

PLANNING COMMISSION

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Wednesday, February 15, 2023 @ 6:00pm

The public is invited to attend this meeting in person
Attend by phone: 1-844-992-4726 Meeting Access Code: 2487 470 9153

Meetings are broadcast on CTC ch 8, Charter ch 181, YouTube, AppleTV, Roku, and Amazon FireTV

1. Call To Order

2. Roll Call

____ K. Yeager ____ C. Marohn ____ D. Gorham ____ T. Woodward

____ M. Duval ____ T. Stenglein ____ vacant

3. Pledge Of Allegiance

4. Approval Of Agenda

5. Review And Authorize Changes To The Planning Commission Bylaws

Documents:

[PLANNING COMMISSION BYLAWS.PDF](#)

6. Approval Of Minutes

1. Regular Meeting Held on January 18, 2023

Documents:

[2023-01-18 DRAFT.PDF](#)

7. Unfinished Business

7.a. Final Plat For Creekside Community Development Addition To West Brainerd

Documents:

[FINAL PLAT - CREEKSIDE COMMUNITY DEVELOPMENT_.PDF](#)

7.b. Proposed Ordinance No. 1546, An Ordinance Amending Section 515-4-8 Outdoor Lighting

Documents:

[ORD 1546 LIGHTING.PDF](#)

8. New Business

8.a. Conditional Use Permit For Mini Self-Storage Units At 15770 Dellwood Dr.

Documents:

[CUP MINI STORAGE UNITS.PDF](#)

8.b. Rezoning Parcel #41160504 (Tract B) To Rural Living One Zoning District

Documents:

[REZONING PARCEL 41160504 \(TRACT B\).PDF](#)

8.c. Itinerary For Zoning Code Changes Related To Off-Street Parking Regulations

Documents:

[PARKING ORDINANCE ITINERARY_.PDF](#)

9. Public Forum

Time allocated for citizens to bring matters not on the agenda to the attention of the Planning Commission - time limits may be imposed

10. Staff Reports

11. Commission Member Reports

12. Adjournment

MEMO



TO: Planning Commission

FROM: Community Development Director, James Kramvik

DATE: February 15, 2023

RE: Review and Authorize Changes to the Planning Commission Bylaws

Staff reviewed the Planning Commission Bylaws and has recommended changes to coincide with the Rules of Procedure and Decorum of the City Council:

Section 5. Meetings

C. Order of Business

- 1) Call to Order
- 2) Roll Call
- 3) Pledge of Allegiance
- 4) Approval of Agenda
- 5) Approval of Minutes
- 6) Presentations
- 7) Unfinished Business
- 8) New Business
- 9) Public Forum
- 10) Staff Reports (Verbal: Any updates since the packet)
- 11) Commission Member Reports
- 12) Adjournment
- ~~2) Approval/Amendment of Agenda~~
- ~~3) Approval of Minutes~~
- ~~4) New Business~~
- ~~5) Public Forum~~
- ~~6) Old Business~~
- ~~7) Commissioners' Questions/Comments~~
- ~~8) City Planner Report~~
- ~~9) Adjourn~~

Section 7. Agenda

- A. The agenda shall be prepared by the Community Development Director City Planner with the input of the Chair as requested for the Planning Commission meeting and shall close 7 days prior to the meeting.

Section 13. Orientation of new Planning Commissioners

- A. Attend an orientation session with the Community Development Director City Planner, Planning Commission Chair, and City Council Member

Planning Commission Bylaws

Article I. Introduction

Section 1. Purpose

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

Section 2. Application of Bylaws

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

Article II. Offices and Duties

Section 1. Offices Designated

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

Section 2. Recording of Meetings

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

Section 3. Duties of Offices

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

A. Chairperson

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

B. Vice Chairperson

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

C. Secretary

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

Section 4. Preparation of the Comprehensive Plan

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

Section 5. Means of Executing the Comprehensive Plan

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

Article III. Members

Section 1. Number

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

Section 2. Members Appointed.

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

Section 3. Removal

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

Section 4. Voting

A member must be present to vote.

Section 5. Vacancies.

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

Article IV. Meetings and Hearings

Section 1. Notice

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

Section 2. Meetings

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

Section 3. Workshops

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

Section 4. Meeting Records

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

Section 5. Meetings

A. Date and Time

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

B. Location

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

C. Order of Business

- 1) Call to Order
- 2) Roll Call
- 3) Pledge of Allegiance
- 4) Approval of Agenda
- 5) Approval of Minutes
- 6) Presentations
- 7) Unfinished Business
- 8) New Business
- 9) Public Forum
- 10) Staff Reports (Verbal: Any updates since the packet)
- 11) Commission Member Reports
- 12) Adjournment
- ~~4) —~~
- ~~5) Approval/Amendment of Agenda~~
- ~~6) Approval of Minutes~~
- ~~7) New Business~~
- ~~8) Public Forum~~
- ~~9) Old Business~~
- ~~10) Commissioners' Questions/Comments~~
- ~~11) City Planner Report~~
- ~~12) Adjourn~~

N.D. Special meetings

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

O.E. Additional Agenda Items

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

Section 6. Parliamentary Procedure

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

Section 7. Agenda

- A. The agenda shall be prepared by the Community Development Director ~~City Planner~~ with the input of the Chair as requested for the Planning Commission meeting and shall close 7 days prior to the meeting.
- B. Any Planning Commission member can place an item on the agenda. No item shall be placed on the agenda unless the item is expressed in such a way as to clearly show the subject matter involved.
- C. The agenda may be amended during a Planning Commission meeting by a majority vote of the Commission.
- D. The agenda shall generally organize matters to be addressed at the meeting so as to best promote opportunities for effective public input and the timely and efficient performance of Planning Commission responsibilities. Items of business likely to attract the attendance of many persons should generally be placed early on the agenda.
- E. Planning staff shall prepare a written report detailing the request and the ordinance provisions that apply to the matter.

Section 8. Procedure for Public Hearings

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

- A. The Chairperson shall call the public hearing to order and declare the time, and prior to taking testimony, shall explain:
 - 1) The order of testimony
 - 2) The purpose and requirements of the public hearing under Minnesota Law
 - 3) That each speaker shall provide their name and address and that public comments should be limited to matters pertinent to the application under review and avoid duplicative testimony. The Chairperson may place reasonable time limits on public comments, depending on the number of persons waiting to testify on the matter.
- B. The applicant and/or representative shall be given an opportunity to present evidence in support of the request and rebut any issues or conditions identified in the staff report
- C. Members of the public, if any, may testify, either in person or through their agent. Written testimony submitted may be read and will be added to the public record.

- D. The applicant shall have an opportunity to answer questions from the Commission.
- F. The Commission may direct questions to the applicant, planning staff, or public to clarify issues but no further testimony may be received from the public.
- G. When all public comment has been received the Commission shall close the public hearing by motion and majority vote of the Commission. The Commission may deliberate and decide the matter. Should the Commission identify relevant facts that remain unknown or disputed the Commission may postpone closing the hearing by motion and majority vote until the Planning Commission's next meeting and refer the issue to planning staff for further fact finding.

Section 9. Protocol for Public Hearings

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

Section 10. Communication with Public and Applicant

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

Section 11. Quorum

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

**RULES OF PROCEDURE AND DECORUM
CITY COUNCIL AND COMMITTEE MEETINGS
BRAINERD, MINNESOTA**

Adopted April 4, 1994

Reaffirmed and Amended December 1, 2003; November 2, 2020

SECTION 1. PURPOSE

- Subd. 1. General. It is recognized that in order to enhance the concept of effective and democratic government, it is essential that a legislative body establish formal rules of procedure and decorum so that a true deliberative process will be observed and not disturbed.

SECTION 2. GENERAL

- Subd. 1. Law. The City Charter, Ordinances and State Statutes governing the City Council ~~and Committees as established by the City collectively referred to as the "CITY"~~ shall be followed and supplemented by the se Rules of Procedure and Decorum of the City Council.

- Subd. 2. General Rules. In all matters of parliamentary procedures, the Council shall be governed by the latest printed edition of the Sturgis Standard Code of Parliamentary Procedure as published from time to time except as modified by these rules.

- Subd. 3. Applicability. These Rules also apply to committees of the Council as well as City boards and commissions, whether created by Charter or City Code. The term "Council" shall be substituted with "Committee," "Commission" or "Board," and terms "President" and "Vice President" shall be substituted with "Chair" and "Vice Chair", as appropriate.

SECTION 3. PRESIDING OFFICER

- Subd. 1. Who Presides. The Council President shall preside at all meetings of the Council. In the absence of the Council President, the Council Vice-President shall preside. The presiding officer shall have the power to preserve strict order and decorum at meetings, enforce the rules of procedure and determine without debate, subject to the final decision of the Council on appeal, all questions of procedure and order.

- Subd. 2. Appeal of the Ruling of the Presiding Officer. Any member of the Council may appeal from a ruling of the presiding officer. If the appeal is seconded, the member may speak once solely on the question involved and the presiding officer may explain the ruling, but no other Council member shall participate in the discussion. The appeal shall be sustained if it is approved by a majority vote.

- Subd. 3. Rights of the Presiding Officer. The presiding officer may speak on any question.

The presiding officer may only make motions and second motions after stepping down as presiding officer.

SECTION 4. AGENDA

Subd. 1. Matters for Consideration. Matters for Council action shall be submitted by members of the Council and residents to the City Administrator or to ~~the~~ city staff representatives in the case of Committee business.

Subd. 2. Preparation. An agenda of business for each regular and special meeting shall be prepared in the Office of the City Administrator or by City Staff in the case of Committees and copies thereof delivered to each Council member as far in advance of the meeting as time for preparation will permit.

Subd. 3. Order of Business at Regular Meetings. At the hour appointed for the regular meeting of the City Council, the meeting shall be called to order by the presiding officer. If a quorum is present, the City Council shall then proceed with its business in the following order as applicable:

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Approval of Agenda
- * Consent Calendar, including approval of minutes, licenses, reports, bills, fund transfers and other routine, non-controversial items needing little or no deliberation
- * Presentations (if any)
- * Council Committee Reports (Personnel & Finance; Safety & Public Works)
- * Unfinished Business - action items including public hearings, ordinance readings and various other items requiring Council action
- * New Business - action items including public hearings, ordinance readings and various other items requiring Council action
- * Public Forum
- * Staff Reports (Verbal: Any updates since the packet)
- * Mayor's Report
- * Council Member Reports
- * Adjournment

Subd. 4. Varying Order of Business. The order of business may be varied by the presiding officer.

Subd. 5. Consent Calendar. Matters for the Council of a routine or non-controversial nature which need minimal Council deliberation shall be placed on the Consent Calendar. A motion to approve the Consent Calendar shall not be debated. At the request of any individual Council member, an item shall be removed from the Consent Calendar and placed upon the regular agenda for debate immediately following the Consent Calendar. The Consent Calendar shall only be adopted by a roll call vote of those Council members present at the meeting.

- Subd. 6. Items Not on the Agenda. The Council may consider items not appearing on the agenda as normal business if an objection is not raised by the Mayor or a Council member. If an objection is raised by the Mayor or a Council member to consider an item not appearing on the agenda, a vote shall be taken by the Council to determine the appropriateness of further consideration of the matter at that time.
- Subd. 7. Public Participation. Members of the public may address the City Council during:
- A: Public Hearings.
- B: Public Forum. This portion of the meeting shall be limited to fifteen minutes and individuals shall be requested to limit their comments to four minutes or less. If the majority of the Council determines that additional time on a specific issue is warranted, then discussion on that issue may be continued under New Business at the end of the agenda.
- C: Specific issues scheduled on the agenda but in accordance with Section 6, Subd. 6, of these rules entitled, Addressing the Council.
- Subd. 8. Written Communications on All Matters. All interested parties or their authorized representatives may address the Council by written communication regarding all matters under the Council's consideration. The City Administrator shall copy these communications to the Council and forward said communications with the Council meeting packet if possible. If written communications are received after meeting packets are delivered to the Mayor and Council, such communications will be handed out at the meeting.

SECTION 5. VOTING

- Subd. 1. Procedure. The votes of the members on any ordinance or resolution pending before the Council shall be by roll call vote. The votes of the members on any motion shall be by voice vote unless the Mayor or any member of the Council requests that a roll call vote be taken. The presiding officer shall call for a roll call vote whenever a voice vote of the Council is not clear as to the disposition of the action before the Council.
- Subd. 2. Abstention. If a Council member does not vote, the abstention shall be recorded as Abstain - name.
- Subd. 3. Voting Order for Roll Call (applicable to City Council only). The City Administrator shall call for the vote in consecutive order of Wards, with Ward One voting first rotating one position every two months. The presiding officer shall always vote last.

SECTION 6. RULES OF DECORUM

- Subd. 1. Members of Council. While the meeting Council is in session, the members must preserve order and decorum. A member shall neither, by conversation or otherwise,

delay or interrupt the proceedings or the peace of the ~~meeting Council~~ nor disturb any member while speaking or refuse to obey the orders of the presiding officer.

- Subd. 2. Recognition. No person or member ~~of the Council~~ shall address the other members Council without being recognized by the presiding officer.
- Subd. 3. Discussion. No member of the Council shall speak more than twice on any question, nor more than five minutes each time without consent of the Council.
- Subd. 4. Staff. Members of the City staff shall observe the same rules of order and decorum as are applicable to the City Council.
- Subd. 5. Pertinent to Matter Under Debate. Members ~~of the Council~~, staff and public shall confine remarks to the matter under debate.
- Subd. 6. Addressing the Council. Each member of the public addressing the Council shall step up to a microphone provided for the use of the public after being recognized by the presiding officer and give his/her name and address in an audible tone of voice for the records, state the subject to be discussed and state who the speaker is representing if representing an organization or other persons. Unless further time is granted by a majority vote of the Council, remarks from the public shall be limited to four (4) minutes. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without permission of the presiding officer. No question may be asked of a ~~Council~~ member or a member of the staff without the permission of the presiding officer.
- Subd. 7. Spokesperson for Group of Persons. In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Council on the same subject, it shall be proper for the presiding officer to request that a spokesperson be chosen by the group to address the Council and, in case additional matters are to be presented by any other member of said group, to limit the number of such persons addressing the Council.
- Subd. 8. After Motion. After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by a majority vote of the City Council.
- Subd. 9. Conduct. Any member of the Council, staff or person indulging in personalities or making impertinent, slanderous or profane remarks or who willfully utters loud, threatening or abusive language, or engages in any disorderly conduct which would impede, disrupt or disturb the orderly conduct of any meeting, hearing or other proceeding, shall be called to order by the presiding officer and, if such conduct continues, may at the discretion of the presiding officer, be ordered barred from further audience before the Council during that meeting.

- Subd. 10. Members of the Audience. No person in the audience shall engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling and similar demonstrations, which conduct disturbs the peace and good order of the meeting.

SECTION 7. ENFORCEMENT OF DECORUM

- Subd. 1. Warning. All persons shall, at the request of the presiding officer, be silent. If, after receiving a warning from the presiding officer, a person persists in disturbing the meeting, said officer may order this person removed from the meeting. If this person does not leave willingly, the presiding officer may call a recess and order that the person be removed by the Sergeant-at-Arms.
- Subd. 2. Sergeant-at-Arms. The Chief of Police, or such member or members of the Police Department, shall be Sergeant-at-Arms of the Council meetings or as asked to be present at a Committee meeting. The Chief or other Police Department representative shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meeting. Upon instruction of the presiding officer, it shall be the duty of the Sergeant-at-Arms to remove from the meeting any person who intentionally disturbs the proceedings of the Council.
- Subd. 3. Resisting Removal. Any person who resists removal by the Sergeant-at-Arms may be charged with violating City Ordinance.
- Subd. 4. Motions to Enforce. Any Council member may move to require the presiding officer to enforce these rules and the affirmative vote of a majority of the Council shall require the presiding officer to do so.
- Subd. 5. Adjournment. In the event that any meeting is willfully disturbed by a group or group of persons so as to render the orderly conduct of such meeting unfeasible and when order cannot be restored by the removal of individuals who are creating the disturbance, the meeting may be adjourned with the remaining business considered at the next regular meeting.
- Subd. 6. Special Meetings. If the matter being addressed prior to adjournment is of such a nature as to demand immediate attention, the presiding officer may adjourn the meeting to another date.

SECTION 8. CAMERAS AND RECORDING DEVICES

- Subd. 1. Use of Cameras and Recording Devices Limited. Cameras, including television and motion picture cameras, electronic sound recording devices and any other mechanical, electrical or electronic recording devices may be used in the Council Chamber, but only in such a manner as will cause a minimum of interference with or disturbance of the proceedings of the Council and at the discretion of the presiding officer.

SECTION 9. SEVERABILITY

- Subd. 1. General. If any section, subsection, sentence, clause, phrase or portion of these Rules of Procedure and Decorum is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

CITY ~~COUNCIL~~ MEETINGS

CITIZEN PARTICIPATION GUIDELINES

The City Council is meeting as a legislative body to conduct the business of the City. Unless so ordered by the Council President, citizen participation is limited to the following times and always within the prescribed rules of conduct for public input at meetings.

A) Public Hearings. Public hearings are conducted so that the public affected by a proposal may have input into the decision. During hearings, all affected residents will be given an opportunity to speak.

B) Public Forum. Any member of the public may speak at this time on any item NOT on the agenda. In consideration for the public attending the meeting for specific items on the agenda, this portion of the meeting will be limited to fifteen (15) minutes. Individuals are requested to limit their comments to four (4) minutes or less. If the majority of the Council determines that additional time on a specific issue is warranted, then discussion on that issue may be continued under New Business at the end of the agenda.

Before addressing the City Council, members of the public are asked to step up to the microphone, give their name, address and state the subject to be discussed. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion without permission of the presiding officer. No question may be asked of a ~~Council~~ member or a member of the staff without permission of the presiding officer.

Your participation, as prescribed by the se City's rules, ~~Council=s RULES~~ is welcomed, and your cooperation is greatly appreciated.

Section 12. Conflict of Interest

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

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

Section 13. Orientation of new Planning Commissioners

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

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

Article V. Education, Conference and Convention Policy

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

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

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

PLANNING COMMISSION
Wednesday, January 18, 2023
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 Yeager, Woodward, Gorham, Stenglein, and Duval. Commissioner Marohn was noted as absent. Also noted as present were Community Development Director Kramvik and Assistant Planner Edwards.

#3 Pledge of Allegiance

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

#4 Oath of Office

Community Development Director Kramvik administered the Oath of Office to Commissioner Gorham.

#5 Election of Officers

Commissioner Gorham nominated Commissioner Yeager to serve as Chair for 2023.

Commissioner Duval nominated Commissioner Woodward to serve as Chair for 2023.

Commissioner Woodward respectfully declined the nomination.

Members Woodward, Yeager, Gorham, Duval, and Stenglein voted “aye”. No member voted “nay”. The Chair declared the appointment of Commissioner Yeager as Chair carried.

Commissioner Duval nominated Commissioner Woodward to serve as Vice-Chair for 2023.

There were no other nominations.

Members Woodward, Yeager, Gorham, Duval, and Stenglein voted “aye”. No member voted “nay”. The Chair declared the appointment of Commissioner Woodward as Vice-Chair carried.

The duties of Chair were passed on to Commissioner Yeager.

#6 Approval/Amendment of Agenda

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

#7 Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND GORHAM, DULY CARRIED, TO APPROVE THE MINUTES FROM THE DECEMBER 21, 2022 REGULAR MEETING.

#8 Old Business

8a. Lighting Workgroup Results or Revisions to Zoning Code Section 515-4-8 Outdoor Lighting

Community Development Director Kramvik gave a review of the results of the workgroup meeting that took place. After compiling suggestions and changes, staff recommendation was to modify the title to read "*Lighting Restrictions and Trespass*" and add language to Section 515-4-8.D as follows:

D. Lighting Restrictions and Trespass

1. *Color Temperature of Lamps. All new lighting must have a correlated color temperature (CCT) of 3,000 Kelvin (K) or lower.*
 - a. *All light fixtures displaying a non-intended correlated color temperature is considered in violation of this ordinance.*
 - b. *Recreational lighting is exempted from Section D.1 of this article.*
2. *Dimmable Lighting. All new nonresidential lighting must dim by at least 50% or turn off at 10PM or one hour after close of business, whichever is later.*

The Public Semi-Public (PSP) District will also be added to the residential use standards.

Discussion took place.

MOVED AND SECONDED BY COMMISSIONERS GORHAM AND DUVAL, DULY CARRIED, TO APPROVE THE RECOMMENDATIONS AS PRESENTED.

The Park Board will review these changes at their next meeting on January 24, 2023. If complete, the topic may be on the City Council agenda for the February 6th, 2023 meeting.

#9 New Business

9a. Planning Commission and Community Development Yearly Itinerary

Community Development Director Kramvik reviewed the list of projects to be considered for the Commission to work on in 2023, along with the workload of the Community Development Department. He also read into record the email that was sent by Commissioner Marohn due to his absence at the meeting tonight. He responded with answers to the topics Commissioner Marohn indicated.

Commissioner Gorham stated he felt the topics that Commissioner Marohn brought up were thoroughly worked on for over 18 months in detail with a consulting firm. He questioned if a Commissioner can request the group to repeat work already completed. Community Development Director Kramvik indicated the group can give their opinion and whether they feel something is worth bringing back to be discussed.

After the Commissioners discussed, these are the top priorities that were agreed on:

1. Complete the review and recommended changes to Section 515-4-8 Outdoor Lighting
2. Section 515-4-12 Off Street Parking – the Planning Commission will tackle this initially and possibly reassemble a Parking Commission if needed
3. Subdivision Ordinance – staff will review initially and may involve outside sources in the future if needed
4. *(Added Item)* Commercial Solar Arrays based on a recent project with BPU and the City of Baxter

Community Development Director Kramvik indicated staff will gather more information and compile a tentative schedule of topics for upcoming meetings.

#10 Public Forum

The Chair opened the public forum at 6:46 pm.

No one came forward.

The Chair closed the public forum at 6:46 pm.

#11 Community Development Director's Report

Community Development Director Kramvik gave the following updates:

- The recent Solar Array project he worked on with BPU and the City of Baxter was approved at the Baxter City Council meeting last night.
- The Brainerd City Council met on Monday and had discussion on increasing the number of chickens a resident can have and the possibility of adding ducks to the ordinance.
- The City Council approved Ordinance No. 1541, Restriction of Demolition and Removal of Dwelling Units, which will go into effect January 29th. This repeals Ordinance No. 1540.
- Dylan Edwards, the newly hired Assistant Planner for the City of Brainerd, was introduced to the Commission.

#12 Commissioner's Questions/Comments

Commissioner Gorham urged the Commission to find another willing applicant for the vacant position. He also requested staff review the Planning Commission Bylaws.

Commissioner Yeager welcomed Council Member Stenglein to the Commission. He also commended the group for a well written ordinance for outdoor lighting and is looking forward to the adoption by City Council.

#13 Adjourned at 7:00 pm.

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

Kevin Yeager, Planning Commission Chair

DRAFT

MEMO



TO: Planning Commission

FROM: James Kramvik – Community Development Director
Dylan Edwards – Assistant Planner

DATE: February 15, 2023

RE: Final Plat for Creekside Community Development Addition to West Brainerd

Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a final plat for Lots 1 through 12, Block M, and Lots 3 through 10, Block E in the West Brainerd Addition to Brainerd. The purpose of this final plat request is to consolidate 11 lots into four larger lots. This coincides with an application for a conditional use permit filed with the City to utilize these lots for the construction of a 12-unit multiplex apartment building for residential purposes and a boarding house.

Findings of Fact:

Creekside Community Development Addition to West Brainerd

Lots 1 through 12, Block M, and Lots 3 through 10, Block E in the West Brainerd Addition to Brainerd are all zoned TN-2 (Traditional Neighborhood 2) District.

Adjacent Uses: North: Vacant Land & 4-unit Apartment Under Construction
East: Single-Family Residential
South: Commercial Storage & Retail
West: Vacant Land & Multi-Family Residential

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

Table 515-2-9.1. TN-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards

- a. Lot Size (minimum) – 4,000 SQFT
 - i. *All proposed lots meet the minimum lot size requirement.*
- b. Density (range) - 9 – 20 DU/AC (20+ DU/AC requires CUP)
 - i. *The applicant proposes a twelve-unit apartment on Lot 1 which would have a density of 9.73 dwelling units per acre. The applicant also proposes a twelve-unit apartment on Lot 3 which would have a density of 9.1 dwelling*

units per acre. Both proposed residential lots would meet the density requirement.

c. Lot Frontage on All Roads (minimum) - 45'

i. All proposed lots meet the minimum lot frontage standard.

Conditions imposed by the City Council as part of the approval for the preliminary plat and conditional use permits for the proposed development.

1) Contingent upon City Council approval of alley vacation in Block E & M.

a. This condition was met with the City Council's approval on November 7th, 2022, as part of Resolution 46:22 which vacated the alley located within Block E and Block M, WEST BRAINERD.

2) Developer agreement for stormwater retention and installation of required fire hydrants must be recorded in the final plat.

a. The developer has submitted a hydrant plan that has been approved by the Fire Marshal. The City Attorney is drafting a development agreement for stormwater retention, installation of required fire hydrants, and deferred parking for the Boarding House/Health Club. The final development agreement must be approved by City Council at the same time as the final plat. The final plat will be signed by the Mayor and City Administrator after the execution of the development agreement.

3) Adjust rear yard minimum setback as ten (10) feet and work with staff on the appropriate naming of the plat.

a. This setback requirement will be adjusted as part of the building permit submittal as setback requirements are not listed on final plats. The plat has been named Creekside Community Development Addition to West Brainerd.

4) Condition that parking lot landscaping standards for the NW 2nd Street (east) side of the parking lot are met and is contingent upon city council approval of the final plat.

a. The landscaping plans will be reviewed as part of the building permit process and parking lot landscape standards will have to be met for the NW 2nd Street (east) side of the parking lot.

If the preliminary plat is approved by the City Council, the subdivider shall submit a complete application for final plat in accordance with the approved phasing plan, but no later than one (1) year after said approval or approval of the preliminary plat shall be considered void, unless a request for time extension is submitted in writing by the applicant and approved by the City Council.

1) The preliminary plat was approved by City Council on November 7th, 2022. The final plat application has been submitted within one year of approval of the preliminary plat.

The Final Plat Shall Be Approved Based on the following Criteria:

In accordance with the Subdivision Ordinance [Section 500-5-2.C](#)

1. The final plat shall substantially conform to the approved preliminary plat and phasing plan.

a) The final plat is in conformance with the Preliminary Plat and conditions set by Planning Commission and City Council.

2. Completed development contract including all required financial securities and time frame for final plat and final grading.
 - a) *The City Attorney is drafting a development contract for the February 21st City Council meeting. The development agreement will be reviewed congruently by Council with the final plat.*
3. Conditions attached to approval of the preliminary plat shall be fulfilled or secured by the development agreement, as appropriate.
 - a) *As noted in the above descriptions of conditions in the findings of facts, all conditions that were applied to the property by the City Council and Planning Commission are appropriately fulfilled by the developer. The Fire Marshal and City Engineer have reviewed the hydrant plan and stormwater plan submitted by the applicant and have approved the plans.*
4. All fees, charges, and escrow related to the preliminary or final plat shall be paid in full.
 - a) *All financial responsibilities related to the preliminary and final plat are paid in full at this time by the developer.*

Staff Recommendations:

It is the recommendation of the Community Development Department that the Final Plat for this property be approved as it is in conformance with the conditions that were included in the preliminary plat.



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2307/Fax 218-828-2316

www.ci.brainerd.mn.us

PRELIMINARY PLAT/FINAL PLAT APPLICATION

☐ **PRELIMINARY PLAT** (\$500.00 + \$30.00/lot residential + \$1,000.00 escrow deposit)
(\$600.00 + \$50.00/lot commercial + \$1,000.00 escrow deposit)

☒ **FINAL PLAT** (fee included with Preliminary Plat)

PROPERTY ADDRESS: Between 2nd and 3rd Street, north of James in NW Brainerd

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

Property Owner Name: My Neighbor to Love Coalition

Street Address: P.O. Box 581 **City:** Nisswa **State:** MN **Zip Code:** 56468

Phone Number: 218-821-7875 **Fax:** _____ **E-mail:** vickyjokinney@yahoo.com

Applicant Name: (if different than Property Owner) _____

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

Phone Number: _____ **Fax:** _____ **E-Mail:** _____

Description of Request: Final re-plat of property

Vicky Kinney

Property Owner Signature

Vicky Kinney

(Please print name)

1/12/2023

Date

Applicant Signature

Date

(Please print name)

CREEKSIDE COMMUNITY DEVELOPMENT

Located in Block E and Block M, WEST BRAINERD,
Section 4, Township 133 North, Range 28 West,
Crow Wing County, Minnesota.

KNOW ALL PERSONS BY THESE PRESENTS: That My Neighbor to Love Coalition, a Limited Liability Company, is the owner of the following described property situated in Crow Wing County, Minnesota, to wit:

Block M and the vacated alley within Block M, WEST BRAINERD, Section 04, Township 133 North, Range 28 West, Crow Wing County, Minnesota.

AND

That part of vacated Robert Street lying northeasterly of Northwest Third Street and southwesterly of Northwest Second Street, all being located in WEST BRAINERD, Section 04, Township 133 North, Range 28 West, Crow Wing County, Minnesota.

AND ALSO

Lot 3 through Lot 10, Block E, WEST BRAINERD, Section 04, Township 133 North, Range 28 West, Crow Wing County, Minnesota.

AND ALSO

That part of the vacated alley in Block E, WEST BRAINERD, Section 04, Township 133 North, Range 28 West, Crow Wing County, Minnesota, lying northwesterly of a line between the most southerly corner of Lot 3, said Block E, AND the most easterly corner of Lot 10, said Block E.

Have caused the same to be surveyed and platted as CREEKSIDE COMMUNITY DEVELOPMENT and do hereby dedicate to the public for public use the public ways and drainage and utility easements as created herewith as shown on this plat.

In witness whereof said My Neighbor to Love Coalition, a 501C3 nonprofit cooperation, has caused these presents to be signed by its proper officers this ____ day of ____, 2023.

Vicky Kinney – Executive Director

STATE OF _____

COUNTY OF _____

This instrument was acknowledged before me this ____ day of ____, 2023, by Vicky Kinney, Executive Director, My Neighbor to Love Coalition, a 501C3 nonprofit cooperation.

(Signature)

(Name Printed)

Notary Public, _____

My Commission Expires: _____

I James Kramer do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ____ day of ____, 2023.

James Kramer, Licensed Land Surveyor

Minnesota License Number 23668

STATE OF MINNESOTA)

)ss.

COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of ____, 2023, by James Kramer, Minnesota License Number 23668.

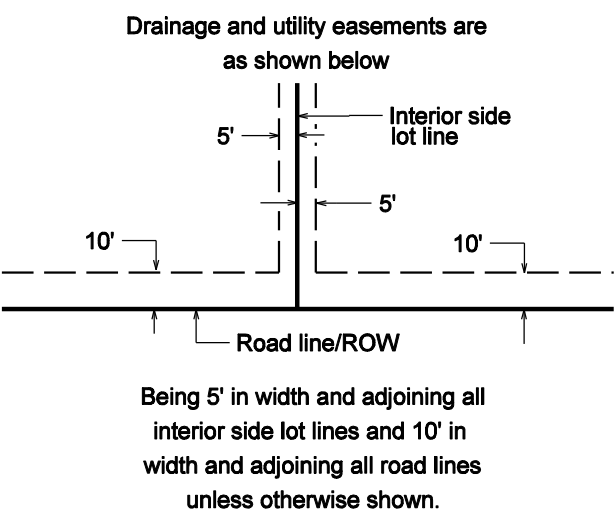
(Signature)

Mike Seelen

(Name Printed)

Notary Public, Morrison County, Minnesota

My Commission Expires: January 31, 2026



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE CROW WING COUNTY COORDINATE SYSTEM

0 50 100
SCALE IN FEET

KLD
KRAMER LEAS DELEO
SURVEYING • ENGINEERING • PLANNING
BRainerd ST. CLOUD

1120 Industrial Park Road
Brainerd, MN 56401
218-259-1333

13 North 11th Avenue
St. Cloud, MN 56303
320-259-1286

PROPERTY BOUNDARY LEGEND

- SET IRON PIPE WITH CAP STAMPED "KRAMER 23668"
- FOUND IRON MONUMENT

County Auditor/Treasurer

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year ____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this ____ day of ____, 20__.

Crow Wing County Auditor/Treasurer

This plat of CREEKSIDE COMMUNITY DEVELOPMENT was approved by the Planning Commission of the City of Brainerd, Minnesota, on this ____ day of ____, 2023.

Chairman

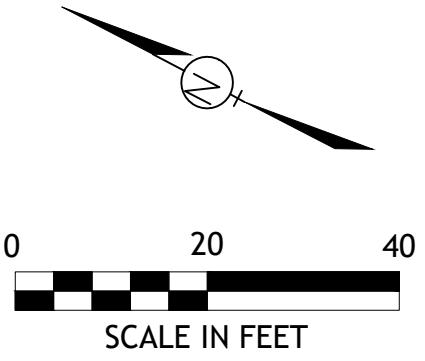
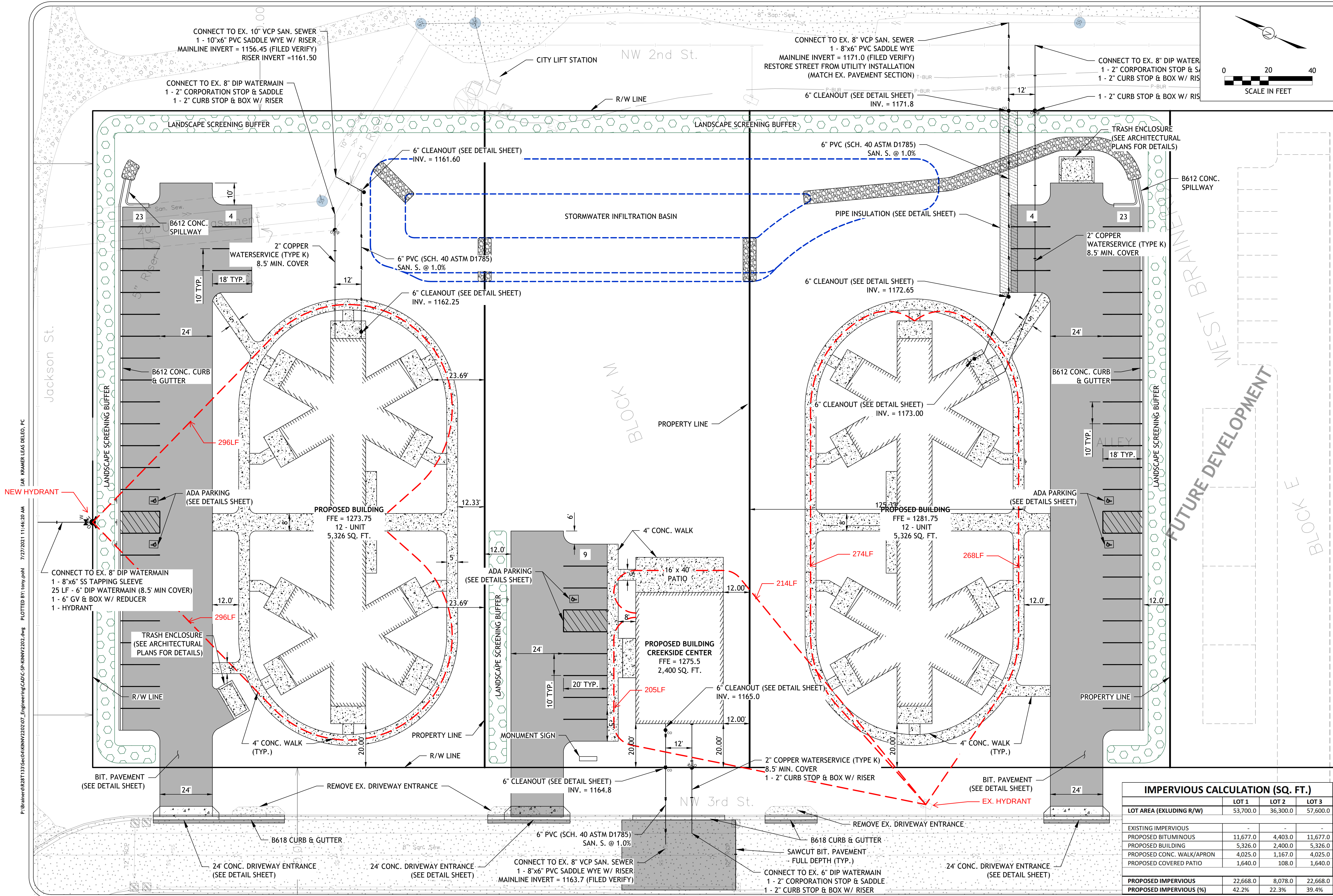
Secretary

This plat of CREEKSIDE COMMUNITY DEVELOPMENT was approved by the Council for the City of Brainerd, Minnesota, on this ____ day of ____, 2023.

City Administrator

Mayor

P:\Btrained\8281133Sec04\KINN2202\07_Engineering\CADIC-SP-KINN2202.dwg PLOTTED BY: tony.pohl 7/27/2021 11:46:20 AM FAR KRAMER LEAS DELEO, PC



IMPERVIOUS CALCULATION (SQ. FT.)			
LOT AREA (EXCLUDING R/W)	LOT 1	LOT 2	LOT 3
EXISTING IMPERVIOUS	-	-	-
PROPOSED BITUMINOUS	11,677.0	4,403.0	11,677.0
PROPOSED BUILDING	5,326.0	2,400.0	5,326.0
PROPOSED CONC. WALK/APRON	4,025.0	1,167.0	4,025.0
PROPOSED COVERED PATIO	1,640.0	108.0	1,640.0
PROPOSED IMPERVIOUS	22,668.0	8,078.0	22,668.0
PROPOSED IMPERVIOUS (%)	42.2%	22.3%	39.4%

CREEKSIDE COMMUNITY DEVELOPMENT
MY NEIGHBOR TO LOVE COALITION LLC
SECTION 4, TOWNSHIP 133, RANGE 28
BRANERD, MINNESOTA

DATE: AUGUST, 2022
DESIGNED: TAP
CHECKED: TAP
SCALE: AS SHOWN

KRAMER LEAS DELEO
SURVEYING • ENGINEERING • PLANNING

LICENSEE CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: TONY A. POHL
L.C. NO. 56406
PROJECT NO. KINN2202

AWD/YY
DATE

NO.	REVISION	SINCE INITIAL DATE	OR W/ D/YY

SITE PLAN

STORMWATER NARRATIVE - PROPOSED CONDITIONS

GENERAL DESCRIPTION

PROPOSED SITE DESCRIPTION: THE PROPOSED PROJECT CONSISTS OF CONSTRUCTING TWO 12-PLEX UNITS ALONG WITH A COMMUNITY CENTER. EACH LOT WILL BE IMPROVED WITH PAVED PARKING, PAVED ACCESS DRIVE, CONCRETE WALKS, AND PROPOSED SEWER AND WATER UTILITIES. LOT 1 WILL HAVE A 12- PLEX UNIT, LOT 2 WILL HAVE THE COMMUNITY CENTER, LOT 3 WILL HAVE A 12-PLEX UNIT, AND LOT 4 WILL BE FUTURE DEVELOPMENT. AN INFILTRATION BASIN IS PROPOSED TO BE CONSTRUCTED ONSITE AND DESIGNED TO RETAIN AND INFILTRATE THE 100-YR 24-HR STORM EVENT. TOTAL ACRES TO BE DISTURBED: 4.16 ACRES

- PRE-CONSTRUCTION ACRES OF IMPERVIOUS SURFACE: 0.00 ACRES
- POST-CONSTRUCTION ACRES OF IMPERVIOUS SURFACE: 1.23 ACRES
- TOTAL NEW IMPERVIOUS SURFACE ACRES: 1.23 ACRES

THE OVERALL DRAINAGE AREA/WATERSHED DISCHARGE LOCATION IS TO THE NE OF LOT 1 WHICH IS TO THE CITY R/W AND ULTIMATELY DISCHARGES TO THE CITY RETENTION BASIN TO THE NE.

THE RUNOFF RATES AND VOLUMES AREA EQUAL TO OR LESS THAN THE EXISTING CONDITIONS FOR THE 2-YR, 10-YR, AND 100-YR MODELED EVENTS.

STORMWATER ANALYSIS

THE ANALYSIS IS ACCOMPLISHED USING THE HYDROCAD, VERSION 10.10-6A, STORMWATER MODELING SYSTEM SOFTWARE BY HYDROCAD SOFTWARE SOLUTIONS, LLC.

- RUNOFF METHOD: SCS TR-20
- REACH ROUTING METHOD: SIM-ROUTE
- POND ROUTING METHOD: SIM-ROUTE

RAINFALL EVENTS

RAINFALL DATA WAS OBTAINED FROM NOAA ATLAS 14 POINT PRECIPITATION FREQUENCY ESTIMATES - VOLUME 8, VERSION 2. BELOW ARE THE RAINFALL DEPTHS FOR THE CORRESPONDING RAINFALL EVENT.

- 2-YR: 2.64" 10-YR: 3.87" 100-YR: 6.27"
- MODELED STORM TYPE: MSE 24-HR, STORM CURVE 3, AMC 2

SOILS

ACCORDING TO THE WEB SOIL SURVEY, THE EXISTING SOILS ON THIS SITE ARE GRAYCALM LOAMY SAND (D49D) WHICH ARE CLASSIFIED AS HYDROLOGIC SOIL GROUP (HSG) A.

4 - SOIL BORING WERE COMPLETED TO A DEPTH OF APPROXIMATELY 6' TO CONFIRM THE SOILS ARE CONSISTENT WITH THE WEB SOIL SURVEY. THE SOIL BORINGS WERE ALSO COMPLETED TO VERY THE DEPTH TO REDOXIMORPHIC FEATURES. BORING #3 WAS THE ONLY BORING WITH REDOX FEATURES AT A DEPTH OF 3' OR AN ELEVATION OF 1163.85.

PER THE MINNESOTA STORMWATER MANUAL, THESE HSG A SOILS HAVE A DESIGN INFILTRATION RATE OF 0.8 INCHES PER HOUR. THE PROPOSED BASIN DEPTH IS 4' HOWEVER THE DEPTH OF THE 100-YR EVENT IS 2.9'. THE CALCULATED DRAW DOWN TIME FOR THE BASIN IS 44 HOURS WHICH IS LESS THAN THE MPACA 48 HOUR MAX. REQUIREMENT.

SOILS BORINGS WERE COMPLETED NEAR THE BASIN BOTTOMS. THE SOIL BORINGS CAN BE AVAILABLE UPON REQUEST AND ARE NOTED AS SB #1, #2, #3, AND #4 ON THE DRAWING. BORINGS SHOW THAT THE ELEVATION OF REDOXIMORPHIC FEATURES (EVIDENCE OF SATURATED SOIL) IS GREATER THAN OR EQUAL TO THE MPACA REQUIRED 3' MIN. SEPARATION.

LAND COVER

THE FOLLOWING LAND COVER AND CORRESPONDING CURVE NUMBERS WERE USED FOR MODELING

- IMPERVIOUS SURFACE (BITUMINOUS PAVEMENT, GRAVEL, BUILDINGS, ETC): CN = 98
- WETLAND: CN = 98
- ROW CROPS, STRAIGHT ROW (CORN FIELD): CN = 67
- GRASS COVER: CN = 49
- BRUSH (NON-MAINTAINED R/W) CN = 35
- WOODS/GRASS COMBINATION: CN = 32
- MEADOW: CN = 30

PER TABLE 2-2 OF THE SCS/NRCS TR-55 PUBLICATION

DRAINAGE AREA DESCRIPTIONS

BASED ON THE PROPOSED SITE CONDITIONS, TWO DRAINAGE AREAS WERE DETERMINED FOR THE PROJECT SITE. THE PROPOSED DRAINAGE AREA BOUNDARIES ARE VERY SIMILAR TO THE EXISTING CONDITIONS. EACH OF THE TWO DRAINAGE AREAS ARE SUMMARIZED AS FOLLOWS:

1S - PROPOSED DRAINAGE AREA 1S

THIS DRAINAGE AREA ENCOMPASSES THE MAJORITY OF THE PROPOSED PROJECT OR THE CREEKSIDE DEVELOPMENT. IT CONSIST OF LOTS 1- 3 ALONG WITH PORTIONS OF OFFISTE LOTS TO THE SOUTH. DRAINAGE AREA CONSIST OF THE PROJECT AREA EAST OF 3RD ST. THE SOUTH THIS

DRAINAGE AREA FLOWS TO THE PROPOSED INFILTRATION BASIN 1P. THE DRAINAGE AREA IS 4.3 ACRES IN SIZE WITH AN IMPERVIOUS SURFACE OF 28.5%. THE REMAINING LAND COVER IS TURF GRASS AND GRASS/WOODS.

3S - PROPOSED DRAINAGE AREA 3S

THIS DRAINAGE AREA CONSISTS OF THE REMAINING SITE AREA NOT IN 1S. THE DRAINAGE AREA FLOWS OFFSITE TO THE NORTH (3L) WHICH ULTIMATELY IS THE CITY'S RETENTION BASIN. THE DRAINAGE AREA IS 0.09 ACRES IN SIZE WITH AN IMPERVIOUS SURFACE OF 9.6%. THE REMAINING LAND COVER IS TURF GRASS AND GRASS/WOODS.

OVERALL SITE RUNOFF

A COPY OF THE PROPOSED CONDITIONS HYDROCAD REPORT IS ATTACHED. RUNOFF RATES AND VOLUMES OFFSITE ARE AS FOLLOWS:

RUNOFF RATE	2-YR	10-YR	100-YR
3L - CITY R/W	0.00 CFS	0.00 CFS	0.03 CFS

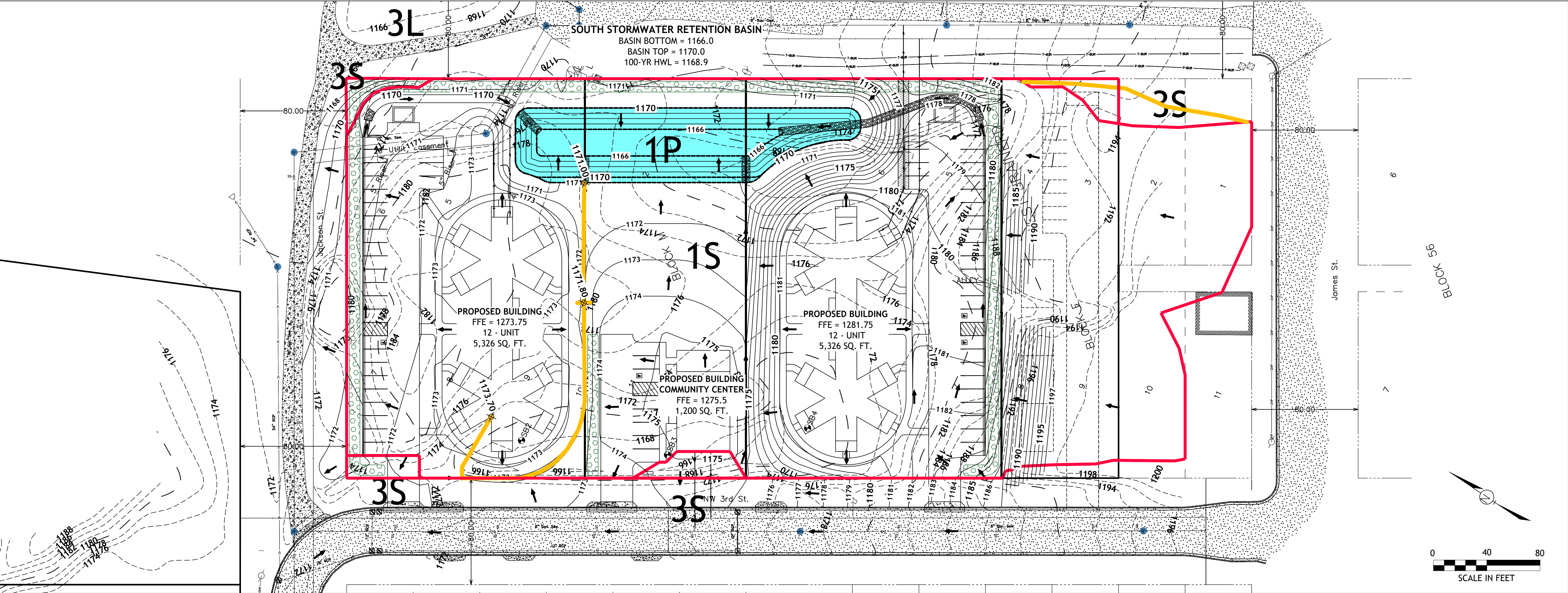
RUNOFF VOLUME	2-YR	10-YR	100-YR
3L - CITY R/W	0 CF	16 CF	200 CF

WATER QUALITY REQUIREMENTS

THE PROPOSED DEVELOPMENT CREATES 1.23 ACRES OF NEW IMPERVIOUS SURFACE. THE PROPOSED BASIN HAS A VOLUME OF 29,765 CU . FT. THE REQUIRED INFILTRATION VOLUME REQUIREMENT OF 1" OVER IMPERVIOUS SURFACES IS 4,450 CU FT. FOR THE PROPOSED IMPERVIOUS, THEREFORE THE WATER QUALITY VOLUME IS MET. THE OFFSITE RUNOFF RATES AND VOLUMES LISTED ABOVE ARE LESS THAN THEN OR EQUAL TO THE PREDEVELOPMENT. THE STORMWATER RUNOFF IMPACTS FROM THE PROPOSED DEVELOPMENT THEREFORE MEET THE CURRENT CITY & MPACA REQUIREMENTS. A MIDS MODEL WAS NOT CREATED FOR THIS PROJECT SITE SINCE ALL OF THE PROPOSED STORMWATER RUNOFF IS INFILTRATED (MEETS THE VOLUME REDUCTION REQUIREMENT) AND DOES NOT DISCHARGE TO A SURFACE WATER (100% PHOSPHOROUS AND TOTAL SUSPENDED SOLIDS REDUCTION).

FUTURE DEVELOPMENT

THE PROPOSED INFILTRATION BASIN HAS CAPACITY FOR FUTURE DEVELOPMENT. AN ESTIMATED 15,000 SQ. FT. OF ADDITIONAL IMPERVIOUS SURFACE WOULD RAISE THE HWL IN THE BASIN TO 1169.60 WHICH IS BELOW THE BASIN TOP OF 1170.0. FUTURE DEVELOPMENT PLANS COULD BE REVIEWED AND THE STORMWATER PLAN UPDATED AT THAT TIME.



NO.	REVISION SINCE INITIAL DATE	DATE

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

Signature: *Tony A. Pohl* TONY A. POHL LIC. NO. 56406 DATE: 09/14/2022

PROJECT NO. KINN2202



KRAMER LEAS DELEO
SURVEYING • ENGINEERING • PLANNING

DATE: AUGUST, 2022
DESIGNED: TAP
CHECKED: TAP
SCALE: AS SHOWN

CREEKSIDE COMMUNITY DEVELOPMENT
MY NEIGHBOR TO LOVE COALITION LLC
SECTION 4, TOWNSHIP 133, RANGE 28
BRainerd, MINNESOTA

DRIANGE PLAN - PROPOSED

CREEKSIDE COMMUNITY DEVELOPMENT

Located in Block E and Block M, WEST BRAINERD,
Section 4, Township 133 North, Range 28 West,
Crow Wing County, Minnesota.

Surveyors Notes

The property address for the subject property is:

Not Declared

The Parcel Numbers for the subject property is 41040501, 41040502, 41040503, 41040504, 41040505, 41040805, 41040806, 41040807, 41040808, 41040809 and 41040810.

The current zoning classification for the subject property is Traditional Neighborhood 2 (TN-2).

This survey was completed without the benefit of a title commitment or title opinion, there may be easements or other limiting factors that affect the subject property that are not shown on this survey.

The subject property was reviewed for the existence of wetlands on September 13, 2022. Kyle Cheme, Minnesota Certified Delineator number 1190. No wetlands are located within the boundary of this proposed subdivision.

All water mains shown on survey are approximate locations based on the 2020 Storm Sewer Plan and Profile done by Bolton and Menk.

Legal description

Lots 1 thru 12 inclusive, Block M, WEST BRAINERD, Crow Wing County, Minnesota.

AND

Lots 3 thru 10 inclusive, Block E, WEST BRAINERD, Crow Wing County, Minnesota.

AND

All that part of vacated Robert Street which lies adjacent to Lot 1, Block M, and Lot 12, Block M, and Lot 6, Block E, and Lot 7, Block E, WEST BRAINERD, Crow Wing County, Minnesota.

AND

(This portion is proposed alley vacation)

That part of the alley located within Block M, WEST BRAINERD, according to the recorded plat thereof, Section 4, Township 133 North, Range 28 West, Crow Wing County Minnesota, which lies southerly of the southerly line of Jackson Street, and which lies northerly of the northerly line of Robert Street.

That part of the alley located within Block E, WEST BRAINERD, according to the recorded plat thereof, Section 4, Township 133 North, Range 28 West, Crow Wing County Minnesota, which lies southerly of the southerly line of Robert Street, and which lies northerly of the easterly extension of the southerly line of Lot 10, Block E, WEST BRAINERD.

That part of Robert Street, WEST BRAINERD, according to the recorded plat thereof, Section 4, Township 133 North, Range 28 West, Crow Wing County Minnesota, which lies easterly of a line from the southeast corner of Lot 12, Block M, WEST BRAINERD to the northeast corner of Lot 7, Block E, WEST BRAINERD, and which lies westerly of a line from the southwest corner of Lot 1, Block M, WEST BRAINERD to the northwest corner of Lot 6, Block E, WEST BRAINERD.

MAPPING LEGEND

STORM SEWER MANHOLE	⊗	BURIED ELECTRIC LINE	—P-BUR—
SANITARY SEWER MANHOLE	⊗	BURIED TELEPHONE LINE	—T-BUR—
CATCH BASIN	⊗	OVERHEAD POWER LINE	—OHP—
CULVERT APRON	⊗	WATER LINE	—W—
HYDRANT	⊗	STORM SEWER PIPE	—SSP—
WATER VALVE	⊗	SANITARY SEWER PIPE	—SSP—
UTILITY POLE	⊗	TREELINE	—TRE—
UTILITY POLE ANCHOR	⊗	CONTOUR (MAJOR)	—1025—
UTILITY PEDESTAL	⊗	CONTOUR (MINOR)	—1025--
UTILITY METER	⊗	CONCRETE	—CON—
LIFT STATION	⊗	BITUMINOUS	—BIT—
SOIL BORING	⊗	GRAVEL	—GRA—
	SB#		

Traditional Neighborhood 2 (TN-2)

Purpose of Traditional Neighborhood 2 Zoning District. The TN-2 Zoning District is intended to provide for compact, pedestrian-oriented mix of residential and neighborhood-serving commercial uses. This District reinforces the existing pattern of small, connected lots, blocks and street and supports development and redevelopment consistent with this pattern.

TN-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards
Lot Dimensions

A. Lot Size (minimum) Density (range) 4,000 SF: 9 – 20 DU/AC (20+ DU/AC requires CUP)
B. Buildable Area - Floor Area Ratio (FAR) for commercial use Outside of all setbacks 0.5
C. Lot Frontage on All Roads (minimum) 45'

Principal Building & Attached Accessory Building Standards

D. Front Yard Setback (minimum) 0' - 20' if Commercial is Principal Use, 5' - 20' if Residential is Principal Use
E. Side Yard Setback (minimum) 5'/10' corner
F. Rear Yard Setback (minimum) 1'

NO.	REVISIONS SINCE INITIAL DATE OF	DATE



I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: *James Kramer* 09/13/2022
James Kramer, MN License No. 23668 Date

PROJECT NO. KINNV2202

Preliminary Plat of CREEKSIDE COMMUNITY DEVELOPMENT

For property at: NOT YET ASSIGNED
Section 4, Township 133 North, Range 28 West
Crow Wing County, Minnesota

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: February 15, 2023

RE: Proposed Ordinance No. 1546, An Ordinance Amending Section 515-4-8, Outdoor Lighting.

Amending [Section 515-4-8, Outdoor Lighting](#)

At the last Planning Commission meeting on January 18th, the Commission directed staff to draft an amended ordinance for outdoor lighting pertaining to outdoor lighting color temperature standards, dimmable lighting, and adding the Public Semi-Public District to the residential use outdoor lighting performance standards. Since the Zoning Code also regulates City parks, staff presented the proposed ordinance to the Park Board for their recommendation of the ordinance. The Park Board was in favor of a lighting ordinance requiring a 3,000 K or lower correlated color temperature standard except for recreational lighting. The Park Board is interested in dimmable lighting for their parks but would like to review this standard as part of any park addition or renovation. The dimmable lighting requirement is exempted for parks as part of the proposed ordinance. The Park Board goes through a rigorous review process for all new lighting in the parks and will review each light or park on a case-by-case basis.

Lighting Restriction and Trespass – Ordinance Amendment

1. Color Temperature of Lamps. All new lighting must have a correlated color temperature (CCT) of 3,000 Kelvin (K) or lower.
 - a. *This proposed ordinance amendment will apply to all new lighting in the City of Brainerd except for recreation lighting. Compliance with the ordinance would be achieved through a land use application or building permit application.*
2. Dimmable Lighting. All new nonresidential lighting must dim by at least 50% or turn off at 10PM or one hour after close of business, whichever is later.
 - a. *This proposed ordinance amendment will apply to all new commercial, business, institutional, and industrial lighting in all zoning districts. Parks would be exempted from this ordinance. Compliance with the ordinance would be achieved through a land use application or building permit application.*

Staff Recommendation

- 1) Hold a public hearing.
- 2) Staff recommends approval of proposed ordinance 1546 as presented.

**ORDINANCE
NO. 1546**

AN ORDINANCE AMENDING SECTION 515-4-8, OUTDOOR LIGHTING

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Section 515-4-8. D of the Zoning Code is hereby amended by adding the following:

D. ~~Light Trespass~~ Lighting Restrictions and Trespass

- 1. Color Temperature of Lamps. All new lighting must have a correlated color temperature (CCT) of 3,000 Kelvin (K) or lower.**
 - a. All new light fixtures displaying a non-intended correlated color temperature is considered in violation of this ordinance.**
 - b. Outdoor commercial or public recreational uses such as, but not limited to, baseball fields, football fields, hockey rinks, and tennis courts are exempted from this paragraph.**
- 2. Dimmable Lighting. All new nonresidential lighting must dim by at least 50% or turn off at 10PM or one hour after close of business, whichever is later.**
 - a. Lighting in the Park District is exempted from this paragraph.**
- 3. Maximum Light Levels. Light trespass shall not exceed one (1) foot candle at the center line of a public street or four-tenths (0.4) foot candles at the property line of adjacent residential property as measured at the property line per the method outlined in this Section.**
- 4. The foot candle level of a light source shall be measured at the property line and taken after dark with the light meter held six (6) inches above the ground with the meter facing the light source. A reading shall be taken with the light source on, then with the light source off. The difference between the two readings will be identified as the light intensity.**

SECTION TWO: Section 515-4-8. E.1 of the Zoning Code is hereby amended by adding the following:

E. Performance Standards.

- 1. Residential Use and PSP District Standards. All exterior lighting shall be directed away from adjoining residential property or from any public right-of-way. All lighting shall be installed in accordance with the following provisions:**
 - a. The light source shall be controlled so as not to light adjacent property in excess of the maximum light levels defined by this Ordinance.**
 - b. The maximum height of the fixture, pole and base above the ground grade permitted for light sources is thirteen (13) feet. A light source mounted on a structure shall not exceed the height of the structure.**
 - c. If the bulb/light source is fully recessed and/or shielded from view by an observer at five (5) feet above grade at the nearest property line, an increase in light source height to a maximum of twenty (20) feet may be allowed.**
 - d. Any luminaire affixed to a structure shall contain a full cut off fixture which directs and cuts off light at an angle of ninety (90) degrees or less.**

- i. **Any luminaire or light source not affixed to a structure shall be hooded and down cast to protect the night sky.**

SECTION THREE: This ordinance shall take effect and be in full force one week from and after its publication.

Adopted this _____ day of _____, 2023

KELLY BEVANS
President of the Council

Approved this _____ day of _____, 2023

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

Published: One Time – _____

NOTICE OF HEARING

The City of Brainerd Planning Commission will be conducting a public hearing to consider Proposed Ordinance No. 1545. The purpose of this ordinance amendment is to amend Section 515-4-8 of the Brainerd Zoning Code relating to outdoor lighting color temperature of lamps, dimmable lighting, and adding the Public Semi-Public District to the residential use outdoor lighting performance standards. The proposed ordinance would require all new lighting in the City of Brainerd to have a correlated color temperature of 3,000 Kelvin or lower. The proposed ordinance would also require all new nonresidential lighting to dim by at least fifty percent or turn off at 10PM or one hour after close of business, whichever is later.

A Public Hearing will be conducted by the Planning Commission at 6:00 p.m. Wednesday, February 15, 2023, in City Hall Council Chambers, 501 Laurel Street, Brainerd.

The public is invited to attend the hearing to offer input regarding Proposed Ordinance No. 1545. Any individual needing special accommodations please call (218) 828-2307.

Dated this 1st day of February 2023

Publication Date: February 4th, 2023



James L. Kramvik
Community Development Director

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director
Dylan Edwards, Assistant Planner

DATE: February 15, 2023

RE: Conditional Use Permit for Mini Self-Storage Units at 15770 Dellwood Dr.

Central Lakes Area Storage LLC., of 5566 Ojibwa Rd. Brainerd, MN 56401, applied for a Conditional Use Permit to construct a mini self-storage facility at 15770 Dellwood Dr. Brainerd, MN 56401.

Parcel Number: 41320505

Property Area: 2.52 acres

Adjacent Uses: North and East: Residential
South: Residential
South: Commercial
West: Residential

Adjacent Zoning: North and East: RL-2 (Rural Living 2) District
South: City of Baxter C2 (Regional Commercial) District
South: City of Baxter C2 (Regional Commercial) District
West: City of Baxter R-S (Residential Staging) District

Findings of Fact

1. 15770 Dellwood Dr. is located in a GI (General Industrial) District. Zoning Ordinance [Section 513-3 Appendix A Table of Uses](#) allows mini storage facilities as a conditional use as regulated by [Section 515-3-21](#) of the Brainerd Zoning Ordinance
2. According to [Section 515-6 Rules and Definitions](#): **Mini Self-Storage** is an enclosed storage facility containing independent, fully enclosed bays that are leased to individuals exclusively for the storage of household or commercial goods or personal belongings.
 - a. *The applicant proposes two cold storage buildings with eighteen units that feature overhead doors that will be leased to the public. The targeted storage items for the facility will be recreational vehicles, boats, fish houses, and household contents.*
3. **General Provisions:** Mini Self-storage. Any mini self-storage business must comply with the following minimum standards:
 - a. A minimum of 25 percent of the site must be open green space and landscaped in accordance with a plan approved by the City Council.

- i. *According to the general site plan notes submitted with the conditional use permit application, approximately 20.99% of the lot is covered in impervious surfaces and the remaining area is considered green space.*
 - ii. [According to Section 515-4-10. D Green Space:](#) *Green space is considered and may be used for stormwater management, raingardens, wetland areas and required buffers, and landscaping.*
 - iii. *The applicant's stabilization plan indicates that areas for turf establishment shall receive 4" of topsoil and Seed Mix 25-151.*
 - iv. *Landscaping is not required for Industrial zoned properties other than those along Business T.H. 371, T.H. 210, T.H. 25, T.H. 18, Oak Street, or County Road 3.*
- b. No buildings shall be located closer than 25 feet to each other to allow for parking, loading, driveway, and fire lanes.
 - i. *According to the general site plan submitted the two storage buildings are 70ft apart from one another which is more than the minimum standard.*
- c. No single building shall be greater than 150 feet in length.
 - i. *The buildings as planned are 130ft in length conforming to the Ordinance's requirement.*
- d. All structures are to be within 200 feet of a fire hydrant.
 - i. *The proposed structures are currently not within 200 feet of a fire hydrant. The nearest fire hydrant is at the corner of Dellwood Drive and Novotny Road which is approximately 1,300 ft from the property.*
 - ii. *The Fire Marshal requires stored water for firefighting purposes according to Section 507.2 of the Fire Code. The table would require a minimum of 500 GPM for 60 minutes of 30,000 gallons for this storage facility.*
 - iii. *Staff recommends as a condition of the permit that prior to the issuance of a building permit for the storage facility that the Fire Marshal approves a fire protection plan for the property. Also, prior to final building inspection or certificate of occupancy, the Fire Marshal completes a fire inspection of the property according to the conditions of the fire protection plan.*
- e. All driveways and parking areas are to be hard (blacktop or concrete) surfaced and adequate turning radius for fire truck maneuverability is to be maintained throughout the site. Designated snow storage space is to be provided to ensure adequate and safe access during winter months.
 - i. *The planned driveway and parking areas are planned to be hard surfaced with bituminous pavement with a layout that allows for fire truck maneuverability and snow storage.*
- f. Any structures having exposure to an abutting residential use, Residential Zoning District or public right-of way, park, or similar public use areas shall be of vinyl, brick, natural stone, wood, or stucco facing material.
 - i. *The structure does abut residentially used properties in both the City of Brainerd and City of Baxter. The proposed site as well as the residential*

properties have a significant amount of tree coverage on their perimeter which limits viewing exposure.

- ii. The façade facing Dellwood Drive must meet the siding requirements of this Section before issuance of the building permit.*
- iii. In addition to the siding requirements of Section 515-3-21, the storage buildings must conform to [Section 515-4-2 E Industrial Use Design Construction Standards](#) which states new buildings constructed in the GI Zoning District should be constructed using durable and lasting materials. Permitted typical materials include: brick, dimensioned stone, rock faced block, decorative concrete panels, architectural concrete block, cast in place concrete, stone, wood, glass, EFIS, or metal panels. Metal panels shall not encompass more than an average of fifty (50) percent of street side building elevations combined.*

g. No retailing, wholesaling, manufacturing, repair, or other such activity other than storage is to occur within the self-storage, mini warehousing facility.

- i. The applicant does not propose any other uses for the property other than mini self-storage.*

4. **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 property parcel located at 15770 Dellwood Dr. is in the General Industrial zoning district in which mini self-storage facilities are a permitted conditional use per Section 513-3 Table of Uses.*

b. The proposed use meets the regulations and standards established in this Ordinance.

- i. In addition to the landscaping, building design standards and conditions for mini-self storage are outlined in the Findings of Fact. The proposed facility meets all requirements of [Section 515-2-16.1](#) General Industrial Dimensional Standards – Density, Lot Size, Coverage and Height Standards.*

- ii. The proposed lighting plan meets the conditions of [Section 515-4-8, Outdoor Lighting](#).*

- 1. All proposed lighting is attached to the building and will not be higher than 25 feet, which is the requirement for the General Industrial District.*

- 2. All fixtures direct and cuts off light at an angle of 90 degrees or less and is controlled so as not to light adjacent property in excess of the maximum light levels defined by this 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. This use of the property at 15770 Dellwood Dr will not cause any condition dangerous, injurious, or noxious to any other property or person. The proposed structure will generate low traffic impact, have appropriate drainage infrastructure, and retain much of the existing wooded landscape surrounding the parcel which will buffer limited noise at the facility.*
 - 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 construction plan preserves the existing wetlands and much of the woodlands that comprise the property borders on the parcel.*
 - e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. Dellwood Drive is a mixture of Rural Living and spaced Commercial Uses. Storage buildings are consistent with the surrounding environment.*
 - f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i. The storage facility has an abundance of off-street loading between the two storage buildings to limit any traffic congestion on Dellwood Drive.*
 - g. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
 - i. Goal 1 of Chapter 5 of the Comprehensive plan which states, "Support infill and redevelopment throughout Brainerd as a strategic component of growth."*
 - 1. Policy 1 under Goal 1 states, "Drive infill development and redevelopment towards areas where current infrastructure is present, or places where high levels of blight or disinvestment exists"*
5. **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 mini self-storage facility at 15770 Dellwood Dr.

Staff Recommendation

The Brainerd Community Development Department Staff recommends approval of the Conditional Use Permit with the condition that prior to the issuance of a building permit for the storage facility, the Fire Marshal approves a fire protection plan for the property. Also, prior to final building inspection or certificate of occupancy the Fire Marshal completes a fire inspection of the property according to the conditions of the fire protection plan.



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

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

COMMERCIAL

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

CONDITIONAL USE PERMIT
REZONING
VARIANCE

PROPERTY ADDRESS: 15770 Dellwood Drive, Brainerd, MN 56401

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: S 275 FT OF W 400FT OF NW1/4 OF NW1/4
(attach description if lengthy)

Property Owner Name: Central Lakes Area Storage LLC

Street Address: 5566 Ojibwa Road City: Brainerd State: MN Zip Code 56401

Phone Number: 651-260-8394 Fax: N/A E-mail: sendmail2bruce@aol.com

Applicant Name: (If different than Property Owner) _____

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

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

Description of Request: Construct 2 cold storage buildings with 18 units that feature overhead doors. The targeted storage will be storage of recreational vehicles, boats, fish houses, and household contents.

January 6th, 2023

Property Owner Signature

BRUCE CLARK

(Please print name)

Bruce Clark

Applicant Signature

Date

Date

(Please print name)

(OVER)

NOTICE OF HEARING

Notice is hereby given that Central Lakes Area Storage LLC. has submitted a request for a Conditional Use Permit to construct a storage unit facility at 15770 Dellwood Dr. Brainerd, MN 56401. The property included in this application is described as:

THAT PART OF THE NW1/4 OF THE NW1/4, S32, T134, R28 DESCRIBED AS FOLLOWS: TO WIT: BEGINNING AT THE SOUTHWEST CORNER, THENCE NORTH 275 FEET ALONG WESTERLY LINE OF SAID NW1/4 OF THE NW1/4; THENCE 400 FEET EAST AT RIGHT ANGLES; THENCE SOUTH 275 FEET AT RIGHT ANGLES; THENCE WEST 400 FEET TO THE POINT OF BEGINNING.

*Parcel #: 41320505
Section 32, Township 134, Range 28*

The property is zoned GI (General Industrial) District, and Zoning Ordinance Section 513-3 Appendix A Table of Uses allows mini storage facilities as a conditional use as regulated by Section 515-3-21 of the Brainerd Zoning Ordinance. 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, February 15, 2023, 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) 828-2307.

Dated this 1st day of February 2023

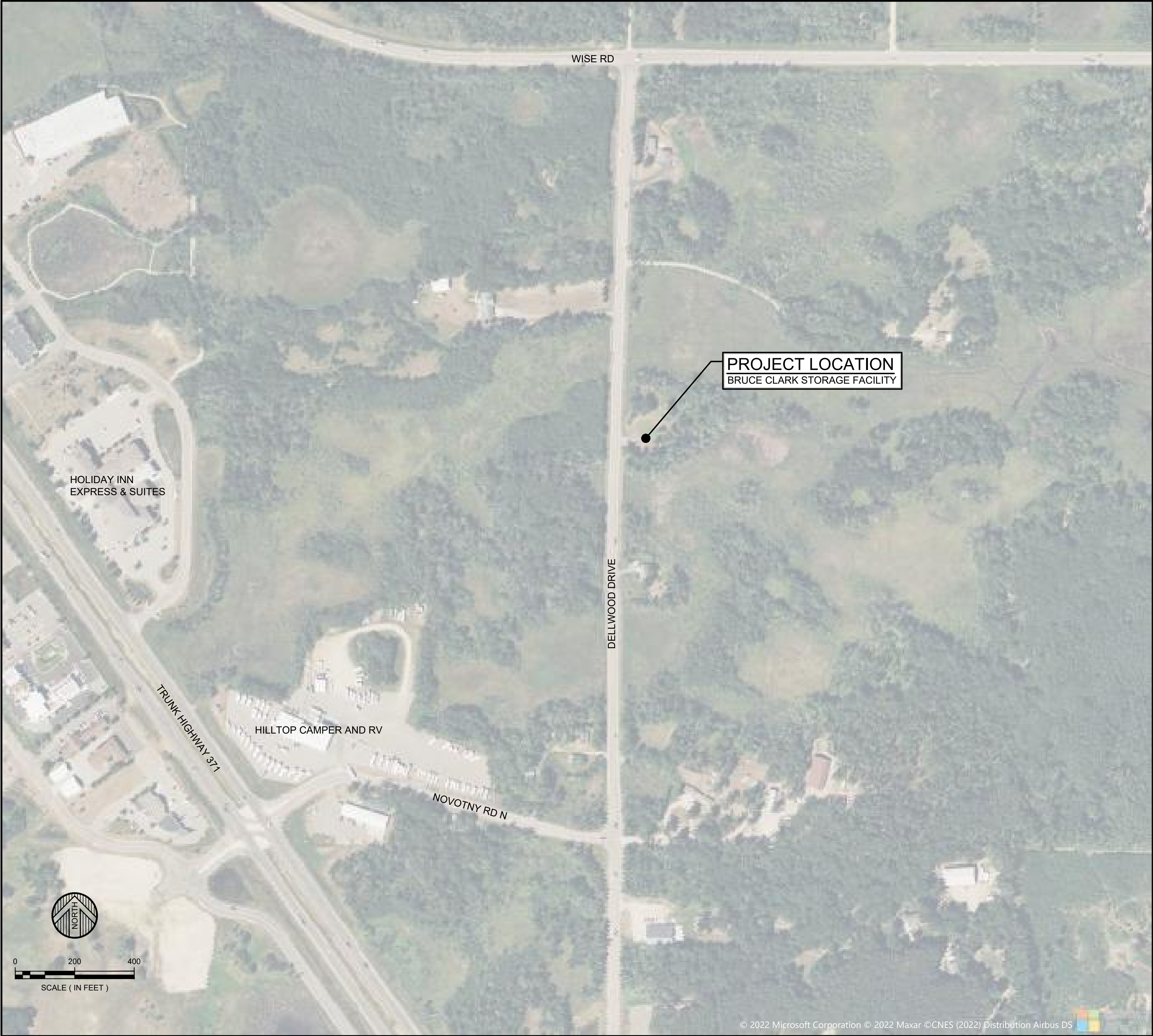
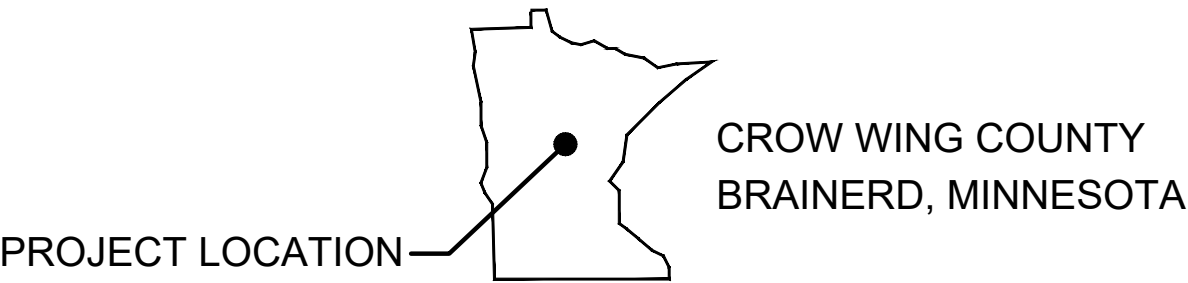


James L. Kramvik
Community Development Director

Publication Date: February 4, 2023

BRUCE CLARK STORAGE FACILITY

BRAINERD, MINNESOTA



GOVERNING SPECIFICATIONS

THE 2020 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" SHALL GOVERN.

INDEX TO DRAWINGS

SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	PLAN LEGEND
3-4	DETAILS
5	EXISTING CONDITIONS AND REMOVALS PLAN
6	SITE PLAN
7	GRADING PLAN
8	EROSION CONTROL PLAN

CITY OFFICIALS

MAYOR:	DAVE BADEAUX
CITY COUNCIL:	KEVIN H. STUNEK TAD ERICKSON MIKE O'DAY WILLIAM (JAMIE) BIESER KELLY BEVANS TIFFANY STENGLEIN GABE JOHNSON
CITY ADMINISTRATOR:	JENNIFER BERGMAN
CITY ENGINEER:	JESSIE DEHN

DATE	REVISION	DESCRIPTION	BY

DATE:	AUGUST 2022
SCALE:	AS SHOWN
DRAWN BY:	EPIC
CHECKED BY:	ADB
JOB NUMBER:	2022-11082

SURVEY MONUMENTS

	BENCH MARK
	FOUND CIM
	FOUND CPNT.
	FOUND JLM
	FOUND LATH
	FOUND PIPE
	FOUND READING
	STAKED CIM
	STAKED CPNT.
	STAKED JLM
	STAKED PIPE

EXISTING TOPO SYMBOLS

	AC UNIT
	FENCE POST
	FLAG POLE
	GUARD POST
	GUY ANCHOR
	GUY POLE
	HANDICAP SYMBOL
	MAILBOX
	SHRUB
	SIGN DOUBLE POST
	SIGN SINGLE POST
	TREE CONIFER
	TREE DECIDUOUS
	TREE STUMP
	TV DISH
	WETLAND SYMBOL
	YARD LIGHT

EXISTING UTILITY MUNICIPAL SYMBOLS

	APRON
	LIFT STATION
	SANITARY CLEANOUT
	SANITARY MANHOLE
	STORM CATCH BASIN
	STORM INLET

EXISTING UTILITY MUNICIPAL SYMBOLS (cont.)

	STORM MANHOLE
	WATER CURB STOP
	WATER HANDHOLE
	WATER HYDRANT
	WATER MANHOLE
	WATER METER
	WATER VALVE
	WATER WELL
	UTILITY SIZE & TYPE

EXISTING UTILITY PRIVATE SYMBOLS

	ELEC GROUND LIGHT
	ELEC HANDHOLE
	ELEC LIGHT POLE
	ELEC MANHOLE
	ELEC METER
	ELEC PEDESTAL
	ELEC POLE
	ELEC SIGNAL
	ELEC TRANSFORMER BOX
	GAS METER
	GAS VALVE
	LP TANK
	TELE HANDHOLE
	TELE MANHOLE
	TELE PEDESTAL
	TELE POLE
	TV HANDHOLE
	TV PEDESTAL

SOIL BORING SYMBOLS

	LASER-INDUCED FLUORESCENCE BORING
	LYSIMETER
	MONITOR WELL
	PERC TEST
	PIEZOMETER
	RECOVERY WELL
	SOIL BORING
	SOIL VAPOR POINT
	VAPOR SURVEY POINT

PROPOSED UTILITY MUNICIPAL SYMBOLS

	APRON PROPOSED
	SANITARY CLEANOUT PROPOSED
	SANITARY LIFT STATION PROPOSED
	SANITARY LIFT STATION VALVE MANHOLE PROPOSED
	SANITARY MANHOLE PROPOSED
	SANITARY PLUG PROPOSED
	STORM CATCH BASIN PROPOSED
	STORM MANHOLE PROPOSED
	WATER 11 1/4° BEND PROPOSED
	WATER 22 1/2° BEND PROPOSED
	WATER 45° BEND PROPOSED
	WATER 90° BEND PROPOSED
	WATER CAP PROPOSED
	WATER CROSS PROPOSED
	WATER CURB STOP PROPOSED
	WATER HYDRANT PROPOSED
	WATER REDUCER PROPOSED
	WATER SLEEVE PROPOSED
	WATER TEE PROPOSED
	WATER VALVE PROPOSED

PROPOSED UTILITY PRIVATE SYMBOLS

	ELEC LIGHT POLE PROPOSED
--	--------------------------

EROSION CONTROL SYMBOLS

	SURFACE DRAINAGE ARROW
	STORM DRAIN INLET PROTECTION

TRAFFIC CONTROL DEVICES & SYMBOLS

	TRAFFIC CONTROL SIGN (1 POST)
	TRAFFIC CONTROL SIGN (2 POST)
	TYPE III BARRICADE
	DRUM CHANNELIZER
	FLASHING ARROW OR MESSAGE BOARD

EXISTING TOPOGRAPHIC LINES

	CENTER LINE
	EDGE OF WOODS
	FENCE BARB WIRE
	FENCE CHAIN LINK
	FENCE WOOD
	FORCEMAIN
	OVERHEAD CABLE TV
	OVERHEAD ELECTRIC
	OVERHEAD TELE
	RAILROAD
	RETAINING WALL
	SANITARY SEWER
	SANITARY SEWER SERVICE
	STORM SEWER
	STORM SEWER DRAIN TILE
	UNDERGROUND CABLE TV
	UNDERGROUND ELECTRIC
	UNDERGROUND FIBER OPTIC
	UNDERGROUND GAS
	UNDERGROUND TELE
	WATERMAIN
	WATERMAIN SERVICE
	WETLAND EDGE

R/W, LOT & EASEMENTS LINES

	BUILDING SETBACK LINE
	LOT LINE PROPOSED
	EASEMENT LINE
	EASEMENT LINE PROPOSED
	LOT LINE
	MNDOT CONTROLLED ACCESS LINE
	RIGHT OF WAY EXISTING
	RIGHT OF WAY PROPOSED

PROPOSED CONSTRUCTION LINES

	FENCE CHAIN LINK PROPOSED
	FENCE WOOD PROPOSED
	FENCE BARB WIRE PROPOSED
	FORCEMAIN PROPOSED
	SANITARY SEWER PROPOSED
	SANITARY SERVICE PROPOSED
	STORM SEWER PROPOSED
	STORM SEWER DRAIN TILE PROPOSED
	WATERMAIN PROPOSED
	WATERMAIN SERVICE PROPOSED

EROSION CONTROL LINES

	BALE CHECK
	BIO ROLL
	SILT FENCE
	SILT FENCE TYPE HEAVY DUTY
	SILT FENCE TYPE MACHINE SLICED
	SILT FENCE TYPE PREASSEMBLED
	FLOTATION SILT CURTAIN

HATCH PATTERN AND SHADING LEGEND

	RANDOM RIPRAP
	SOD
	SEED
	HYDRAULIC STABILIZER
	EROSION CONTROL BLANKET
	TEMP. ROCK CONSTRUCTION ENTRANCE
	BUILDING WALL HATCH
	BITUMINOUS SURFACE
	CONCRETE SURFACE
	GRAVEL SURFACE
	EASEMENT PATTERN

DOCUMENTATION SYMBOLS

	SECTION ARROW - SECTION NUMBER TOP; PAGE OF SECTION BOTTOM
--	--

WIDSETH

ARCHITECTS ■ ENGINEERS ■ SCIENTISTS ■ SURVEYORS

STORAGE FACILITY - DELLWOOD DRIVE

BRUCE CLARK

BRAINERD, MN

LEGEND

SHEET NO.

2

DATE: AUGUST 2022

SCALE: AS SHOWN

DRAWN BY: ERIC

CHECKED BY: ADB

JOB NUMBER: 2022-11082

DATE: 08/02/2022

LIC. NO. 57744

ALEX D. BITTER

WIDSETH

ARCHITECTS ■ ENGINEERS ■ SCIENTISTS ■ SURVEYORS

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WIDSETH

ARCHITECTS ■ ENGINEERS ■ SCIENTISTS ■ SURVEYORS

DATE: 08/02/2022

LIC. NO. 57744

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DATE: AUGUST 2022

SCALE: AS SHOWN

DRAWN BY: ERIC

CHECKED BY: ADB

JOB NUMBER: 2022-11082

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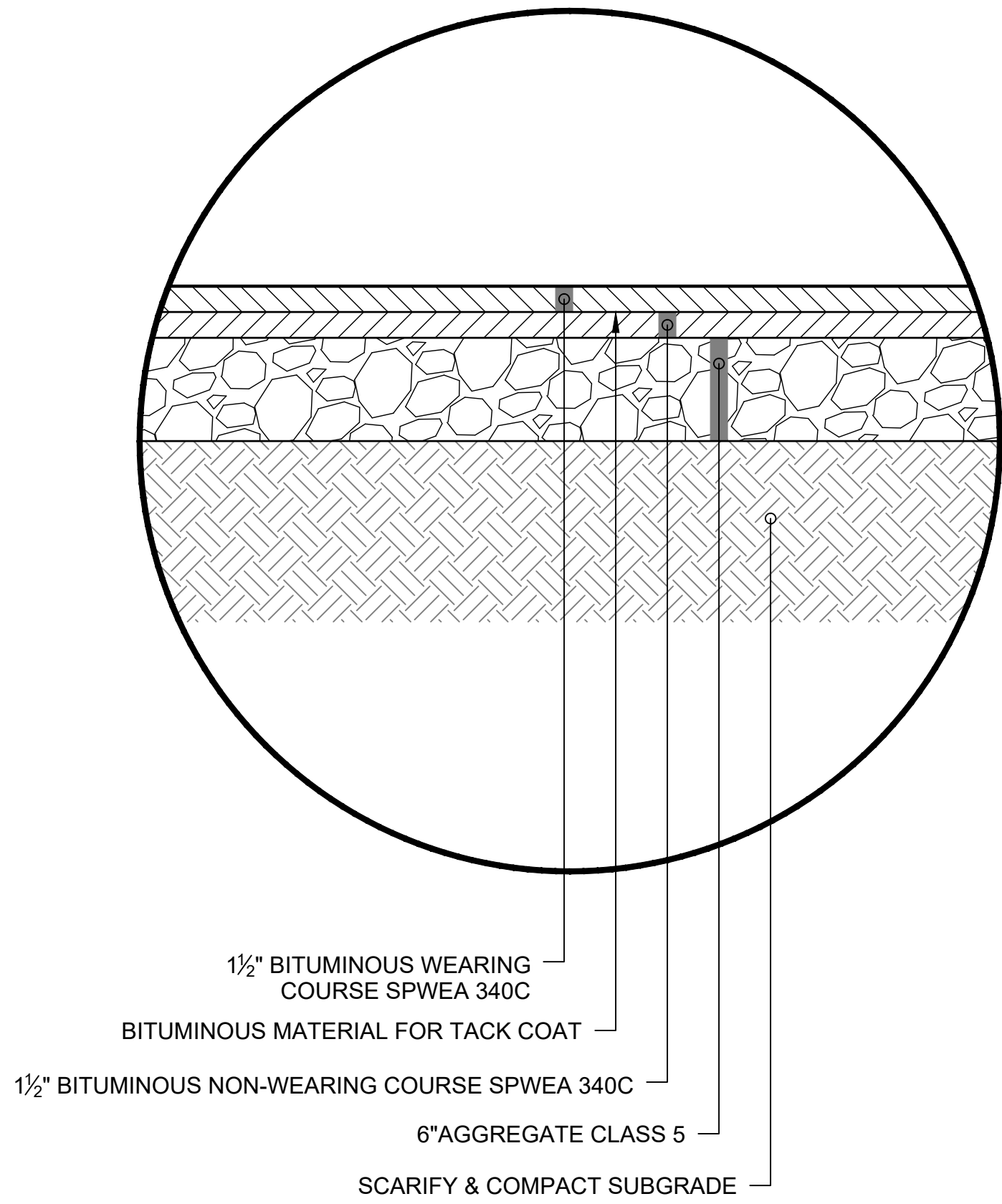
DATE: 08/02/2022

LIC. NO. 57744

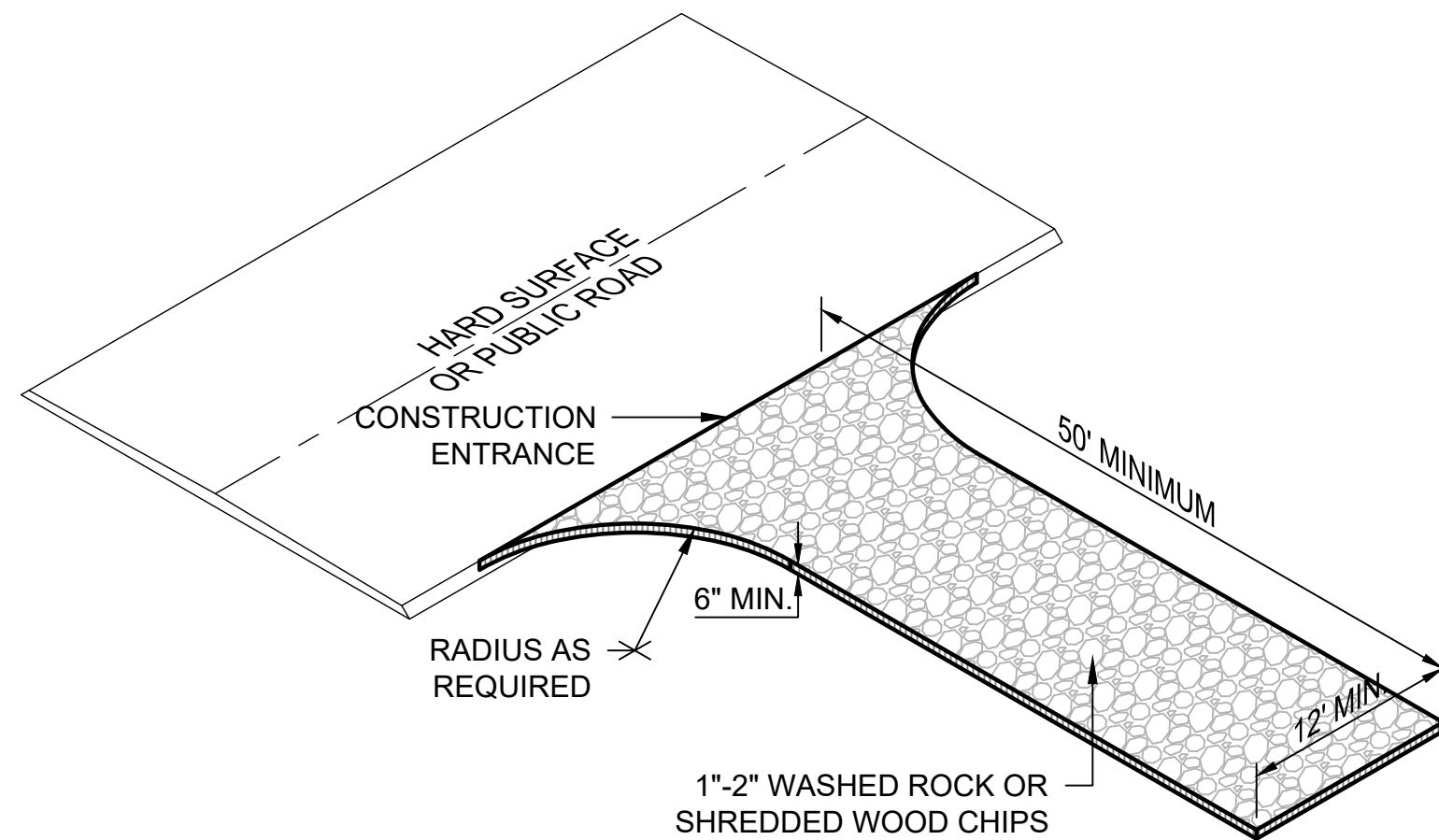
ALEX D. BITTER

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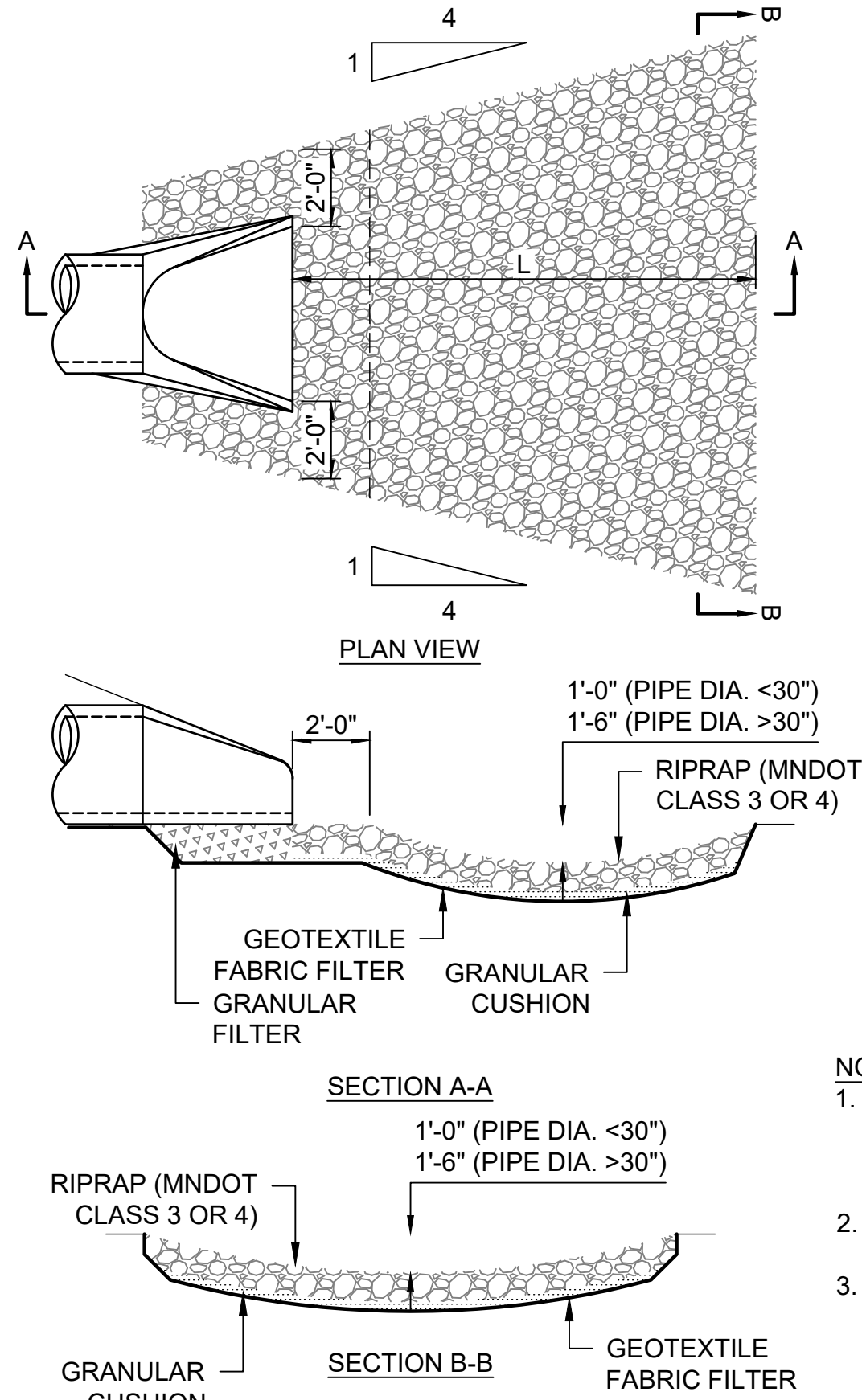
ARCHITECTS ■ ENGINEERS



BITUMINOUS PAVING SECTION
SCALE: NONE



TEMPORARY ROCK CONSTRUCTION ENTRANCE
SCALE: NONE

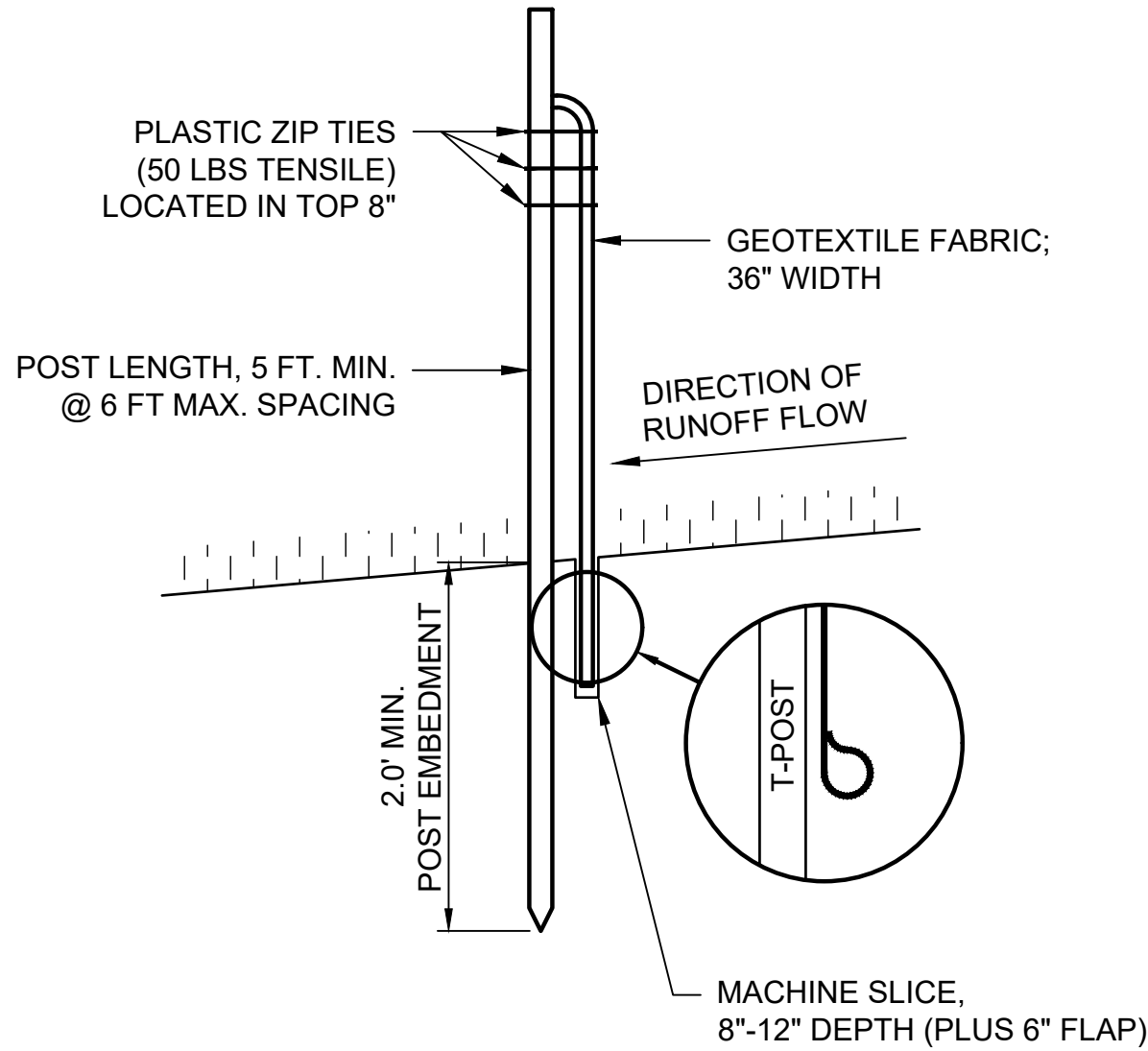


RIPRAP AT RCP OUTLETS DETAIL
SCALE: NONE

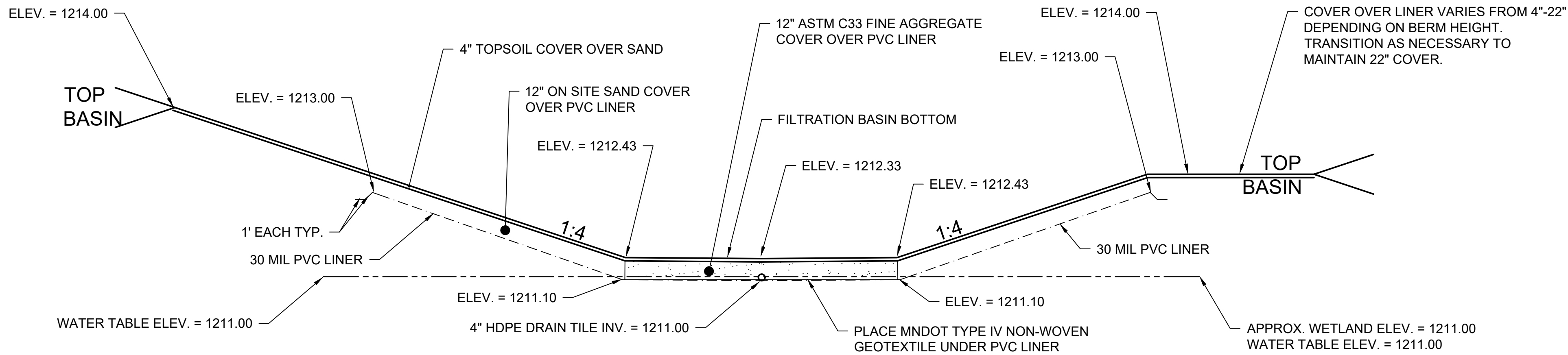
RIPRAP LENGTHS	
DIA. OF PIPE (IN.)	LENGTH OF RIPRAP (FT.)
12	8
15	8
18	10
21	10
24	12
27	12
30	14
36	16
42	18
48	20

RIPRAP LENGTHS	
SPAN OF PIPE ARCH (IN.)	LENGTH OF RIPRAP (FT.)
22	10
28	12
36	14
43	16
51	18
58	20

- NOTES:
1. GEOTEXTILE FILTER, MNDOT SPEC. 3733, SHALL COVER THE BOTTOM & SIDES OF THE AREA EXCAVATED FOR THE RIPRAP, GRANULAR FILTER MATERIALS.
 2. GRANULAR FILTER, MNDOT SPEC. 3601, MAY BE USED AS A CUSHION LAYER.
 3. GRANULAR FILTER OR RIPRAP, MNDOT SPSC. 3601, TO EXTEND UNDER ENTIRE OPEN PORTION OF PIPE APRON. DEPTH OF MATERIAL UNDER APRON SHALL MATCH RIPRAP DEPTH.

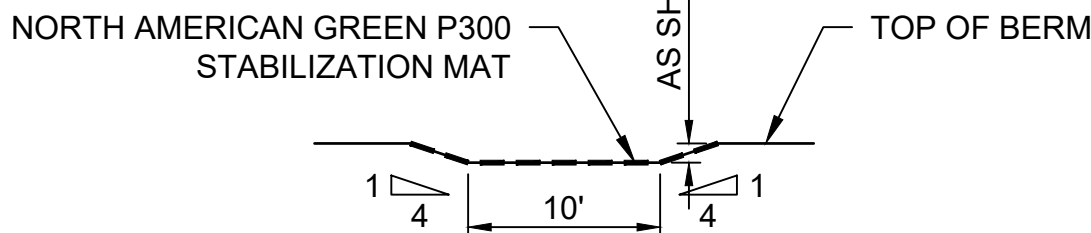
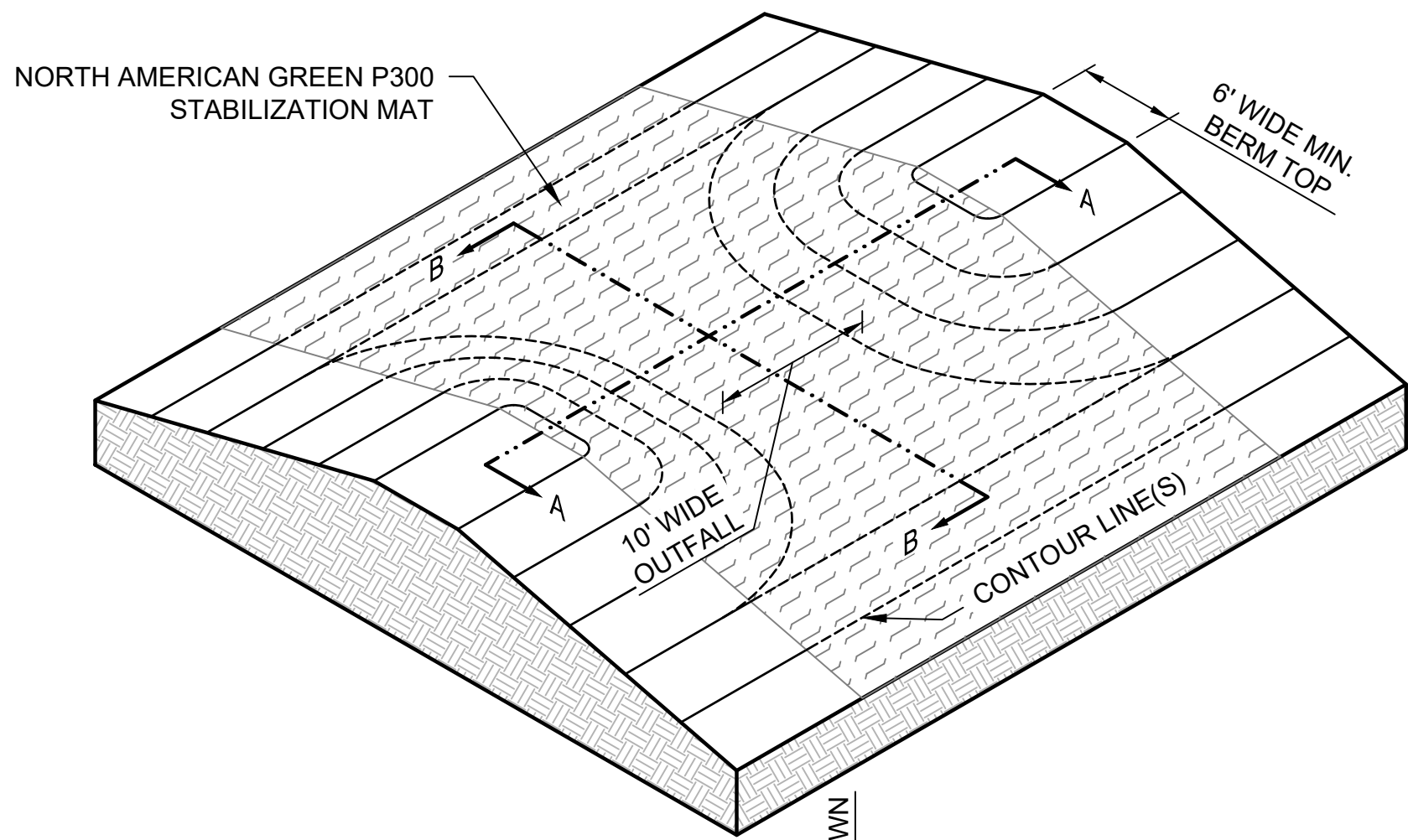


SILT FENCE DETAIL - MACHINE SLICED
SCALE: NONE

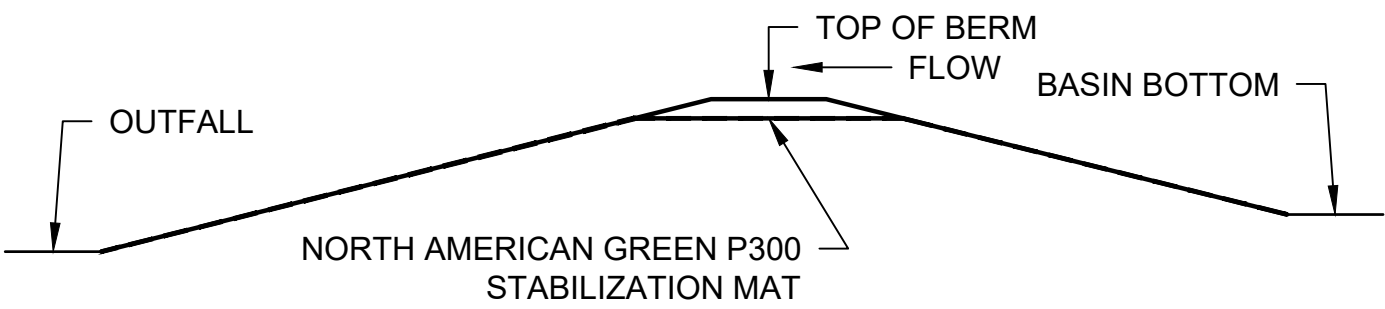


STORMWATER FILTRATION BASIN DETAIL

NOT TO SCALE



CROSS SECTION A-A



CROSS SECTION B-B

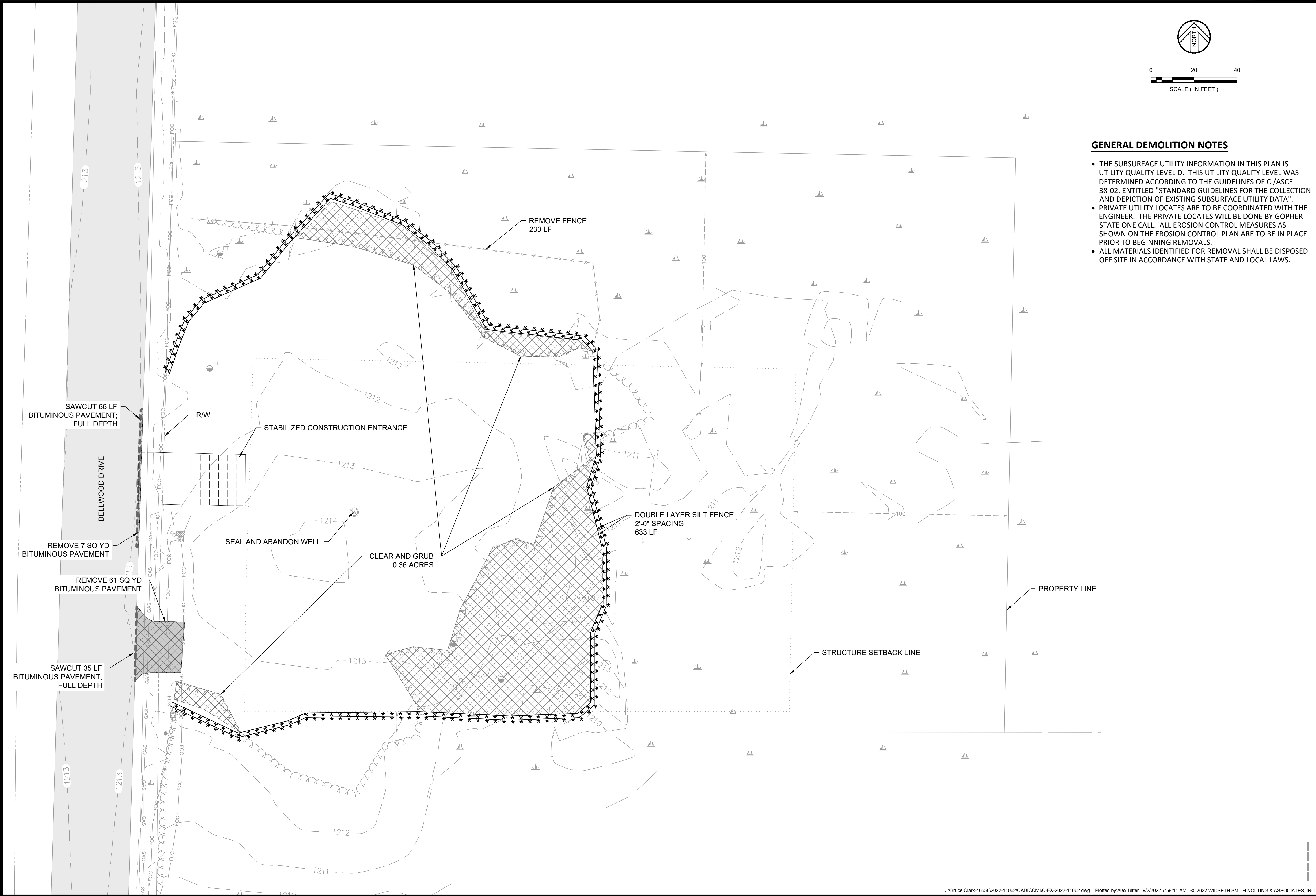
FILTRATION BASIN OVERFLOW

SCALE: NONE

DATE	REV	REVISION DESCRIPTION	BY

DATE:	AUGUST 2022
SCALE:	AS SHOWN
DRAWN BY:	ERC
CHECKED BY:	ADB
JOB NUMBER:	2022-11062

STORAGE FACILITY - DELLWOOD DRIVE
BRUCE CLARK
BRAINERD, MN
DETAILS



GENERAL DEMOLITION NOTES

- THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS UTILITY QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA".
- PRIVATE UTILITY LOCATES ARE TO BE COORDINATED WITH THE ENGINEER. THE PRIVATE LOCATES WILL BE DONE BY GOPHER STATE ONE CALL. ALL EROSION CONTROL MEASURES AS SHOWN ON THE EROSION CONTROL PLAN ARE TO BE IN PLACE PRIOR TO BEGINNING REMOVALS.
- ALL MATERIALS IDENTIFIED FOR REMOVAL SHALL BE DISPOSED OFF SITE IN ACCORDANCE WITH STATE AND LOCAL LAWS.

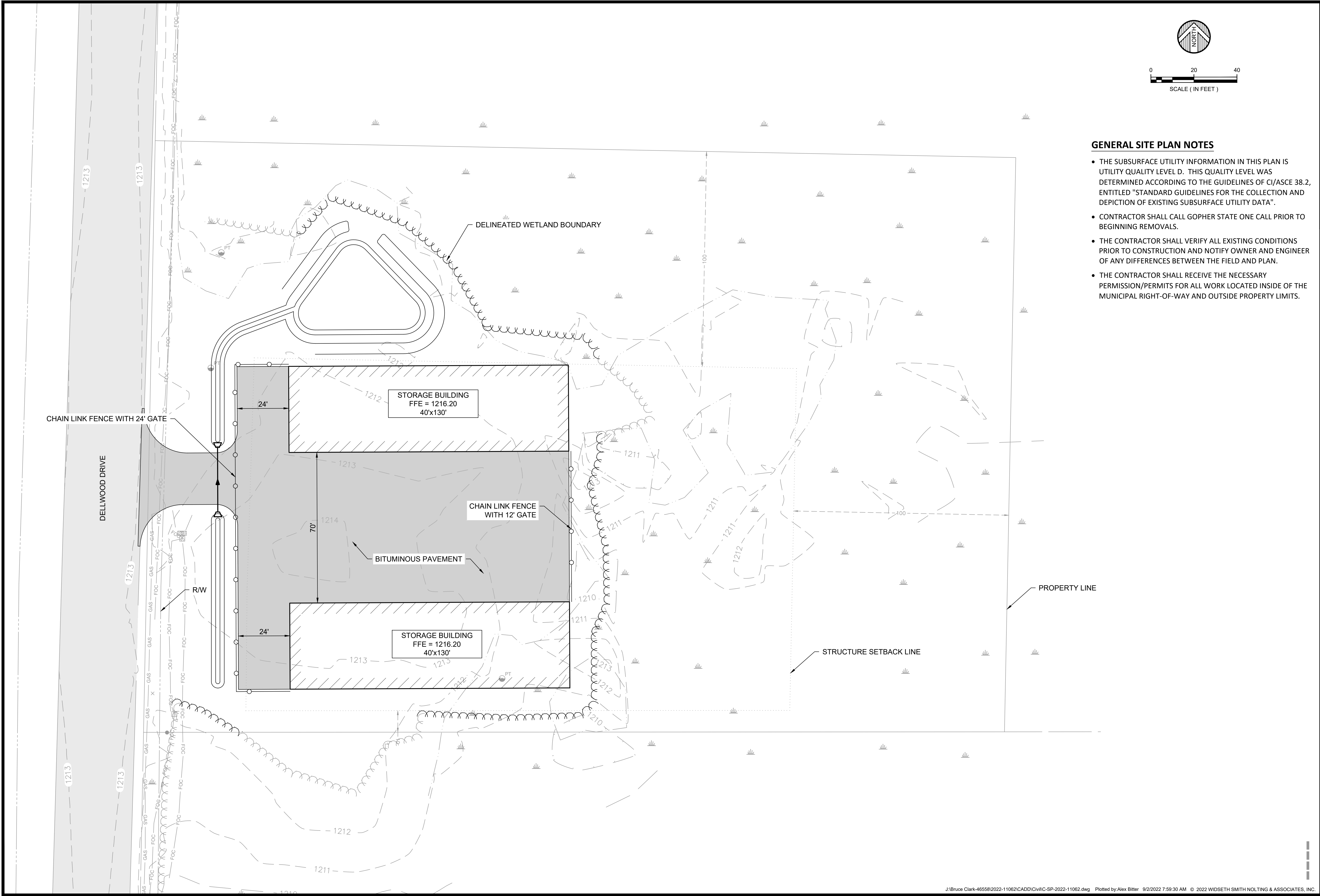
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Alex D. Bitter
ALEX D. BITTER

DATE	REVISION DESCRIPTION	BY

DATE:	AUGUST 2022
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DRAWN BY:	ERC
CHECKED BY:	ADB
JOB NUMBER:	2022-11082

STORAGE FACILITY - DELLWOOD DRIVE
BRUCE CLARK
BRAINERD, MN
EXIST. COND., REMOVALS, & EROSION CONTROL PLAN



GENERAL SITE PLAN NOTES

- THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38.2, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA".
- CONTRACTOR SHALL CALL GOPHER STATE ONE CALL PRIOR TO BEGINNING REMOVALS.
- THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY OWNER AND ENGINEER OF ANY DIFFERENCES BETWEEN THE FIELD AND PLAN.
- THE CONTRACTOR SHALL RECEIVE THE NECESSARY PERMISSION/PERMITS FOR ALL WORK LOCATED INSIDE OF THE MUNICIPAL RIGHT-OF-WAY AND OUTSIDE PROPERTY LIMITS.

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STORAGE FACILITY - DELLWOOD DRIVE

BRUCE CLARK

BRAINERD, MN

SITE PLAN

SHEET NO.

6

DATE: AUGUST 2022

SCALE: AS SHOWN

CHECKED BY: ADB

JOB NUMBER: 2022-11082

BY:

REVISIONS DESCRIPTION

DATE

REVIEW

DATE

REVISIONS DESCRIPTION

DATE

REVIEW

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Alex D. Bitter

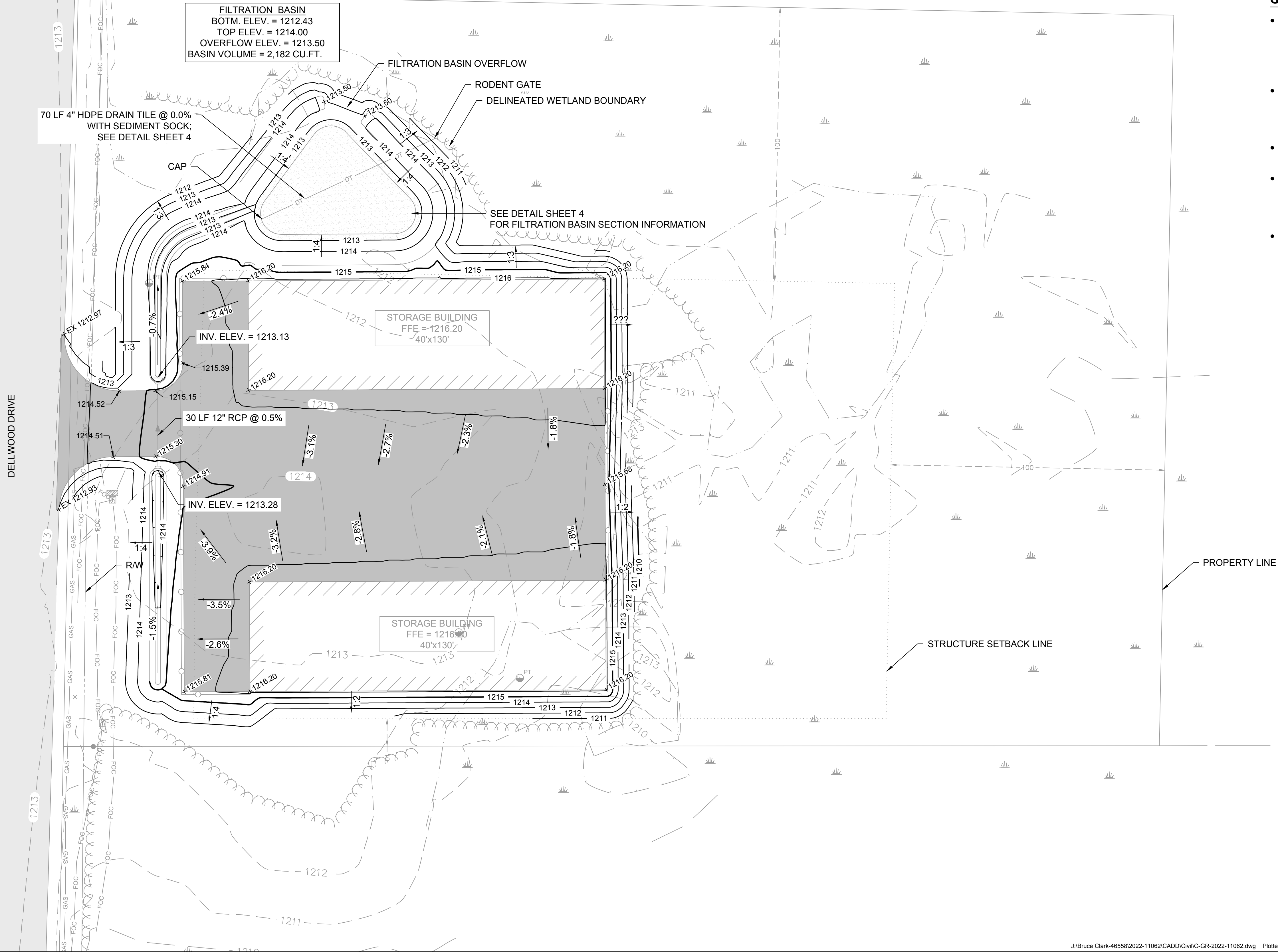
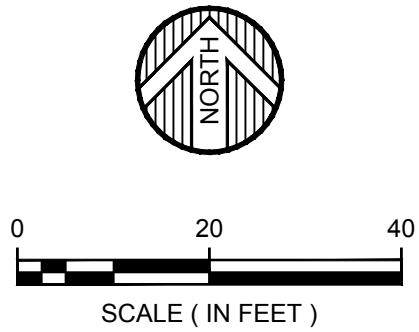
ALEX D. BITTER

DATE: 08/02/2022

LIC. NO. 57744

J:\Bruce Clark-46558\2022-11062\CADD\Civil\C-SP-2022-11062.dwg Plotted by: Alex Bitter 9/2/2022 7:59:30 AM © 2022 WIDSETH SMITH NOLTING & ASSOCIATES, INC.

FILTRATION BASIN STORAGE		
ELEVATION	CONTOUR AREA (FT²)	CUMULATIVE VOLUME (FT³)
1212.4	1491	0
1213.0	2023	1001
1213.5	2699	2182
TOTAL POND VOLUME =		2,182
REQUIRED STORAGE (1" OVER NEW IMPERVIOUS) =		1,997

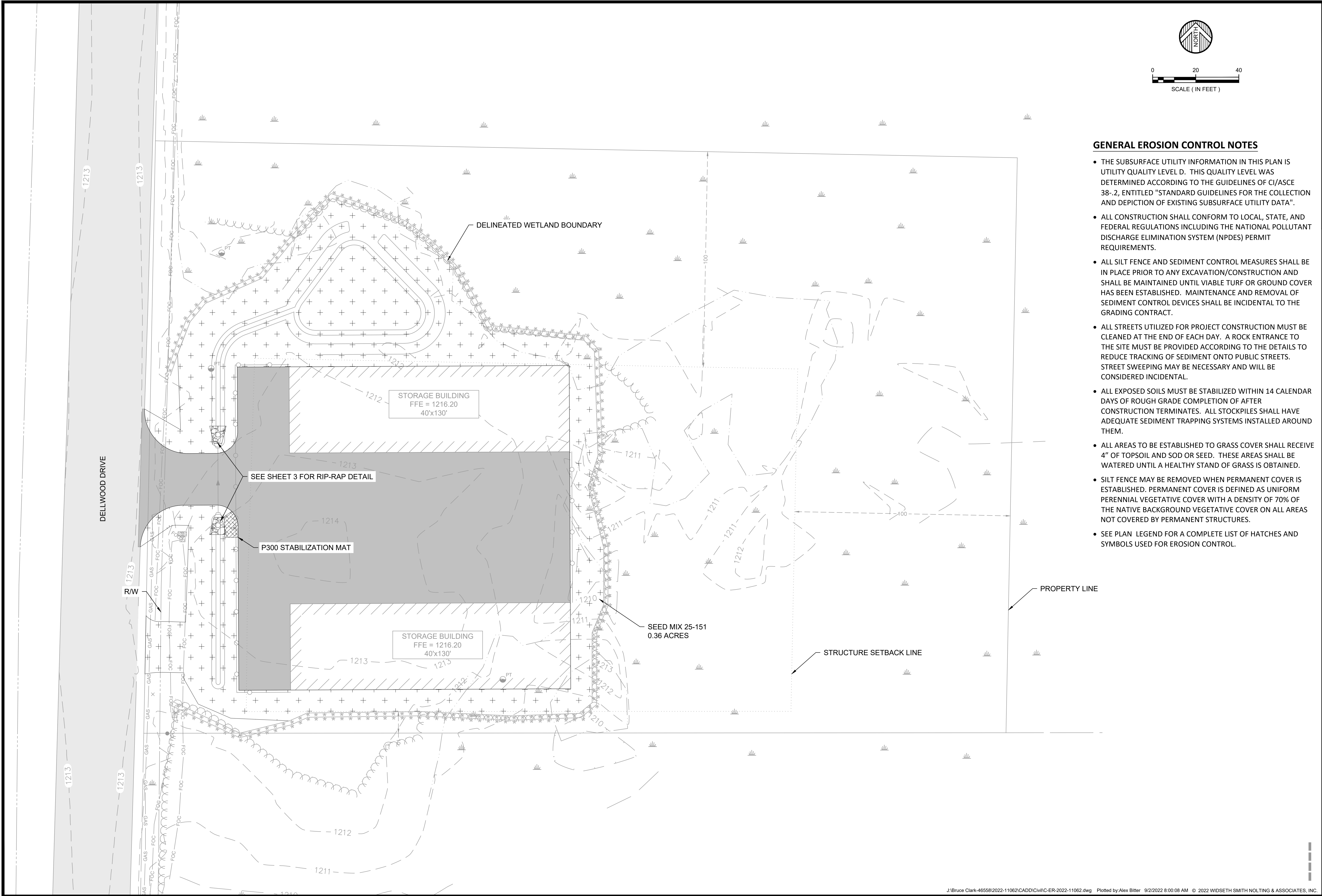


GENERAL GRADING NOTES

- THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38--2, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA".
- ALL CONSTRUCTION SHALL CONFORM TO LOCAL, STATE, AND FEDERAL REGULATIONS INCLUDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS.
- HAULING HOURS MUST BE CONFIRMED WITH THE CITY PRIOR TO BEGINNING WORK.
- SPOT ELEVATIONS SHOWN INDICATE FINISHED PAVEMENT ELEVATIONS, GUTTER FLOW LINE OF CURB GUTTER (FL), BACK OF CURB ELEVATIONS (TC), TOP OF SIDEWALK (TW), AND FINISHED SURFACE GRADE, UNLESS OTHERWISE NOTED.
- ALL SLOPES SHALL BE GRADED TO 4:1 OR FLATTER, UNLESS OTHERWISE NOTED ON THE PLANS.

DATE	REVISION DESCRIPTION	BY
2022-11-07	PROVIDE MORE STORMWATER INFO.	ERC

DATE:	AUGUST 2022
SCALE:	AS SHOWN
DRAWN BY:	ERC
CHECKED BY:	AOB
JOB NUMBER:	2022-11062



GENERAL EROSION CONTROL NOTES

- THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-2, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA".
- ALL CONSTRUCTION SHALL CONFORM TO LOCAL, STATE, AND FEDERAL REGULATIONS INCLUDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS.
- ALL SILT FENCE AND SEDIMENT CONTROL MEASURES SHALL BE IN PLACE PRIOR TO ANY EXCAVATION/CONSTRUCTION AND SHALL BE MAINTAINED UNTIL VIABLE TURF OR GROUND COVER HAS BEEN ESTABLISHED. MAINTENANCE AND REMOVAL OF SEDIMENT CONTROL DEVICES SHALL BE INCIDENTAL TO THE GRADING CONTRACT.
- ALL STREETS UTILIZED FOR PROJECT CONSTRUCTION MUST BE CLEANED AT THE END OF EACH DAY. A ROCK ENTRANCE TO THE SITE MUST BE PROVIDED ACCORDING TO THE DETAILS TO REDUCE TRACKING OF SEDIMENT ONTO PUBLIC STREETS. STREET SWEEPING MAY BE NECESSARY AND WILL BE CONSIDERED INCIDENTAL.
- ALL EXPOSED SOILS MUST BE STABILIZED WITHIN 14 CALENDAR DAYS OF ROUGH GRADE COMPLETION OF AFTER CONSTRUCTION TERMINATES. ALL STOCKPILES SHALL HAVE ADEQUATE SEDIMENT TRAPPING SYSTEMS INSTALLED AROUND THEM.
- ALL AREAS TO BE ESTABLISHED TO GRASS COVER SHALL RECEIVE 4" OF TOPSOIL AND SOD OR SEED. THESE AREAS SHALL BE WATERED UNTIL A HEALTHY STAND OF GRASS IS OBTAINED.
- SILT FENCE MAY BE REMOVED WHEN PERMANENT COVER IS ESTABLISHED. PERMANENT COVER IS DEFINED AS UNIFORM PERENNIAL VEGETATIVE COVER WITH A DENSITY OF 70% OF THE NATIVE BACKGROUND VEGETATIVE COVER ON ALL AREAS NOT COVERED BY PERMANENT STRUCTURES.
- SEE PLAN LEGEND FOR A COMPLETE LIST OF HATCHES AND SYMBOLS USED FOR EROSION CONTROL.

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Alex D. Bitter
ALEX D. BITTER DATE: 08/02/2022 LIC. NO. 57744

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AUGUST 2022	AS SHOWN	EPIC
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	CHECKED BY:	
	JOB NUMBER:	2022-11082

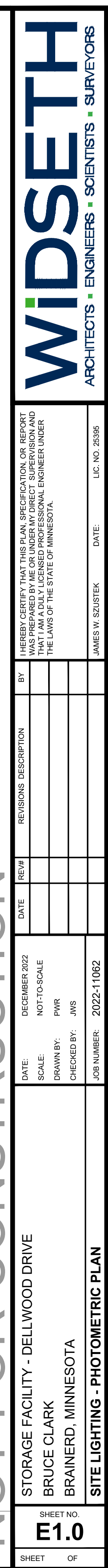
STORAGE FACILITY - DELLWOOD DRIVE

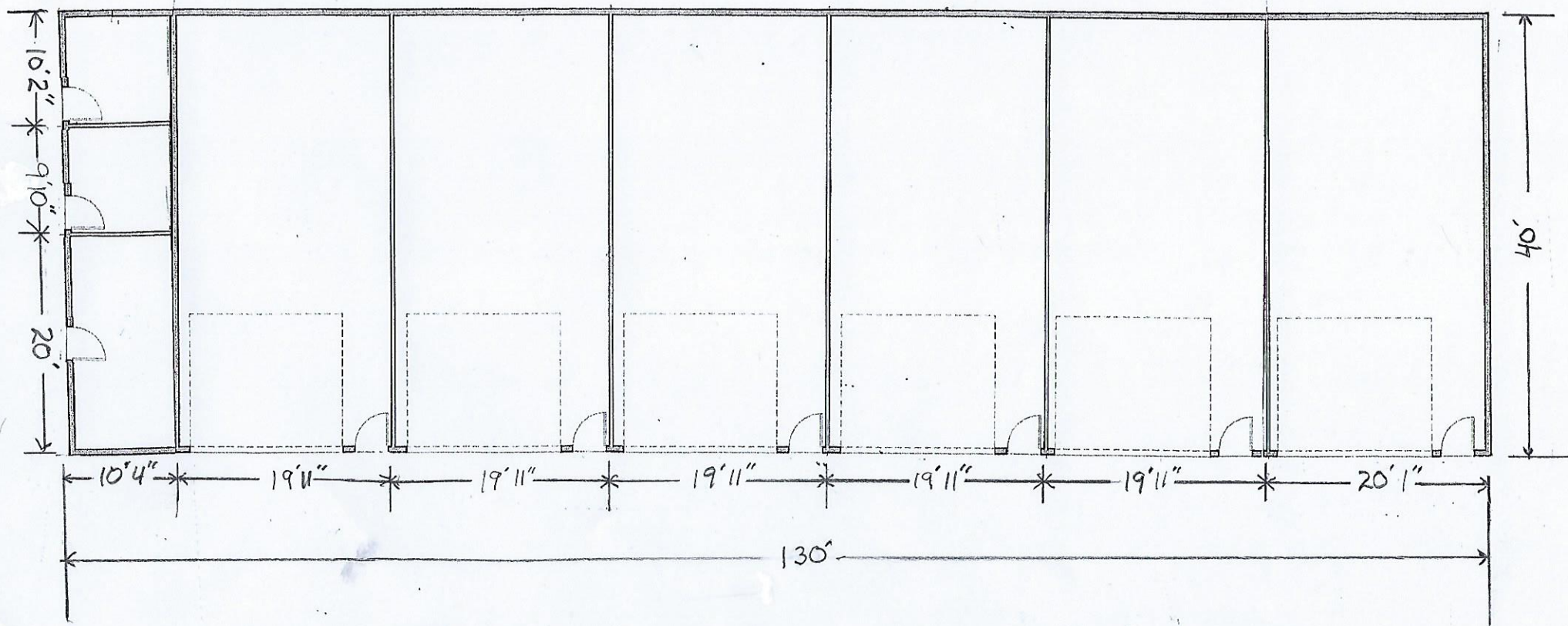
BRUCE CLARK
BRAINERD, MN

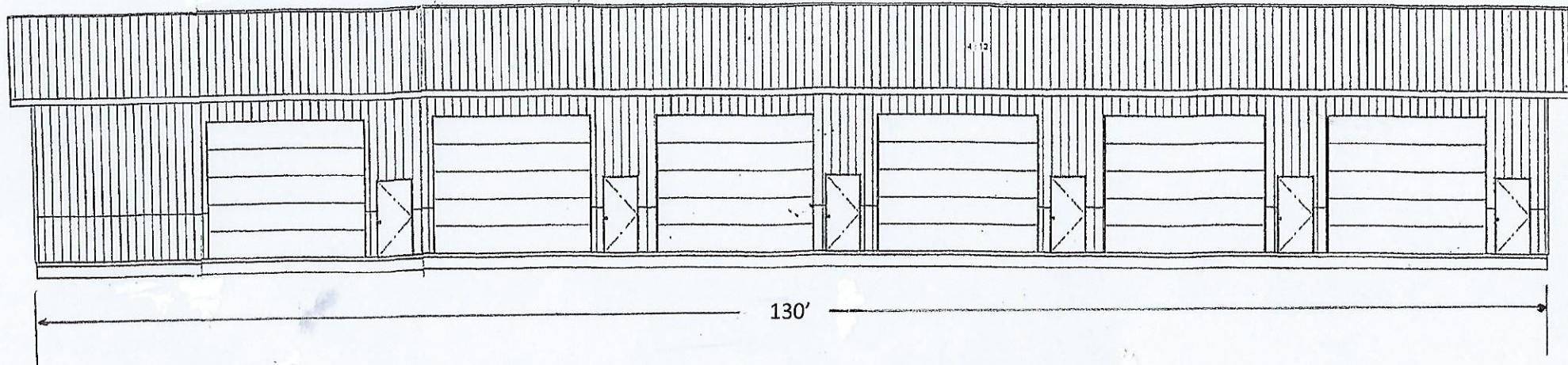
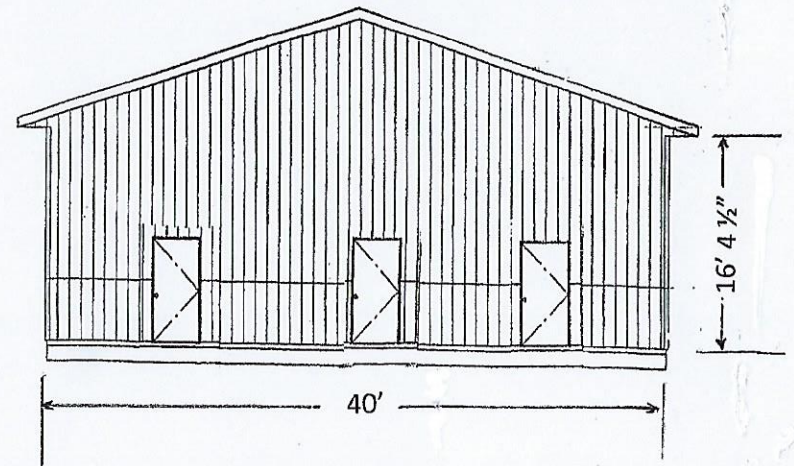
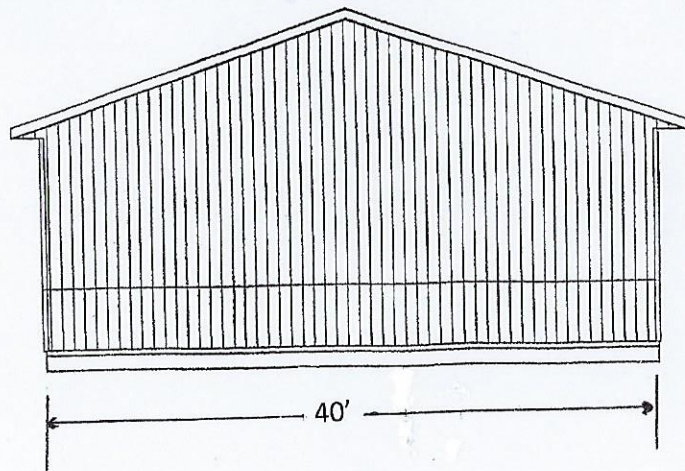
TURF ESTABLISHMENT PLAN

SHEET NO.

8



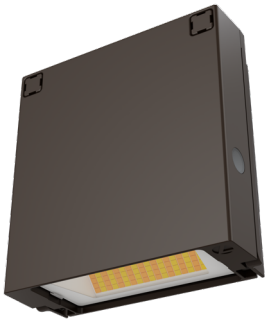




All service doors 3' Steel

All overhead doors 12' w x 14' H insulated

Roof pitch 4/12



WPX0 LED Wall Pack

Catalog
Number

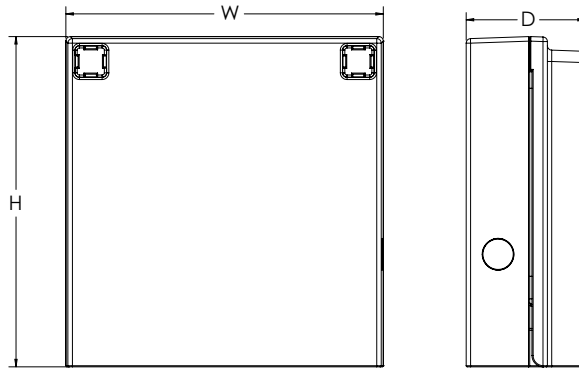
Notes

Type

Hit the Tab key or mouse over the page to see all interactive elements.

Specifications

Depth (D): 2"
Height (H): 5.75"
Width (W): 5.5"
Weight: 2.5lbs



Introduction

The WPX LED wall packs are energy-efficient, cost-effective, and aesthetically appealing solutions for both HID wall pack replacement and new construction opportunities. Available in four sizes, the WPX family delivers 850 to 9,200 lumens with a wide, uniform distribution.

The WPX0 full cut-off wall pack is an excellent above the door lighting solution. Reliable IP66 construction and excellent LED lumen maintenance ensure a long service life. Standard features such as Adjustable Lumen Output (ALO), color switching and switchable photocell make WPX0 ideal for any application.

Ordering Information

EXAMPLE: WPX0 LED ALO SWW2 MVOLT PE DDBXD

Series	Color Temperature	Voltage	Controls	Finish
WPX0 LED ALO 850 - 1,650 Lumens	SWW2 3000K / 4000K / 5000K	MVOLT 120V - 277V	PE Photocell (On/Off)	DDBXD Dark bronze

Note: The lumen output and input power shown in the ordering tree are average representations of all configuration.

NOTES:

Default out of the box settings: 1,650 Lumens, 4000K, Photocell enabled

FEATURES & SPECIFICATIONS

INTENDED USE

The WPX LED wall packs are designed to provide a cost-effective, energy-efficient solution for the one-for-one replacement of existing HID wall packs. The WPX0, WPX1, WPX2 and WPX3 are ideal for replacing up to 70W, 150W, 250W, and 400W HID luminaires respectively. WPX luminaires deliver a uniform, wide distribution. WPX is rated for -40°C to 40°C.

CONSTRUCTION

WPX feature a die-cast aluminum main body with optimal thermal management that both enhances LED efficacy and extends component life. The luminaires are IP66 rated, and sealed against moisture or environmental contaminants.

ELECTRICAL

Light engine consist of high-efficacy LEDs and LED lumen maintenance of L86/100,000 hours. Color temperature (CCT) can be switched between 3000K, 4000K and 5000K with minimum CRI of 80. Electronic driver ensures system power factor >90% and THD <20%. The luminaire operates on MVOLT (120V - 277V) input.

A module inside the luminaire allows the installer to not only switch between CCTs, but also the adjust the lumen output and switch on and off the photocell (PE).

INSTALLATION

WPX can be mounted directly over a standard electrical junction box. A port on the back surface allows poke-through conduit wiring on surfaces that don't have an electrical junction box. Wiring can be made in the integral wiring compartment in all cases. WPX is only recommended for installations with LEDs facing downwards.

LISTINGS

CSA Certified to meet U.S. and Canadian standards. Suitable for wet locations. IP66 Rated. DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.

WARRANTY

5-year limited warranty. This is the only warranty provided and no other statements in this specification sheet create any warranty of any kind. All other express and implied warranties are disclaimed. Complete warranty terms located at: www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx.

Note: Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25°C. Specifications subject to change without notice.



COMMERCIAL OUTDOOR

One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (7378) • www.lithonia.com
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WPX0 LED
 Rev. 10/31/22

Performance Data

Electrical Load

ALO Setting	Input Power (W)	120 V (A)	208 V (A)	240 V (A)	277 V (A)
ALO 4	13.0	0.11	0.06	0.05	0.05
ALO 3	9.2	0.08	0.04	0.04	0.03
ALO 2	7.8	0.07	0.04	0.03	0.03
ALO 1	6.4	0.05	0.03	0.03	0.02

Projected LED Lumen Maintenance

Data references the extrapolated performance projections in a 25°C ambient, based on 6,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	50,000	75,000	100,000
Lumen Maintenance Factor	>0.93	>0.89	>0.86

Lumen Output

ALO Setting	Color Temperature	Lumen Output
ALO 4	3000K	1,591
	4000K	1,644
	5000K	1,667
ALO 3	3000K	1,164
	4000K	1,191
	5000K	1,225
ALO 2	3000K	974
	4000K	994
	5000K	1,025
ALO 1	3000K	814
	4000K	829
	5000K	859

Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-50°C (32-122°F).

Ambient	Ambient	Lumen Multiplier
0°C	32°F	1.027
5°C	41°F	1.023
10°C	50°F	1.018
15°C	59°F	1.012
20°C	68°F	1.006
25°C	77°F	1.000
30°C	86°F	0.993
35°C	95°F	0.986
40°C	104°F	0.979

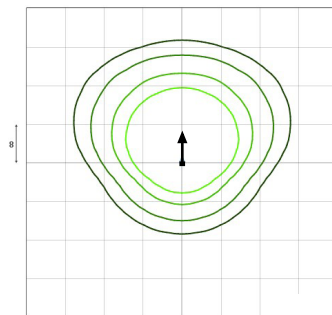
Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit the Lithonia Lighting [WPX LED](https://www.lithonia.com) homepage. Tested in accordance with IESNA LM-79 and LM-80 standards

LEGEND

0.1 fc
0.2 fc
0.5 fc
1.0 fc

WPX0 LED ALO4



Switchable Features



MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director
Dylan Edwards, Assistant Planner

DATE: February 15, 2023

RE: Rezoning Parcel #41160504 (Tract B) to Rural Living One Zoning District

Natural Resources Management C/O Anderson Brothers, of 11325 State Highway 210, Brainerd, MN 56401, applied to rezone a portion of Parcel# 41160504 lying west of Jordan Road (Tract B) from General Commercial (GC) Zoning District to Rural Living One (RL-1) Zoning District.

Total Area: 6.99 acres
Proposed Tract A: 6.05 acres
Proposed Tract B: 0.86 acres

Adjacent Uses: North: Vacant Property
East: Tractor Trailer Dealership and Repair Shop
Bar & Restaurant
South: Vacant Property
West: Vacant Property

Adjacent Zoning: North: Rural Living One (RL-1)
County – Shoreland District
East: Rural Living One (RL-1)
County – Commercial District 1
South: Rural Living One (RL-1)
West: Rural Living One (RL-1)

Findings of Fact

1. Parcel #41160504 is currently zoned General Commercial (GC) Zoning District. The purpose of this rezoning is to prepare proposed Tract B of Parcel 41160504 for a consolidation with the contiguous parcel 41170515 which is also zoned Rural Living One (RL-1) Zoning District.
2. According to [Section 500-6-1 of the Subdivision Ordinance](#), **Boundary Line Adjustment:** Divisions of land where the division is to permit the adding of a parcel of land to an abutting lot or the combination of recorded lots to form no more than two (2) lots. Newly created lots shall conform to the design and performance standards of the Brainerd Subdivision and Zoning Ordinances.

- a. The City Attorney recommended the submittal of a rezoning application in conjunction with the submittal for a boundary line adjustment.
 - i. The applicant has applied for an administrative boundary line adjustment for the consolidation of proposed Tract B of Parcel 41160505 with parcel 41170515.
 - b. The consolidation of proposed Tract B of Parcel 41160505 with parcel 41170515 meets the lot size standards for the RL-1 Zoning district according to [Section 515-2-4.1 RL-1 and RL-2 Dimensional Standards](#) – Density, Lot Size, Coverage and Height Standards
 - i. The proposed consolidation will result in an approximate 37.23 acre parcel which exceeds the 1 acre minimum requirement.
 - c. The remaining portion of 41160504 (Tract A) meets the lot size standards for the General Commercial (GC) Zoning District according to [Section 515-2-13.1 GC Dimensional Standards](#) – Density, Lot Size, Coverage and Height Standards
 - i. Proposed (Tract A) is 6.05 acres which exceeds the lot size minimum requirement of 15,000 SF.
 - ii. Proposed (Tract A) exceeds the 100' lot frontage requirement on all roads measured at the front yard setback.
3. [Per Section 515-2-4](#) of the Zoning Code the purpose of The RL Districts is intended for areas where Urban Services are not presently available. Lands zoned RL-1 do not currently have Urban Services, but future subdivision may occur when the expansion of Urban Services is economical.
- a. *Both parcel 41160504 and 41170515 are currently vacant properties. The rezoning and consolidation of Tract B with parcel 41170515 would allow for future development and infrastructure. The RL-1 District must be rezoned for most residential, commercial, or industrial uses.*
4. **General Provisions:** The City Council and the Planning Commission shall consider possible adverse effects of the proposed amendment. Their judgment shall be based upon (but not limited to) the following factors:
- a. The proposed action's consistency with the specific policies and provisions of the official City Comprehensive Plan.
 - i. **Land Use: Goal 2:** *Through thoughtful planning, maintain the unique identity of the city and all the appropriate land uses that support it.*
 - 1. *Policy 2: Ensure appropriate transitions between rural and urban areas through appropriate land use practices.*
 - b. The proposed use's compatibility with present and future land uses of the area.
 - i. *The proposed rezoning of the parcel is consistent with surrounding parcels and will be consolidated with a parcel currently zoned RL-1. The RL-1 district reserves land for future development and has a density maximum of 4 dwelling units per acre.*
 - c. The proposed use's effect upon the area in which it is proposed.

- i. There is no proposed use as part of this rezoning application. Future uses of the property will most likely require a rezoning for uses other than single family homes and accessory uses to single family homes. Other uses allowed in the RL-1 district as permitted or conditional include Bed and Breakfasts, Commercial Animal Kennels, Agricultural Uses, Commercial Daycare Facilities, Commercial Riding Stables, Greenhouses, Places of Worship, Schools, Public Recreation Buildings, Community Centers, Mining and Extraction ect. A full list of uses can be found in [Appendix A: Table of Uses](#).*
- d. Traffic generation of the proposed use in relation to capabilities of streets serving the property.
 - i. This parcel is situated along a on major state highway and can account for increased traffic.*
- e. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.
 - i. There is currently no proposed use for this property. The applicant proposes consolidation of parcel 41160504 Tract B with parcel 41170515. The newly proposed consolidated property will require a plat and development agreement with the City for any future sub-divisions of greater than two parcels. At the time of the development agreement, the City can ensure that infrastructure is in place for increased density.*
- f. Approval of a proposed Zoning Map amendment which changes all or part of the existing classification of a zoning district from Residential to Commercial, Industrial, or Planned Unit Development that allows for commercial or industrial uses shall require a two-thirds (2/3) vote of the City Council.
 - i. The proposed rezoning is converting parcel 41170515 (Tract B) from a commercial zoning district to a residential zoning district. This will require a simple majority vote from City Council.*
- g. The amendment shall not become effective until such time as the City Council approves an Ordinance reflecting said amendment and one (1) week after said Ordinance is published in the official newspaper.

As of this writing, no one has contacted the Community Development Department with concerns about the Rezoning application for the Parcel #41160504 on State Highway 210 in Brainerd, MN.

Staff Recommendation:

- 1) Hold a public hearing.
- 2) Staff recommends approval of rezoning Tract B of parcel 41160504 from General Commercial Zoning District to Rural Living One Zoning District.



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: TBD State Highway 210

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

Property Owner Name: Natural Resources Management C/O Anderson Brothers

Street Address: 11325 State Highway 210 City: Brainerd State: MN Zip Code 56401

Phone Number: 218-838-8772 Fax: _____ E-mail: tim.miller@closeconverse.com

Applicant Name: (If different than Property Owner) _____

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

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

Description of Request: Requesting a Rezone from GC to RL-1 for the remnant parcel lying west of Jordan Road

Property Owner Signature

James A. Anderson
(Please print name)

1-10-23
Date

Applicant Signature

Date

(Please print name)

(OVER)

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Natural Resources Management C/O Anderson Brothers has submitted a request for a rezoning from General Commercial (GC) Zoning District to Rural Living One (RL-1) Zoning District for the section of Parcel #41160504 lying due west of the intersection of State Highway 210 and Jordan Rd. The purpose of this rezoning is to prepare this section of Parcel 41160504 for a consolidation with the contiguous parcel 41170515 which is also zoned Rural Living One (RL-1) Zoning District. The property included in this application is described as:

THAT PT OF THE SWNW LYING N & W OF STATE AID HWY 210, AS SAID HWY IS DESC IN BK 89 OF DEEDS PG 1, EXCEPT THAT PT THEREOF DESC AS FOLLOWS; BEG AT A POINT WHERE THE W LINE OF STATE HWY #210, AS DESC IN BK 89 OF DEEDS PG 1, INTERSECTS THE N LINE OF SAID SWNW, THENCE SW'LY ALG THE W LINE OF STATE HWY #210 FOR A DIST OF 36 RODS, THENCE NW'LY AT RIGHT ANGLE TO THE W LINE OF STATE HWY TRUNK #210 FOR A DIST OF 9 RODS, THENCE NE'LY PARALLEL TO THE W LINE OF STATE TRUNK HWY #210 TO THE N LINE OF SAID SWNW, THENCE E'LY ALG SAID N LINE TO THE POB. AND ALSO EXCEPT PARCEL 230A ON MN DEPT OF TRANSPORTATION ROW PLAT 18-5 AND ALSO EXCEPT PARCEL 230C ON MN DEPT OF TRANSPORTATION ROW PLAT 18-17. SUBJ TO AN ESMNT OF RECORD.

P.I.N. 41160504

Section 16, Township 45, Range 30

The application and property survey on the proposed rezoning are 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, February 15th, 2023, in the Council Chambers at Brainerd City Hall, 501 Laurel Street, to consider the rezoning this property.

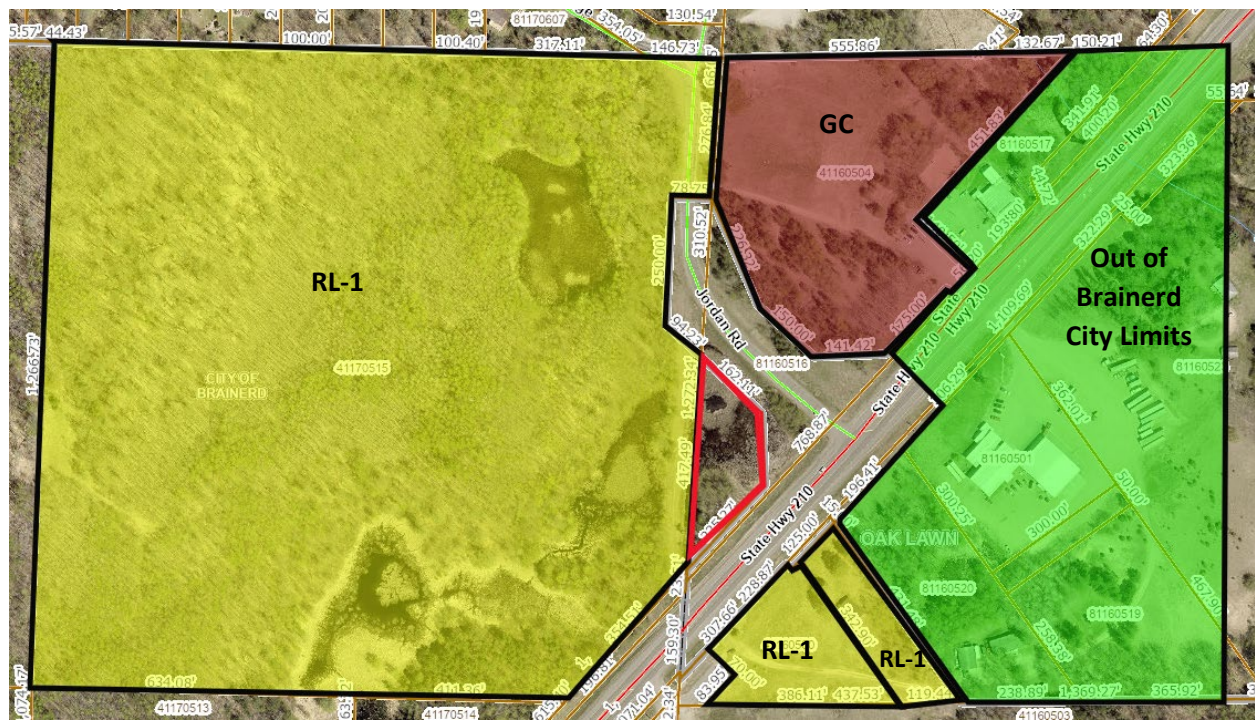
Any individual needing special accommodations or would like more information about this request, please call (218) 828-2309.

Dated this 1st day of February 2023



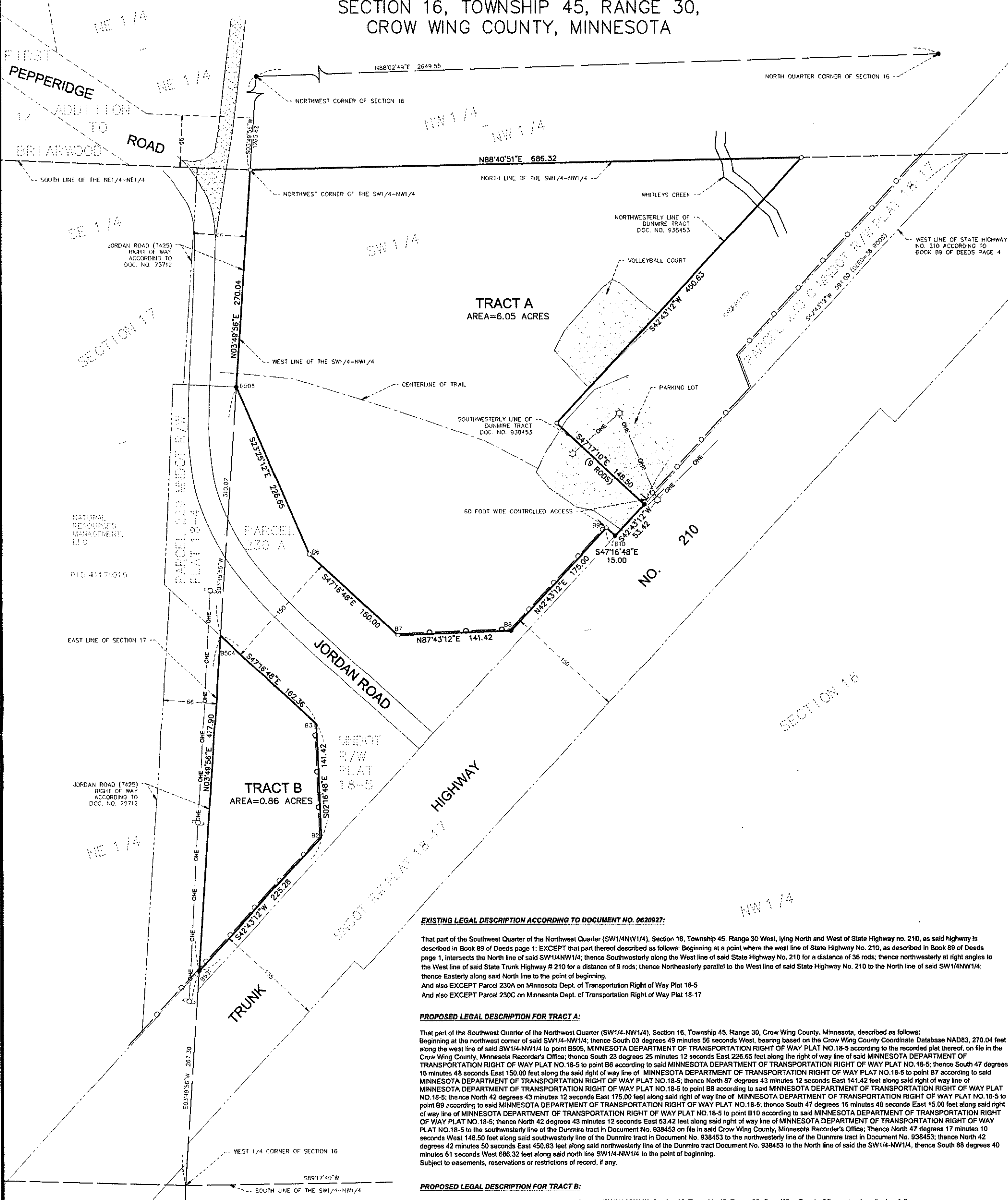
James Kramvik,
Community Development Director

Publication Date: February 4th, 2023



CERTIFICATE OF SURVEY

PART OF THE SW1/4-NW1/4
SECTION 16, TOWNSHIP 45, RANGE 30,
CROW WING COUNTY, MINNESOTA



EXISTING LEGAL DESCRIPTION ACCORDING TO DOCUMENT NO. 0620927:

That part of the Southwest Quarter of the Northwest Quarter (SW1/4-NW1/4), Section 16, Township 45, Range 30 West, lying North and West of State Highway no. 210, as said highway is described in Book 89 of Deeds page 1; EXCEPT that part thereof described as follows: Beginning at a point where the west line of State Highway No. 210, as described in Book 89 of Deeds page 1, intersects the North line of said SW1/4-NW1/4; thence Southwesterly along the West line of said State Highway No. 210 for a distance of 36 rods; thence northwesterly at right angles to the West line of said State Trunk Highway # 210 for a distance of 9 rods; thence Northeasterly parallel to the West line of said State Highway No. 210 to the North line of said SW1/4-NW1/4; thence Easterly along said North line to the point of beginning.
And also EXCEPT Parcel 230A on Minnesota Dept. of Transportation Right of Way Plat 18-5
And also EXCEPT Parcel 230C on Minnesota Dept. of Transportation Right of Way Plat 18-17

PROPOSED LEGAL DESCRIPTION FOR TRACT A:

That part of the Southwest Quarter of the Northwest Quarter (SW1/4-NW1/4), Section 16, Township 45, Range 30, Crow Wing County, Minnesota, described as follows:
Beginning at the northwest corner of said SW1/4-NW1/4; thence South 03 degrees 49 minutes 56 seconds West, bearing based on the Crow Wing County Coordinate Database NAD83, 270.04 feet along the west line of said SW1/4-NW1/4 to point B505, MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5 according to the recorded plat thereof, on file in the Crow Wing County, Minnesota Recorder's Office; thence South 23 degrees 25 minutes 12 seconds East 226.65 feet along the right of way line of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5 to point B6 according to said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5; thence South 47 degrees 16 minutes 48 seconds East 150.00 feet along the said right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5 to point B7 according to said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5; thence North 87 degrees 43 minutes 12 seconds East 141.42 feet along said right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5 to point B8 according to said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5; thence North 42 degrees 43 minutes 12 seconds East 175.00 feet along said right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5 to point B9 according to said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5; thence South 47 degrees 16 minutes 48 seconds East 15.00 feet along said right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5 to point B10 according to said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5; thence North 42 degrees 43 minutes 12 seconds East 53.42 feet along said right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5 to the southwesterly line of the Dunmire tract in Document No. 938453 on file in said Crow Wing County, Minnesota Recorder's Office; thence North 47 degrees 17 minutes 10 seconds West 148.50 feet along said southwesterly line of the Dunmire tract in Document No. 938453 to the northwesterly line of the Dunmire tract in Document No. 938453; thence North 42 degrees 42 minutes 50 seconds East 450.63 feet along said northwesterly line of the Dunmire tract Document No. 938453 to the North line of said the SW1/4-NW1/4, thence South 88 degrees 40 minutes 51 seconds West 686.32 feet along said north line SW1/4-NW1/4 to the point of beginning.
Subject to easements, reservations or restrictions of record, if any.

PROPOSED LEGAL DESCRIPTION FOR TRACT B:

That part of the Southwest Quarter of the Northwest Quarter (SW1/4-NW1/4), Section 16, Township 45, Range 30, Crow Wing County, Minnesota, described as follows:
Commencing at the northwest corner of said SW1/4-NW1/4; thence South 03 degrees 49 minutes 56 seconds West, bearing based on the Crow Wing County Coordinate Database NAD83, 580.11 feet along the West line of said SW1/4-NW1/4 to point B504, MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5 according to the recorded plat thereof on file in the Crow Wing County, Minnesota Recorder's Office, the point of beginning of the tract to be described; thence South 47 degrees 16 minutes 48 seconds East 162.36 feet along the right of way line of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5 to point B3 according to said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5; thence South 02 degrees 16 minutes 48 seconds East 141.42 feet along said right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5 to point B2 according to said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5; thence South 42 degrees 43 minutes 12 seconds West 225.28 feet along said right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5 to point B501 according to said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO.18-5; Thence North 03 degrees 49 minutes 56 seconds East 417.90 feet along said west line of the SW1/4-NW1/4 to the point of beginning.
Subject to easements, reservations or restrictions of record, if any.

SURVEYOR'S NOTES:

THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT OR OPINION. THERE MAY BE EASEMENTS OR OTHER LIMITING FACTORS NOT SHOWN ON THIS SURVEY WHICH AFFECT THE SUBJECT PROPERTY.

SUBJECT PROPERTY IS LOCATED WITHIN THE GENERAL COMMERCIAL ZONING ORDINANCE

THE PID FOR THE SUBJECT PROPERTY IS 41150504

THE UTILITIES SHOWN ON THIS SURVEY ARE ACCORDING TO VISIBLE EVIDENCE ONLY. WIDSETH ASSUMES NO RESPONSIBILITY FOR THE COMPLETENESS AND ACCURACIES OF THE LOCATIONS. FURTHER LOCATIONS AND VERIFICATIONS ARE RECOMMENDED BEFORE ANY CONSTRUCTION OR EXCAVATION.

TRACT B IS NOT INTENDED TO BE A STAND ALONE PARCEL. IT IS INTENDED TO BE COMBINED WITH PARCEL TO THE WEST PID 41170515 FOLLOWING THE REZONING PROCESS THROUGH THE CITY OF BRAINERD

FOR THE PURPOSE OF THIS SURVEY A WETLAND DELINEATION WAS NEITHER REQUESTED NOR PERFORMED



0 60 120
SCALE (IN FEET)

ORIENTATION OF THIS BEARING SYSTEM IS
BASED ON THE CROW WING COUNTY
COORDINATE DATABASE NAD 83

- DENOTES FOUND IRON MONUMENT
- DENOTES 1/2 INCH DIAMETER BY 18 INCH LONG IRON PIPE MONUMENT SET AND MARKED RLS # 41643
- ☆ DENOTES LIGHT POLE
- DENOTES POWER POLE
- DENOTES ACCESS CONTROL TO THE STATE OF MINNESOTA
- OHE — DENOTES OVERHEAD ELECTRIC LINE
- DENOTES GRAVEL/ SAND SURFACE
- DENOTES BITUMINOUS SURFACE

DATE	12-8-2022	DATE		AMENDMENTS		BY		PREPARED FOR: CLOSE CONVERSE / NATURAL RESOURCES MANAGEMENT, LLC
SCALE:	AS SHOWN							I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA
DRAWN BY:	ABS							
CHECKED BY:	CMC							CHAD M. CONNER
FILE NUMBER:	2022-11938							DATE: 12-15-2022 LIC. NO. 41643

WIDSETH
ARCHITECTS • ENGINEERS • SCIENTISTS • SURVEYORS

MEMO



TO: Planning Commission

FROM: James Kramvik – Community Development Director
Dylan Edwards – Assistant Planner

DATE: February 15, 2023

RE: Itinerary for Zoning Code Changes Related to Off-street Parking Regulations

Off-Street Parking in The City of Brainerd

Brainerd regulates the off-street parking of vehicles through [Section 515-4-12](#) of the Zoning Code. Section 515-4-12: Off-Street Parking, determines required parking spaces for business and residential properties as well as where a vehicle can park on a property. The new Zoning Code adopted in July did not address any changes to off-street parking regulations as staff recommended this section needed additional research before attempting to draft a new ordinance. In the summer of 2022, the Community Development Intern researched existing businesses and calculated parking spaces and compared it to the required parking spaces outlined in the Zoning Code. Staff is presenting a potential outline for Planning Commission to review and draft a new ordinance to update Section 515-4-12 of the Zoning Code.

Section 515-4-12 Off-Street Parking

Currently, these Zoning Districts are exempted from the off-street parking space requirements:

Exemptions from Parking Requirements. All uses located within the Commercial Corridor (CC), General Commercial (GC), Town Center (TC), Main Street (MS), and General Industrial (GI) Zoning District shall be exempt from the following off-street parking requirements of this Ordinance.

There are no exemptions in the following Zoning Districts:

- Makers and Employment
- Public / Semi Public
- Any of the residential or rural zoning districts defined by the Zoning Code.

Six Month Itinerary for Parking Ordinance Development

- March 15, 2023 – Discussion on the Direction of Ordinance Changes needed.
 - This will include a review of the Community Development Department's parking study done in 2022 by the resident intern. Staff will present high level ideas and recommendations to the Planning Commission for discussion.

- April 19, 2023 – Community Development Department Updates Commission
 - Staff will provide a brief update on the amended Zoning Code Section and potentially ask for further direction.
- May 17, 2023 – Presentation of Preliminary Draft of Amended Ordinance for Review
 - Staff recommends a workshop to allow for a more discussion on ordinance language and ensure the issues covered in the draft align with the commission's priorities.
- June 21, 2023 – Present the Final Draft of the Ordinance to the Planning Commission for a Final Review
- July 19, 2023 – Present Ordinance and Hold a Public Hearing

Timeline Considerations

This timeline is contingent upon whether the Community Development Department is tasked with the Codification of the City Code in the Spring of 2023. If this task is handed to the department the presented schedule is a conservative estimate of our expected progress through the amendment process. In the event the Community Development Department is not tasked with Codification of the City Code, the timeline may be shortened.

Staff Recommendation

Staff recommends the Planning Commission's next priority is amending Section 515-4-12 of the Zoning Code with the preliminary outline presented by staff.