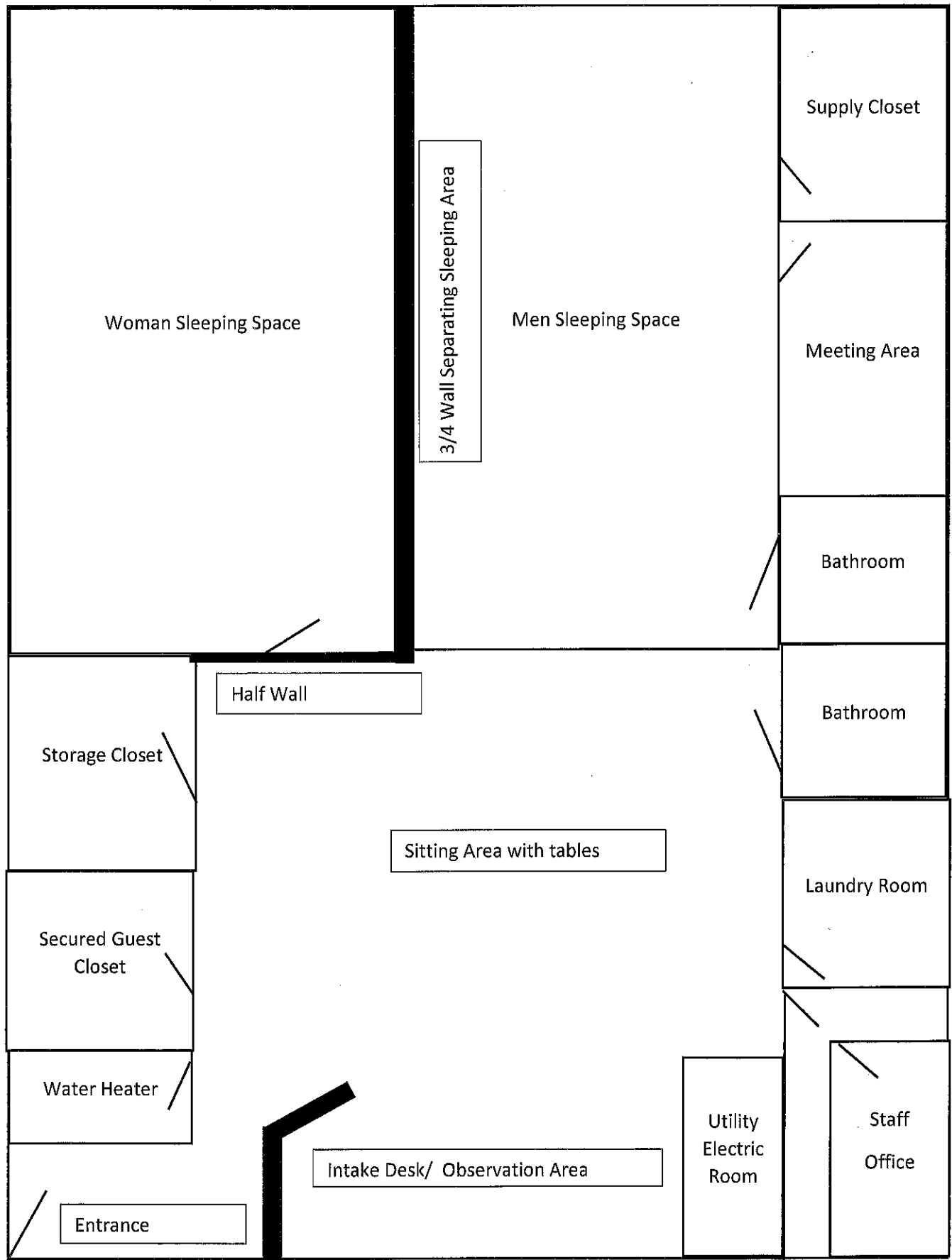
Jana M. Shogren Date: 6/2/22
(Applicant-If different than owner)

Jana M. Shogren
(Applicant - Please print name)

Interim Use Permit
Supporting Information

The City Council may approve an Interim Use Permit if all of the "Criteria for Review of Interim Use Permits" are met. In order to facilitate review of this application for an *Interim Use Permit*, the applicant must address each of the "Criteria", referred to in Section 515-6-1 of the Zoning Ordinance.

1. **Public Health/Safety/Welfare.** The *Planning Commission* and the *City Council* shall review each application for the purpose of determining that each proposed use meets the following criteria referenced to in Section 6-14 and in addition, shall find adequate evidence that each use in its proposed location will address the following:
 - (a) The proposed use conforms to the district and conditional use provisions and all general regulations of this Ordinance.
 - (b) The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.
 - (c) 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.
 - (d) The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - (e) The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - (f) The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.
 - (g) The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.

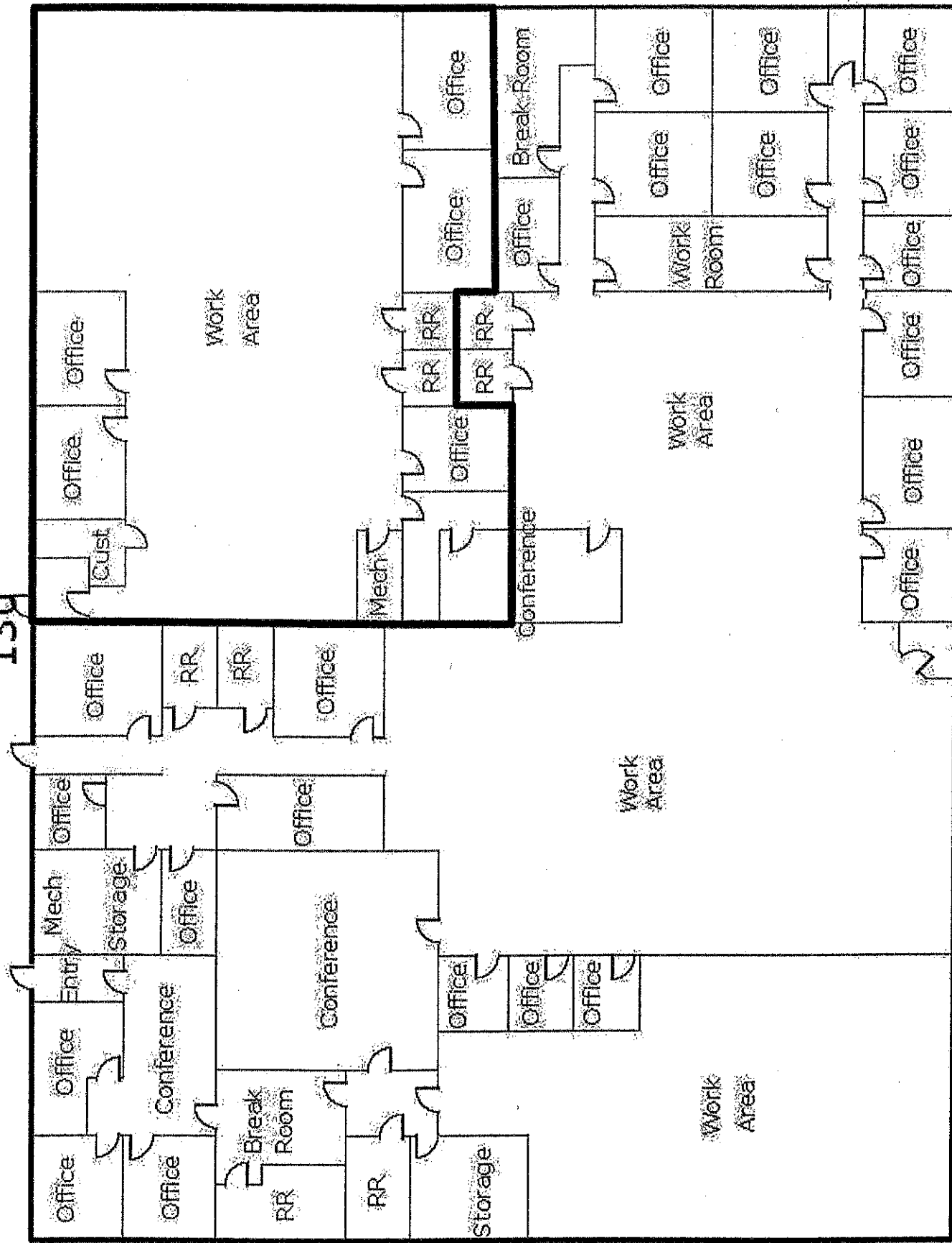


139'

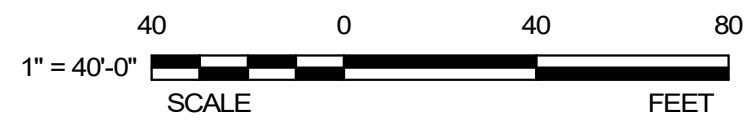
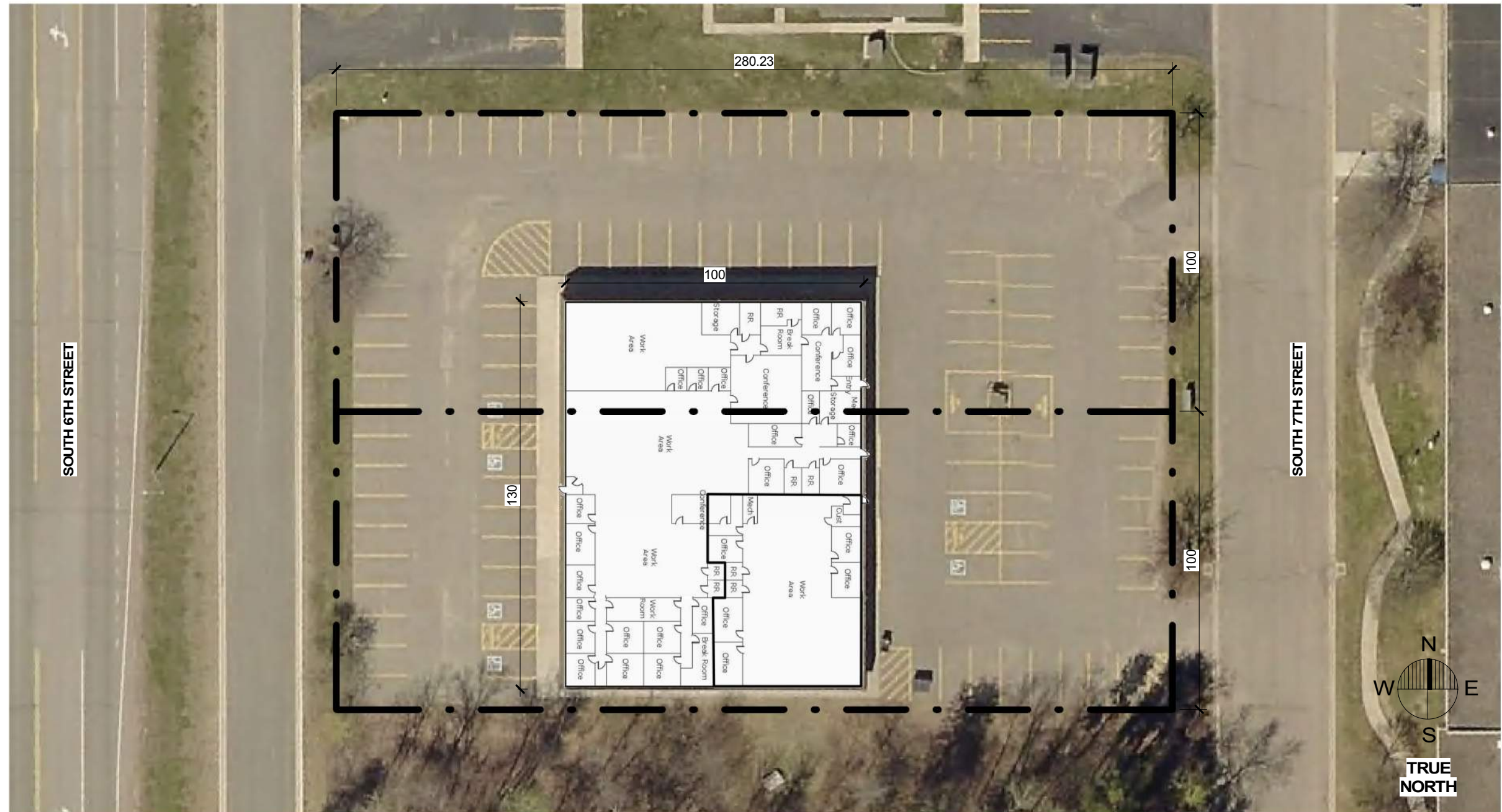
100'

100'

130'



1919 SOUTH 6TH STREET





ROUGH DRAFT ONLY

Policy and Procedures

Warming Shelter

1. Mission Statement

Our mission is to build bridges of support, anchored in Christ's love, between families in the Brainerd Lakes area and our community partners that can help them thrive and grow with hope.

Description of Services

The Community Warming Shelter will provide a safe, warm, overnight facility for individuals 18 years of age or older from November through March. Services may be extended beyond those dates if deemed necessary.

The Warming Shelter is being operated by Bridges of Hope a non-profit organization and will welcome people of all beliefs and religions. All guests will be respected with no imposition of individual beliefs by staff or volunteers. The Shelter is a Community Shelter and not a Bridges of Hope Shelter.

Information on referrals and resources for community services will be provided to interested guests.

Contacts:

ALL EMERGENCIES; DIAL 911

Ann Hunnicutt

Warming Shelter Director

(218) 825-7682 (Office daytime) Will replace with Shelter # once known

(218) 839-1845 (Cell phone)

Brainerd Police Department

225 East River Rd

Brainerd, MN 56401

(218) 829-2805 (non-emergency daytime)

(218) 829-4749 (non-emergency after hours)

Brainerd Fire Department

23 West Laurel St

(218) 828-2312 (non-emergency daytime)

Crow Wing County Sheriff's Office

304 Laurel Street

Brainerd, MN 56401

(218) 829-4749

Crow Wing County Social Services

204 Laurel Street

Brainerd, MN 56401

(218) 824-1140

(218) 829-4749 (After hours for on call staff)

Essential Health St. Joseph's Hospital

523 North 3rd St

Brainerd, MN 56401

(218) 829-2861

2. Rules and Regulations

(A) Guest Eligibility: Guest must be at least 18 years of age.

(B) Guest Behavior: Guest must remain calm and respectful. Any threats or aggression, physical or verbal or damage to property, or violation of Shelter rules may be cause for immediate expulsion. Behavior that results in police being called with be exited from the shelter immediately, for the remained of that night. Incident reports will be filled out for behavior concerns and reviewed daily by director who will make final decision on expulsion.

(C) Prohibited Substances and Items: Alcohol, illegal drugs/substances or weapons are not allowed at the Shelter. Any weapons will be confiscated. Pocket knives may be turned in for safe keeping and returned upon exiting the shelter. The shelter will not tolerate any weapons, smoking, using alcohol or illegal drugs/substances in the Shelter and it may be grounds for immediate expulsion.

(D) Guest Property: Guest bags, outer clothing (coats, snow pants), and property will be locked up upon arrival at the shelter by staff. Medication (unless requiring refrigeration) and all items will remain locked up while the guest is at the Shelter, and the guest will not have access to them until 6:00 a.m. If guest leave prior to 6:00 a.m. they will not have access to their belonging and may come back for them between 6:00 a.m.-8:00 a.m. but will not be allowed in the shelter until the next business day.

(E) Guest Responsibility: Guests are expected to clean up after themselves. Guests are expected to comply with appropriate staff requests and directions.

(F) Guests, Staff and Volunteers: Staff and volunteers are not permitted to offer rides to guests, give or loan money or any other items of monetary value to guests. Guest may not ask staff/volunteers for such items and must understand that staff/volunteers are here to help with supervision and provide company.

(G) Center Hours of Operation: Guest are invited to stay in the warming Shelter starting at 8:00 p.m. until 8:00 a.m. the following morning. All guests must arrive by

11:00 p.m. nightly as no more intakes will be allowed. After 11:00 p.m. the only intakes the shelter will allow is those referred by police, hospital staff or approved referral source. Guests that leave the premises at any time during the night will not be allowed back until the following night. Linger on the premises before the Shelter opens or after it closes is not permitted. Guests MUST take all items when they leave and not leave anything behind in a storage bin. If a guest leaves any belongings behind, they can only be retrieved when the Shelter next opens (usually the following evening). If a guest leaves unclaimed belongings at the Shelter, they may be disposed of or donated after 30 days. The Shelter and all volunteers/staff are not responsible for any lost items.

(H) Number of Guests: The Shelter will have 20 twin beds and will have two separate sleeping areas: male side and a female side. At all times Guest will have full supervision for safety. The Shelter will have 10 overflow mats. We will not exceed 30 Guest in any given night, and no exceptions for this rule. If we are presented with over 30 Guest's, we will contact Crow Wing County Social Services to see about Emergency Placement options.

(I) Lights Out: Lights are out at 11:00 p.m. If a guest chooses to stay in the common area after lights out, they are expected to be quiet and respectful of others when going to bed.

(J) After Hour Admission: Guest will not be allowed to enter the Shelter after 11:00 p.m. unless they are accompanied by a police officer, or an approved referral source has contacted the Shelter and made arrangement, on the guest's behalf.

3. Supporting Volunteers.

The Community Warming Shelter volunteer opportunities.

The Community Warming Shelter will use volunteers to assist with gathering supplies, repairs and maintenance, additional cleaning, and meals on Holiday's. Volunteers will also be available to assist with intake process and checking out process but will always be accompanied by at least one paid staff member. Volunteers will be used to build rapport with guests and be a support person for the guest.

To Volunteer; Please contact Ann Hunnicutt via email at ann@bridgesofhopemn.org or by phone number located on the Bridges of Hope website. In email include name and phone number and someone will get you the volunteer paperwork to fill out.

4. Shift Volunteers

Shift Volunteer Requirements

To assure the health and safety of the Shelter all guests will be required to fill out a volunteer application and complete a background check. Every volunteer will complete an orientation training for serving guest at the Shelter. All Shelter volunteers must comply with the Shelter's policies and procedures.

Requirements:

- a) Must be at least 18 years of age.
- b) Be responsible, compassionate, and friendly.
- c) Understand that the Shelter is not a place of judgment-no questions should be asked about drugs or alcohol habits. Treatment resources are only discussed with those participants who ask for help and resources. Volunteer may not impose their individual beliefs on guests.
- d) Treat all individuals with dignity and respect.
- e) Complete the Shelter's volunteer orientation training.
- f) Successfully complete a background check.
- g) Be willing to work and stay alert during shift.
- h) Able to work with people of many backgrounds and beliefs.
- i) Able to maintain confidentiality of guests while inside and/or outside of the Shelter.

5. Procedures

Routine Maintenance/Emergency Procedures

Routine Maintenance

- a) Periodically check the first aid supplies to ensure we have enough, nothing has expired, and everything is still in working order. (See list attached to first aid kit)
- b) Check the flashlights to make sure they are working properly.
- c) If anything needs to be replenished, please email the director of the shelter; ann@bridgesofhopemn.org. Please record request on log sheet during each shift.

What is an emergency?

An emergency is any immediate threat to life and/or property that requires an immediate response from police, fire or ambulance personnel. If in doubt, err on the side of safety.

When reporting an emergency:

- a) Use Shelter's landline and/or cell phone and dial 911.
- b) Stay on the line with the dispatcher, if at all possible.
- c) Provide the address (1926 South 6th Street, Brainerd, Rear entrance off of South 7th Street) and description of emergency.
- d) Provide the phone number at your location.
- e) Provide a thorough description to ensure the appropriate resources are dispatched.
- f) Make sure someone is available to open the door to the outside and stays there, if possible, to brief the emergency personnel.

Evacuation/Escape Procedure:

- a) Have everyone move calmly to the nearest exit.
There are two exits out of the Shelter; use the main entrance first if possible, all exits have signage. See Evacuation maps on walls for details in case of a fire and/or tornado.
- b) Once outside, move clear of the building allowing others to exit; do not return to an evacuated building until advised by emergency personnel.
- c) Do a headcount once you have gathered everyone away from the building.
- d) **If unable to go back in to building or a long time outside go to address below.**
Lobby is open and we have permission to use lobby area until we have a better understanding of situation:

**Econo Lodge
2115 South 6th Street
Brainerd, MN 56401
(218) 270-5001**

Severely intoxicated, high, or incapacitated persons:

Call 911 if the situation seems an emergency or call the Brainerd Police Department non-emergency number (218) 829-4749 if it is not an emergency. Ask the police to come and decide the best manner of dealing with someone who is incapacitated due to drugs, alcohol, or other reasons. They must also be contacted if someone appears to be a danger to themselves or others.

Self-harming/suicidal guests:

In the case that a guest is caught in an act of self-harm or is threatening suicide, call 911 using the center's landline. If safety permits, someone should stay with the guest until help has arrived.

Injury:

There are first aid materials available for minor injuries. It is necessary to wear glove before attending to any blood injuries and to follow procedures on blood borne pathogens. For serious injuries or illness, call 911.

Inclement Weather:

If an ice storm or blizzard occurs during the evening hours, use caution when leaving the Shelter and good sense in releasing guests in the morning hours. There will be shovels for snow removal of the side walks prior to guest exiting and salt if needed for ice.

Damage to Property:

If something breaks or is damaged during the evening, complete an Incident/Injury/Accident Report and turn in to director.

6. Policies

The community Warming Shelter has the following policies for closure due to lack of guests.

If there are no guests during the intake period from 8:00 p.m. until 11:00 p.m., then the Shelter will be closed.

The Director will then call the non-emergency police number (218) 829-4749 and Essentia Health (218) 829-2861 to let them know we are closing. In the event of a closure one staff will remain on call for referral services. If closure occurs staff will notify 2nd shift of closure.

The Shelter Director shall be called in event of the shelter closing, (218) 839-1845.

Smoking Policy:

The Shelter will allow guests to leave the building to smoke cigarettes prior to lights out at 11:00 p.m. The guest must stay in the designated area ONLY, or they may be considered to have left the Shelter and may not be able to re-enter. Guest must stay in view of the surveillance cameras and stay within the yellow marked areas by the entrance door of the Shelter. Guest can resume going out to smoke at 6:00 a.m., again staying in the designated area ONLY.

There is no smoking cigarettes or any substances inside the building. You may be banned from the Shelter if you violate this policy.

Pet Policy

There shall be no pets or animals inside the Shelter or on the property where the Shelter is located. There shall be no animals left in a vehicle in the parking lot of the Shelter. The Shelter will adhere to the Laws pertaining to Service Animals and Emotional Support Animals. See Below.

<https://mn.gov/mdhr/yourrights/service-animals/>

A **service animal is a dog -- or, in rare cases, a miniature horse** -- that is specially trained to perform specific tasks for a person with a disability. A service animal might guide an individual with vision impairment, detect seizures, or keep individuals calm during a panic attack.

A business is not required to allow an emotional support animal onto its premises. However, a business or government office can choose to allow emotional support animal access.

A landlord can insist that tenants with assistance animals **comply with local ordinances requiring that animals be licensed or immunized.**

Similarly, all tenants must comply with laws or ordinances forbidding certain wild or exotic animals (such as wolves or lemurs) on the basis of legitimate public health and safety concerns.

<https://disability.state.mn.us/information-and-assistance/service-animals/>

Under the ADA, State and local governments, businesses, and nonprofit organizations that serve the public generally must allow **service animals** to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. For example, in a hospital it would be inappropriate to exclude a service animal from areas such as patient rooms, clinics, cafeterias, or examination rooms. However, it may be appropriate to exclude a service animal from operating rooms or burn units where the animal's presence may compromise a sterile environment.

Service animal: As defined in the Americans with Disabilities Act (ADA) may be a dog, or in some cases a miniature horse, individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the animal must be directly related to the person's disability. The ADA allows these animals to go anywhere that the public is allowed to go.

Emotional support, therapy, comfort, or companion animals are not considered service animals under the ADA. These terms are used to describe animals that provide comfort just by being with a person. Because they have not been trained to perform a specific job or task, ***they do not qualify as service animals under the ADA.***

Staff/businesses cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task. Service animals do not have to wear a vest or patch or special harness identifying them as service animal. Two questions may be asked of the owner of a service animal:

Is the service animal required because of a disability?

What work or task has the animal been trained to perform

Under the ADA, **service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices.** In that case, the individual must maintain control of the animal through voice, signal, or other effective controls. Generally, the animal must stay on the floor, or the person must carry the animal. Service animals should not be placed in shopping carts.

Service animal users must be afforded the same opportunity as any other guest in any establishment. People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. In addition, if a business requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals.

Service animals must be under handler control and housebroken. Misbehaving, out of control, or lunging service animals may be asked to leave the premises. A business may charge for any damages that the animal causes. Staff are not required to provide care or food for a service animal.

Brainerd City Ordinance;

900.03 Subd. 2. License Required . A) All dogs over the age of four (4) months kept, harbored, or maintained by their owners in the City, **shall be licensed and registered with the City.** Dog licenses shall be issued by the City upon payment of the annual license fee on or before the first day of January of each year, or within thirty (30) days of acquiring ownership or possession of any unlicensed dog. The annual license fee shall be set by Chapter X of the Brainerd City Code. The owner shall state, at the time application is made for the license and upon forms provided for such purpose, his or her name and address and the name, breed, and sex of each dog owned or kept by him or her. **No license shall be granted for a dog which has not been**

vaccinated against rabies, as provided in this Section. Vaccination shall be performed only by a doctor qualified to practice veterinary medicine in the State in which the dog is vaccinated. A veterinarian who vaccinates a dog to be licensed in the City shall complete a certificate of vaccination. A copy of the current rabies vaccination shall be shown at the time of licensing. B) It shall be the duty of each owner of a dog subject to this Section to pay to the City of Brainerd the license fee as imposed by City Code. C) Upon payment of the license fee, the City shall issue to the owner a license certificate and metallic tag for each dog licensed. The tag shall have stamped on it the year for which it is issued and the number corresponding with the number on the certificate. **Every owner shall be required to provide each dog with a collar to which the license tag must be affixed and shall see that the collar and tag are constantly worn.** In case a dog tag is lost or destroyed, a duplicate shall be issued by the City upon the presentation of a receipt showing the payment of the license fee for the then current license year and after payment by the applicant of the fee fixed by Chapter X of the Brainerd City Code for issuance of the duplicate license. Dog tags shall not be transferable from one dog to another and no refunds shall be made on any dog license fee or tag because of death of a dog or the owner's leaving the City before the expiration of the license period. It is unlawful to counterfeit or attempt to counterfeit tags provided for herein, or to take from any dog a tag legally placed upon it by its owner with the intention of placing it upon another dog. D) The licensing provisions of this Subdivision shall not apply to dogs whose owners are non-residents temporarily within the City (not more than (30) days), nor to dogs brought into the City for the purpose of participating in any dog show. Further, this provision shall not apply to "seeing eye" dogs properly trained for the purpose of providing service to persons with disabilities to aid them in going from place to place provided that a Certification of Assistance Training from a recognized school or program is submitted with the license application. E) The funds received by the City from all dog licenses and metallic tags shall first be used to defray any costs incidental to the enforcement of this Section; including, but not restricted to, the costs of licenses, metallic tags, and impounding and maintenance of the dogs. F) **Any dogs brought into the City of Brainerd must be properly licensed within thirty (30) days of having been moved into the City.**

Cell Phone Policy

Cell phones will be allowed to accompany guests while in the Shelter. Guests are to use cell phones in designated area only (quiet area). While in the sleeping area the phones should not be used for any purpose.

Cell phones should not be used for photos due to confidentiality of Guests. If photos are taken of Guests while in the Shelter or on the property of the Shelter, you may be asked to place your phone in your bin for safety and/or you may be banned from the Shelter.

Bathroom Use Policy:

Guest have no expectation of privacy while in the Shelter and will have signed a Guest Agreement form stating they are aware of this. They will have full use of the restrooms which will have locking capability.

7. Information of Shelter Operations

a) The first shift staff will arrive at 7:30 p.m. to assure everything is prepared prior to intakes. This staff will also coordinate with volunteers and prep volunteers on their duties.

b) Staff and volunteers will place their own personal valuables in secure area.

c) There will always be 2 staff working unless Director is working and sends staff home due to a limited amount of Guests. Shifts available to work for staff only are as follows:

1st Shift: 7:30 p.m. until 2:00 a.m.

2nd Shift: 2:00 a.m. until 8:30 a.m.

Full Shift: 8:00 p.m. until 8:00 a.m.

d) All shifts will be responsible for laundry of bedding and guest clothing. Each shift will be assigned cleaning duties to ensure a clean environment for staff, volunteers, and guests.

e) Desk Staff: will attend to paperwork for intake, will be responsible for monitoring surveillance system and recognizing concerns within the Shelter or outside the Shelter.

f) Desk Staff will assure that intake paperwork is filled out and any exit paperwork that needs to be done. Desk Staff will assure all paperwork is completed by end of shift.

g) Floor Staff: will attend to assisting guests into the Shelter, will gather belongings while intake paperwork is being completed by the Desk Staff. The floor staff will conduct searches of guest's person if have concerns with drugs or alcohol being brought into the Shelter. The Guest will be assigned a numbered bin and then will be free to enter the Shelter and sleeping area. Floor staff will be trained and make a trained decision if a Guest is not able to enter the Shelter due to behavioral

concerns. The Floor staff will continue to monitor floor area and sleeping area. Floor staff will do perimeter checks on a regular basis of the exterior of the building.

- h) Staff and Volunteers on site in the morning will assist Guests with getting their belongings and exiting the building and property. Guests will not be allowed to linger on the property or in the parking lot after Shelter is closed.
- i) After Shelter closing; Staff will assure that the cleaning is done for that shift, shut lights off, and secure building. One staff and possible Volunteers should be out of the building by 8:30 a.m. unless extra work is needed.
- j) Guest may enter the building at 8:00 p.m. and must be off the premises by 8:00 a.m. This leaves for a maximum of a 12 hour stay each night.
- k) Nightly Cleaning; see nightly cleaning check off list.

From: [Ann Hunnicutt](#)
To: [James Kramvik](#)
Subject: Policy Procedure update
Date: Wednesday, July 6, 2022 8:24:31 AM

*** **Warning:** External sender, use extreme caution with attachments and links ***

James,

This is the only change we made in the manual at this time to reflect hours of operation.

1. Mission Statement

Our mission is to build bridges of support, anchored in Christ's love, between families in the Brainerd Lakes area and our community partners that can help them thrive and grow with hope.

Description of Services

The Community Overnight Shelter will provide a safe overnight facility for individuals 18 years of age or older. The shelter may operate between the months of September 1 and April 30 of each year dependent on weather and supervisor approval. The shelter will not be open for more than 14 hours in any given night.

The Community Overnight Shelter is being operated by Bridges of Hope a non-profit organization and will welcome people of all beliefs and religions. All guests will be respected with no imposition of individual beliefs held by staff or volunteers.

Information on referrals and resources for community services will be provided to interested guests.

I did not attach the whole manual as the council had it last year and it remains the same beside the highlighted portion, at this time.

Thank you

Ann Hunnicutt
Bridges of Hope

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Jana Shogren has submitted a request on behalf of Bridges of Hope for an Interim Use Permit to operate an overnight warming shelter for the homeless in the Brainerd Lakes Area at 1926 S 7th St. The property included in this application is described as:

LOT 4 BLOCK 3 HOLIDAY INN ADDITION TO BRAINERD

LOT 5 BLOCK 3 HOLIDAY INN ADDITION TO BRAINERD

P.I.N. 41360878

P.I.N. 41360877

Section 36, Township 45, Range 31

The property is zoned GC (General Commercial) District, and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of warming shelters as an interim use as regulated by Section 515-3-41 of the Brainerd Zoning Ordinance. The new City of Brainerd Zoning Ordinance, Ordinance 1535, will be in effect on July 17th. 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, July 20th, 2022 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 6th day of July 2022



James Kramvik
Community Development Director

Publication Date: July 10th 2022