



## **PLANNING COMMISSION AGENDA**

City of Brainerd, Minnesota  
City Hall, 501 Laurel Street, Council Chambers  
Wednesday, March 20, 2024 @ 6:00 PM

The public is invited to attend these meetings in person  
Attend by Phone: 1-844-992-4726 Meeting Access Code: 2485 381 2581

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

1. **Call To Order**

2. **Roll Call**

\_\_\_ M. Duval \_\_\_ D. Gorham \_\_\_ J. Grunenwald \_\_\_ J. Norwood  
\_\_\_ T. Stenglein \_\_\_ D. Peterson \_\_\_ C. Francis

3. **Pledge of Allegiance**

4. **Approval Of Agenda - Voice Vote**

5. **Approval Of Minutes**

A. **Draft minutes of the February 21, 2024 Meeting**

6. **New Business**

A. **Consider Conditional Use Permit for a 12-plex Apartment at PID 41040889**

B. **Consider Conditional Use Permit Amendment for a Boarding House at PID 41040888**

C. **Consider Interim Use Permit for a Short-Term Rental at 714 S 7th Street**

D. **Review Letter of Opposition to the Minnesota Senate Housing and Homeless Prevention Committee's Bill to Bypass Local Government Zoning Regulations**

7. **Unfinished Business**

A. **Update on Short-Term Rental Ordinance**

B. **Discussion on Cannabis Ordinance**

8. **Public Forum**

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

9. **Staff Reports**  
(Verbal: Any Updates since Packet)
10. **Commission Member Reports**
11. **Adjourn**

Visit the City's Website at [www.ci.brainerd.mn.us](http://www.ci.brainerd.mn.us)

#### MISSION

*"Provide high quality, cost effective public services and leadership in creating a sustainable city"*

**PLANNING COMMISSION**  
Wednesday, February 21, 2024  
6:00 pm

**#1     Call to Order**

Planning Commission Chair Gorham 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 Duval, Gorham, Grunenwald, Norwood, Francis, Peterson, and Stenglein. Also noted as present was Community Development Director Kramvik.

**#3     Pledge of Allegiance**

Commission Chair Gorham 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 the two new Planning Commission members, Colin Francis, and Dave Peterson. The Commissioner's welcomed the new members.

**#5     Approval of Agenda**

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND NORWOOD, DULY CARRIED, TO AMEND AND APPROVE THE AGENDA BY ADDING ITEM 7B. DISCUSSION ON THE PROPOSED SHORT-TERM RENTAL ORDINANCE.

**#6     Approval of Minutes**

MOVED AND SECONDED BY COMMISSIONERS GRUNENWALD AND STENGLEIN, DULY CARRIED, TO APPROVE THE MINUTES FROM THE JANUARY 17, 2024 MEETING.

**#7     Unfinished Business**

**7a.     Conduct Public Hearing and Review Administrative Subdivision Ordinance**

Community Development Director Kramvik explained an administrative subdivision is used for property line adjustments that do not require approvals. He said many times the current ordinance is not clearly interpreted by applicants. He gave a brief review of the objectives of the amendments to the ordinance.

The Chair opened the public hearing at 6:04 pm.

Commissioner Francis asked a question regarding reason number two for adjustment or consolidation of three lots rather than two. Community Development Director Kramvik said it will allow more flexibility for developers on consolidations or lot splits and it also helps to "clean up" those properties with overlapping lines on buildings.

The Chair closed the public hearing at 6:05 pm.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND GRUNENWALD, DULY CARRIED, TO RECOMMEND APPROVAL OF THE ADMINISTRATIVE SUBDIVISION ORDINANCE AS PROPOSED.

**7b. Discussion on the Proposed Short-Term Rental Ordinance (added item)**

Community Development Director Kramvik stated the City Council failed the ordinance at last night's meeting and has sent the ordinance back to the Planning Commission. He reviewed the comments made by the Council for the Commission to consider.

Discussion took place.

MOVED AND SECONDED BY COMMISSIONERS NORWOOD AND DUVAL, DULY CARRIED, TO SCHEDULE A WORKSHOP WITH THE CITY COUNCIL TO DISCUSS THE SHORT-TERM RENTAL ORDINANCE.

**#8 New Business**

**8a. Conduct Public Hearing and Consider Conditional Use Permit for a Day Care Facility at 418 8<sup>th</sup> Ave NE**

Community Development Director Kramvik explained the details of the application for Tri-County Community Action (TCC) to operate a childcare facility at Bethlehem Lutheran Church.

The Chair opened the public hearing at 6:56 pm.

The Chair recognized Jessica Martinson, 2410 Oak Street, that explained the need for childcare and this opportunity to expand service.

The Chair closed the public hearing at 6:57 pm.

MOVED AND SECONDED BY COMMISSIONERS NORWOOD AND STENGLEIN, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT FOR TCC TO OPERATE A CHILDCARE FACILITY AT BETHLEHEM LUTHERAN CHURCH LOCATED AT 418 8<sup>TH</sup> AVE NE WITH THE CONDITIONS PRESENTED.

**8b. Conduct Public Hearing and Consider Conditional Use Permit Amendment for a 12-Plex Apartment at PID 41040887**

Community Development Director Kramvik stated Vicky Kinney on behalf of My Neighbor to Love Coalition has applied for an amendment to their current Conditional Use Permit to construct a 12-plex apartment building on parcel ID 41040887. The amendment is to change the floorplan from eight (8) efficiency, two (2) two-bedroom and two (2) three-bedroom units to ten (10) studio and two (2) two-bedroom units. There is also a modification to lessen the number of parking stalls, as well as landscaping changes. He also explained the plan in the packet shows an incorrect setback of 47' to the building. The requirement is a 20' maximum which has been clarified with the applicant.

The Chair opened the public hearing at 7:05 pm.

The Chair recognized Vicky Kinney, who stated the factors for amending the plans are cost related and this new plan will save money, as funding was not as high as anticipated. She also said the setback indicated was an error and will be followed as required.

Commission discussion took place and questions asked of the applicant.

The Chair closed the public hearing at 7:15 pm.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND GRUNENWALD, DULY CARRIED, TO RECOMMEND APPROVAL OF THE AMENDMENT TO THE CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF A 12-PLEX APARTMENT AT PARCEL ID 41040887 AS PRESENTED WITH THESE CONDITIONS ADDED: STAFF RECOMMENDS THAT THE BUILDING SETBACK MEETS THE FRONT YARD SETBACK REQUIREMENT IS MOVED 5' FROM THE SOUTH, THE ADJUSTED SITE PLAN DOES NOT REDUCE THE NUMBER OF TREES ON THE WEST SIDE AND THE UPDATED PLANS MUST BE INCLUDED IN THE COUNCIL PACKET AND THE CURRENT OUTDOOR LIGHTING ORDINANCE NEEDS TO BE FOLLOWED.

#### **8c. Cannabis Dispensary Discussion**

Community Development Director Kramvik stated staff recently attended a cannabis roundtable discussion hosted by Swanson Haskamp Consulting. He reviewed the objectives shown in the packet.

Discussion took place. Staff were directed to start working on ordinance draft language as information becomes available.

#### **#9 Public Forum**

The Chair opened the public forum at 8:20 pm.

No one came forward.

The Chair closed the public forum at 8:20 pm.

#### **#10 Staff Reports**

Community Development Director Kramvik made the following updates:

- The EDA website will go live at the end of February in conjunction with Visit Brainerd and Swanson Haskamp.
- The EDA entered into a brokerage agreement to market City of Brainerd properties, specifically industrial properties.

#### **#11 Commission Member Report**

Commissioner Peterson stated he would like to revisit the five (5) foot garage setback requirement for new home construction. He said as a builder that requirement is unsatisfactory in planning a new home.

Commissioner Norwood requested an update to the Eight 05 Laurel project. Community Development Director Kramvik indicated there are funding issues that are being worked out by the developer.

Commissioner Francis stated he was interested in learning about the City budget and how much the Planning Commission can be involved.

Commissioner Gorham and Commissioner Francis spoke about the legislative session taking place in St. Paul and the topics being discussed.

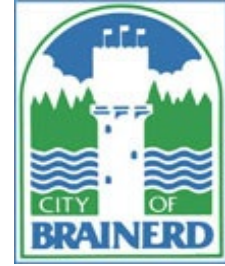
**#12   Adjournment**

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND STENGLEIN, DULY CARRIED, TO ADJORN AT 8:36 PM.

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Don Gorham, Planning Commission Chair

# MEMO



**TO:** Planning Commission

**FROM:** James Kramvik, Community Development Director

**DATE:** March 20<sup>th</sup>, 2024

**RE:** Consider Conditional Use Permit on NW 3<sup>rd</sup> St for the Construction of a 12-Unit Multi-Family Apartment Building

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## INTRODUCTION

Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a Conditional Use Permit for parcel 41040889, which is located between (NW 3rd St and NW 2nd St) and (Jackson St and James St.). The purpose of this request is to construct a residential 12-unit multi-family apartment building consisting of two 2-bedroom units and ten studio apartment units.

**PUBLIC HEARING.** Conditional Use Permit Amendment

## CONTEXT

Parcel Number: 41040889

Zoning District: Traditional Neighborhood 2 (TN-2) District

Property Area: 53,700 SQFT

Adjacent Uses: North: Vacant Land  
East: Single-Family Residential  
South: Proposed Boarding House and Health Club (Vacant)  
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

## AERIAL MAP



## FINDINGS OF FACT

1. **PID 41040887** is located in a TN-2 (Traditional Neighborhood 2) District. Zoning Ordinance [Section 515-3 \(Allowed Uses\) Appendix A: Table of Uses](#) permits the construction of multi-family attached dwelling units (5+ Units) as a conditional use in the TN-2 District.
  - a. *The applicant proposes the construction of a 12-unit apartment that has 10 studio units and 2 two-bedroom units. The complex will also contain a laundry room for resident use and a common room.*
2. According to [Section 515-6-2.C.8 Definitions of Use, Standards and Terms](#) the definition of a Multi-family Dwelling is a building designed with five (5) or more dwelling units exclusively for occupancy by five (5) or more families living independently of each other. Such buildings may have common hallways and main entrances or have private entrances. Multi-family buildings may include, but not be limited to, efficiency units, one-bedroom, two bedroom, and three-bedroom units.
  - a. According to [Section 515-4-2.C.1](#) Multiple family dwelling units shall have the following minimum floor area per unit:
    - i. Efficiency Units 400 square feet
    - ii. Two Bedroom Units 700 square feet
    - iii. More than Two Bedroom Units An additional 100 square feet per bedroom

1. *The applicant is proposing ten (400 SQFT) efficiency units and two (700 SQFT) two-bedroom units. All units meet the size requirements of the zoning code.*
3. [Table 515-2-9.1. TN-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards](#)
  - a. Lot Size (minimum) – 4,000 SQFT
  - b. Density (range) - 9 – 20 DU/AC (20+ DU/AC requires CUP)
  - c. Front Yard Setback (range) – 0’ – 20’ if Commercial
  - d. Side Yard Setback – 5’/10’ corner
  - e. Rear Yard Setback – 10’
    - i. *The proposed structure meets the rear and side yard setback requirements of the TN-2 District. The applicant is adjusting the site plan to meet the maximum required front yard setback of 20’.*
    - ii. *The proposed lot includes 12-units on a 53,700 SQFT property which is 9.73 dwelling units per acre. This number is within range of the density requirements of the TN-2 District.*
4. [Table 515-4-12.3 Parking Space Minimum](#)
  - a. Attached Single-Family Dwellings, Accessory Dwelling Units, Multi-Family and Manufactured Homes within Manufactured Home Parks: Studios = one (1) space per dwelling unit and Two (2) bedrooms = two (2) spaces per dwelling unit.
    - i. *The applicant is proposing a 12-unit apartment with 10 studio units and two 2-bedroom units which require 14 parking spaces. The proposed site plan includes 16 parking spaces with 2 handicap spaces which meet the zoning code requirement.*
5. [Criteria for Granting Conditional Use Permits.](#) In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.
  - a. The proposed use conforms to the Zoning District and is a permitted Conditional Use identified on Appendix A: Table of Uses.
    - i. *Multi-family apartments are a conditional use in the TN-2 District. The TN-2 Zoning District is intended to provide for compact, pedestrian-oriented mix of residential and neighborhood-serving commercial uses.*
  - b. The proposed use meets the regulations and standards established in this Ordinance.
    - i. *There are no special standards associated with this use.*
  - c. The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
    - i. *The structure will not be dangerous, injurious, or noxious to the surrounding properties.*
  - 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. [Per Section 515-4-10.G.2](#) One (1) shrub shall be planted for every five (5) lineal feet of parking lot perimeter that is adjacent to a public street.
      - 1. *The applicant has proposed plantings along the south property line. The adjacent property is vacant. However, staff recommended screening in the event the property is developed in the future. The parking lot is screened from NW 3<sup>rd</sup> Street.*
    - ii. In all Contemporary Neighborhood and Traditional Neighborhood Base Zoning Districts new lots or development shall include landscape plantings as identified in Table [515-4-10.2]. A minimum of one deciduous tree shall be planted in the front yard within 10-feet of the front property line, or right-of-way line. Trees retained on site following development can be reduced from the total required plantings.
      - 1. *The proposed lot is a double frontage lot, therefore the total lot width at the right-of-way is  $(2 \times 179 \text{ ft}) = 358 \text{ ft}$ . A total of 1 tree per each 25' is required. The lot is required to have a total of 14 trees. The applicant is proposing 19 trees with a mixture of coniferous and deciduous trees. The trees depicted must meet the minimum size requirements in the zoning code.*
    - iii. Four (4) shrubs shall be planted per dwelling unit.
      - 1. *The landscape plan meets this requirement with a total of 50 shrubs.*
  - e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
    - i. *The proposed use is consistent with the environment and the neighborhood as there are other multi-family residential structures in the neighborhood.*
    - ii. As required by [Section 515-4-2.C.2](#) Exterior Building Materials. Multi-family dwelling units shall be designed to create visual interest through a variety of materials, colors, textures, installation direction or other characteristics that create articulation either between units or floors.
      - 1. *The proposed building meets these requirements as the rendering shows a different siding pattern and color between the first and second floors.*
  - f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
    - i. *As indicated in the parking calculation section, this site will have the necessary parking spaces and there should not be an increase in traffic congestion within the neighborhood streets.*
  - g. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
    - i. **Economic Development Goal 1:** Support infill and redevelopment throughout Brainerd as a strategic component of growth.
      - 1. **Policy 1:** Drive infill development and redevelopment towards areas where current infrastructure is present, or places where high levels of blight or disinvestment exists.

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

As of this writing, no one has contacted the Community Development Department with concerns about the Conditional Use Permit application for the 12-unit multi-family apartment.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the Conditional Use Permit for the construction of a 12-unit multi-family apartment at PID 41040889 with the condition that any additional lighting conforms to the outdoor lighting ordinance.



# Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2307

www.ci.brainerd.mn.us

## CONDITIONAL USE/REZONING/VARIANCE APPLICATION

|                        | RESIDENTIAL                                    | COMMERCIAL                                                    |
|------------------------|------------------------------------------------|---------------------------------------------------------------|
| CONDITIONAL USE PERMIT | <input checked="" type="checkbox"/> (\$350.00) | <input type="checkbox"/> (\$500.00 + \$500.00 escrow deposit) |
| REZONING               | <input type="checkbox"/> (\$350.00)            | <input type="checkbox"/> (\$500.00)                           |
| VARIANCE               | <input type="checkbox"/> (\$350.00)            | <input type="checkbox"/> (\$500.00 + \$500.00 escrow deposit) |
| ZONING TEXT AMENDMENT  | <input type="checkbox"/> (\$250.00)            | <input type="checkbox"/> (\$400.00)                           |

PROPERTY ADDRESS: TBD 3rd Street NW, Brainerd, MN

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

PID# 41040889

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: vickyjo.kinney@yahoo.com

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

Street Address: 8640 Fernmont Rd City: Lake Shore State: MN Zip Code: 56468

Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Description of Request: A 12-plex apartment complex with two 2-bedroom units and ten studio units (4 of the units will be on the 2nd floor). There will also be a gathering room, bathroom and laundry area on the main floor.

Vicky Kinney  
Property Owner Signature

2-29-24

Date

Vicky Kinney  
(Please print name)

2-29-24

Date

Applicant Signature

(Please print name)

(OVER)

## NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a Conditional Use Permit to construct a residential 12-unit multiplex apartment building.

The property is legally described as:

Creekside Community Development  
Lot 3 Block 1  
*PID 41040889*  
*Section 4, Township 133, Range 28*

The property is zoned TN-2 (Traditional Neighborhood) District, and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of multi-family attached dwelling units (5+ Units) as a conditional use in the TN-2 District. A copy of the site plan is on file for review with the Community Development Department.

A Public Hearing to consider this conditional use permit will be conducted by the Brainerd Planning Commission at 6:00 p.m. on Wednesday, March 20, 2024 in the City Council Chambers at 501 Laurel St., Brainerd, MN 56401.

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

Dated this 7<sup>th</sup> day of March, 2024



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James L. Kramvik  
Community Development Director

Publication Date: March 9<sup>th</sup>, 2024



#### Description and Landscaping Plan – Multi-family 12-unit building

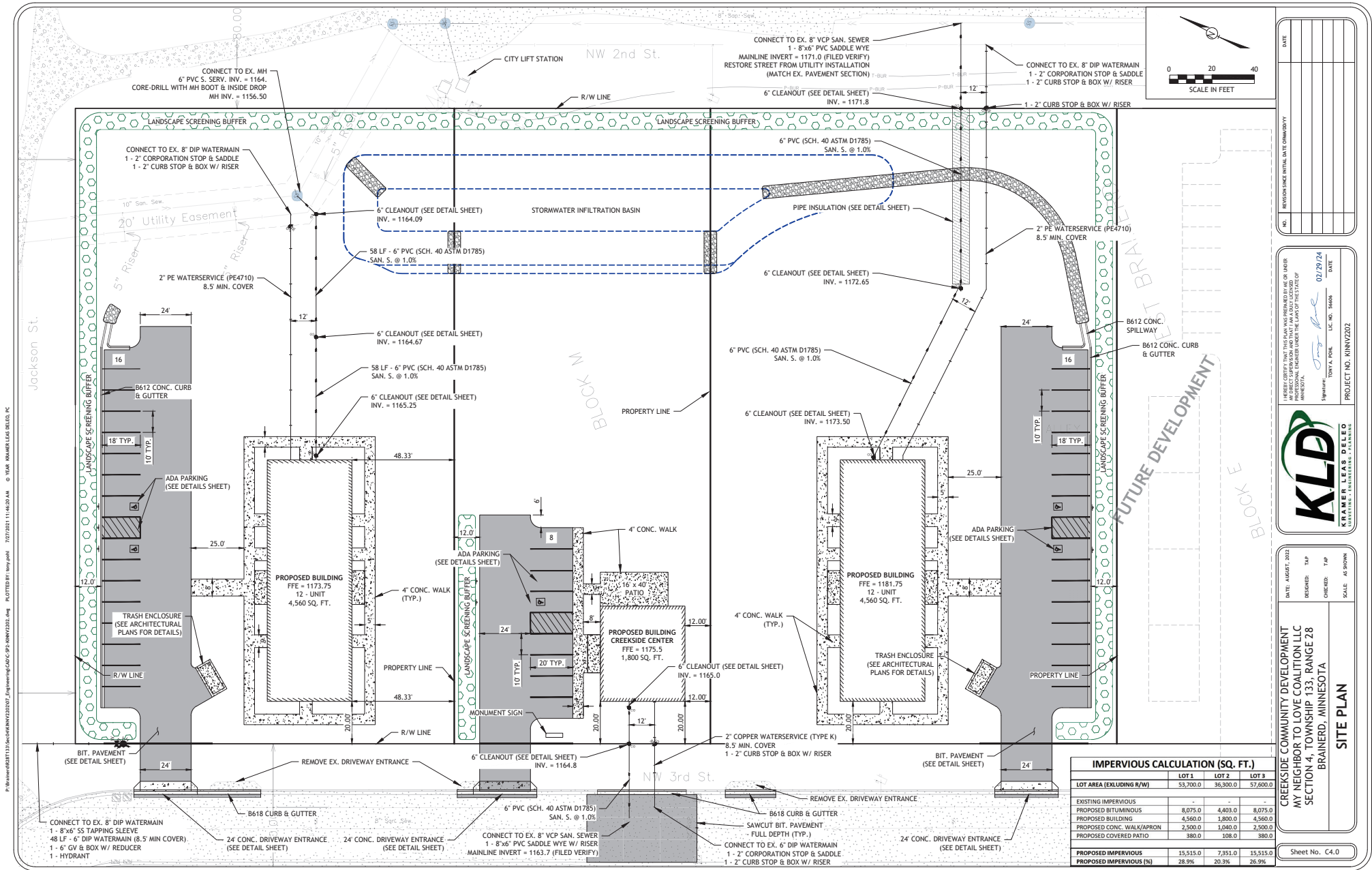
This apartment building is designed to meet the housing needs of both single adults and families, who have lower incomes. There will be 10 studio units and 2 two-bedroom units. The complex will also contain a laundry room for resident use and a common room. Six of the studio units will be on the main level while four units will be on the 2<sup>nd</sup> level. The studios are 400 square feet. The two-bedroom units are 700 square feet and on the main level.

#### Landscaping –

All disturbed areas will be landscaped with either planting beds with mulch and/or rock or leveled and seeded with native clover and grass seed.

- North side screening buffer planting bed edging the parking lot will contain 4-foot-high bushes of either Spirea or other species such as Ninebark, Dwarf Korean Lilac, Spirea, and Hydrangea, with Karl Forester, Blue Stem, or Silver Grasses or similar grasses planted between the bushes.
- Bushes surrounding the complex will range in species dependent on sun exposure and availability. For north facing bushes, the varieties will be Snowberry, Dogwood, Firedance Dogwood, Chokecherry. Bushes getting more sun exposure will be fruit bearing such as blueberry, or a combination of edible perennials such as rhubarb, or other species such as Alpine Currant, Hydrangea, Ninebark, Spirea, or Potentilla. A variety of perennials may replace some of the bushes.
- Japanese Lilac trees or another ornamental variety will be planted between the parking lot and north side of the complex.
- Trees – The deciduous trees within 10 feet of the ROW on 3rd Street and on the east side of the property will be of a variety of either Birch, Flowering Crab, Service Berry, Ohio Buckeye, Elm, Linden, Oak, or Maple.
- The conifer trees facing 3rd Street will be at least 4' high Spruce or Pine.
- On the east side of the property facing 2<sup>nd</sup> Street will be 5-gallon Lilac bushes spaced 10' on center.
- A future orchard area will contain fruit bearing trees variety such as Apple, Plum, or Pear.
- One the east side of the property and continuing onto the adjacent lot will be 50 evergreen plugs and 50 additional plugs of a variety of bushes such as lilacs, service berry, hazelnut, dogwood, and chokecherry. Additional trees may be planted along this side for added privacy.
- A Community Garden is planned on the east side of the complex.

Lighting Plan – We do not plan on installing parking lot lights and instead will use porch lights, with or without motion sensors for visibility and security.



MY NEIGHBOR TO LOVE COALITION- 12 PLEX

BRainerd, MN 56401

PRELIMINARY

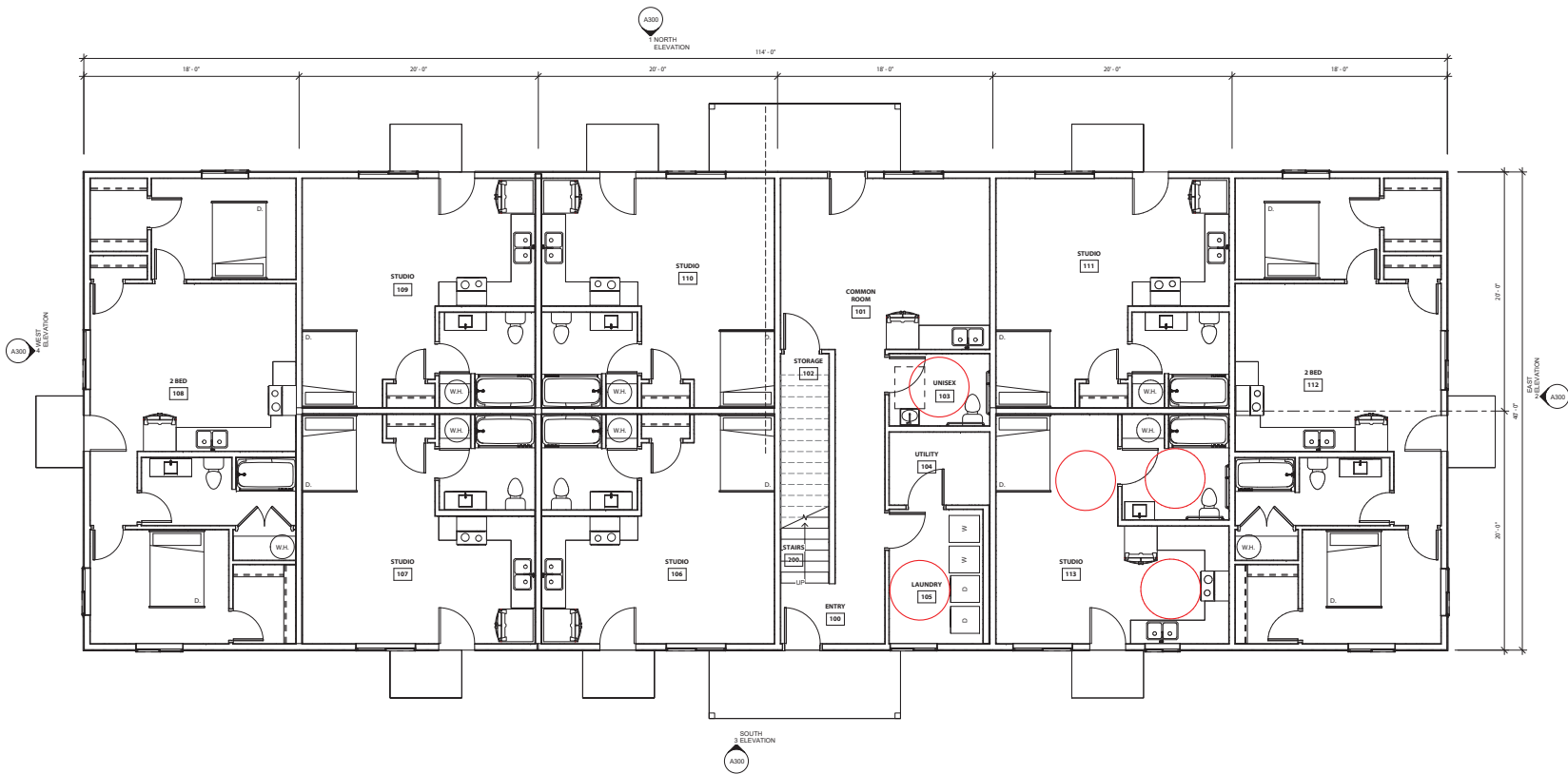
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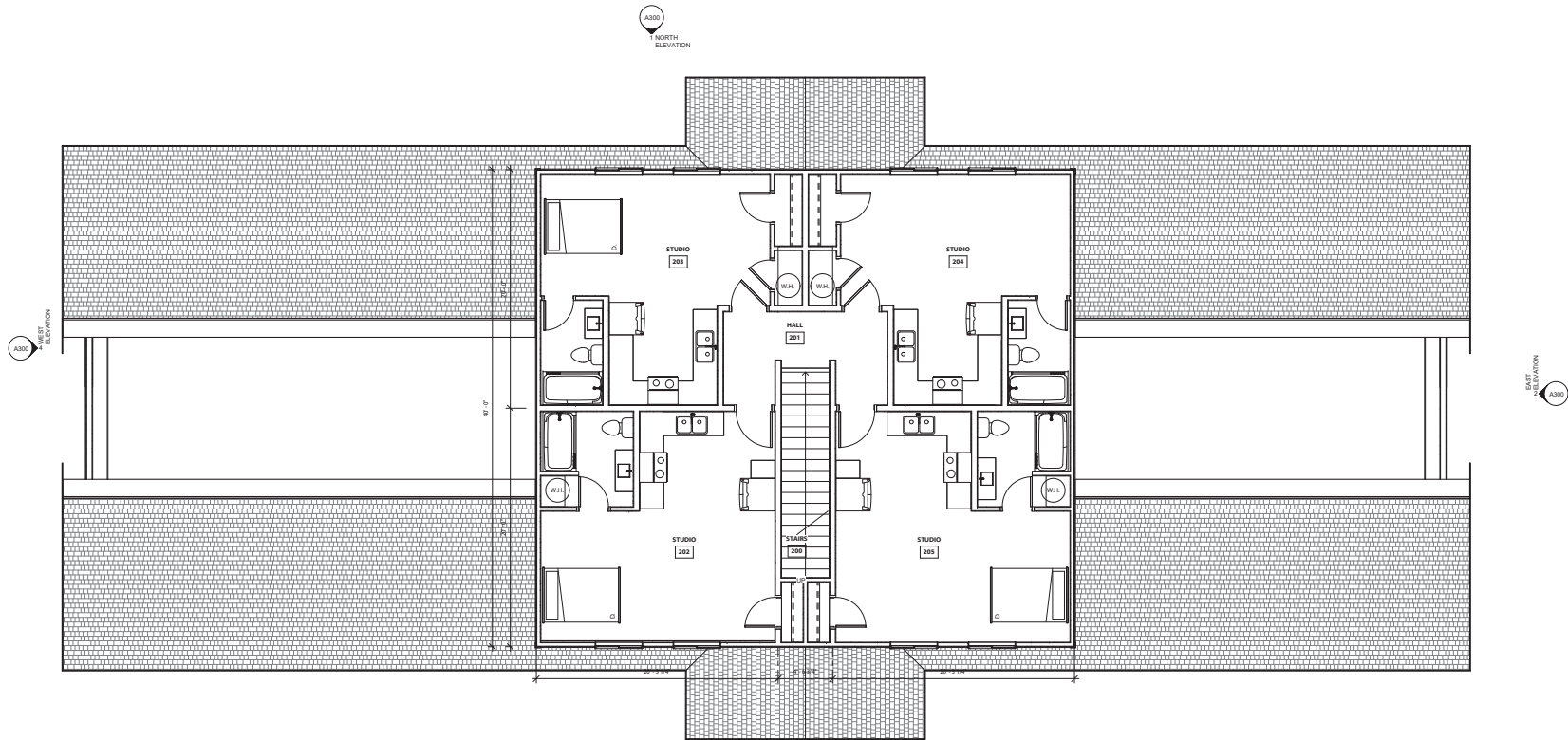
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M.L. - FLOOR PLAN

**A100**



1 LEVEL 01 FLOOR PLAN  
A100 1/4" = 1'-0"



1 LEVEL 02 FLOOR PLAN  
A110 1/4" = 1'-0"

MY NEIGHBOR TO LOVE COALITION- 12 PLEX

BRainerd, MN 56401

PRELIMINARY

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PROJECT NUMBER: 3642

| REVISION | DATE |
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U.L. - FLOOR PLAN

**A110**



3 SOUTH ELEVATION  
A300 3/16" = 1'-0"



4 WEST ELEVATION  
A300 3/16" = 1'-0"



1 NORTH ELEVATION  
A300 3/16" = 1'-0"



2 EAST ELEVATION  
A300 3/16" = 1'-0"

MY NEIGHBOR TO LOVE COALITION- 12 PLEX

BRainerd, MN 56401

PRELIMINARY

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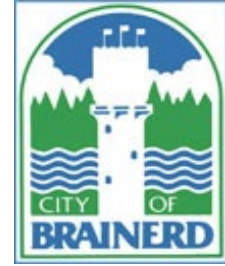
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BUILDING ELEVATIONS

**A300**

# MEMO



**TO:** Planning Commission

**FROM:** James Kramvik, Community Development Director

**DATE:** March 20, 2024

**RE:** Consider Conditional Use Permit Amendment on NW 3<sup>rd</sup> St for the Operation of a Boarding House.

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## INTRODUCTION

Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a Conditional Use Permit Amendment at PID 41040888 (NW 3rd St and NW 2nd St) and (Jackson St and James St.). The purpose of this Conditional Use Permit request is to operate a boarding house along with three studio apartments.

**PUBLIC HEARING.** Conditional Use Permit Amendment

## CONTEXT

**Parcel Number:** 41040888

**Zoning District:** Traditional Neighborhood 2 (TN-2) District

**Property Area:** 36,300 SQFT

**Adjacent Uses:**  
North: Proposed 12-unit apartment (Vacant Land)  
East: Single-Family Residential  
South: Vacant Land  
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

## AERIAL MAP



## FINDINGS OF FACT

1. **PID 41040888** is located in a TN-2 (Traditional Neighborhood 2) District. Zoning Ordinance [Section 515-3 \(Allowed Uses\) Appendix A: Table of Uses](#) permits the operation of boarding houses in the TN-2 District as a conditional use in the commercial/ general business use table. Two-to-four-unit buildings are a permitted use in the TN-2 District.
2. The applicant has proposed a two-story building 45' x 40' with a mix of three 400 SQFT studio apartments, four boarding house bedrooms, a common kitchen, five and a half bathrooms, laundry room, meeting room, and an office.
3. According to [Section 515-6-2.C.8 Definitions of Use, Standards and Terms](#) the definition of a Boarding House is a building other than a motel or hotel where, for compensation and by pre-arrangement for definite periods, meals or lodgings are provided for three (3) or more persons, but not to exceed twenty (20) persons.
  - a. *The applicant is proposing seven residents to reside in the boarding house. The amenities and bathroom facilities should be enough to accommodate the residents.*
  - b. *The studio apartments have their own kitchen and restroom facilities.*
  - c. *According to the International Property Maintenance Code (IPMC), the minimum bedroom size required to support one occupant is 70 SQFT and two occupants is 100*

*SQFT. The applicant proposes that one 84 SQFT bedroom will house one individual and the other three bedrooms will house two individuals each. The rooms with two individuals have 139 SQFT, 140 SQFT, and 194 SQFT of floor area.*

4. [Table 515-2-9.1. TN-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards](#)
  - a. Lot Size (minimum) – 4,000 SQFT
  - b. Front Yard Setback (range) – 0’ – 20’ if Commercial
  - c. Side Yard Setback – 5’/10’ corner
  - d. Rear Yard Setback – 10’
    - i. *The proposed structure meets all setback requirements of the TN-2 District.*
5. [515-4-12.K Off-Street Parking \(Number of Required Spaces\)](#)
  - a. Boarding Houses. At least one (1) parking space per boarding room.
    - i. *The applicant is proposing four rooms which would require a total of four parking spaces.*
  - b. Studio Apartments. One (1) space dwelling unit.
    - i. *The applicant is proposing three studio apartments which would require a total of three parking spaces.*
  - c. *The total number of parking spaces required for the building is seven and the applicant is proposing eight spaces, which meets the minimum requirements.*
6. [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 Appendix A: Table of Uses.
    - i. *Boarding houses are a conditional use in the TN-2 District. The TN-2 Zoning District is intended to provide for compact, pedestrian-oriented mix of residential and neighborhood-serving commercial uses.*
  - b. The proposed use meets the regulations and standards established in this Ordinance.
    - i. *There are no special standards associated with this use.*
  - c. The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
    - i. *The structure will not be dangerous, injurious, or noxious to the surrounding properties.*
  - 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. In all Contemporary Neighborhood and Traditional Neighborhood Base Zoning Districts new lots or development shall include landscape plantings as identified in [Table \[515-4-10.2\]](#). A minimum of one deciduous tree shall be planted in the front yard within 10-feet of the front property line, or right-of-way line. Trees retained on site following development can be reduced from the total required plantings.

1. *The proposed lot is a double frontage lot, therefore the total lot width at the right-of-way is (2 x 121 ft) = 242 ft. A total of 1 tree per 25' is required. The lot is required to have a total of 10 trees.*
  2. *This parcel retained existing mature trees after the grading and tree removal project was completed. According to the landscape plan, the applicant is also proposing to plant five additional trees in the front yard. The existing trees and added trees meet the tree planting requirement.*
- e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
- i. *The proposed use is consistent with the environment and the neighborhood as there are other multi-family residential structures and commercial uses in the neighborhood.*
  - ii. As required by [Section 515-4-2.D.4](#) New buildings constructed in the CC, TN-2, TN-3, ME, and TC Zoning Districts should be consistent with the character of surrounding structures. Typical and permitted materials include: brick, dimensioned stone, or their replicas, rock face block, decorative concrete panels, stone, stucco, wood, glass, or Exterior Finish Installation (EFIS). Material such as metal panels, window trim, flashing, accent features and the like that make up the exterior of a building shall not exceed twenty-five (25) percent.
    1. *The proposed building meets these requirements as there are no proposed metal panels on the structure. The applicant is adjusting the siding pattern and color from the first to second floor to add interest to the character of the building.*
- f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
- i. *As indicated in the parking calculation section, this site will have the necessary parking spaces and there should not be an increase in traffic congestion within the neighborhood streets.*
- g. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
- i. **Economic Development Goal 1:** Support infill and redevelopment throughout Brainerd as a strategic component of growth.
    1. **Policy 1:** Drive infill development and redevelopment towards areas where current infrastructure is present, or places where high levels of blight or disinvestment exists.
7. 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 boarding house.

**STAFF RECOMMENDATION**

Staff recommends approval of the Conditional Use Permit Amendment for the operation of a boarding house at PID 41040888 with the condition that any additional lighting conforms to the outdoor lighting ordinance.



## Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2307

www.ci.brainerd.mn.us

# CONDITIONAL USE/REZONING/VARIANCE APPLICATION

|                        | RESIDENTIAL                                    | COMMERCIAL                                                    |
|------------------------|------------------------------------------------|---------------------------------------------------------------|
| CONDITIONAL USE PERMIT | <input checked="" type="checkbox"/> (\$350.00) | <input type="checkbox"/> (\$500.00 + \$500.00 escrow deposit) |
| REZONING               | <input type="checkbox"/> (\$350.00)            | <input type="checkbox"/> (\$500.00)                           |
| VARIANCE               | <input type="checkbox"/> (\$350.00)            | <input type="checkbox"/> (\$500.00 + \$500.00 escrow deposit) |
| ZONING TEXT AMENDMENT  | <input type="checkbox"/> (\$250.00)            | <input type="checkbox"/> (\$400.00)                           |

PROPERTY ADDRESS: TBD 3rd Street NW, Brainerd, MN

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

PID # 41040888

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: vicky.j.kinney@yahoo.com

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

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

Phone Number: 218-821-7875 Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Description of Request: Amend CUP to allow for 3 studio apartment units and 4 boarding house rooms, an office, meeting, and gathering room with kitchen, and laundry room.

The boarding rooms and two studio apartments will be on the 2nd floor with the 3rd studio on the main level.

Vicky Kinney  
Property Owner Signature

2-29-24  
Date

Vicky Kinney  
(Please print name)

Applicant Signature

Date

(Please print name)

(OVER)

My Neighbor to Love Coalition is requesting an amendment to our Conditional Use Permit to construct a multi-family complex/ boarding house. Our original intent was to construct a health center with a boarding house on the 2<sup>nd</sup> floor. Due to a potential funding opportunity and the great need for more affordable housing, we want to eliminate the health center and increase the number of housing units. Our current plan is to create a studio apartment on the main floor, along with an office, meeting room, laundry room, and kitchen/living area for resident use. The 2<sup>nd</sup> floor will contain two additional studio apartments and four boarding rooms with shared bathrooms. The size of the structure would be reduced from a footprint of 40' x 60' to 40' x 45'.

Parking remains the same as does storm water management.

No other amendments are requested.

## NOTICE OF HEARING

### TO WHOM IT MAY CONCERN:

Notice is hereby given that Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a Conditional Use Permit amendment to the original Conditional Use Permit for a redesign of the original boarding house. The original design included a health center on the first floor with boarding house rooms on the second floor. The redesign removes the health center and adds three studio apartments to the building.

The property is legally described as:

Creekside Community Development  
Lot 2 Block 1  
*P.I.N. 41040888*  
*Section 4, Township 133, Range 28*

The property is zoned TN-2 (Traditional Neighborhood) District, and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of a boarding house as a conditional use in the TN-2 District. A copy of the site plan and architectural documents are on file for review with the Community Development Department.

A Public Hearing to consider this conditional use permit amendment will be conducted by the Brainerd Planning Commission at 6:00 p.m. on Wednesday, March 20, 2024, in the City Council Chambers at 501 Laurel St., Brainerd, MN 56401.

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

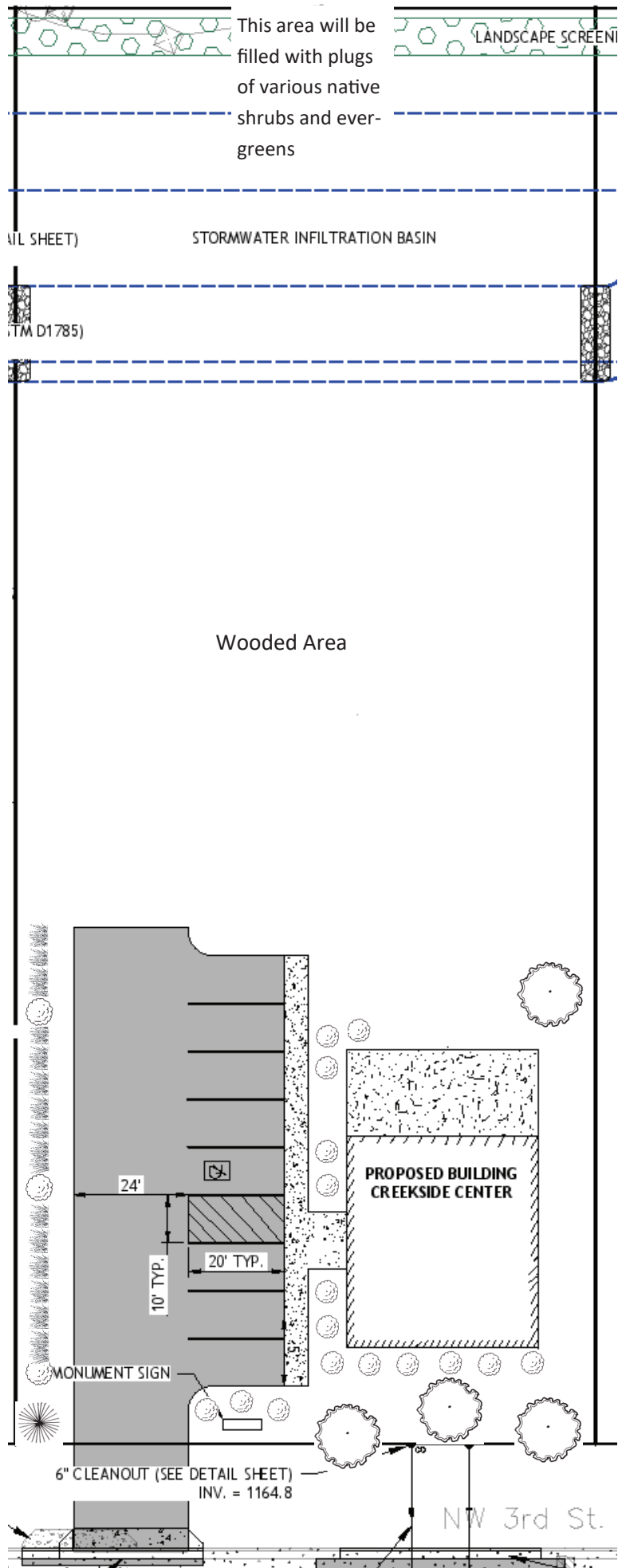
Dated this 7<sup>th</sup> day of March, 2024



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James L. Kramvik  
Community Development Director

Publication Date: March 9<sup>th</sup>, 2024



- A - Japanese Lilac Tree or Ornamental Crab
- B - Deciduous (see list)
- C - Pine or Spruce
- D - Lilac Bushes
- E - Plugs of pine and native bushes
- F - Grasses (see list)
- G - Various bushes and Perennials (see list)

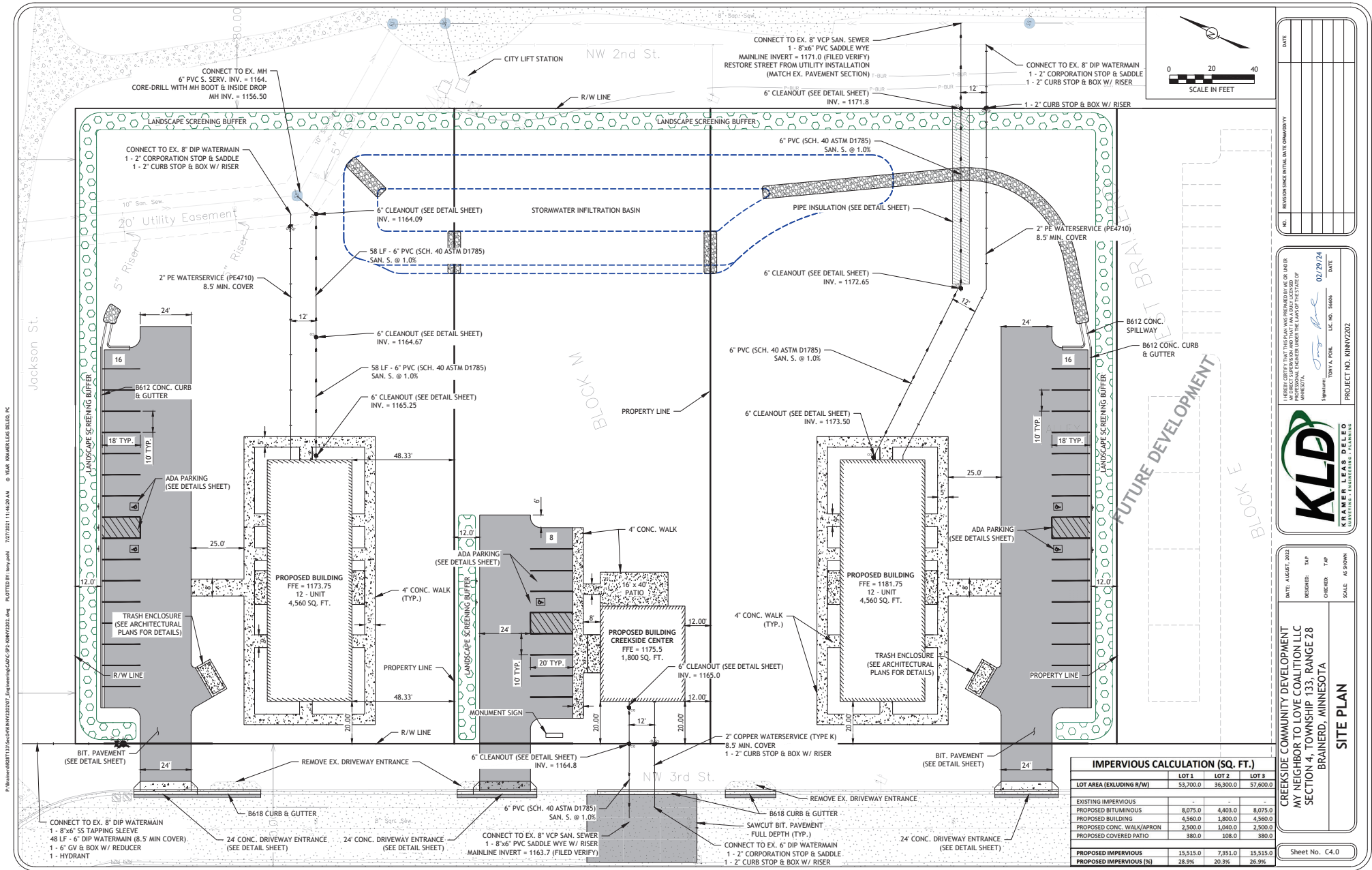
- Deciduous
- Evergreen
- Shrub
- Grasses

### Description and Landscaping Plan – Apartment & Boarding House - Mixed Use Building

This building is a two-story 40' x 45' structure and named Creekside Center. There will be 2 studio apartments and 4 boarding rooms with a shared bathroom on the 2<sup>nd</sup> floor with an additional studio apartment on the main level. The main floor will also contain an office, rest room, and a kitchen and gathering room, laundry room, and meeting room. A live-in housing manager will maintain the Boarding House, apartments, and common areas.

Landscaping Plan – All disturbed areas will be landscaped with either planting beds with mulch and/or rock or leveled and seeded with a bee lawn grass seed mixture.

- Screening along parking lot will contain a row of grasses with 6' high shrubs and bushes such as Lilac, Neonburst Dogwood, or Hydrangea.
- Bushes planted around the building will be a variety of Snowberry, Dogwood, Chokecherry or Firedance Dogwood on the north side; and Alpine Currant, Ninebark, Lilac, Spirea, or Potentilla on the west side and/or fruit bearing bushes.
- Trees - The deciduous tree within 10 feet of the ROW on 3rd Street will be of a variety of either Birch, Flowering Crab, Service Berry, Ohio Buckeye, Elm, or Maple, or other similar canopy type trees. A spruce tree will also be planted if required.



DATE: AUGUST, 2022

DESIGNED: TAP

CHECKED: TAP

SCALE: AS SHOWN

SHEET NO. C4.0

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

**SITE PLAN**

PROJECT NO. MINV2022

DATE: 02/29/24

DATE: 02/29/24

PROJECT NO. MINV2022

DATE: 02/29/24

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PROJECT NO. MINV2022

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DATE: 02/29/24

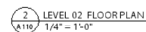
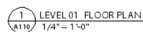
DATE: 02/29/24

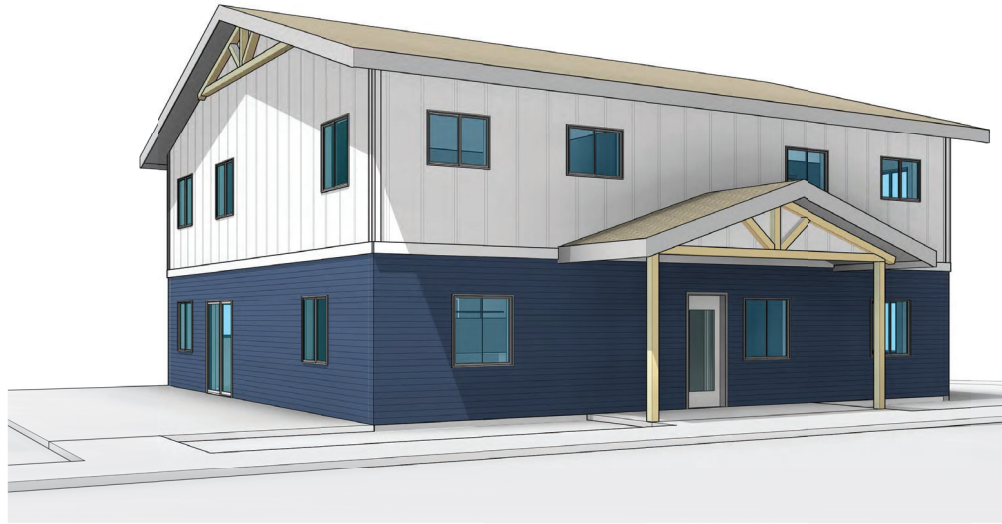
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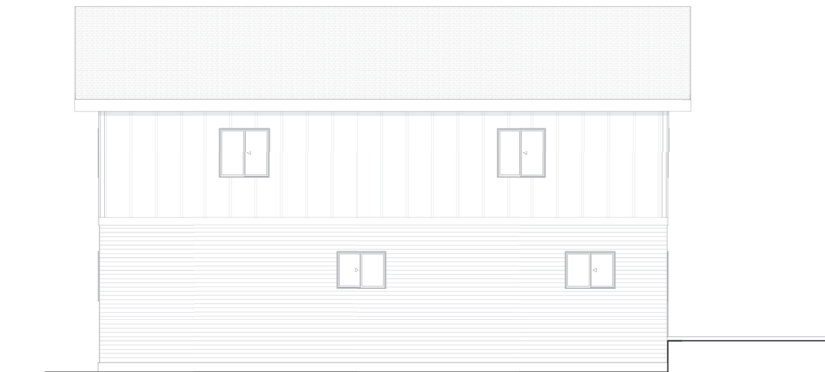




1 NORTH ELEVATION  
A300 1/4" = 1'-0"



2 EAST ELEVATION  
A300 1/4" = 1'-0"



3 SOUTH ELEVATION  
A300 1/4" = 1'-0"



4 WEST ELEVATION  
A300 1/4" = 1'-0"

MY NEIGHBOR TO LOVE COALITION - COMMUNITY CENTER

BRainerd, MN 56401

PRELIMINARY

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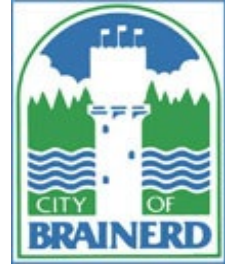
PROJECT NUMBER: 4090  
ISSUED: 02/29/2024

| REVISION | DATE |
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BUILDING ELEVATIONS

**A300**

# MEMO



**TO:** Planning Commission

**FROM:** James Kramvik, Community Development Director

**DATE:** March 20<sup>th</sup>, 2024

**RE:** Consider Interim Use Permit for a Short-Term Rental at 714 7<sup>th</sup> St S

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## REQUEST

**Public Hearing. Interim Use Permit** Mark Reisdorf on behalf of Mighty Homes LLC applied for a Short-Term Rental at 714 7<sup>th</sup> St S Brainerd, MN 56401.

Staff reached out to the property owner in May 2023 after Brainerd Public Utilities (BPU) indicated this property was listed as a rental. After a couple of mailed notices, Mighty Homes LLC completed a rental housing license application in October and a housing inspection was conducted as required.

Staff then discovered this property was being advertised as a short-term rental on the Airbnb website and contacted the property owner as it was operating without an interim use permit. The owner indicated that he was unaware of any other requirements regarding short-term rentals. The applicant has blocked out rental dates through the application process.

## CONTEXT

Parcel Numbers: 41240802  
Zoning District: Traditional Neighborhood One (TN-1) District  
Property Area: 7534.41 SQFT

Adjacent Uses: North: Single Family Dwelling  
East: Single Family Dwelling  
South: Single Family Dwelling  
West: Single Family Dwelling

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

## AERIAL MAP



## FINDINGS OF FACT

1. 714 7<sup>th</sup> St S St Brainerd, MN 56401 is located in a Traditional Neighborhood One (TN-1) District. The TN-1 District allows short-term rentals as an Interim Use according to Zoning Code [Appendix A: Table of Uses](#).
2. Short-term rentals must comply with the following minimum standards as required by the [Section 515-3-34](#) of the Zoning Code:
  - a. The maximum rental period shall not be more than 28 consecutive nights.
  - b. The permit holder (owner) of a short-term rental must apply for and receive an interim use permit.
    - i. *This application process serves as a fulfillment of this requirement of the interim use permit process.*
  - c. The application for an interim use permit shall include:
    - i. The number of bedrooms with dimensions and all other sleeping accommodations
      1. *The applicant provided sizes of the three (3) bedrooms; bedroom one 216 SQFT, bedroom two 84 SQFT, and bedroom three 270 SQFT.*

- ii. The number of off-street parking spaces available to guests.
  - 1. *The driveway adjacent to the alley is available for parking and provides two large spaces.*
- iii. All accessory structures and outdoor recreational features available for guest use
  - 1. *There are no accessory structures or recreational features available for guest use.*
- iv. A pet, garbage, and noise policy.
  - 1. *The house rules indicate that pets must be approved by the owner and upon a non-refundable fee with a max of 2 pets.*
  - 2. *The house rules note that trash pickup is on Mondays and instructions for disposal provided at the time of occupancy.*
  - 3. *The house rules note all loud noises are prohibited from 10:00 PM to 8:00 AM.*
- v. The permit holder shall post emergency contact information (police, fire, hospital) and show renters the location of fire extinguishers in the short-term rental unit.
  - 1. *These materials are referenced in the rules and available to occupants of the property.*
- d. A permit holder must disclose in writing to their renters the following information regarding property policies and City codes:
  - i. Contact Information. The managing agent or local contact's name, address, and phone number. The agent shall be available 24 hours a day, seven days a week, whenever the property is being rented. Property contact information will always be accessible to the public on the City of Brainerd website.
    - 1. *Staff have indicated that as a condition of approval, a local management agent must be provided for staff. The applicant currently lists himself as the agent and resides in Cottage Grove.*
  - ii. Occupancy. The maximum number of guests allowed at the property.
    - 1. *The applicant requests occupancy of no more than five (5) guests.*
  - iii. Vehicles. The maximum number of vehicles, recreational vehicles, and trailers allowed on the property and where they are to be parked. Parking in a yard that fronts a street as well as along an interior side of a house is required to be on an improved surface. Recreational vehicles shall not be parked in any right-of-way or utility easement. No vehicle or trailer shall be parked on a street more than forty-eight (48) continuous hours.
    - 1. *The applicant did not state a vehicle limit but does have sufficient room for off-street parking for five guests.*
  - iv. Garbage. Garbage and refuse containers shall be placed out for collection no earlier than 6:00 P.M. the day before collection and removed by the end of the day of collection. Garbage shall be placed in

fly tight containers sufficient to receive all garbage which may accumulate between times of collection.

1. *The house rules state garbage collection occurs on Monday's and asks the renters to make sure the bins are securely closed to prevent unwanted mess or odors.*

v. Noise. No person shall, between the hours of 10:00 P.M. and 8:00 A.M., congregate at, or participate in any party or gathering of two or more people from which noise emanates of a sufficient volume to disturb the peace, quiet, or repose of another person.

1. *Quiet hours start at 10:00 PM, which is required by City code. The house rules also indicate that no events, parties, or large gatherings are allowed.*

vi. Pets. No person shall keep, maintain, or otherwise house more than a total of four cats or dogs within any household in the City of Brainerd. It shall be unlawful for any person to allow a dog or cat to run at large and to keep or harbor a dog that habitually barks, yelps, howls, cries, or whimpers to unreasonably disturb the peace and quiet of any person in the vicinity. The owner of any animal shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner.

1. *The property allows for 2 pets which align with City code.*

e. The occupancy of a short-term rental shall be limited to no more than 3 people per bedroom or the occupancy set by the Building Official.

i. *According to [Section 404.4.1 of the Property Maintenance Code](#), every bedroom shall contain not less than 70 square feet (6.5 m<sup>2</sup>) and every bedroom occupied by more than one person shall contain not less than 50 square feet (4.6 m<sup>2</sup>) of floor area for each occupant thereof, whichever is less.*

ii. *Bedroom one is 216 SQFT (3 occupants)*

iii. *Bedroom two is 84 SQFT – However it does not count towards occupancy because it is listed as 6 ft wide by the applicant. Bedrooms are required to be 7' in width.*

iv. *Bedroom three is 270 SQFT (3 occupants)*

v. *Total occupancy allowed based on bedroom size is six guests. The applicant has stated that five guests is the maximum number allowed at the property per house rules.*

f. Rooms used for sleeping shall be provided with egress windows and smoke detectors in locations that comply with the Minnesota State Building Code or the requirements of the Building Department, whichever is stricter.

i. *The bedrooms have been inspected by the Housing Inspector and approved for occupancy.*

g. The short-term rental shall be connected to city sewer and water or an approved septic system. A valid septic system certificate of compliance is required at the time of rental license issuance and annual renewal. A short-term rental shall have a full bathroom (sink, toilet, and tub or shower).

- i. *The short-term rental is connected to the City sewer and water system.*
- h. Additional occupancy by use of recreational vehicles, tents, accessory structures, or fish houses is not permitted.
  - i. *The utilization of recreational vehicles as sleeping space on the premises is prohibited. The applicant has not proposed additional sleeping structures.*
- i. The permit holder shall keep a report detailing use of the short-term rental by recording the full name, address, phone number and vehicle license number of the guest reserving the rental. A copy of the report shall be provided to the Zoning Administrator upon request.
- j. A short-term rental shall be a licensed rental unit by the City and shall meet the requirements of all statutes, rules, regulations, and ordinances including, but not limited to, the City of Brainerd's rental housing maintenance code. Each unit shall be inspected annually by the rental housing inspector and the Fire Marshal.
  - i. *The subject property is a licensed rental and has been inspected by the Housing Inspector and Fire Marshal.*
- k. The Planning Commission may impose conditions that will reduce the impacts of the proposed use on neighboring properties, public services, nearby water bodies, public safety, and safety of renters. Said conditions may include but not be limited to – fencing or vegetative screening, native buffer along the shoreline, noise standards, duration of permit, restrictions as to the docking of watercraft, and number of renters.
- l. A permit holder must post their rental license permit number on all print, poster, or web advertisements.
- m. It is the owner's responsibility to apply for state and local sales tax numbers, including hotel and motel use sales tax. It is the owner's responsibility to contact the Minnesota Department of Health about lodging license requirements.
  - i. *The owner of the property has been made aware of these requirements.*

As of this writing, one person has contacted the Community Development Department regarding the Interim Use Permit application. They asked why this use needed approval by the City and how many others are within City limits. They indicated they do not have any issues with allowing this use.

## **STAFF RECOMMENDATION**

Staff recommends approval of the Interim Use Permit for one short term rental unit at 714 7<sup>th</sup> St S Brainerd, MN 56401 with the following conditions:

- 1) Submittal of the local option sales tax form to the Finance Department.
- 2) A local management agent must be provided for staff.
- 3) The Interim Use Permit shall terminate one year after issuance.



## Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218/828-2309/Fax 218-828-2316

### INTERIM USE PERMIT for SHORT-TERM RENTAL

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

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

Property Address for this Interim Use Permit: 714 S 7th St. Brainerd, MN 56401

I (We) the undersigned, do hereby respectfully request the Brainerd City Council to grant an Interim Use Permit to allow the property at 714 S 7th St. as a short-term rental.

\_\_\_\_\_ at the property address listed above until the date of \_\_\_\_\_

Legal Description (attach, if lengthy): Lot \_\_\_\_\_ Block \_\_\_\_\_ Addition \_\_\_\_\_

Property Owner: Mighty Home, LLC

Address: PO Box 391 Cottage Grove MN 55016  
(Street) (City) (State) (Zip)

Contact Information #: 612-210-9740  
(Home)

(Fax)

612-210-9740  
(Business)

Mightyhome.llcb@gmail.com  
(E-mail)

Applicant: (if different than Property Owner) \_\_\_\_\_

Address: \_\_\_\_\_  
(Street) (City) (State) (Zip)

Contact Information #: \_\_\_\_\_  
(Home)

(Fax)

(Business)

Contact Person: (if different than Property Owner) Mark Reisdorf

Address: PO Box 391 Cottage Grove MN 55016  
(Street) (City) (State) (Zip)

Contact Information #: 612-210-9740  
(Home)

(Fax)

(Business)

MightyHome.llcb@gmail.com  
(E-mail)

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

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

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

Signed by: Mighty Home LLC Date: 2/9/24  
(Property Owner)  
Mighty Home LLC  
(Property Owner-Please print Name)  
\_\_\_\_\_  
(Applicant-If different than owner) Date: \_\_\_\_\_  
\_\_\_\_\_  
(Applicant - Please print name)

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**Interim Use Permit**  
**Supporting Information**

***The City Council may approve an Interim Use Permit if all of the "Criteria for Review of Interim Use Permits" are met.*** In order to facilitate review of this application for an *Interim Use Permit*, the applicant must address each of the "*Criteria*", referred to in Section 515-5-3 of the Zoning Ordinance.

1. **Public Health/Safety/Welfare.** The *Planning Commission* and the *City Council* shall review each application for the purpose of determining that each proposed use meets the following criteria referenced to in Section 515-5-2 and in addition, shall find adequate evidence that each use in its proposed location will address the following:
- (a) The proposed use conforms to the district and conditional use provisions and all general regulations of this Ordinance.
  - (b) The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.
  - (c) The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
  - (d) The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
  - (e) The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
  - (f) The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.
  - (g) The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.

(con't)

# House Rules

01

## NO SMOKING

Allowed outdoors only. Cigarette butts must be extinguished and disposed of.

02

## NO PETS

MUST BE APPROVED and a \$250 non-refundable fee paid. Additional pet fee of \$150, max of 2 pets.

03

## REGISTERED GUESTS

Only guests included in the reservation are permitted to stay overnight. Additional guests must be approved by the host.

04

## OCCUPANCY

The number of guests allowed is 5. Exceeding this limit may result in additional charges or eviction.

05

## NO PARTIES

No events, parties, or large gatherings allowed.

# Check-In

CHECK-IN TIME AT 4:00 PM

The keypad located on the front door will prompt you to verify the lit numbers before entering the host-provided code.



# Check-Out

CHECK-OUT TIME AT 11:00 AM

Upon departure, please make sure you have gone through our check-out list, turn-off all the lights, and lock the door.

# IMPORTANT

## GARBAGE/ RECYCLING

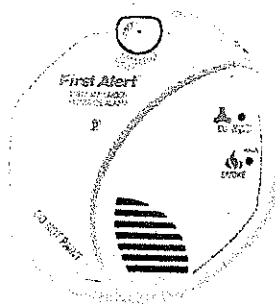
Pick-up day is Mondays. Please ensure that all trash is placed in the provided bins. The garbage cans are located in the back by the alley. Kindly make sure that the bins are securely closed to prevent any unwanted mess or odors. Your cooperation in this matter is greatly appreciated!

## NOISE

Please be respectful of neighbors. Quiet hours from 10:00 PM - 8:00 AM.

## SAFETY

- Fire Extinguisher is located under the sink in the kitchen
- Carbon monoxide detector - on all three levels of house
- Fire alarm - in every bedroom and three on main level
- First Aid Kit is in kitchen island next to the window, inside the right drawer





## About the house

Nestled within the heart of Brainerd MN, this charming downtown cottage exudes a timeless allure. With three snug bedrooms and one and a half bathrooms, it offers a perfect blend of comfort and functionality. The living room, adorned with warm hues invites one to unwind in its cozy embrace. The kitchen, though petite in size, surprises with its efficient use of space, creating an atmosphere that feels both intimate and surprisingly spacious. Sunlight filters through the windows, casting a gentle glow, creating an ambiance that is both inviting and comforting. This cottage, though small in stature, holds a wealth of character, making it a true gem in the heart of Brainerd.

### CONTACT INFORMATION

☎ 952-200-4709, TEXTING ONLY  
✉ [mightyhome.llc6@gmail.com](mailto:mightyhome.llc6@gmail.com)

### EMERGENCY INFORMATION

Hospital: 523 N 3rd St, Brainerd, MN 56401  
Police: 225 E River Rd, Brainerd, MN 56401

$$1 \quad 12 \times 18$$

$$1 \quad 6 \times 14$$

$$1 \quad 15 \times 18$$

## NOTICE OF HEARING

### TO WHOM IT MAY CONCERN:

Notice is hereby given Mark Reisdorf, on behalf of Mighty Home LLC, has submitted an Interim Use Permit application to operate a short-term rental at 714 7<sup>th</sup> St. S Brainerd.

The property included in this application is described as:

*TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD  
LOTS 5 AND 6 BLOCK 187  
P.I.N. 41240802  
Section 24, Township 45, Range 31*

The property is zoned TN-1 (Traditional Neighborhood One) District. [Appendix A: Table of Uses](#) of the Zoning Code requires an Interim Use Permit for the operation of a short-term rental in a TN-1 District as regulated by Section 515-3-34 Short-Term Rentals. Information on the proposed short-term rental 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, March 20, 2024 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the Interim Use Permit.

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

Dated this 7<sup>th</sup> day of March, 2024



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James L. Kramvik  
Community Development Director

Publication Date: March 9<sup>th</sup>, 2024

# MEMO



**TO:** Planning Commission

**FROM:** James Kramvik, Community Development Director

**DATE:** March 20<sup>th</sup>, 2024

**RE:** Review Letter of Opposition to the Minnesota Senate Housing and Homeless Prevention Committee's Bill to Bypass Local Government Zoning Regulations

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## INTRODUCTION

Staff has drafted a letter in opposition to the newly proposed “Missing Middle” bill that would limit local governments zoning authority specifically on residential development. As the Coalition of Greater MN Cities states, “the bill as proposed attempts to address the desperate need for more housing everywhere in the state by slapping handcuffs on local governments, rather than focusing on real solutions to the housing crisis.” The bill would force cities to allow 2 to 8-unit housing in most neighborhoods regardless of neighborhood characteristics or available infrastructure. The latest revised version of the bill did reduce it to allow only up to 4-units in single family districts.

In addition to imposing a minimum number of units on a single lot, the bill also:

1. Restricts minimum lot sizes
2. Allows an owner to sub-divide a lot by right
3. Sets allowable building heights in some instances
4. Restricts cities from establishing design or material standards
5. Requires cities to allow multi-family housing in commercial areas
6. Sets maximum parking standards

## CGMC Links

<https://members.greatermncities.org/ap/EmailViewer/LE53k27L>  
<https://members.greatermncities.org/ap/EmailViewer/p9yE83zp>  
<https://members.greatermncities.org/ap/EmailViewer/PKjGo0Op>

The Coalition of Greater MN Cities recommends that cities should tell their story and reach out to their state representatives. Staff has drafted a one-page letter discussing what Brainerd has done to remedy the housing crisis and how this bill would be detrimental to the community.

## RECOMENDATION

Review draft letter, provide feedback, and direct staff to make any necessary changes before this letter is brought to City Council for approval.

Dear,

The City of Brainerd opposes the “Missing Middle” bill that was recently heard by the Senate Housing and Homeless Prevention Committee. This bill would be detrimental to local governments as it takes on a “one-size-fits-all” approach. Communities in Greater Minnesota differ greatly when it comes to residential development trends and neighborhood characteristics. The City of Brainerd recently updated our comprehensive plan in 2021 to provide high-quality, year-round recreation, a strong workforce, and a variety of life experiences that support a welcoming place to live, work, play, stay, and learn for all. The comprehensive plan is the City’s guiding document that clearly defines the need for additional housing, a problem that all cities in Minnesota face.

A few important principles outlined in the comprehensive plan include:

1. Promote the development and redevelopment of housing for a range of densities, types, and price points.
2. Celebrate the unique qualities, attributes, and identities of Brainerd’s neighborhoods.

The City of Brainerd certainly recognizes the challenges municipalities face in promoting new residential development and understands the link between additional housing and economic development. Our commercial and industrial businesses cannot grow and thrive without additional workforce housing. The comprehensive plan continues to guide the City and in 2021, Brainerd undertook an ambitious overhaul of our zoning code that promotes housing density. The city no longer has R-1 Single-Family Zoning and has expanded areas for multifamily development. Our historic neighborhoods now allow up to four units if it fits the property size and the characteristics of the neighborhood. This change has had a positive impact on Brainerd’s infill development since the new Zoning Code was adopted two years ago. A “one size fits all” approach does not consider the characteristics of a community or the ability of a neighborhood to handle an increased demand on utility infrastructure.

The greatest challenge facing developers in greater Minnesota is the ability to fund a project. Inflation, infrastructure, material costs, and rent prices all factor into a proposed project and makes development more difficult in greater Minnesota. The Brainerd City Council has recently approved a TIF District for a multifamily workforce housing project and Tax Abatement for a large senior living project. The City continues to promote housing through incentives and changes to our zoning code and strongly opposes the “Missing Middle” bill that would remove local government control and decisions for common sense development that both fits the characteristics of our community and accounts for current utility infrastructure.

Sincerely,

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DAVE BADEAUX  
Mayor

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NICHOLAS W. BROYLES  
City Administrator

# MEMO



**TO:** Planning Commission

**FROM:** James Kramvik, Community Development Director

**DATE:** March 20<sup>th</sup>, 2024

**RE:** Update on Short-Term Rental Ordinance

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## INTRODUCTION

The City Council conducted the second reading of Proposed Ordinance 1561 regarding short-term rentals at their regularly scheduled February 21st meeting. The motion to approve the ordinance as proposed failed by a 4 to 3 vote. After discussion and comments by City Council, Council Member Czczok motioned to recommend that we keep the requirement to renew at the end of the year, remove the cap with no limitation to the number owned by an individual, and to send it back to the Planning Commission. The motion was approved by a 5 to 1 vote.

The Planning Commission considered the recommendation provided by City Council and provided ideas to address concerns. The ideas were not voted on, but did have a consensus for approval for the following items:

1. Remove the cap that limits an individual property owner to own no more than one VDU in the City.
2. Increase the cap from 20 VDU short-term rentals to 40 VDU short-term rentals allowed in the City.

Staff recommended that multifamily buildings, possibly 3 plus units, be allowed to operate 2 VDU units instead of one. This would remove the need to grandfather an existing property from the short-term rental municipal cap section of the proposed ordinance.

The Planning Commission continued to have concerns about opening up the Town Center and Mainstreet Districts to an unlimited number of short-term rentals based on the fact that downtown provides a good number of workforce housing units. After discussion, the Planning Commission directed staff to ask the City Council for a joint workshop to address the final concerns of the ordinance in order to formulate a consensus about the language and requirements for short-term rentals.

Upon staff recommendation, a motion to hold a joint workshop failed. Staff were given no further direction regarding the proposed short-term rental ordinance. As the motion failed at City Council, the Council must give direction to staff before revising the proposed ordinance.

**ORDINANCE  
NO. xxxx**

**AN ORDINANCE AMENDING SECTION 515-3-34 OF THE ZONING CODE**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Section 515-3-34 is hereby amended by adding and striking the following:

**515-3-34 Short-Term Rentals**

A. Definitions: For the purposes of this article, the following definitions apply:

1. Accessory Home Share (AHS): A rental where the property owner is a permanent resident of the homesteaded unit and is present on the premises during the rental period.
2. Accessory Vacation Dwelling Units, Limited (ADVUL): A rental where the property owner permanently resides at the homesteaded unit but does not need to be present during the rental period.
3. Vacation Dwelling Unit (VDU): A rental where the property owner is not a permanent resident of the unit, and the entire unit is rented without the property owner present during the rental period.

B. Short-term rentals are subject to the following length of stay and total number of annual rental days:

1. Accessory Home Share (AHS): May allow a maximum of four (4) guests to stay on the premises a total of one (1) to twenty-eight (28) days.
2. Accessory Vacation Dwelling Units, Limited (ADVUL): May allow a maximum number of guests as determined by Section 515-3-34-C.4 to stay on the premises a total of two (2) to seven (7) consecutive nights. ADVUL's may not be operated more than twenty-one (21) rental days per calendar year.
3. Vacation Dwelling Units (VDU): May allow a maximum number of guests as determined by Section 515-3-34-C.4 to stay on the premises a total of one (1) to twenty-eight (28) days.

C. Regulations: Any short-term rental must comply with the following minimum standards:

~~A. \_\_\_\_\_~~

~~4. The maximum rental period shall not be more than 28 consecutive nights.~~

1. The permit holder (owner) of a short-term rental must apply for and receive an Interim Use Permit.

a. The duration of the first Interim Use Permit granted to an applicant for a short-term rental at a premises shall be twelve (12) months.

~~2.~~b. Renewal for an Interim Use Permit for an existing short-term rental at a premises shall be granted for a duration not to exceed twenty-four (24) months.

~~3.~~2. The application for an Interim Use Permit shall include:

- a. The number of bedrooms with dimensions and all other sleeping accommodations.
- b. The number of off-street parking spaces available to guests.

- c. All accessory structures and outdoor recreational features available for guest use.
- d. A pet, garbage, noise, and parking policy.
- e. The permit holder shall post emergency contact information (police, fire, hospital) and show renters the location of fire extinguishers in the short-term rental unit.

~~4.3.~~ A permit holder must disclose in writing to their renters the following information regarding property policies and City codes:

- a. **Contact Information.** The managing agent or local contact's name, address, and phone number. The agent shall be available 24 hours a day, seven days a week, whenever the property is being rented. Property contact information will be accessible to the public at all times on the City of Brainerd website.
- b. **Occupancy.** The maximum number of guests allowed on the property.
- c. **Vehicles.** The maximum number of vehicles, recreational vehicles, and trailers allowed on the property and where they are to be parked. Parking in a yard that fronts a street as well as along an interior side of a house is required to be on an improved surface. Recreational vehicles shall not be parked in any right-of-way or utility easement. No vehicle or trailer shall be parked on a street for a period of time in excess of forty-eight (48) continuous hours.
- d. **Garbage.** Garbage and refuse containers shall be placed out for collection no earlier than 6:00 P.M. the day before collection and removed by the end of the day of collection. Garbage shall be placed in fly tight containers sufficient to receive all garbage which may accumulate between times of collection.
- e. **Noise.** No person shall, between the hours of 10:00 P.M. and 7:00 A.M. congregate at, or participate in the any party or gathering of two or more people from which noise emanates of a sufficient volume so as to disturb the peace, quiet, or repose of another person.
- f. **Pets.** No person shall keep, maintain, or otherwise house more than a total of four cats or dogs within any household in the City of Brainerd. It shall be unlawful for any person to allow a dog or cat to run at large and to keep or harbor a dog that habitually barks, yelps, howls, cries, or whimpers so as to unreasonably disturb the peace and quiet of any person in the vicinity. The owner of any animal shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner.

~~5.4.~~ The occupancy of a short-term rental shall be limited to not more than 3 people per bedroom or the occupancy set by the Building Official, whichever is less.

~~6.5.~~ Rooms used for sleeping shall be provided with egress windows and smoke detectors in locations that comply with the Minnesota State Building Code or the requirements of the building department, whichever is stricter.

~~7.6.~~ The short-term rental shall be connected to city sewer and water or an approved septic system. A valid septic system certificate of compliance is required at the time of rental license issuance and annual renewal. A short-term rental shall have a full bathroom (sink, toilet, and tub or shower).

~~8.7.~~ Additional occupancy by use of recreational vehicles, tents, accessory structures, or fish houses is not permitted.

~~9.8.~~ The permit holder shall keep a report, detailing use of the short-term rental by recording the full name, address, phone number and vehicle license number of the guest

reserving the rental. A copy of the report shall be provided to the Zoning Administrator upon request.

9. A short-term rental shall be a licensed rental unit by the city and shall meet the requirements of all statutes, rules, regulations, and ordinances including, but not limited to the City of Brainerd's rental housing maintenance code. Each unit shall be inspected annually by the rental housing inspector and the Fire Marshal.

10. The owner or property manager shall reside within 50 miles of the property. An emergency contact does not constitute a property manager. A property manager shall be a relative or compensated individual or company.

~~10.~~11. The Planning Commission may impose conditions that will reduce the impacts of the proposed use on neighboring properties, public services, nearby water bodies, public safety, and safety of renters. Said conditions may include but not be limited to – fencing or vegetative screening, native buffer along the shoreline, noise standards, duration of permit, restrictions as to the docking of watercraft, and number of renters.

~~11.~~12. A permit holder must post their rental license permit number on all print, poster, or web advertisements.

13. It is the owner's responsibility to apply for state and local sales tax numbers, including hotel and motel use sales tax. It is the owner's responsibility to contact the Minnesota Department of Health about lodging license requirements.

14. All short-term rentals operating prior to the effective date of these standards shall be compliant with this section by December 31, 2025. All previously issued Interim Use Permits for short-term rentals shall expire December 31, 2025.

D. Ownership, Limitations, and Municipal Caps:

1. Any property owner may utilize their permanent residence as an AHS or ADVUL upon the receipt of a rental housing license and the approval of an Interim Use Permit.

2. Property owners or companies are limited to the operation of one (1) VDU upon approval of an Interim Use Permit in the City at any given time.

3. There are to be no more than twenty (20) operational VDU's at any given time in the City and is granted on a first-come first-serve basis.

a. There shall be no more than ten (10) total VDU's permitted in the Traditional Neighborhood Zoning Districts.

I. Only one (1) VDU may be located on any platted block and shall not abut another property approved for a short-term rental.

b. There shall be no more than ten (10) total VDU's permitted in the Contemporary Neighborhood Zoning Districts.

I. Only one (1) VDU may be located on an platted block and shall not abut another property approved for a short-term rental.

c. A designated city official shall create a waiting list which will be posted on the City of Brainerd website with a recorded date and time of an interested applicant if the City has approved the maximum allotment of VDU's in the City or a zoning district.

I. Applicants on the waiting list shall be contacted and given ten (10) days to submit a complete application and provide payment for their Interim Use Permit.

d. All short-term rentals applying for renewal will be given preference over new applicants if they are compliant with the rental code, are without outstanding violations of the Code, and are not on a required management plan. The property must have an approved Interim Use Permit by City Council prior to expiration of their existing permit.

- I. Upon expiration of the Interim Use Permit, the property owner can no longer operate a short-term rental at the premises and will be required to reapply as a new applicant.
- ~~4.~~ 4. No multi-family dwelling unit may contain more than one (1) short-term rental of any type at any given time.

**SECTION TWO:** 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: \_\_\_\_\_  
NICHOLAS W. BROYLES  
City Administrator

Published: One Time – \_\_\_\_\_

# MEMO



**TO:** Planning Commission

**FROM:** James Kramvik, Community Development Director

**DATE:** March 20<sup>th</sup>, 2024

**RE:** Discussion on Cannabis Ordinance

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## INTRODUCTION

Minnesota is the 23rd state in the nation to legalize cannabis use for people 21 and older. The legislation creates the framework for adult-use cannabis in Minnesota and establishes a new Office of Cannabis Management, which will regulate cannabis (including for the adult-use market, the Medical Cannabis Program, and for lower-potency hemp edibles) and issue licenses and develop regulations outlining how and when businesses can participate in the industry.

The legislation proposes that retail sales for adult use cannabis in Minnesota begin in the first quarter of 2025. Some businesses may be able to start earlier for social equity considerations. The tax on cannabis product sales will be 10% in addition to state and local sales taxes. Local governments will not collect an additional cannabis-specific tax.

Staff recently attended a cannabis roundtable discussion hosted by Swanson Haskamp Consulting. The purpose of the discussion was to receive an update on the Office of Cannabis Management, discuss how municipalities can regulate dispensaries, and hear from a current operator from another state.

Municipalities must allow for cannabis dispensaries based on population size and will be able to consider the following regulations:

1. Cities are allowed to adopt reasonable restrictions on the time, place, and manner of the operations of a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses. Cities may prohibit the operations of a cannabis business within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field.
2. A city is required to issue a retail registration to a cannabis retailer and may impose an initial retail fee of \$500 or up to half the amount of the applicable initial license fee charged by the OCM, whichever is less. The city may also charge a renewal retail registration fee of \$1,000 or up to half the amount of the applicable renewal license fee charged by the OCM, whichever is less.

3. A city that issues cannabis retailer registrations may, by ordinance, limit the number of licensed cannabis retailers, cannabis mezzo businesses with a retail operations endorsement, and cannabis microbusinesses with a retail operations endorsement to no fewer than one registration for every 12,500 residents. In addition, if a county has one active registration for every 12,500 residents, a city within the county is not obligated to register any additional cannabis businesses.

## **EXAMPLE ORDINANCES**

### ***Novato California – Population 52,708***

Location Standard Commercial cannabis operations require distance separation from the potentially sensitive uses listed below. Distances are measured in a straight line from the nearest boundary of the commercial cannabis premises to the nearest boundary of the premises of the sensitive use. Separation requirements will be determined at the time the Conditional Certificate is issued and do not apply to sensitive uses established after a Conditional Certificate has been awarded by the licensing authority.

1. Youth facilities including schools providing instruction in kindergarten or any grades 1 through 12, daycare centers or Youth Centers.
  - a. Testing laboratories locating on a property carrying a Business & Professional Office zoning or general plan land use may be required to maintain a separation of 0-feet to 300-feet, depending upon specific location and as determined appropriate by the licensing authority.
  - b. All other commercial cannabis uses in all other zone districts or land use categories where the use is allowed shall maintain a minimum separation of 600-feet.
2. Residential. Non-storefront retailers locating on a property carrying a Business & Professional Office zoning or general plan land use designation shall maintain a minimum separation of 600-feet from any residentially zoned property.

### ***Concord California – Population 124,074***

Staff recently updated the map of known sensitive uses located within 1,000 feet of an area which would allow a commercial cannabis business. The [linked map](#) shows the known sensitive uses as of September 2022. The required 250-foot buffer around those uses is also shown. All cannabis uses, regardless of location or zoning, must comply with sensitive use requirements. Pursuant to Concord's cannabis regulations and state law, no cannabis license can be issued within a certain distance of a sensitive use. Sensitive uses include public or private schools, child day care facility, and youth community centers.

### ***San Leandro California – Population 88,868***

The City has issued only three cannabis dispensary permits; all three have been issued at this time and there are no further plans to issue additional licenses.

- Approved dispensaries may only be located in the City's industrial and commercial zoning districts; cannot be within 1,000 feet of a school, library, youth center, park and recreation facility and places of religious worship; and cannot be within 500 feet of a residential zone;

- The City Manager may impose separate conditions of approval;
- A public hearing on the approval of a conditional use permit must be held by the Board of Zoning Adjustments (BZA) for any dispensary permit that is approved by the City Council;
- Operating, security, recordkeeping, facilities, and signage regulations are set in the ordinance;
- On-site distribution of edible cannabis products will be allowed and regulated to prevent the transmission of foodborne illnesses;
- Payment of non-refundable permit application fee(s), an annual permit renewal fee, and annual business license fee will be required.

## **PROPOSED ORDINANCE**

Staff have provided maps along the commercial corridor district that display parcel distances from schools in 100 ft, 300 ft, and 500 ft increments. At the February 21<sup>st</sup> Planning Commission meeting, considerable discussion centered around the Traditional Neighborhood 2 (TN-2) District. Staff recommends that cannabis dispensaries should not be allowed in the TN-2 District as they are transitional zoning districts between commercial and residential. In addition, cannabis dispensaries are unlikely to invest \$500,000 to \$1,000,000 in start up costs on a low traffic road. A potential cannabis dispensary would most likely attempt to find a location along Washington Street or Business 371. Staff recommends cannabis dispensaries should only be allowed in the General Commercial (GC), Commercial Corridor (CC), Mainstreet (ME), Town Center (TC), Makers and Employment (ME), and the General Industrial (GI) Districts.

### **Cannabis Dispensaries**

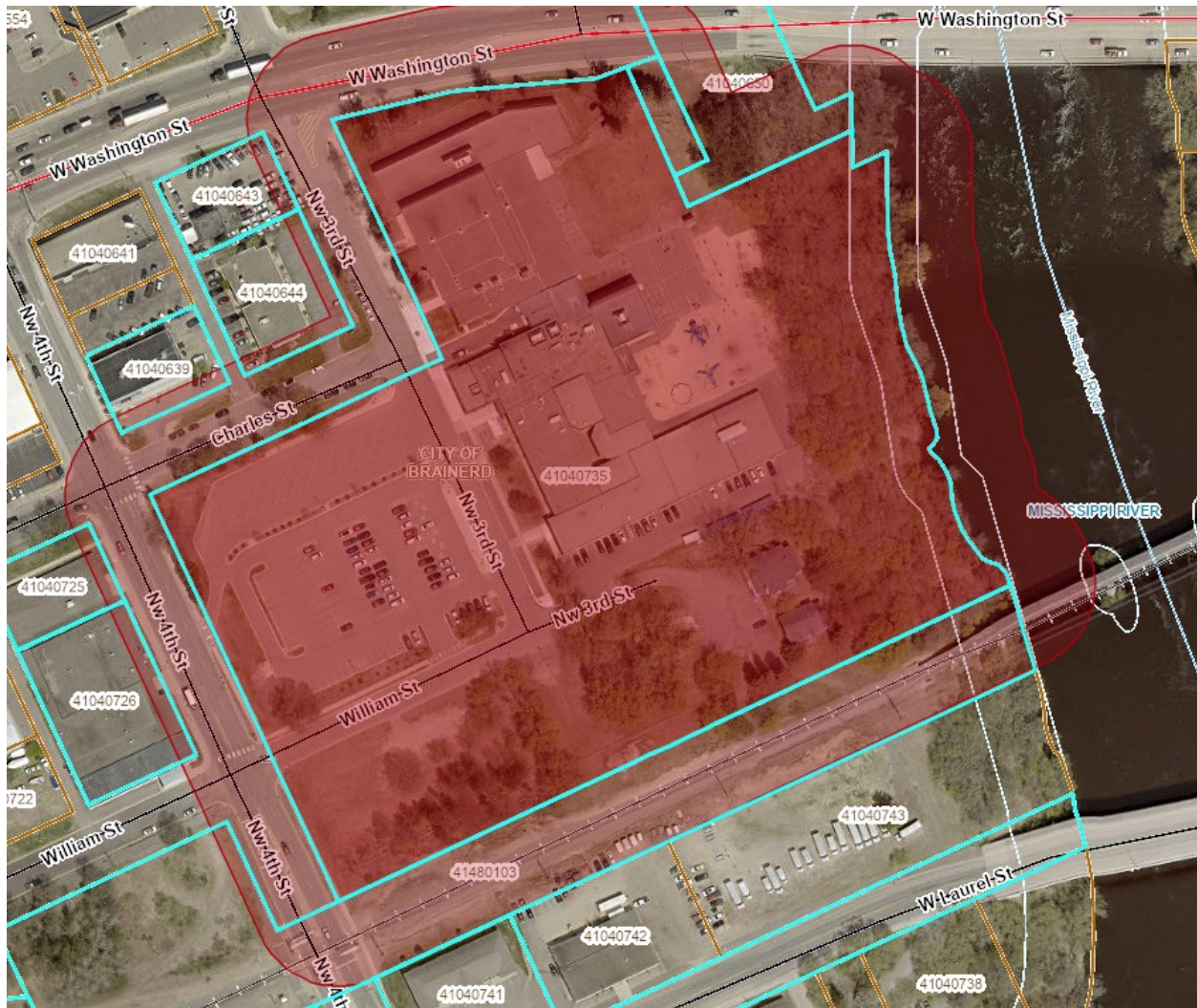
A. Any cannabis retail store selling adult use cannabis products, not including lower-potency hemp products, must comply with the following minimum standards:

1. Approved dispensaries cannot be within 100 feet of a school, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field.
2. Approved dispensaries within 300 feet of a school, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field requires a conditional use permit.
3. Cannabinoid Product sales are only permitted between 8 a.m. and 10 p.m. (*Woodbury*)
4. All State Statutes and regulations governing such use are strictly adhered to and all required operating licenses are secured.
5. Payment of an annual registration renewal fee will be required.

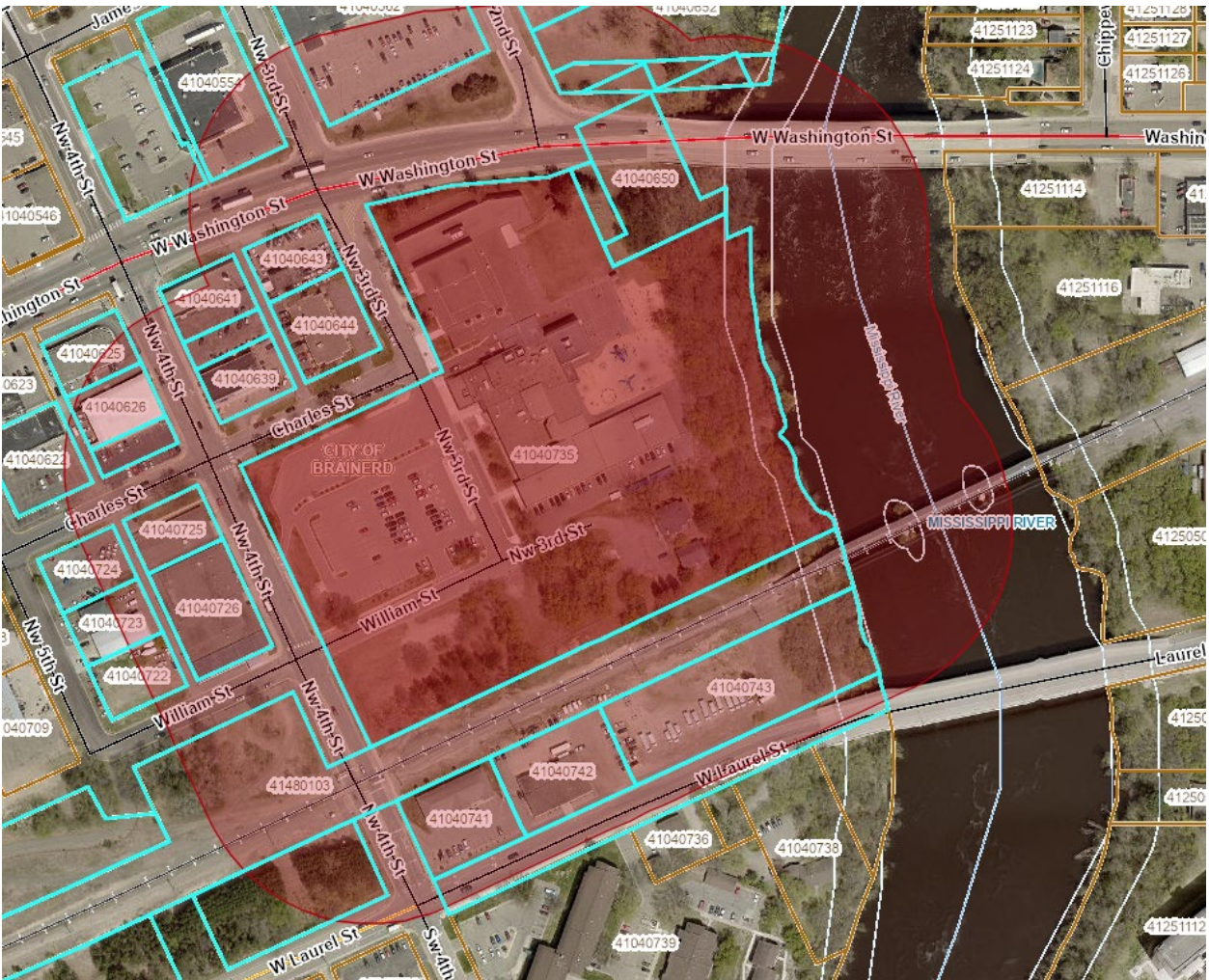
### **Cannabis Manufacturing and Growing**

Cannabis manufacturing and growing should be a conditional use in the General Industrial (GI) District and regulated by the rules and administration of CUP's.

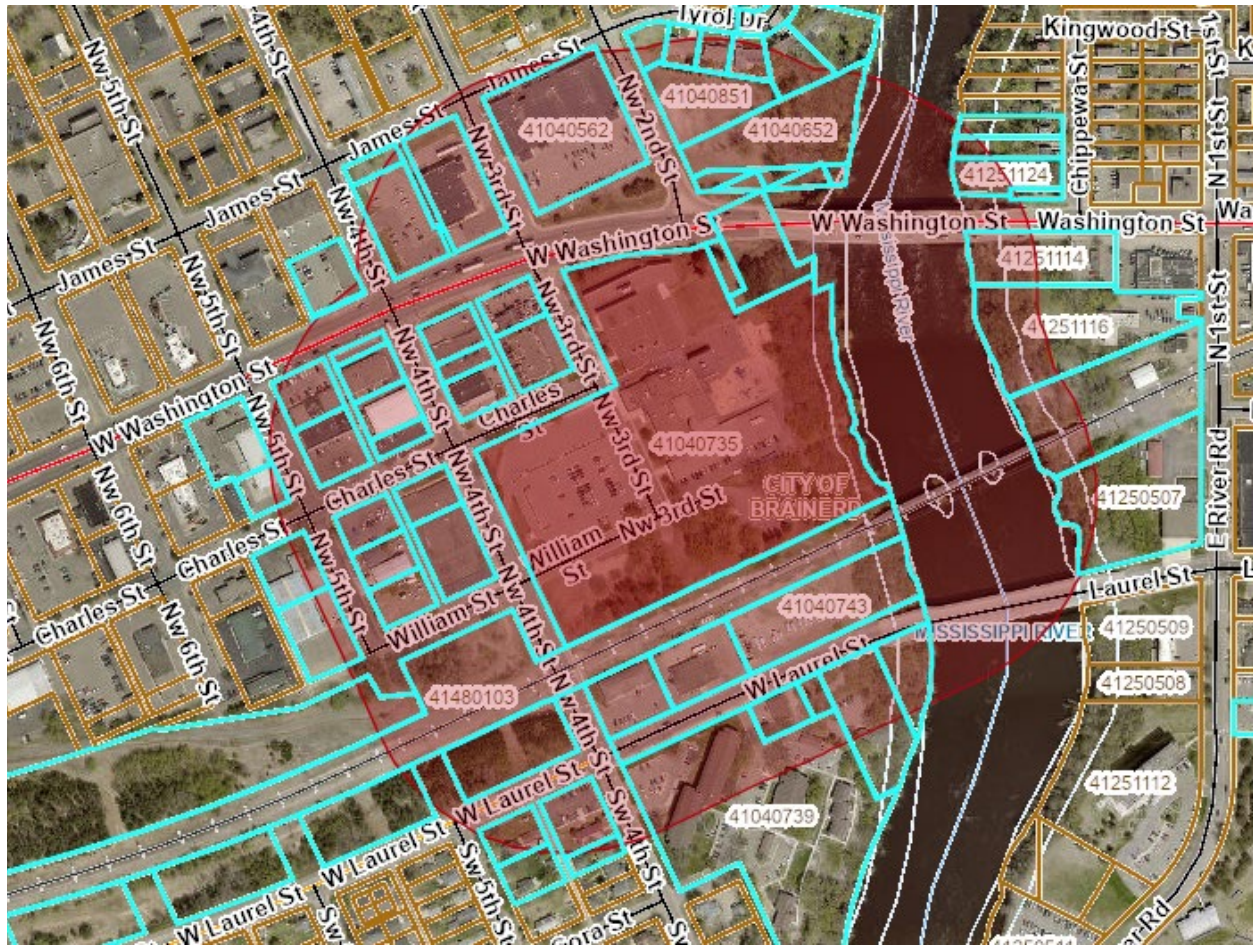
100 Feet  
Riverside School



300 Feet  
Riverside School



500 Feet  
Riverside School



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41240968

Ivy St

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N 8th St

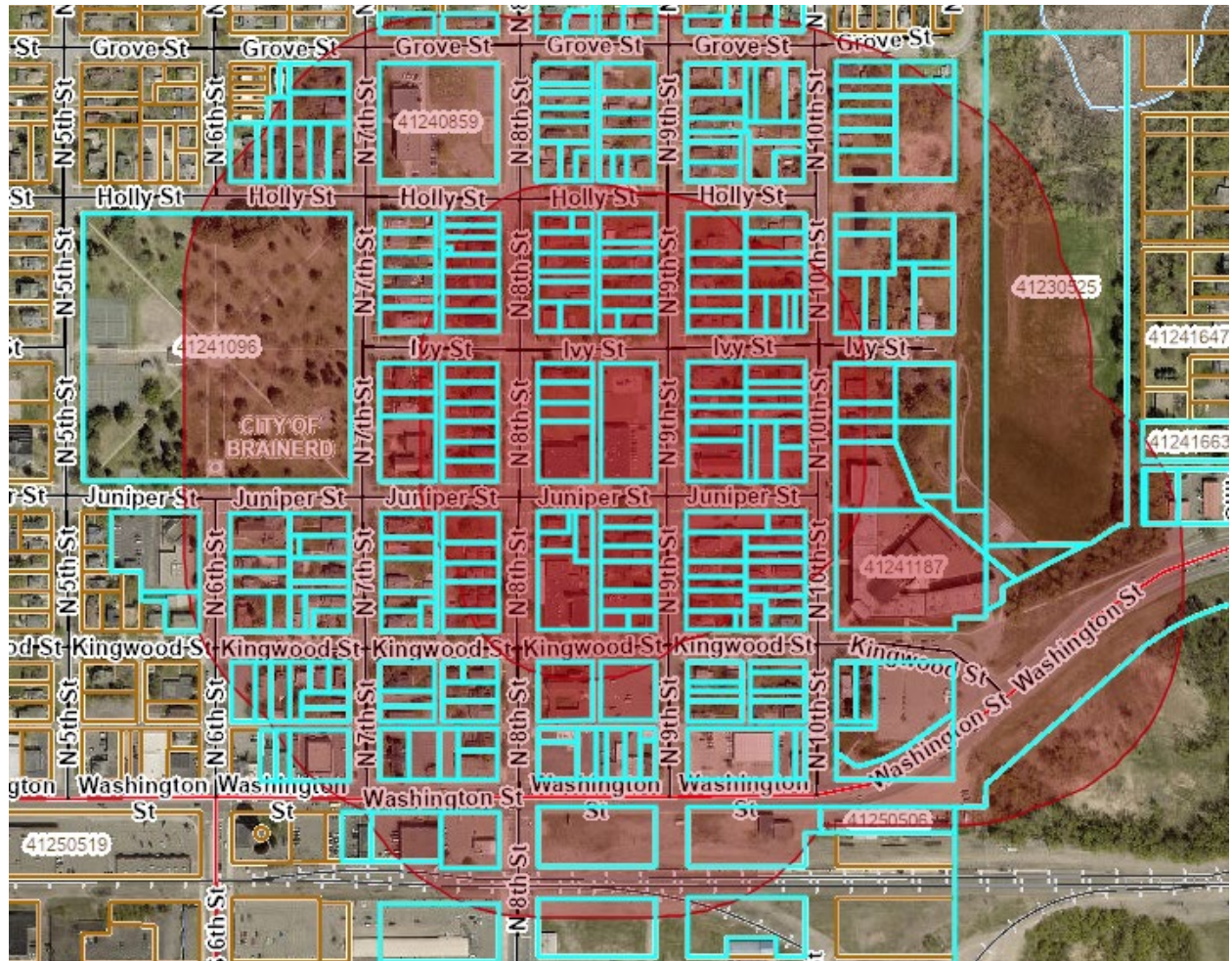
CITY OF BRAINERD

N 9th St

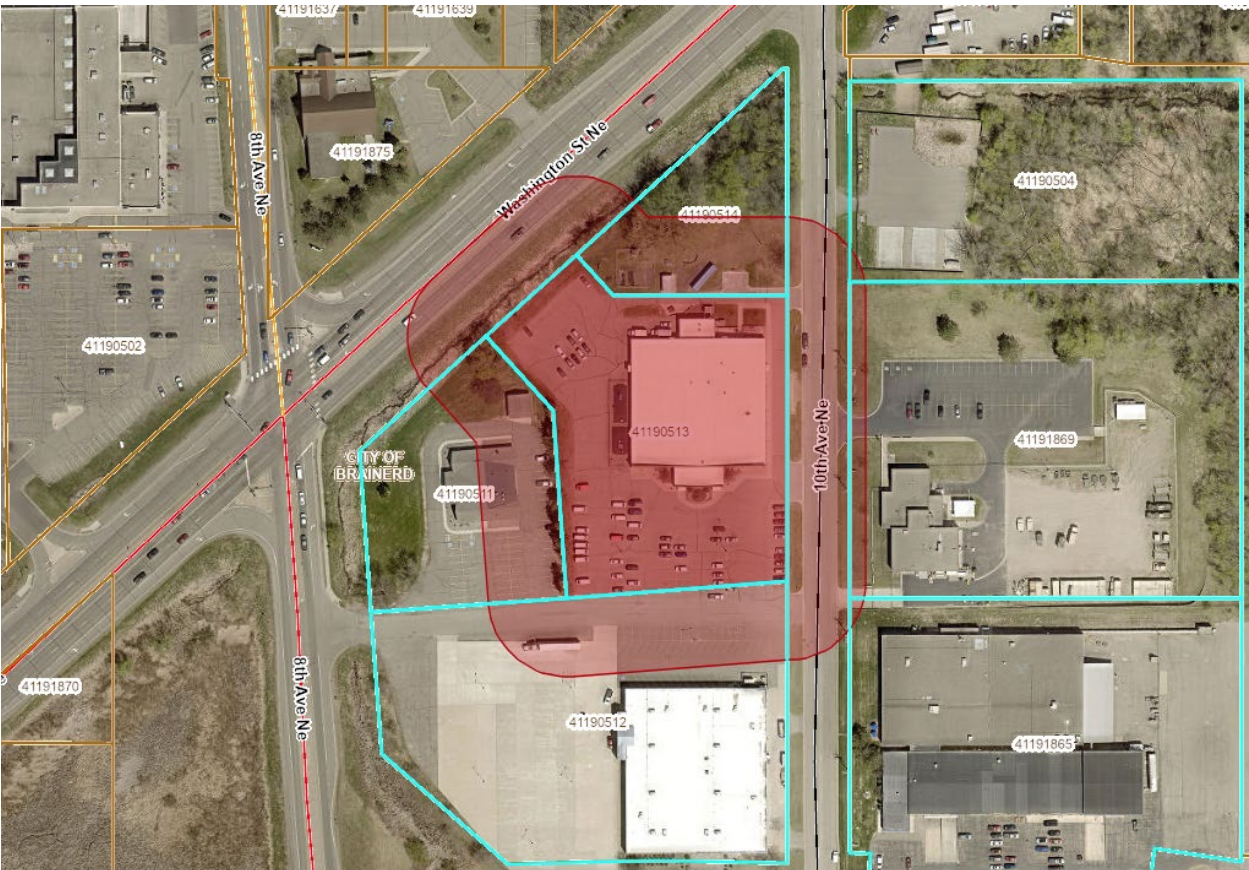
Juniper St

The map displays a grid of residential lots in Brainerd, Minnesota. The streets shown are N 7th St, N 8th St, N 9th St, and N 10th St running north-south, and Holly St, Ivy St, and Juniper St running east-west. Each lot is outlined in red and labeled with its address. A red circle highlights a specific lot at the intersection of N 8th St and Juniper St, with address 41241118. The map also shows the 'CITY OF BRAINERD' label on the left side.

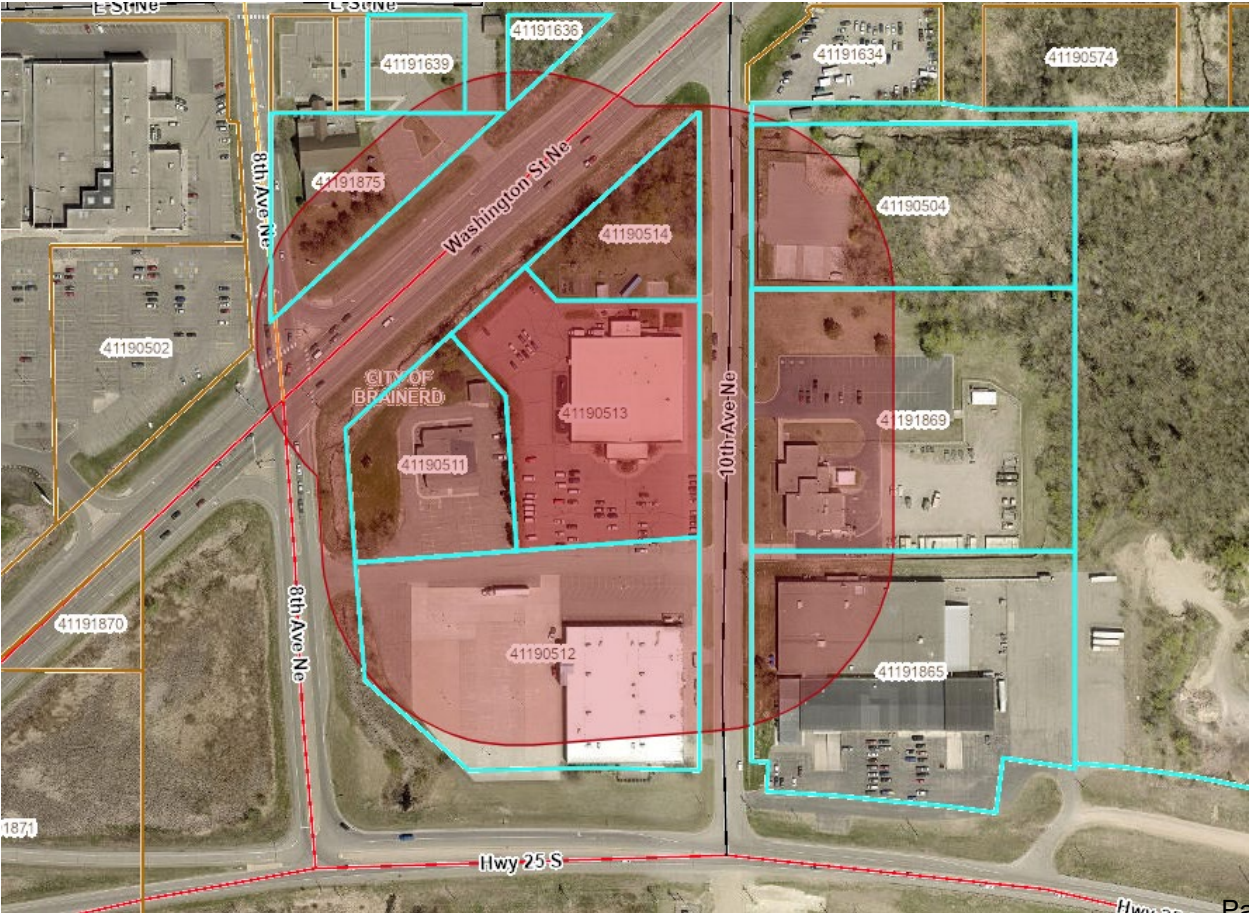
500 Feet  
St Francis Church/School



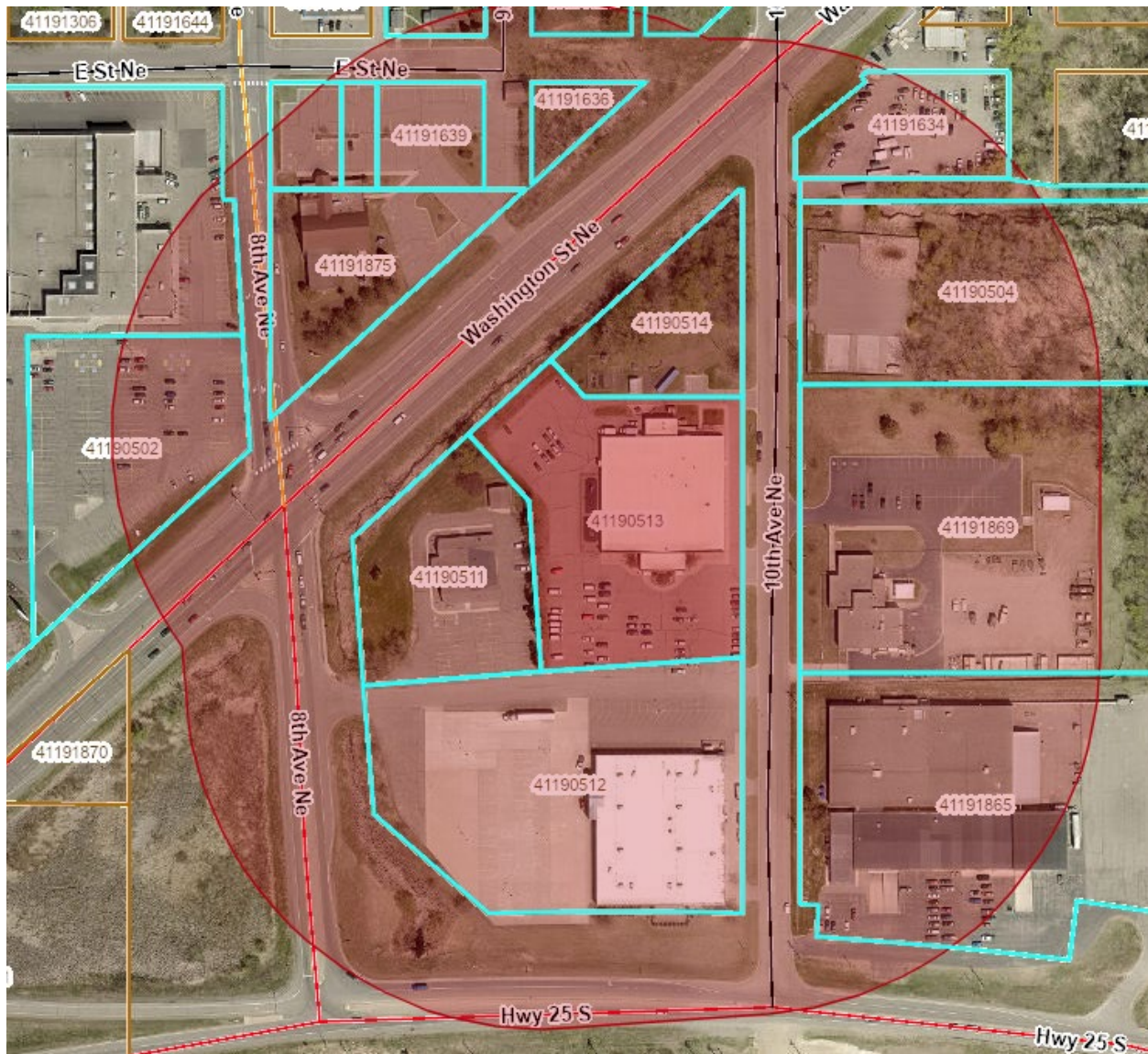
100 Feet  
Brainerd Learning Center



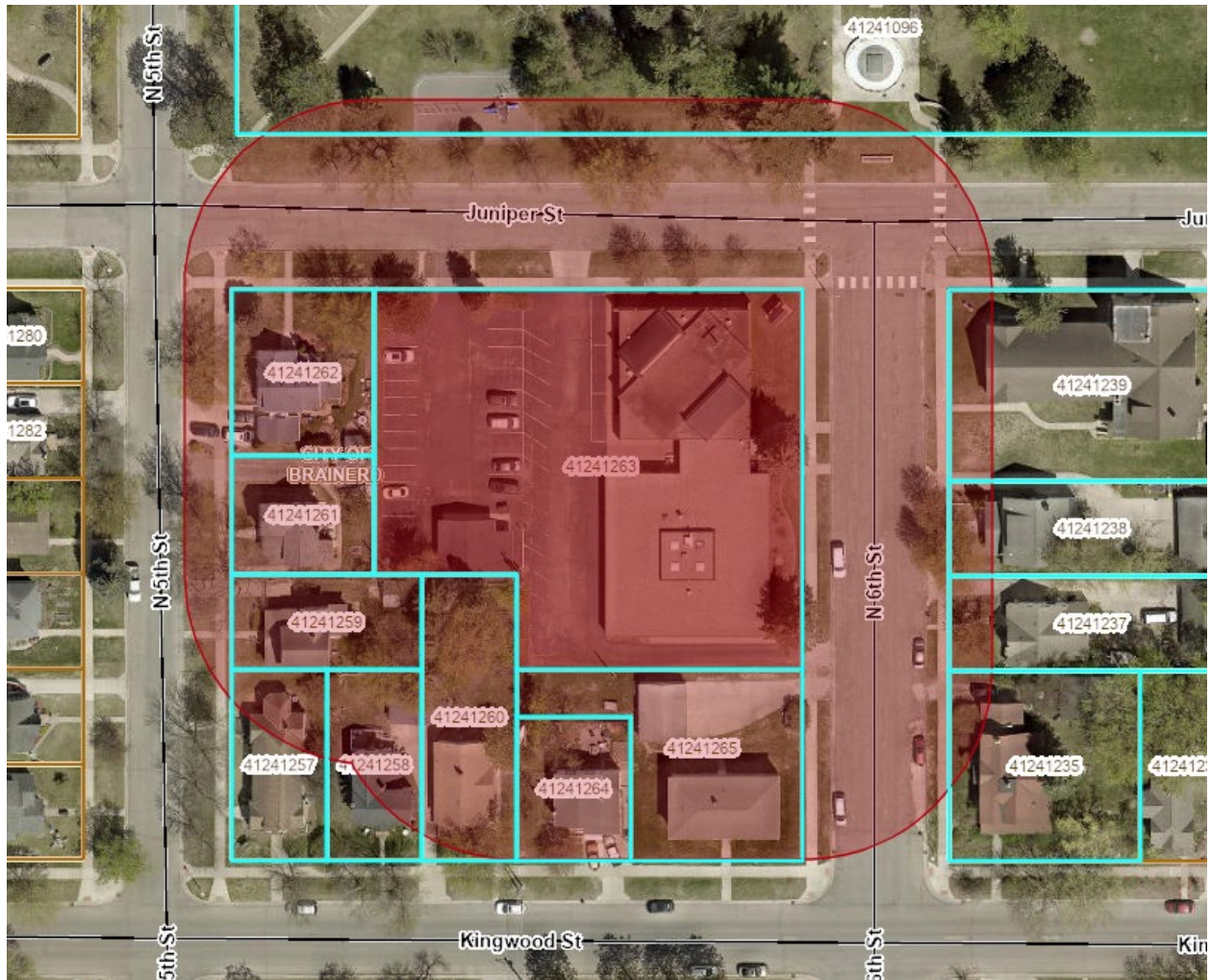
300 Feet  
Brainerd Learning Center



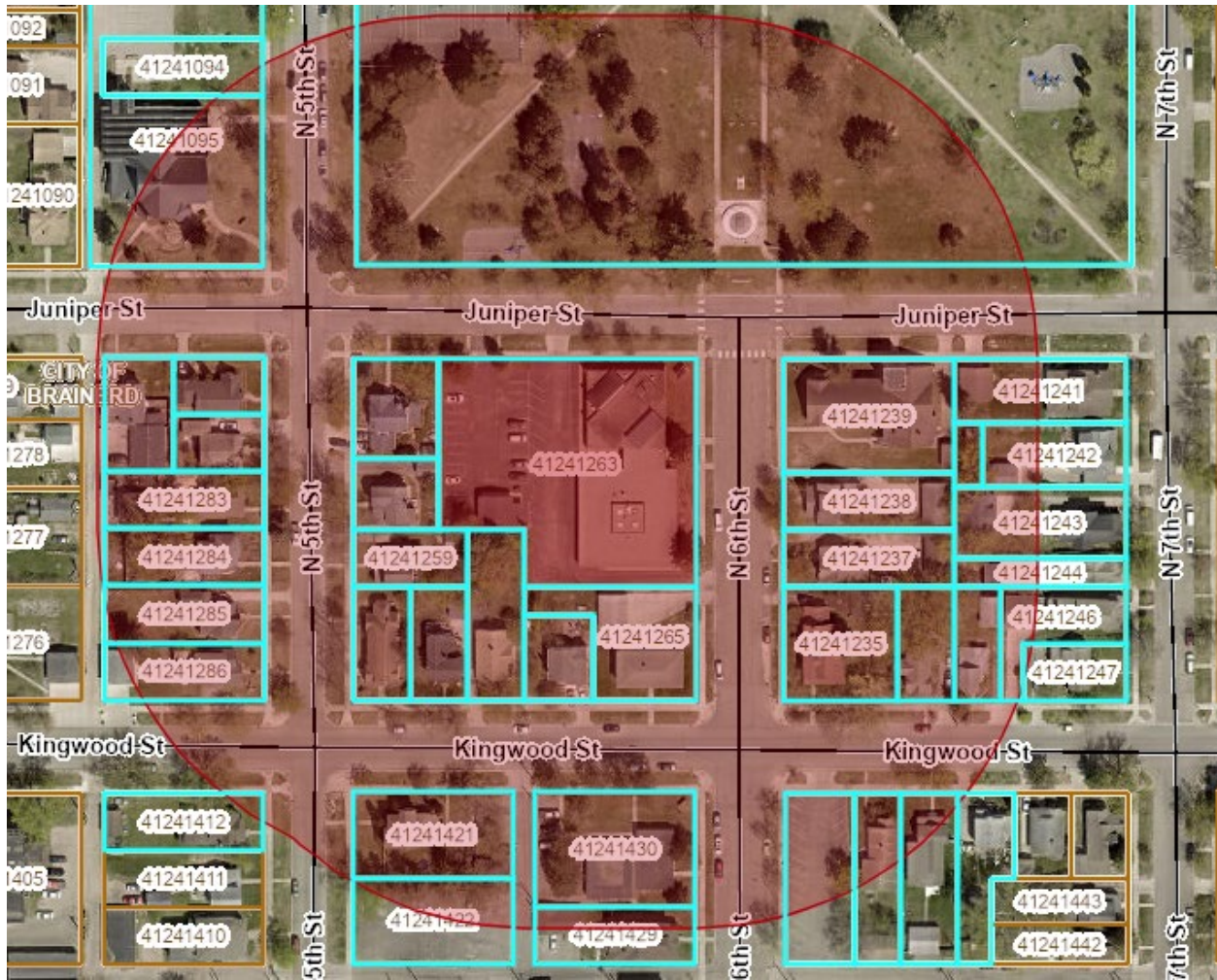
500 Feet  
Brainerd Learning Center



100 Feet  
Montessori School



300 Feet  
Montessori School



500 Feet  
Montessori School

