

PLANNING COMMISSION

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Wednesday, August 17, 2022 @ 6:00pm

The public is invited to attend this meeting in person
Attend by phone: 1-844-992-4726 Meeting Access Code: [2484 632 8662](#)
Meeting is also televised on CTC Cable channel 8 and streamed live on
YouTube: www.youtube.com/CityOfBrainerdMN

1. Call To Order

2. Roll Call

___ D. Gorham ___ M. Kallroos ___ K. Yeager ___ T. Erickson

___ C. Marohn ___ T. Woodward ___ M. Duval

3. Pledge Of Allegiance

4. Approval/Amendment Of Agenda

5. Approval Of Minutes

1. Regular Meeting Held on July 20, 2022

Documents:

[2022-07-20 DRAFT.PDF](#)

6. Old Business

7. New Business

7.a. Conditional Use Permit - Residential Addiction Recovery Facility With Outpatient Services 2501 Greenwood St.

Documents:

[CUP - 2501 GREENWOOD ST - RECOVERY FACILITY.PDF](#)

7.b. Conditional Use Permit - Ice Vending Machine 1202 6th St. S

Documents:

[CUP - 1202 6TH ST. S - ICE VENDING MACHINE.PDF](#)

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, July 20, 2022

6:00 pm

#1 Call to Order

Planning Commission Vice Chair Woodward 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, and Gorham. Commissioners Duval and Kallroos were noted as absent. Also noted as present was City Administrator Bergman and Community Development Director Kramvik.

#3 Pledge of Allegiance

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

#4 Approval/Change of Agenda

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

#5 Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND GORHAM, DULY CARRIED, TO APPROVE THE MINUTES FROM THE JUNE 15, 2022 REGULAR MEETING.

#6 Old Business

None

#7 New Business

7a. Variance from Fence Height Setback Standards – 401 Holly Street

Community Development Director Kramvik explained the details of the request from the property owner of 401 Holly Street. He said the applicant would like to construct a 6' wood privacy fence up to the sidewalk with no setback requirements.

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

The Vice Chair recognized Jessie Hartman, 401 Holly Street, who distributed photos of the property to the Commission and gave a brief history of the process he followed to obtain a fence permit.

The Vice Chair recognized Mary Aegerter, 615 N 5th Street, who is against the variance to allow a 6' fence to meet the sidewalk. She stated that she would be in favor of a 4' fence instead of the proposed 6' fence.

The Vice Chair recognized Chuck Marohn, 616 N. 4th Street, who owns property that abuts 401 Holly Street and stated the fence was constructed against city ordinance. He said the details of his concerns have been provided in the memo included in the packet.

The Vice Chair recognized Krista Soukop, 606 Bluff Avenue, who is the president of the Northside Neighborhood Association and is speaking on behalf of the group. She stated that the residents are not in favor of the variance to allow tall fences up to the sidewalk.

The Vice Chair recognized Zach Skarolid, 703 5th Street N., who stated he is in favor of approving the variance due to the safety and security of pets and children. He said he is also on a corner lot and should be able to use that corner as a secure yard space.

The Vice Chair closed the public hearing at 6:33 pm.

Commission discussion took place.

The Vice Chair recognized Kelsie Randall, 401 Holly Street, who stated that they are going to have a survey to determine property lines.

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND YEAGER, DULY CARRIED, TO RECOMMEND DENIAL OF THE VARIANCE FROM FENCE HEIGHT SETBACK STANDARDS AT 401 HOLLY STREET, AS THE APPLICANT HAS NOT DEMONSTRATED A PRACTICAL DIFFICULTY IN COMPLYING WITH THE ZONING ORDINANCE DUE TO CIRCUMSTANCES THAT ARE UNIQUE TO THE PROPERTY.

7b. Façade Interpretations in New Zoning Code

Community Development Director Kramvik explained that the Commission needs to determine how to interpret the new zoning code definition of façade. He said historically, the front façade was defined as the outermost face of the principal building in the front or side (corner) yard that is part of the foundation and covered by a roof.

The Vice Chair opened the public hearing at 6:52 pm.

The Vice Chair recognized Chuck Marohn, 616 N. 4th Street. He stated he would determine the façade differently on a corner lot, as this is someone else's side yard and another's backyard. He said the front façade could be a garage if the living quarters were built above. The "*good neighbor*" provision should be implemented in the new zoning code, as it was in the previous code.

The Vice Chair recognized Jessie Hartman, 401 Holly Street, who as a contractor, indicated the façade of a principal structure is the leading edge where foundation meets the roofline of a house.

The Vice Chair recognized Kelsie Randall, 401 Holly Street, who commented that the placement of a home built farther back from others in the neighborhood should not determine where neighboring fences are built.

The Vice Chair closed the public hearing at 7:03 pm.

Commission discussion took place.

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND ERICKSON, DULY CARRIED, TO DEFINE FRONT FAÇADE IN THE NEW ZONING CODE AS THE FORWARD MOST PART OF A LIVING STRUCTURE THAT IS CONNECTED BY FOUNDATION, WALL AND ROOF THAT HAS THE ABILITY TO CONCEAL OR BE HEATED, NOT INCLUDING ACCESSORY STRUCTURES OR GARAGES.

7c. Conditional Use Permit – Commercial Daycare Facility – 1002 Laurel St.

Community Development Director Kramvik stated that the property owners have submitted a request to operate a daycare center at 1002 Laurel Street. He indicated there was a previous application submitted in 2019 that did expire the time limit. He reviewed the details of the application, as well as the changes to the zoning requirements.

The Vice Chair opened the public hearing at 7:27 pm.

The Vice Chair recognized Denise Blood, 11315 Leewood Lane, East Gull Lake, who is the property owner. Commissioner Yeager explained to her there is a DEED grant opportunity for small businesses in the River to Rail corridor being handled through BLAEDC and encouraged the applicant to apply.

The Vice Chair closed the public hearing at 7:27 pm.

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND YEAGER, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT AT 1002 LAUREL STREET TO OPERATE A DAYCARE CENTER.

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

Community Development Director Kramvik stated the applicants are returning to the Commission to reapply for an Interim Use Permit for the warming shelter. He indicated there were just a couple adjustments made to the operating hours and the desire to increase the permit from one-year to three-years.

The Vice Chair opened the public hearing at 7:31 pm.

The Vice Chair recognized Ann Hunnicutt, 1822 CR 2, Ft. Ripley, who shared the details of the successful season they had in 2021-2022 and provided the numbers on guest stays.

The Vice Chair recognized Jana Shogren, executive director for Bridges of Hope, who said the reason for the increased length of the permit is to demonstrate a commitment to the project. She explained that this will help in establishing long term fundraising and funding for the shelter.

The Vice Chair closed the public hearing at 7:41 pm.

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND GORHAM, DULY CARRIED, TO RECOMMEND APPROVAL OF THE INTERIM USE PERMIT FOR A WARMING SHELTER AT 1926 S. 7TH ST THROUGH JUNE 30, 2025 WITH THE CONDITION IF THE BRAINERD POLICE DEPARTMENT DETERMINES THE FACILITY HAS BEEN USED IN A DISORDERLY MANNER AND UPON 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.

#8 Public Forum

The Vice Chair opened the public forum at 7:44 pm.

No one came forward.

The Vice Chair closed the public forum at 7:46 p.m.

#9 Community Development Director's Report

Community Development Director Kramvik gave the following updates:

- Brainerd Lakes Area Economic Development Corporation (BLAEDC) will be administering the Main Street Revitalization Grant Program through MN Department of Employment and Economic Development (DEED) for applicants located in the River to Rail District.

#10 Commissioner's Questions/Comments

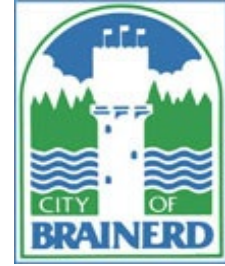
None

#11 Adjourned at 7:47 p.m.

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

Theresa Woodward, Planning Commission Vice Chair

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: August 17, 2022

RE: Conditional Use Permit – Residential Addiction Recovery Facility with Outpatient Services – 2501 Greenwood St.

Sam Anderson has submitted a request on behalf of Central Minnesota Adult and Teen Challenge for a Conditional Use Permit to operate a residential addiction recovery facility with outpatient services at 2501 Greenwood St, Brainerd MN, 56401. The current owner of this property is Evangelical Lutheran Good Samaritan, Parcel Number 41010613.

Property Area: 18.76 Acres (approximately 9 acres of the total 27.76 acres will remain with Good Samaritan)

Adjacent Uses: North: Evangelical Lutheran Good Samaritan – Senior Living
East: Central Minnesota Adult and Teen Challenge
South: Undeveloped Land
West: Multi-family and Single Family Residential

Adjacent Zoning: North: TN-2 (Traditional Neighborhood 2) District
East: TN-2 (Traditional Neighborhood 2) District
South: TN-2 (Traditional Neighborhood 2) District
West: TN-1 (Traditional Neighborhood 1) District

Findings of Fact

1. **2501 Greenwood St (Parcel Number 41010613)** is located in a PSP (Public Semi-Public) District. Zoning Ordinance [Section 515-3 \(Allowed Uses\) Appendix A: Table of Uses](#) permits the operation of semi-public community centers, public and private schools, places of worship, and hospitals in the PSP District as a permitted uses.
2. **Purpose of Public Semi-Public Zoning District.** The PSP Zoning District is intended to identify lands used for community gathering spaces for purposes of education, recreation, congregation, worship, health, or similar. Lands zoned PSP contain 1.0 acres of land or provide a mix of community uses from a single facility or campus.
 - a. *Central Minnesota Adult and Teen Challenge encompasses many of the permitted uses in the PSP District and fulfills the purpose of the PSP district by offering congregation, health, worship, and education services. A statement from the Teen Challenge USA website about their approach to recovery, “We base the curriculum and community of our addiction recovery centers on God’s Word—the Bible. Addiction recovery centers that offer*

practical, appropriate, and accessible Bible-based courses facilitate the transition from alcoholism and substance abuse to a life of freedom in Christ. At Adult and Teen Challenge USA, we offer a chance to start over, become a new person, live a godly life, and find freedom through a restored purpose and an eternal hope. We do this through classes, individual study, personal mentoring, work ethics training, and involvement in the Christian community.”

3. **Permitted Uses.** Any residential use must be accessory to the principal public-semi-public use and must obtain a Conditional Use Permit. Such use may not be separated from the principal use without an amendment to the CUP and may require rezoning. All principal uses must be identified as a public-semi-public use on the Table of Uses.
 - a. *The applicant proposes to purchase three former memory care units of the Woodland Good Samaritan organization. The buildings currently have 16 bedrooms each with small common spaces in the middle. Two of the buildings would be used for residential recovery services providing a total of 32 bedrooms with 64 spaces if two occupants were placed in each room. DHS would license the various services provided at the facility. The proposed residential recovery services would require a Conditional Use Permit.*
4. [Table 515-2-9.1. TN-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards](#)
 - a. Lot Size (minimum) – 1.0 Acre
 - b. Front Yard Setback – 20’
 - c. Side Yard Setback – 10’/20’ corner
 - d. Rear Yard Setback – 10’
 - i. *The three buildings exceed the required setback standards of the PSP district. The property exceeds the lot size requirement of the PSP district.*
5. [Criteria for Granting Conditional Use Permits.](#) In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.
 - a. The proposed use conforms to the Zoning District and is a permitted Conditional Use identified on the Appendix A: Table of Uses.
 - i. *The PSP Zoning District is intended to identify lands used for community gathering spaces for purposes of education, recreation, congregation, worship, health, or similar. Central Minnesota Adult and Teen Challenge encompasses many of the permitted uses in the PSP District table of Uses Appendix A: Table of uses such as semi-public community centers, public and private schools, places of worship, and hospitals. Residential use in the PSP District requires a Conditional Use Permit.*
 - b. The proposed use meets the regulations and standards established in this Ordinance.
 - i. *There are no special standards associated with this use.*

- 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.
 - i. *The proposed use will not be dangerous, injurious, or noxious to adjacent properties 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.
 - i. *The proposed Central Minnesota Adult and Teen Challenge campus is adjacent to their existing property along Business 371. The proposed site was used for group housing and should not create a condition that would cause an undesirable relationship between buildings and grounds to adjacent properties.*
 - ii. *The two buildings closest to Greenwood Street has a 6' privacy fence connecting the two buildings.*
- e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. *The proposed use is consistent with the environment and the neighborhood as it is adjacent to both Central Minnesota Adult and Teen Challenge and Evangelical Lutheran Good Samaritan. Both properties have large campuses and are zoned PSP District.*
- f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i. [515-4-12.K.36 Off-Street Parking \(Number of Required Spaces\) Other Uses.](#) Other uses not specifically mentioned herein shall be determined on an individual basis by the City Council upon recommendation by the Planning Commission. Factors to be considered in such determination shall include (without limitation) the national parking standards for size of building, type of use, number of employees, expected volume and turnover of customer traffic and expected frequency and number of delivery or service vehicles.
 - 1. *Each building provides 12 parking spaces for a total of 36 spaces on the property. The proposed use is very similar to the previous memory care units and the site should have sufficient off-street parking to meet the needs of staff and residents.*
- g. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
 - 1. **Land Use Goal 2:** Through thoughtful planning, maintain the unique identity of the city and all the appropriate land uses that support it.
 - a. **Policy 1:** Support development that enhances the identity and community character of Brainerd.
 - 2. **Land Use Goal 3:** Support and invest in the incremental enhancements of quality of life.
 - a. **Policy 2:** Encourage and attract stores and services for the daily needs of our community.

6. Conditions. In reviewing applications for conditional use permits, the City may attach whatever reasonable conditions are deemed necessary to mitigate anticipated adverse impacts associated with the proposed use, to protect the value of property within the Zoning District, and to achieve the goals of the City's Comprehensive Plan. In determining such conditions, special consideration shall be given to protecting nearby properties from objectionable views, noise, traffic, and other characteristics associated with such uses.

As of this writing, no one has contacted the Community Development Department with concerns about the Conditional Use Permit application for a residential addiction recovery facility with outpatient services.

Staff Recommendation

Staff recommends approval of the Conditional Use Permit for the operation of a residential addiction recovery facility with outpatient services.



Community Development 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: 2501 Greenwood Street

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

Property Owner Name: The Evangelical Lutheran Good Samaritan Society - Proposed: Minnesota Teen Challenge: see attached

Street Address: 4800 W. 57th St. City: Sioux Falls State: SD Zip Code 57108

Phone Number: 970-539-4358 Fax: _____ E-mail: rmertz@good-sam.com

Applicant Name: (If different than Property Owner) Sam Anderson Center Director MnTC Brainerd

Street Address: 2424 Business 371 City: Brainerd State: MN Zip Code: 56401

Phone Number: 218-833-8740 Fax: 218-833-8778 E-mail: sam.anderson@mntc.org

Description of Request: Please See attached

Property Owner Signature

See Attached

8/1/2022

Date

(Please print name)

Samuel S. Anderson

Applicant Signature

8/1/2022

Date

Samuel S Anderson

(Please print name)

(OVER)



4800 W 57th Street
Sioux Falls, SD 57108

Phone: 605-362-3100
www.good-sam.com

SANFORD
HEALTH

August 1, 2022

City of Brainerd, Minnesota
501 Laurel Street
Brainerd, MN 56401
Phone: (218) 828-2307
<https://www.ci.brainerd.mn.us/>

Re: Authorization of Minnesota Teen Challenge, Inc. to Apply for a Conditional Use Permit

To Whom It May Concern:

The purpose of this letter is to authorize Minnesota Teen Challenge, Inc., to apply for a conditional use permit on the property that The Evangelical Lutheran Good Samaritan Society owns, parcel ID No. 41010613 and 41010612 as depicted in Exhibit A.

Should you have any questions or concerns, please do not hesitate to contact Ryan Mertz, Real Estate Services Consultant: 970-539-4358; rmertz@good-sam.com.

Sincerely,

Joel Fluit
Executive Director, Systems Operations
The Evangelical Lutheran Good Samaritan Society

Request for Conditional Use Permit:

We are proposing purchasing the three former and now vacant memory care units of the Woodland Good Samaritan organization and associated acreage conditional on the approval of a CUP with the city of Brainerd. For the past 14 years Minnesota Adult & Teen Challenge has been providing addiction recovery services to adult men at our facility at 2424 Business 371. The land directly to the South of our campus on Business 371 and along Greenwood to the three buildings located at 2501 Greenwood Street is the property we are in negotiations to purchase. If approved by this commission and the city council, we hope to relocate our current outpatient services currently at 603 Oak Street to one of the three buildings. After that, we plan to provide housing to women seeking help from addiction in our community and region. Down the road our dream is to one day provide residential recovery services to women with children. There is a desperate need for such programming where moms can bring their small children into a recovery program with them. One other possible consideration would be to provide housing to employees of our facilities. The buildings currently have 16 bedrooms each with small common spaces in the middle. One of the buildings would be primarily converted to offices and classrooms and we do not anticipate any residents living there. The other two facilities have a total of 32 bedrooms with 64 spaces if two occupants were placed in each room. If we were to eventually provide services to women with children, code would require the children be included in the total number of residents allowed by code. They have non-commercial kitchens in all three and two of the buildings have commercial dish rooms. We would be preparing the food for residents in our current commercial kitchen at 2424 Business 371 and "hot box" delivering meals to the residents.

DHS has a range of licensure for providing the various services we are proposing and would be applied for and secured as required.

Crow Wing County land website describes the two property lots as:

The three buildings are located on the SW corner of this parcel.

Parcel number: 41010613

NW1/4 OF NW1/4 SEC. 1, EXCEPT N. 535 FT THEREOF PLATTED AS BRAINERD WOODLAND ACRES.

We would also be purchasing the acreage to the East of the buildings:

Parcel number 41010612

Description:

"PART OF SW1/4 OF NW1/4 LYING N. OF THE BURLINGTON NORTHERN R. R. ROW. EXC ALL THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 44 NORTH, RANGE 31 WEST, CROW WING COUNTY, MINNESOTA, LYING NORTH OF THE NORTHERN PACIFIC RAILWAY COMPANY'S RIGHT OF WAY; WHICH LIES SOUTHEASTERLY OF A LINE RUN PARALLEL WITH AND DISTANT 50 FEET NORTHWESTERLY OF LINE 1 DESCRIBED BELOW: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 1; THENCE NORTHERLY ON AN AZIMUTH OF 02 DEGREES 23 MINUTES 07 SECONDS ALONG THE WEST LINE THEREOF FOR 62.19 FEET; THENCE ON AN AZIMUTH OF

232 DEGREES 45 MINUTES 56 SECONDS FOR 74.23 FEET TO THE POINT OF BEGINNING OF LINE 1 TO BE DESCRIBED; THENCE NORTHEASTERLY ALONG THE LAST DESCRIBED COURSE FOR 1765.95 FEET TO TANGENT SPIRAL POINT; THENCE DEFLECT TO THE LEFT ON A SPIRAL CURVE OF DECREASING RADIUS (SPIRAL ANGLE 02 DEGREES 29 MINUTES 50 SECONDS) FOR 300 FEET AND THERE TERMINATING; TOGETHER WITH THAT PART OF TRACT A HEREINBEFORE DESCRIBED, ADJOINING AND NORTHERLY OF THE ABOVE DESCRIBED STRIP, WHICH LIES WESTERLY OF A LINE RUN PARALLEL WITH AND DISTANT 33 FEET EASTERLY OF THE WEST LINE OF SAID SECTION 1, AND SOUTHERLY OF LINE 2 DESCRIBED BELOW: COMMENCING AT THE POINT OF BEGINNING OF LINE 1 DESCRIBED ABOVE; THENCE NORTHERLY ON AN AZIMUTH OF 322 DEGREES 45 MINUTES 56 SECONDS FOR 37.00 FEET; THENCE DEFLECT TO THE RIGHT ON A TANGENTIAL CURVE, HAVING A RADIUS OF 160.00 FEET AND A DELTA ANGLE OF 61 DEGREES 56 MINUTES 36.16 SECONDS FOR 172.98 FEET; THENCE ON AN AZIMUTH OF 23 DEGREES 38 MINUTES 58.21 SECONDS FOR 228.21 FEET; THENCE DEFLECT TO THE LEFT ON A TANGENTIAL CURVE, HAVING A RADIUS OF 400.00 FEET AND A DELTA ANGLE OF 21 DEGREES 18 MINUTES 08.73" FOR 148.72 FEET; THENCE ON TANGENT TO SAID CURVE FOR 62.31 FEET TO THE POINT OF BEGINNING OF LINE 2 TO BE DESCRIBED; THENCE EASTERLY AT AN ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS FOR 63 FEET AND THERE TERMINATING; CONTAINING 4.12 ACRES, MORE OR LESS, OF WHICH 3.23 ACRES IS ENCUMBERED BY AN EXISTING HIGHWAY EASEMENT AND 0.38 ACRE IS ENCUMBERED BY AN EXISTING ROAD EASEMENT; ALSO A RIGHT TO USE THE FOLLOWING DESCRIBED STRIPS FOR HIGHWAY PURPOSES, WHICH RIGHT SHALL CEASE ON DECEMBER 1, 2027, OR ON SUCH EARLIER DATE UPON WHICH THE COMMISSIONER OF TRANSPORTATION DETERMINES BY FORMAL ORDER THAT IT IS NO LONGER NEEDED FOR HIGHWAY PURPOSES: A STRIP BEING THAT PART OF TRACT A HEREINBEFORE DESCRIBED, ADJOINING AND EASTERLY OF THE SECOND ABOVE DESCRIBED STRIP, WHICH LIES NORTHERLY, WESTERLY, AND SOUTHERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON LINE 3 DESCRIBED BELOW, DISTANT 200 FEET SOUTHERLY OF ITS POINT OF TERMINATION (MEASURED ALONG SAID LINE 3); THENCE SOUTHEASTERLY AT A RIGHT ANGLE FROM THE TANGENT OF THE CURVE AT SAID POINT TO A POINT DISTANT 63 FEET EASTERLY OF THE WESTERLY LINE OF SAID SECTION 1; THENCE NORTHERLY PARALLEL WITH SAID WESTERLY LINE TO THE POINT OF TERMINATION OF LINE 2 DESCRIBED ABOVE; THENCE WESTERLY ALONG SAID LINE 2 FOR 30 FEET TO THE EASTERLY LINE OF THE SECOND ABOVE DESCRIBED STRIP AND THERE TERMINATING; BEGINNING AT THE POINT OF BEGINNING OF LINE 1 DESCRIBED ABOVE; THENCE NORTHERLY ON AN AZIMUTH OF 322 DEGREES 45 MINUTES 56 SECONDS FOR 37.00 FEET; THENCE DEFLECT TO THE RIGHT ON A TANGENTIAL CURVE, HAVING A RADIUS OF 160.00 FEET AND A DELTA ANGLE OF 61 DEGREES 56 MINUTES 36.16 SECONDS FOR 172.98 FEET; THENCE ON AN AZIMUTH OF 23 DEGREES 38 MINUTES 58.21 SECONDS FOR 228.21 FEET; THENCE DEFLECT TO THE LEFT ON A TANGENTIAL CURVE, HAVING A RADIUS OF 400.00 FEET AND A DELTA ANGLE OF 21 DEGREES 18 MINUTES 08.73 SECONDS FOR 148.72 FEET; THENCE ON TANGENT TO SAID CURVE FOR 62.31 FEET AND THERE TERMINATING; A STRIP BEING THAT PART OF TRACT A HEREINBEFORE DESCRIBED, ADJOINING AND NORTHWESTERLY OF THE FIRST ABOVE DESCRIBED STRIP AND EASTERLY OF THE SECOND ABOVE DESCRIBED STRIP, WHICH LIES SOUTHEASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE POINT OF INTERSECTION OF THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND A LINE RUN PARALLEL WITH AND DISTANT 65 FEET NORTHWESTERLY OF LINE OF 1 THE POINT DESCRIBED OF ABOVE; DISTANT 322.55 FEET SOUTHWESTERLY OF THE POINT TERMINATION OF SAID LINE 1 TO (MEASURED ALONG SD LINE 1) THENCE NORTHWESTERLY AT A RIGHT ANGLE FOR 15 FEET; THENCE SOUTHWESTERLY PARALLEL

WITHSAID LINE 1 TO AN INTERSECTION WITH THE EASTERLY LINE OF THE SECOND ABOVE DESCRIBED STRIP AND THERE TERMINATING;"

If approved both parties would be requesting to re-plat the first parcel 41010613 prior to sale in order to allow the Woodland Good Samaritan Home to retain the ownership of the paved path that goes through the woods to the North of those three buildings along the North Western edge of the property as their residents really enjoy going for rides through the woods on the paved path way.

As far as the acres of land, we hope to one day build a softball field, mowed pathways through the woods for quiet reflection and perhaps some Frisbee golf for the residents.

Minnesota Adult & Teen Challenge is one of the largest and most respected providers of addiction recovery services in the state of Minnesota with endorsements from both local leaders as well as state officials.

Respectfully Submitted,

Sam Anderson

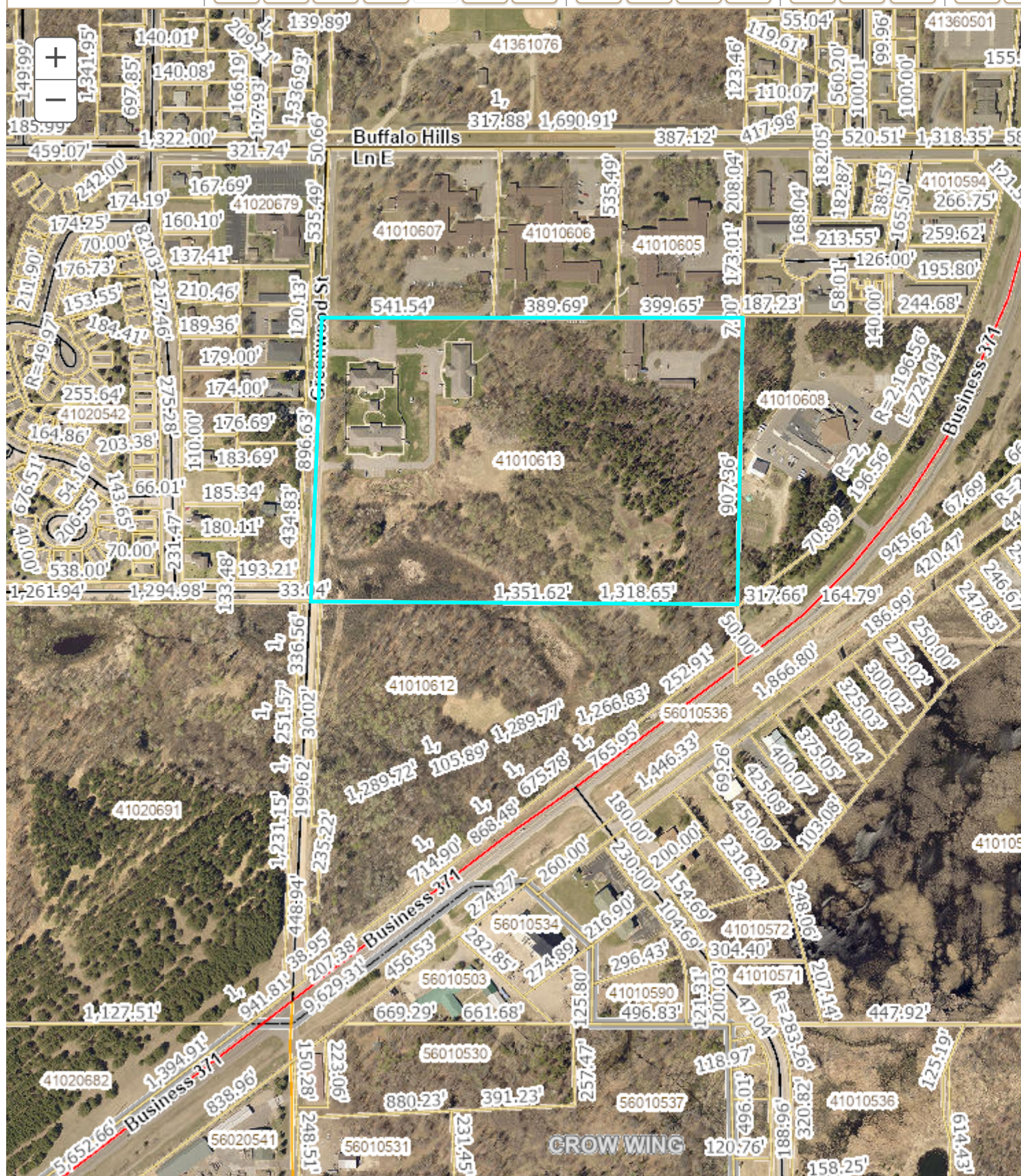
Center Director

Central Minnesota Adult & Teen Challenge

2424 Business 371

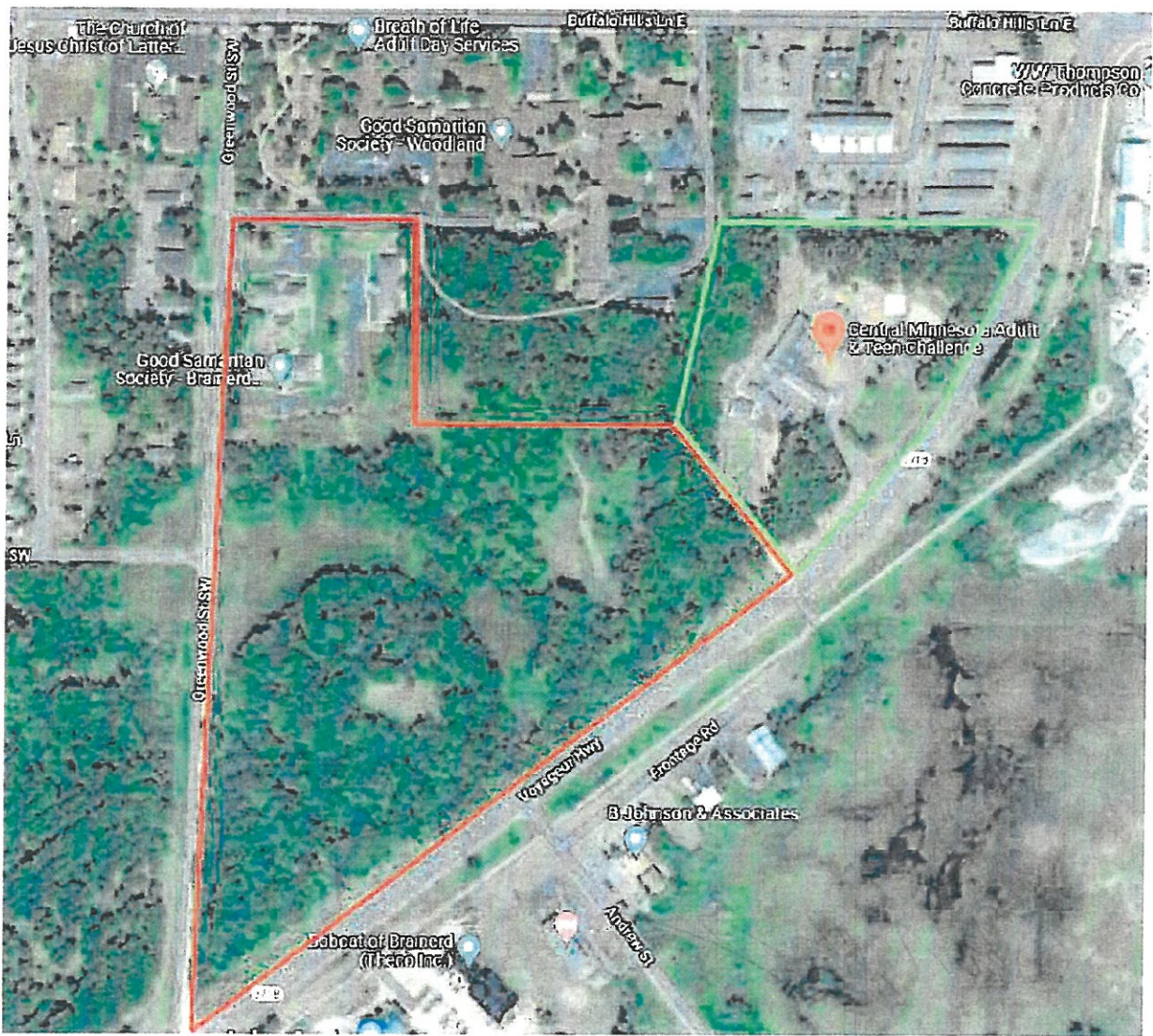
Brainerd MN 56401

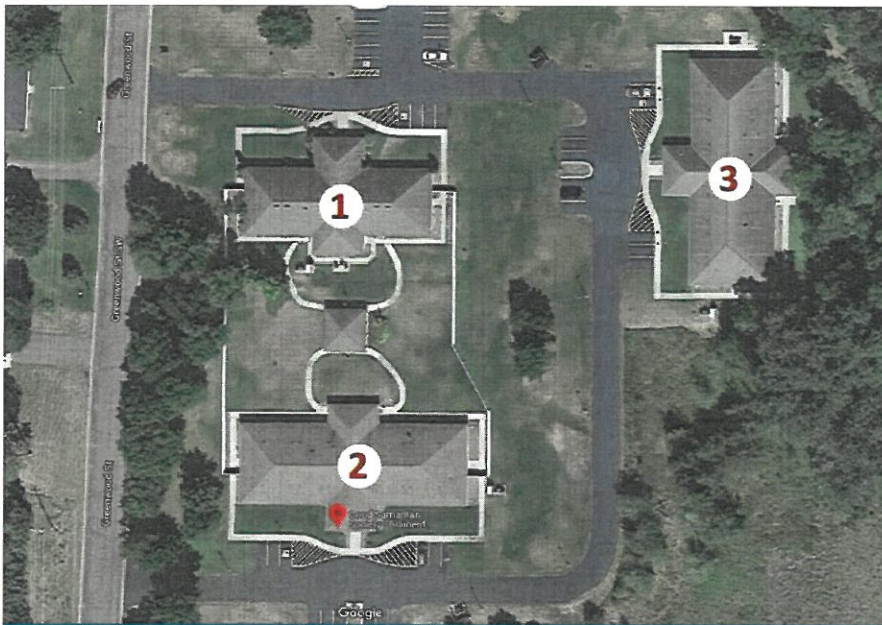
www.mntc.org

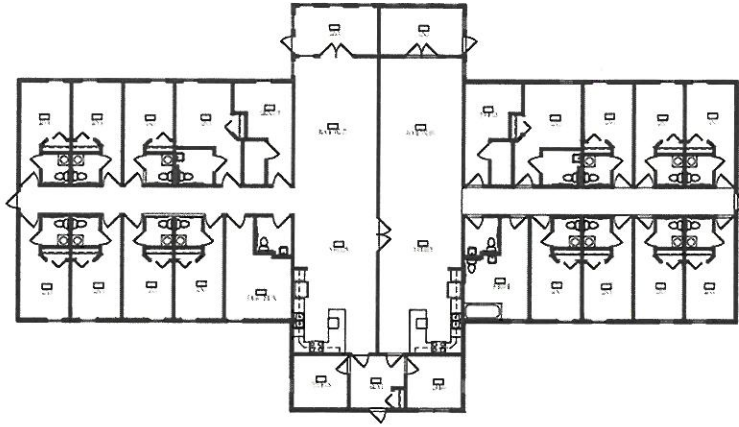
[illegible]

Scale 1: 5000

EXHIBIT A



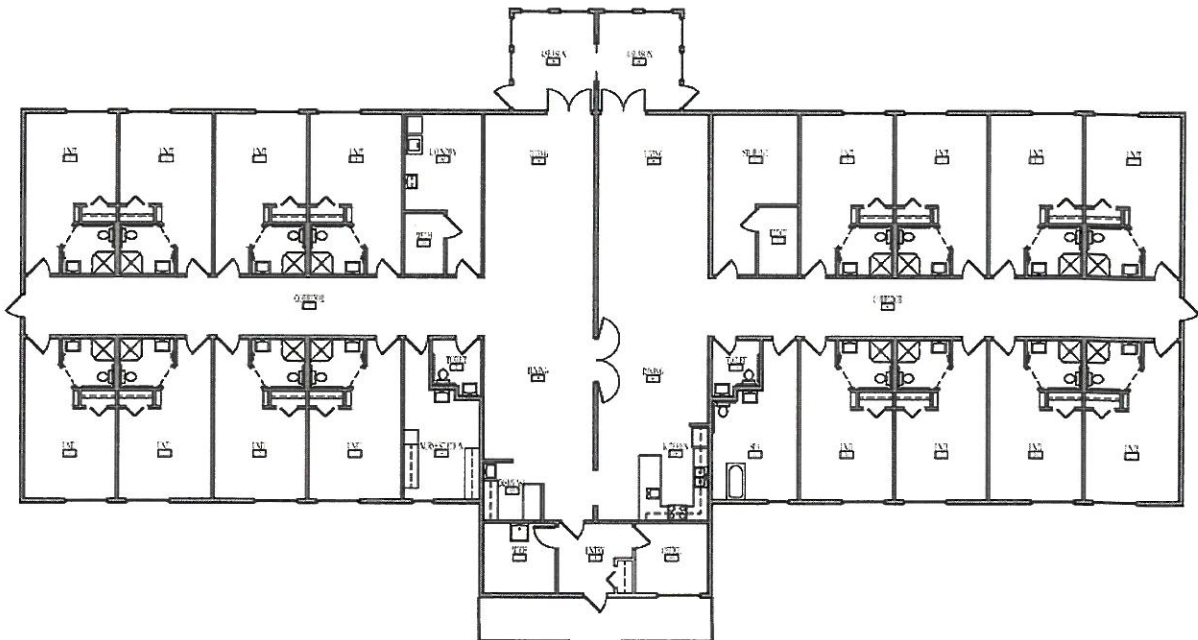




Building 1 with smaller footprint. Rooms are smaller with only $\frac{1}{2}$ bath in each room. This is where we would propose converting to offices and classroom space.



Front of Building 1



Floor plan for buildings 2 and 3 – larger buildings with showers in individual rooms.



Side of building 1 with fence and building 2 in the background.



Building 2 front



Building 3



Fenced in courtyard with pavilion between building 1 and 2.

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Sam Anderson has submitted a request on behalf of Central Minnesota Adult and Teen Challenge for a Conditional Use Permit to operate a residential addiction recovery facility with outpatient services at 2501 Greenwood St, Brainerd MN, 56401. The current owner of this property is EVANGELICAL LUTHERAN GOOD SAMARITAN. The property included in this application is described as:

*NW1/4 OF NW1/4 SEC. 1, EXCEPT N. 535 FT
THEREOF PLATTED AS BRAINERD WOODLAND ACRES.
P.I.N. 41010613
Section 1, Township 44, Range 31*

The property is zoned PSP (Public Semi-Public) District, and Zoning Ordinance Section 515-2-17 (B) allows for residential uses as an accessory to the principal public-semi-public use with a Conditional Use Permit. A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, August 17, 2022 in the Council Chambers at Brainerd City Hall, 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.

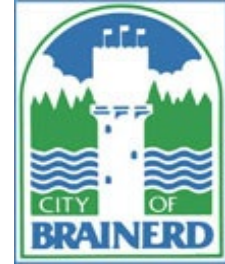
Dated this 4th day of August 2022



James L. Kramvik
Community Development Director

Publication Date: August 7, 2022

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: August 17, 2022

RE: Conditional Use Permit – Ice Vending Machine - 1202 S 6th St

Todd Sutton, 8415 Bent Creek Island Rd, Bismarck, ND 58503, has submitted an application for a Conditional Use Permit to operate an ice and water vending machine at 1202 S 6th St that is under the required 1,000 square feet of floor area for commercial buildings (principal structure).

Property Area: 15,055 SQFT

Adjacent Uses: North: Residential
East: Motor vehicle fuel sales/ Retail Establishment
South: Residential
West: Residential

Adjacent Zoning: North: TN-2 (Traditional Neighborhood 2) District
East: TN-2 (Traditional Neighborhood 2) District
South: TN-2 (Traditional Neighborhood 2) District
West: TN-1 (Traditional Neighborhood 1) District

Findings of Fact

1. **1202 S 6th St** is located in a TN-2 (Traditional Neighborhood 2) District. Zoning Ordinance [Section 515-3 \(Allowed Uses\) Appendix A: Table of Uses](#) permits the operation of commercial/retail establishments in the TN-2 District as a permitted use.
2. Commercial buildings (principal structure) having less than 1,000 square feet of floor area may only be allowed upon approval of a Conditional Use Permit as regulated by [Section 515-4-2.D Building Design Standards](#).
 - a. *The proposed structure is 8.33' x 24' which totals approximately 200 SQFT of floor space. The interior space is for maintenance purposes only.*
3. [Table 515-2-9.1. TN-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards](#)
 - a. Lot Size (minimum) – 4,000 SQFT
 - b. Front Yard Setback – 0' – 20' if Commercial
 - c. Side Yard Setback – 5'/10' corner
 - d. Rear Yard Setback – 10'
 - i. *The proposed structure will meet rear and side yard setbacks. The applicant proposes construction of the ice and water vending machine*

within the footprint of the existing building approximately 60' from the front property line. The existing building meets the current front yard setback requirement in the TN-2 District. The proposed structure should not exceed the 20' front yard setback maximum.

4. [515-4-12.K Off-Street Parking \(Number of Required Spaces\)](#) Retail Stores and Service Establishments. At least one (1) off-street parking space per 200 square feet of floor area.
 - a. *The structure size is approximately 200 SQFT which requires (1) off-street parking space. The applicant is proposing (7) off-street parking spaces in the site plan.*
5. [Criteria for Granting Conditional Use Permits](#). In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.
 - a. The proposed use conforms to the Zoning District and is a permitted Conditional Use identified on the Appendix A: Table of Uses.
 - i. *Commercial/ retail establishments are a permitted use in the TN-2 District. The TN-2 Zoning District is intended to provide for compact, pedestrian-oriented mix of residential and neighborhood-serving commercial uses.*
 - b. The proposed use meets the regulations and standards established in this Ordinance.
 - i. *There are no special standards associated with this use. This structure will be required to adhere to Zoning Code Section 515-4-2.D the commercial use design standards which limit metal panels to twenty-five percent of the exterior building. The applicant indicated that there is an exterior option that will meet the ordinance.*
 - 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.
 - i. *The structure will not be dangerous, injurious, or noxious to the surrounding properties. The applicant stated that the mechanical processes are housed internally in the machine and would not create noise issues to surrounding properties.*
 - d. The proposed use shall be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - i. *The applicant proposes to demolish the existing building and repair the parking lot. The site plan depicts a landscape buffer between curb cuts along South 6th Street and Vine St.*
 - ii. [Per Section 515-4-10.3c](#) *A six (6) foot high fence or landscaped screen, providing eighty (80) percent year around opacity, shall be required wherever a non-residential use abuts directly upon land zoned for residential purposes. Staff recommends installation of the required screening along the south property line. The west property line has an existing privacy fence.*

- e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. *The proposed use is consistent with the environment and the neighborhood as it is across the street from a motor vehicle fuel station and convenience store. South 6th St is a mix of commercial and residential uses.*
 - f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i. *The site plan provides abundant off-street parking for the proposed vending machine.*
 - g. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
 - i. **Economic Development Goal 1:** Support infill and redevelopment throughout Brainerd as a strategic component of growth.
 - 1. **Policy 1:** Drive infill development and redevelopment towards areas where current infrastructure is present, or places where high levels of blight or disinvestment exists.
6. Conditions. In reviewing applications for conditional use permits, the City may attach whatever reasonable conditions are deemed necessary to mitigate anticipated adverse impacts associated with the proposed use, to protect the value of property within the Zoning District, and to achieve the goals of the City's Comprehensive Plan. In determining such conditions, special consideration shall be given to protecting nearby properties from objectionable views, noise, traffic, and other characteristics associated with such uses.

As of this writing, no one has contacted the Community Development Department with concerns about the Conditional Use Permit application for the proposed ice and water vending machine.

Staff Recommendation

Staff recommends approval of the Conditional Use Permit for the operation of the ice and water vending machine at 1202 S 6th St with the conditions that the structure meets front yard setback requirements of the TN-2 District and the required screening is installed along the south property line.



Community Development 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

CONDITIONAL USE PERMIT

REZONING

VARIANCE

RESIDENTIAL

☒ (\$250.00)
☐ (\$300.00)
☐ (\$250.00)

COMMERCIAL

☒ (\$400.00 + \$500.00 escrow deposit)
☐ (\$500.00)
☐ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 1202 S 6th street Brainerd

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

Property Owner Name: Todd L. Sutton

Street Address: 8415 Bent Creek Island City: Bismark State: ND Zip Code: 58503

Phone Number: 701-580-5462 Fax: _____ E-mail: T.Sutton17@Gmail.com

Applicant Name: (If different than Property Owner) _____

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

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

Description of Request: Bot Lot above, and will Remove old Restaurant that is on Lot. Will also clean-up lot and Repair + Fix Bot holes and Toned Surface. We Then want to Install a Permanent "ICP Machine" on Surface area where the Restaurant was. I have attached a Site Plan and Specs of the "Ice-Machine".

Property Owner Signature

7/28/2022
Date

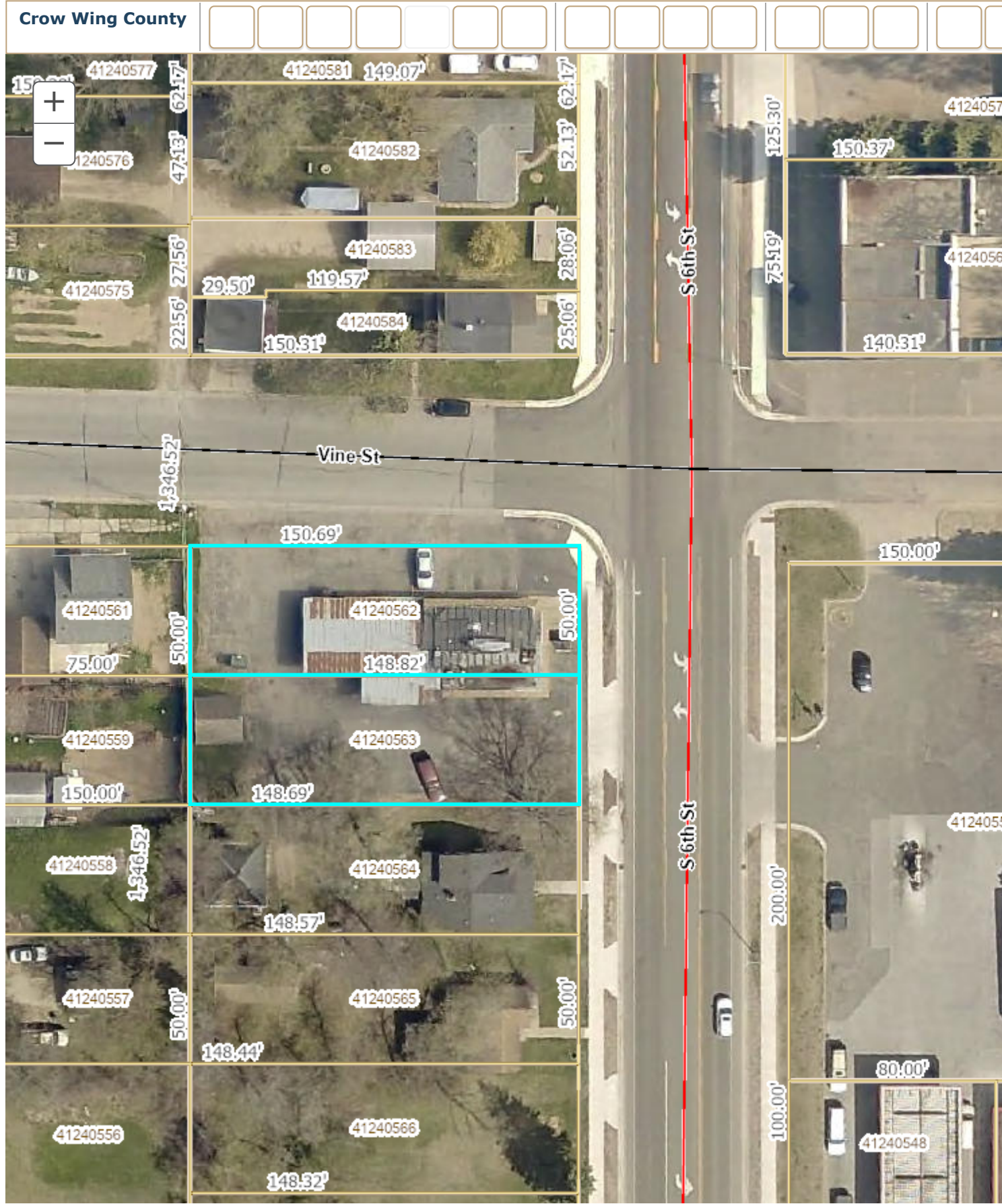
(Please print name)

Applicant Signature

7/28/2022
Date

(Please print name)

(OVER)

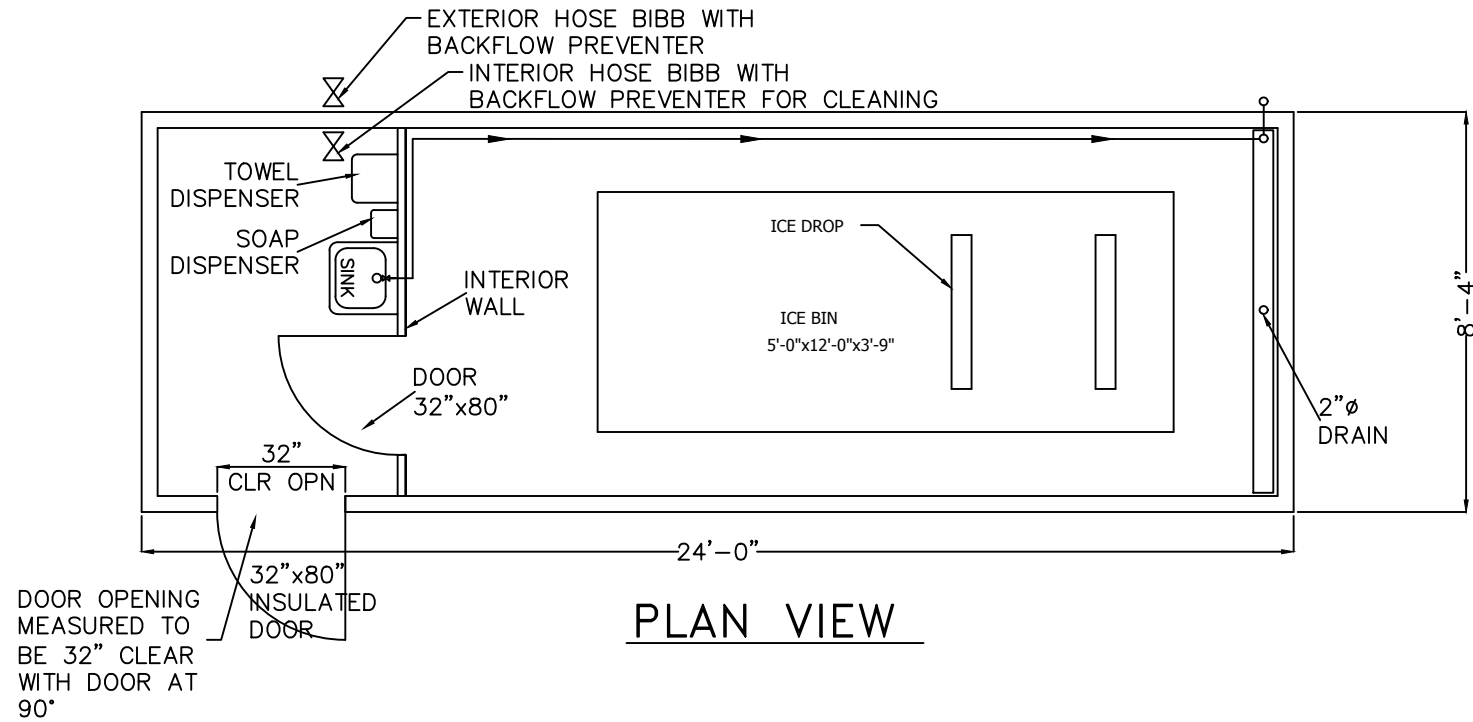




FRESH FROM THE SOURCE

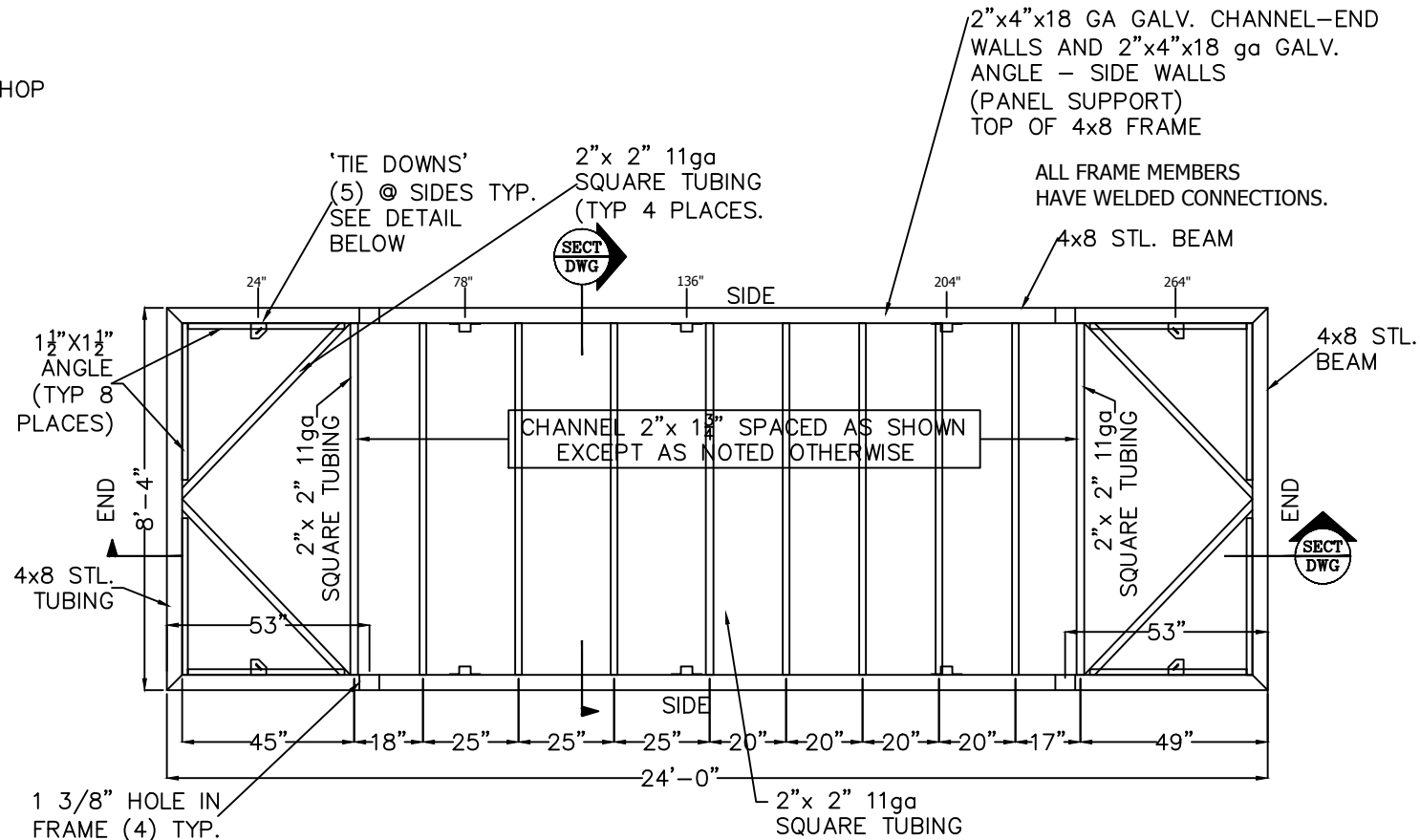






MATERIAL	
(2)	FRAME SIDE 4"x8"x3/16" RECT. TUBING 24'-0" ASTM A500 Gr. B, Fy=46ksi
(2)	FRAME END 4"x8"x3/16" RECT. TUBE A500 8'-4" ASTM A500 Gr. B, Fy=46ksi
(8)	FOLDED ANGLE 1 1/2"x1 1/2"x11 ga A36 3'-4" ASTM A-1011 CS Type B, Fy=50ksi
(7)	"C" CHANNEL 2"x1 3/4"x11 ga A500 7'-8" ASTM A-1011 CS Type B, Fy=50ksi
(3)	SQ TUBE 2"x2"x11 ga A500 7'-8" ASTM A-513 Gr. 1008/1010/1015, Fy=50ksi
(4)	SQ TUBE 2"x2"x11 ga A500 5'-4" ON ANGLE ASTM A-513 Gr. 1008/1010/1015, Fy=50ksi
(10)	TIE DOWN BRACKETS - 7ga A36 BENT PLATES
(4)	1" SCH 40 PIPE 1.5" FROM BOTTOM INSIDE FRAME MEMBER TYP

- 1) FRAME PAINTED WITH ONE COAT OF SHOP PRIMER.
- 2) FRAME IS NOT EXPOSED TO THE ELEMENTS IN THE COMPLETED BUILDING.
- 3) ALL FRAME MEMBERS HAVE WELDED CONNECTIONS.



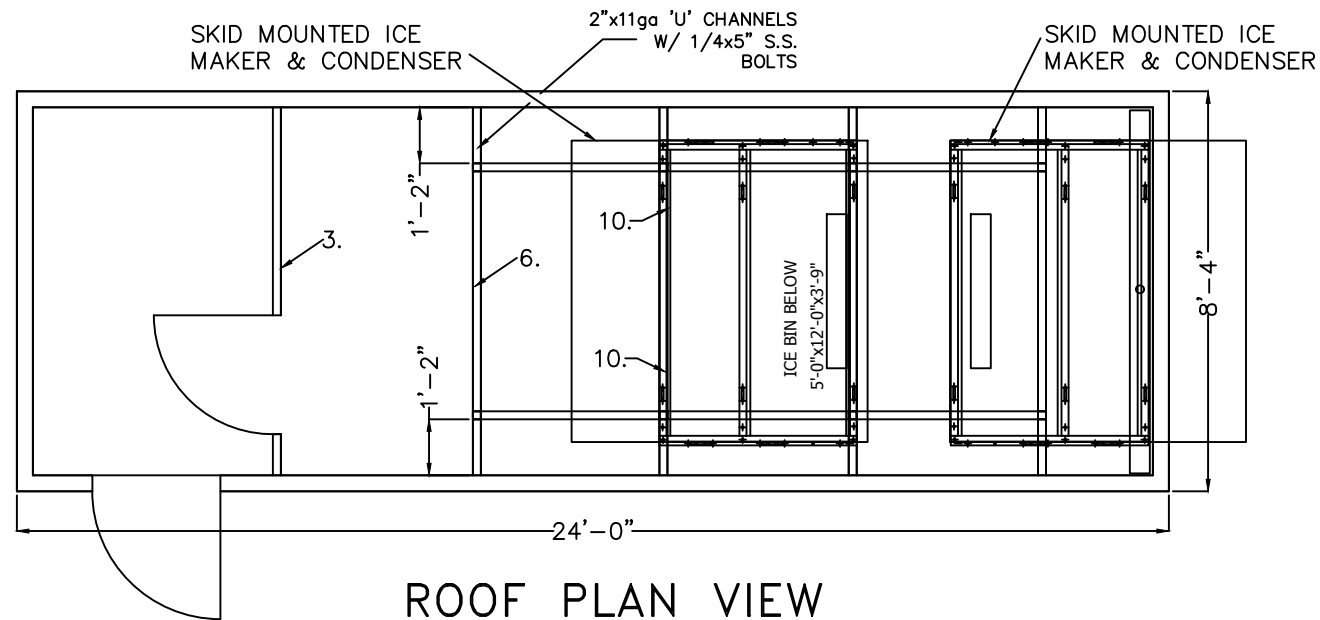
43581

Apr 30, 2021

ICC-NTA, LLC, 305 N Oakland Ave
Nappanee, Indiana 46550

These documents are applicable only to the elements and loading criteria specifically provided herein. These documents shall not be construed in any way to specify, certify or design any aspects of the building not contained herein. Specified design criteria are based solely on information provided by the client and must be verified and approved by the local authority having jurisdiction. ICC-NTA, LLC is not responsible for fabrication or erection. If it is suspected that these documents have been modified, substituted or altered in any way, contact ICC-NTA, LLC at (574) 773-7975 to obtain a file copy.

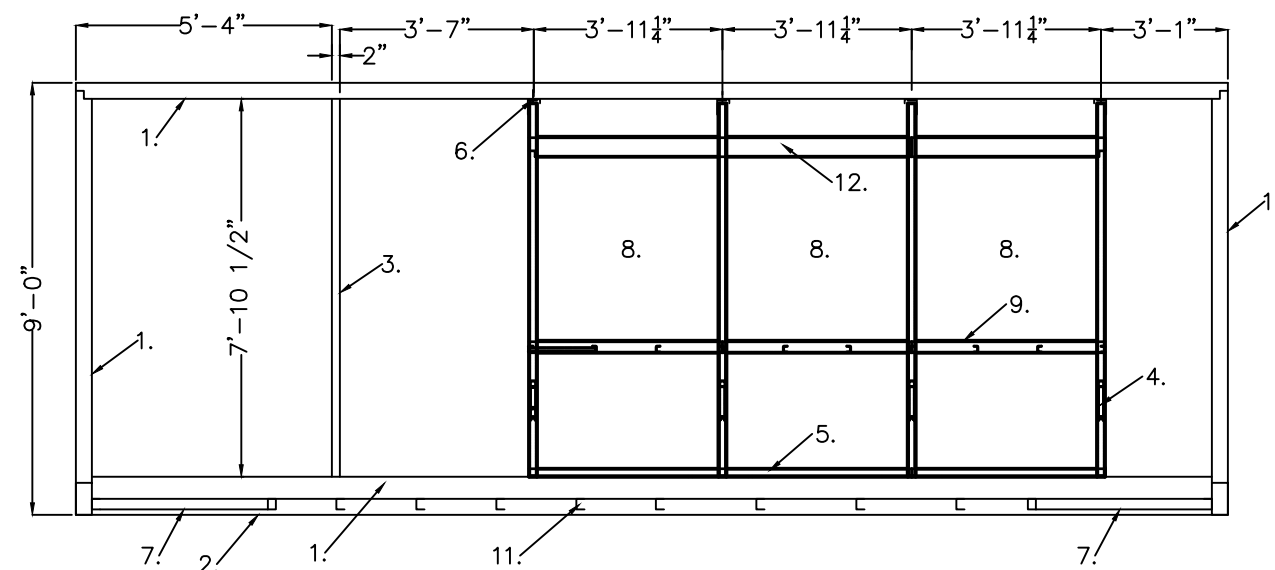
REVISIONS:	SCALE: NTS	APPROVED BY:	Ice House America Jacksonville, FL 32224	TITLE: FLOOR PLAN/FRAME PLAN	JOB NO: ICE101620-59
	DATE: 12/18/2020	DRAWN BY: AI		MODEL: M - 101 - CO	DRAWING NO: A1



LEGEND

MATERIAL/SPECIFICATION

1. PERMATHERM 4" INSULATED PANEL
2. 4x8x3/16" STL. TUBE
3. 2" INSULATED PANEL
4. 2"x2"x14 GA SS TUBE
5. 2"x2"x11 GA ANGLE
6. 1"x2"x11 GA 'U' CHANNEL
7. 1 1/2"x1 1/2"x3/16" S.S. ANGLE
8. 14 GA SS LINER PANELS
9. NOT USED
10. 3"x3"x3/16" MOUNTING FRAME
11. 1.75x2"x1.75 11 GA "C" CHANNEL
12. 2"x5" 11 GA ANGLE
13. NOT USED
14. 1.5"x1.5"x14 GA SS TUBE



NOTE: ALL WELDS IN CONTACT WITH ICE PRODUCT TO BE FOOD GRADE WELDS PER STATE DEPT OF HEALTH (DHEC) STANDARDS

43581

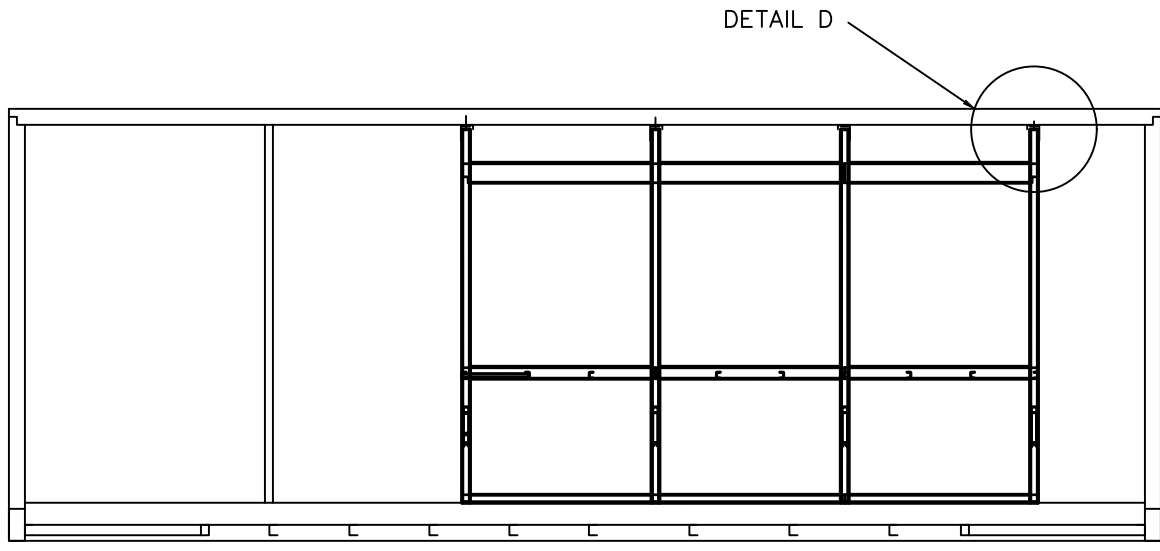
PROFESSIONAL ENGINEER

Apr 30, 2021

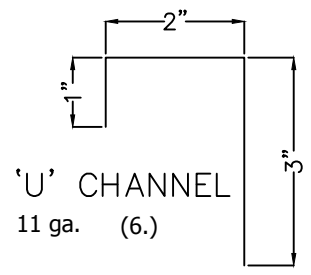
ICC-NTA, LLC, 305 N Oakland Ave
Nappanee, Indiana 46550

These documents are applicable only to the elements and loading criteria specifically provided herein. These documents shall not be construed in any way to specify, certify or design any aspects of the building not contained herein. Specified design criteria are based solely on information provided by the client and must be verified and approved by the local authority having jurisdiction. ICC-NTA, LLC is not responsible for fabrication or erection. If it is suspected that these documents have been modified, substituted or altered in any way, contact ICC-NTA, LLC at (574) 773-7975 to obtain a file copy.

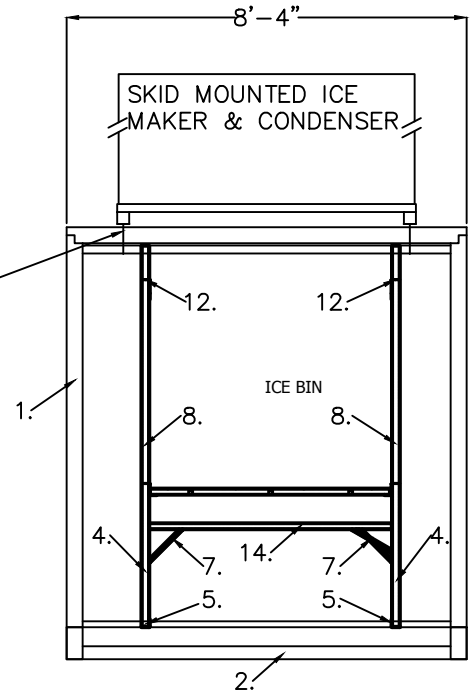
REVISIONS:	SCALE: NTS	APPROVED BY:	Ice House America Jacksonville, FL 32224	TITLE: ROOF SUPPORT	JOB NO: ICE101620-59
	DATE: 12/18/2020	DRAWN BY: AI		MODEL: M - 101 - CO	DRAWING NO: A2



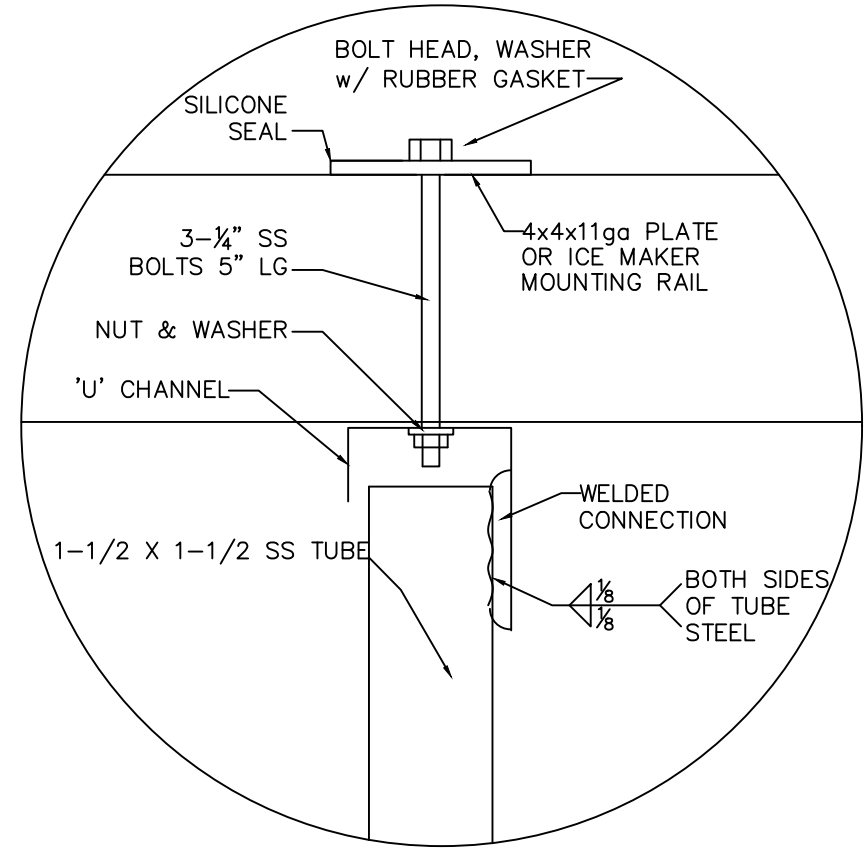
SEC SIDE VIEW



ICE MAKER CONNECTION
TO ICE BIN (SEE DETAIL D)



END VIEW
SEE MATERIAL LIST
ON DWG A1



DETAIL D

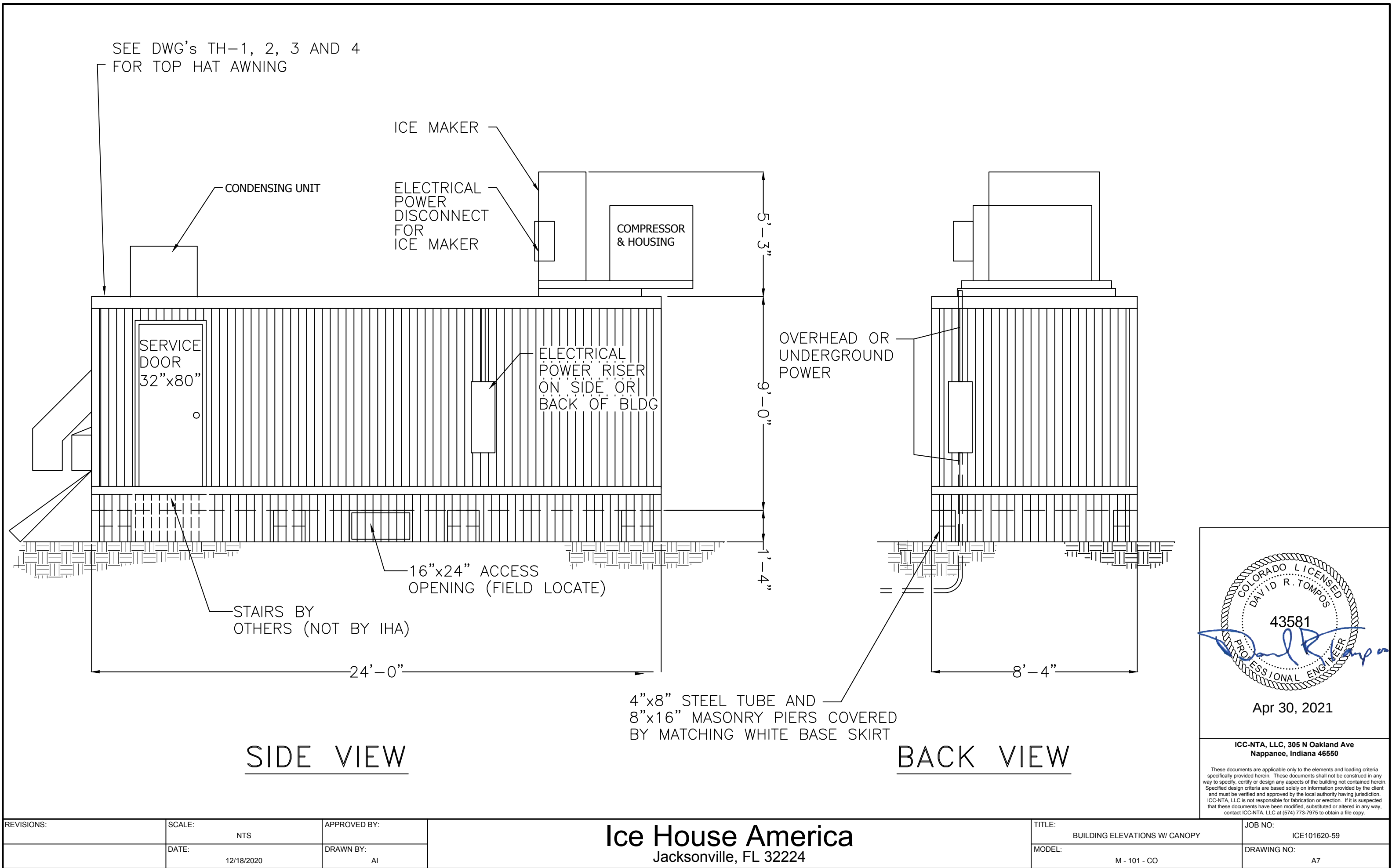
43581

Apr 30, 2021

**ICC-NTA, LLC, 305 N Oakland Ave
Nappanee, Indiana 46550**

These documents are applicable only to the elements and loading criteria specifically provided herein. These documents shall not be construed in any way to specify, certify or design any aspects of the building not contained herein. Specified design criteria are based solely on information provided by the client and must be verified and approved by the local authority having jurisdiction. ICC-NTA, LLC is not responsible for fabrication or erection. If it is suspected that these documents have been modified, substituted or altered in any way, contact ICC-NTA, LLC at (574) 773-7975 to obtain a file copy.

REVISIONS:	SCALE: NTS	APPROVED BY:	Ice House America Jacksonville, FL 32224	TITLE: ROOF SUPPORT DETAILS	JOB NO: ICE101620-59
	DATE: 12/18/2020	DRAWN BY: AI		MODEL: M - 101 - CO	DRAWING NO: A3



NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Todd Sutton has submitted a request for a Conditional Use Permit to operate a self-service ice and water retail vending machine structure at 1202 6th St S, Brainerd MN, 56401. The property included in this application is described as:

LOTS 11 & 12 BLK 317

LOTS 9 & 10 BLK 317

TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD

P.I.N. 41240562

P.I.N. 41240563

Section 24, Township 45, Range 31

The property is zoned TN-2 (Traditional Neighborhood 2) District, and Zoning Ordinance APPENDIX A: TABLE OF USES allows for commercial/ retail establishments as a permitted use in the TN-2 District. Zoning Ordinance Section 515-4-2.D.1 requires a Conditional Use Permit for commercial buildings (principal structure) having less than 1,000 square feet of floor area. A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, August 17, 2022 in the Council Chambers at Brainerd City Hall, 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 4th day of August 2022



James L. Kramvik
Community Development Director

Publication Date: August 7, 2022