



PLANNING COMMISSION AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Wednesday, May 15, 2024 @ 6:00 PM

The public is invited to attend these meetings in person

Attend by Phone: 1-844-992-4726 Meeting Access Code: 2490 220 0535

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 ___ C. Francis ___ J. Grunenwald
___ J. Norwood ___ D. Peterson ___ T. Stenglein ___ D. Gorham

3. **Pledge of Allegiance**

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

5. **Approval Of Minutes**

A. **Draft Minutes from the April 17th, 2024 Meeting**

6. **Unfinished Business**

A. **Review Proposed Short-Term Rental Ordinance and Conduct Public Hearing**

B. **Review Proposed Cannabis Ordinance and Conduct Public Hearing**

7. **New Business**

A. **Consider IUP for Outdoor Storage as a Principal Use at 1918 Thiesse Dr**

B. **Consider Garage Requirement for Residential Housing Units**

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

MISSION

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

PLANNING COMMISSION
Wednesday, April 17, 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, Grunenwald, Norwood, Stenglein, Francis, and Gorham. Commissioner Peterson was noted as absent. Also noted as present was HRA Director Charpentier, Community Development Director Kramvik, and HRA Rehab Coordinator Schommer.

#3 Pledge of Allegiance

Commission Chair Gorham opened the meeting with the Pledge of Allegiance to the flag.

#4 Approval of Agenda

MOVED AND SECONDED BY COMMISSIONERS NORWOOD AND FRANCIS, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

#5 Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS NORWOOD AND DUVAL, DULY CARRIED, TO APPROVE THE MINUTES FROM THE MARCH 20, 2024 MEETING.

#6 New Business

6a. Consider Conditional Use Permit and Variance Request for a Mixed-Use Building at 805 Laurel Street

Community Development Director Kramvik gave a brief review of the application details to construct an apartment building at 805 Laurel Street. The Conditional Use Permit requests are for the construction of a mixed-use building with 5+ residential units, to exceed the height in the TC district and to allow main floor residential. The variance request is from the landscape requirements for trees and shrubs.

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

The Chair recognized Andrew Duchesneau, on behalf of the applicant, DW Jones, who explained the process this has been going through the past couple of years. He explained the grant application needs to be submitted by the end of April and having the majority of the planning completed will help the process.

Commissioners asked questions and discussion took place.

The Chair recognized Andy Larson, 14265 Maghan Ln, Deerwood, who is also the Chair of the BN Credit Union at 804 Laurel Street. He expressed concerns with parking, population density around the credit union property and the safety of its members.

The Chair requested Andrew Duchesneau address some of the concerns voiced regarding BN Credit Union. Mr. Duchesneau indicated many of the units proposed are studio apartments with a one car household. There is also the underground parking lot dedicated to the residents that has 65 spaces, along with the outside parking lot allowing 25 spaces thus parking should not be a problem. He also discussed the commercial store front spaces that will be leased and also stated the residential units will not be used as short-term rentals.

The Chair closed the public hearing at 6:28 pm.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND STENGLEIN, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT FOR A MIXED-USE BUILDING AND VARIANCE REQUEST FROM THE LANDSCAPE REQUIREMENTS AT 805 LAUREL STREET AS PRESENTED.

Community Development Director Kramvik indicated this item will be heard at the April 22, 2024 Special City Council Meeting.

6b. Consider and Provide Comments for Proposed Brainerd Oaks Outlot F Development and Grant Application

Community Development Director Kramvik stated this is a discussion topic regarding the status of Outlot F in Brainerd Oaks. Level Contracting will be proposing the development of this property into nine (9) duplexes for rentals and is looking for comments and/or suggestions of the Commission prior to any applications being presented.

The Chair recognized Monty Jensen, property owner and business owner of Level Contracting, who is interested in developing this vacant property. He explained the details and history of the parcel and answered questions of the Commission.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND STENGLEIN, DULY CARRIED, TO RECOMMEND THE PLANNING COMMISSIONS NON-FORMAL APPROVAL OF THE PROPOSED BRAINERD OAKS OUTLOT F DEVELOPMENT AND GRANT APPLICATION AS PRESENTED.

Community Development Director Kramvik indicated this item will be heard at the April 22, 2024 Special City Council Meeting.

6c. Consider Variance Request for a Street Loaded Driveway at 1101 Pine Street

Community Development Director Kramvik

The Chair opened the public hearing at 6:55 pm.

The Chair recognized Brian Nelson, who is the applicant and property owner, who indicated having a driveway off Pine Street will allow a longer driveway access to his garage.

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

MOVED AND SECONDED BY COMMISSIONERS FRANCIS AND NORWOOD, DULY CARRIED, TO RECOMMEND APPROVAL OF THE VARIANCE REQUEST TO CONSTRUCT A STREET LOADED DRIVEWAY AT 1101 PINE STREET AS PRESENTED.

Community Development Director Kramvik indicated this item will be heard at the May 6, 2024 City Council Meeting.

6d. Consider Conditional Use Permit and Variance Request for a Multi-Family Apartment Building at 1111 Oak Street

Community Development Director Kramvik stated the property owner is proposing the conversion of a first-floor commercial building into two studio residential units and a small laundry. He currently has three studio apartments on the second floor of the property and has not had any offers for occupying the commercial space. The variance request is from the landscape requirements for trees and shrubs.

The Chair opened the public hearing at 7:04 pm.

No one came forward.

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

Commissioners discussed and added a recommendation for a condition to require trees be planted in the boulevard.

MOVED AND SECONDED BY COMMISSIONERS NORWOOD AND STENGLEIN, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT AND VARIANCE REQUEST FOR A MULTI-FAMILY APARTMENT BUILDING AT 1111 OAK STREET AS PRESENTED.

MOVED AND SECONDED BY COMMISSIONERS FRANCIS AND DUVAL TO AMEND THE MOTION BY ADDING THE CONDITION THE OWNER PLANT TWO TREES IN THE BOULEVARD.

Members Duval, Gorham, Grunenwald, Stenglein, and Francis voted "aye". Member Norwood voted "nay". The Chair declared the motion carried.

Community Development Director Kramvik indicated this item will be heard at the May 6, 2024 City Council Meeting.

#7 Unfinished Business

7a. Discussion on Short-Term Rental Ordinance

Community Development Director Kramvik gave the details of the history of this topic at both the Planning Commission and City Council meetings. After reaching out to City Attorney Langel for clarification on the next steps, the Planning Commission still has direction from the City Council to proceed based on the recommended changes.

Council Member Bevans emailed the Commission with his concerns regarding the topic being on the Planning Commission agenda again, which was read by Commissioner Gorham.

MOVED AND SECONDED BY COMMISSIONERS NORWOOD AND GRUNENWALD TO REQUEST SPECIFIC DIRECTION FROM CITY COUNCIL AT THE MAY 6TH MEETING FOR THE PLANNING COMMISSION TO PROCEED WITH THE ORDINANCE REVISIONS OR LEAVE THE ORDINANCE AS IS.

Members Grunenwald and Norwood voted "aye". Members Duval, Stenglein, Francis, and Gorham voted "nay". The Chair declared the motion failed.

MOVED AND SECONDED BY COMMISSIONERS STENGLEIN AND FRANCIS TO AMEND THE DATE TO THE MAY 20TH CITY COUNCIL MEETING.

Members Duval, Grunenwald, Gorham, Francis, and Stenglein voted "aye". Member Norwood voted "nay". The Chair declared the motion to change the date to May 20th carried.

Commissioners discussed each primary issue listed for input.

MOVED AND SECONDED BY COMMISSIONER NORWOOD AND DUVAL, DULY CARRIED, TO REMOVE THE CAP THAT LIMITS AN INDIVIDUAL PROPERTY OWNER TO OWN NO MORE THAN ONE VDU IN THE CITY.

MOVED AND SECONDED BY COMMISSIONERS NORWOOD AND GRUNENWALD, DULY CARRIED, TO INCREASE THE CAP FROM 20 VDU SHORT-TERM RENTALS TO 40 VDU SHORT-TERM RENTAL ALLOWED IN THE CITY.

MOVED AND SECONDED BY COMMISSIONERS NORWOOD AND STENGLEIN, DULY CARRIED, TO ALLOW UP TO TWO SHORT-TERM RENTAL UNITS IN A 4+ UNIT BUILDINGS.

Further discussion took place on item 4) Exempt the Town Center and Mainstreet District from the cap requirements.

MOVED AND SECONDED BY COMMISSIONERS FRANCIS AND STENGLEIN TO LEAVE THE TOWN CENTER AND MAINSTREET DISTRICTS AS PROPOSED UNDER AN OVERALL CITY CAP OF FORTY UNITS, OR TWO UNITS PER BUILDING.

Members Duval, Grunenwald, Gorham, Francis, and Stenglein voted "aye". Member Norwood voted "nay". The Chair declared the motion carried.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND FRANCIS TO AMEND THE ABOVE MOTION TO ALLOCATE A CAP OF TWENTY UNITS ALLOWED IN THE TOWN CENTER AND MAINSTREET DISTRICTS.

Members Duval, Grunenwald, Gorham, Francis, and Stenglein voted "aye". Member Norwood voted "nay". The Chair declared the motion carried.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND FRANCIS TO DIRECT STAFF TO MAKE THE RECOMMENDED CHANGES TO THE SHORT-TERM RENTAL ORDINANCE AND BRING BACK TO THE PLANNING COMMISSION AT THE MAY 15TH MEETING.

Members Duval, Grunenwald, Gorham, Francis, and Stenglein voted "aye". Member Norwood voted "nay". The Chair declared the motion carried.

7b. Discussion on Cannabis Dispensary Ordinance

Community Development Director Kramvik reviewed the ordinance draft that was discussed at the previous meeting. He indicated that staff reached out to other municipalities in Michigan, where cannabis has been legalized.

Discussion took place.

MOVED AND SECONDED BY COMMISSIONERS DUVAL AND FRANCIS, DULY CARRIED, TO APPROVE THE DRAFT CANNABIS DISPENSARY ORDINANCE AS PRESENTED TO BRING BACK TO THE COMMISSION AT THE MAY 15TH MEETING.

7c. Planning Commission Itinerary Update

Community Development Director Kramvik gave a brief update on the itinerary of items being worked on. Staff was directed to move building design standards up in priority.

#8 Public Forum

The Chair opened the public forum at 8:34 pm.

No one came forward.

The Chair closed the public forum at 8:34 pm.

#9 Staff Reports

Community Development Director Kramvik made the following updates:

- He will be attending the Park Board meeting to discuss the emerald ash borer concerns.
- A developer has approached the City for a potential development, which will include a land swap of 5 City owned acres for approximately 7.92 acres of property north of Buffalo Hills Park.

#10 Commission Member Report

#11 Adjournment

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

Don Gorham, Planning Commission Chair

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: May 15th, 2024

RE: Discussion on Short-Term Rental Ordinance

INTRODUCTION

Upon discovering several Short-Term Rental properties in the City of Brainerd operating without a valid Interim-Use Permit, staff worked with existing operators to bring their properties into compliance with the Zoning Code. In addition to working with property owners to bring their short-term rentals into compliance, staff received direction from the Planning Commission to discuss further regulations or capping the number of short-term rentals allowed in the City. The concern with short-term rentals is the potential loss of long-term workforce housing, in which the City is experiencing a shortage. The subtraction of long-term housing is a concern in relation to Brainerd's Comprehensive Plan and has an impact on future economic development of the community.

The City Council conducted the second reading of Proposed Ordinance 1561 regarding short-term rentals at their regularly scheduled February 20th 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.

At the February 21st Planning Commission meeting, the Commission considered the recommendation provided by City Council and discussed ideas to address concerns. The ideas were not voted on, but the Commission did have a consensus for potential changes. After discussion, the 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. City Council denied that request at the March 4th meeting. After consultation with the City Attorney, the Planning Commission still has direction from City Council to proceed with revising the proposed short-term rental ordinance with the recommended changes.

The Planning Commission considered changes to the proposed ordinance at their April 17th meeting, directed staff to make those changes, and requested the ordinance be brought back to the next meeting to conduct the public hearing.

CHANGES TO THE PROPOSED ORDINANCE

1. Removal of the cap that limits an individual property owner to own no more than one VDU in the City.
2. Increased the cap from 20 VDU short-term rentals to 40 VDU short-term rentals allowed in the City while restricting 20 to the Main Street District and 20 to the Town Center District.
3. Allow up to two short-term rental units in 4+ unit buildings.
4. Removed the “grandfather clause”.

STAFF RECOMMENDATION

Conduct the public hearing for the proposed short-term rental ordinance and recommend approval of the 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: Purpose

1. The purpose and intent of this ordinance is to regulate short-term rental properties within the City of Brainerd.
2. This ordinance is intended to cap the number of permitted short-term rentals to ensure an adequate supply of workforce housing in Brainerd and to distribute short-term rentals throughout the City.

SECTION TWO: 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.~~ _____

~~1.~~ 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. There are to be no more than forty (40) 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 twenty (20) VDU's at any given time in the Town Center and Main Street District and in all other zoning districts there shall be no more than ten (10) total VDU's permitted at any given time.

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

b. 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.

l. 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.

c. 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.

3. All multi-family dwellings with (3 units) or less shall contain no more than (1) short-term rental of any type at any given time.

4. No multi-family dwellings (4+ units) may contain more than two (2) short-term rentals of any type at any given time.

1. _____

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

Adopted this _____ day of _____, 2024

KELLY BEVANS
President of the Council

Approved this _____ day of _____, 2024

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator

Published: One Time – _____

NOTICE OF HEARING

Notice is hereby given that the City of Brainerd Planning Commission will be conducting a public hearing to consider a proposed ordinance amending Section 515-3-34 of the Brainerd Zoning Code relating to short-term rentals. The proposed ordinance would define short term rentals into three different classifications, Accessory Home Share, Accessory Vacation Dwelling Units, Limited, and Vacation Dwelling Units and regulate the rental duration of each category. Additionally, the proposed ordinance will set the expiration of interim use permits issued for short term rentals and institute limitations on the number allowed in the City of Brainerd. As proposed, no more than two short-term rental units can be in a multifamily building.

A Public Hearing will be conducted by the Planning Commission at 6:00 p.m. Wednesday, May 15, 2024, in City Hall Council Chambers, 501 Laurel Street, Brainerd.

The public is invited to attend the hearing to offer input regarding the proposed ordinance. Any individuals needing special accommodations please call (218) 828-2307.

Dated this 1st day of May 2024

Publication Date: May 4th, 2024



James L. Kramvik
Community Development Director

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: May 15th, 2024

RE: Discussion on Proposed Cannabis & Off-Sale Liquor Ordinance

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.

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

At the April 17th Planning Commission meeting, the Commission discussed the ordinance and directed staff to include cannabis retail dispensaries as a conditional use in the Traditional Neighborhood 3 (TN-3) District as well as off-sale liquor establishments. The Commission stated that the TN-3 District is similar to a PUD and allows for considerable review for proper placement of such retail facilities. The Planning Commission then directed staff to bring the proposed ordinance back to the next meeting with the changes and to hold a public hearing.

The proposed ordinance would regulate the time, manner, and place that such facilities would be allowed to operate. As proposed, new commercial dispensaries would be allowed in commercial zoning districts and would be required to be located at least 100 feet from a school, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a

playground or athletic field. A Conditional Use Permit would be required for new dispensaries within 300 feet of the same facilities. As proposed, the growing and manufacturing of cannabis products would be allowed in the General Industrial Zoning District by a Conditional Use Permit. The Commission also recommended that off-sale liquor be removed from the Traditional Neighborhood 2 (TN-2) District to align with the sale of adult use cannabis.

STAFF RECOMMENDATION

Staff recommends the following:

1. Hold a Public Hearing.
2. Recommend Approval of the Proposed Ordinance.

**ORDINANCE
NO. xxxx**

AN ORDINANCE AMENDING SECTION 515-3 OF THE ZONING CODE

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Purpose

1. The purpose and intent of this ordinance is to regulate the time, place, and manner of the operations of a cannabis business and an off-sale alcohol business within the City of Brainerd.

SECTION TWO: Section 515-3 is hereby amended with the following new language underlined and shall be added to Section 515-3 in alphabetical order with all other required numerical sections to change in descending order:

Section 515-3-XX Cannabis Retail Dispensary

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

1. New 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. New 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.
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.

Section 515-3-XX Cannabis Cultivation, Manufacturing, and Other Cannabis-Related Business Activity

A. The following cannabis business types apply to this Section:

1. Cannabis microbusinesses and mezzobusinesses, industrial-scale cannabis cultivation, outdoor cultivation of cannabis, cannabis and hemp product manufacturing, cannabis wholesale businesses, cannabis delivery service and cannabis transporters, and cannabis testing facilities.

B. Any cannabis cultivation, manufacturing, and other cannabis-related business must comply with the following minimum standards:

1. A waste water plan that details how wastewater generated during the processing of cannabis products shall be disposed of in compliance with applicable state and local laws and regulation, including delineation of the measures that will be taken to contain the chemicals/wastewater onsite in the event of an accidental spill.
2. A plant waste disposal plan that at a minimum.

- a. Details how cannabis product waste will be destroyed, or rendered into an unusable and unrecognizable form and recorded in the statewide monitoring system. Disposal by on-site burning or via the sewer system is prohibited;
3. All State Statutes and regulations governing such use are strictly adhered to and all required operating licenses are secured.
4. Payment of an annual registration renewal fee.

SECTION THREE: Section 515-3 Appendix A Table of Uses (Commercial/ General Business Uses) is hereby amended with the following new underlined language added to the table:

ZONING DISTRICT	Section Reference	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
<u>Cannabis Retail Dispensary</u>	<u>515-3-XX</u>								<u>C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>		

SECTION FOUR: Section 515-3 Appendix A Table of Uses (Industrial and Utility Uses) is hereby amended with the following new underlined language added to the table:

ZONING DISTRICT	Section Reference	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
<u>Cannabis Cultivation, Manufacturing, and Related Activity</u>															<u>C</u>		

SECTION FIVE: Section 515-3 Appendix A Table of Uses (Commercial/ General Business Uses) is hereby amended with the following deleted language stuck out of the table:

ZONING DISTRICT	Section Reference	RL-1	RL-2	GL	CN-1	CN-2	TN-1	TN-2	TN-3	GC	CC	TC	MS	ME	GI	PSP	P
Liquor sales, off sale								P	P <u>C</u>	P	P	P	P	P	P		

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

Adopted this _____ day of _____, 2024

KELLY BEVANS
President of the Council

Approved this _____ day of _____, 2024

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator

Published: One Time – _____

NOTICE OF HEARING

Notice is hereby given that the City of Brainerd Planning Commission will be conducting a public hearing to consider a proposed ordinance amending Section 515-3 (Allowed Uses) of the Brainerd Zoning Code relating to cannabis dispensaries and the growing and manufacturing of cannabis products. The proposed ordinance would regulate the time, manner, and place that such facilities would be allowed to operate. As proposed, new commercial dispensaries would be allowed in commercial zoning districts and would be required to be located at least 100 feet from a school, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field. A Conditional Use Permit would be required for new dispensaries within 300 feet of the same facilities. As proposed, the growing and manufacturing of cannabis products would be allowed in the General Industrial Zoning District by a Conditional Use Permit.

A Public Hearing will be conducted by the Planning Commission at 6:00 p.m. Wednesday, May 15, 2024, in City Hall Council Chambers, 501 Laurel Street, Brainerd.

The public is invited to attend the hearing to offer input regarding the proposed ordinance. Any individuals needing special accommodations please call (218) 828-2307.

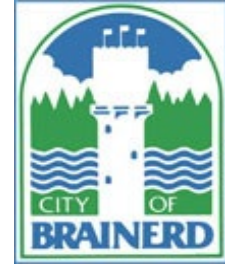
Dated this 1st day of May 2024

Publication Date: May 4th, 2024



James L. Kramvik
Community Development Director

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: May 15th, 2024

RE: Interim Use Permit – 1918 Thiesse Dr.

REQUEST

PUBLIC HEARING. Jerry Tang has submitted a request on behalf of VCV Digital Infrastructure Minnesota, LLC for an **Interim Use Permit** for outdoor storage as a principal use to operate a crypto mining facility at 1918 Thiesse Dr.

APPLICANT: VCV Digital Infrastructure Minnesota, LLC

CONTEXT

Parcel Number: 41060508
Zoning District: GI (General Industrial) District
Property Area: 1.21 Acres

Adjacent Uses: North: Proposed Crypto Mining Facility
East: Undeveloped Wetland & Agricultural
South: Industrial Park Retention Area
West: Industrial/ Vacant Undeveloped

Adjacent Zoning: North: GI (General Industrial) District
East: Crow Wing County – Commercial/ Heavy Industrial District
South: GI (General Industrial) District
West: GI (General Industrial) District

AERIAL MAP



FINDINGS OF FACT

1. 1918 Thiesse Drive is located in a GI (General Industrial) District. Zoning Ordinance [Section 515-3 \(Allowed Uses\) Appendix A: Table of Uses](#) permits the operation of outdoor storage as a primary use as an interim use in the GI District as long as it meets the criteria outlined in [Section 515-3-28.C](#) regulating outdoor storage. The applicant proposes operating a crypto mining facility with 26 containers to house the data mining machines and coolers. The primary use of this site is outdoor storage as any subsequent buildings are accessory to the outdoor crypto mining operation. The site would also have an office and guard shack.
2. The applicant was originally approved for an IUP in October of 2022. However, the minimum improvements were not started within one year, so the IUP has expired.
3. The applicant is proposing a change from the original IUP. The original site plan contained 12 containers and 12 cooling towers that were 20 feet in length. The new proposed site plan includes 26 containers that house the data machines and colling towers and are 40 feet in length. The building, parking area, fencing, landscaping, and overall layout have not changed.
4. (Outdoor Storage) Non-Residential Zoning Districts.

- a. All exterior storage shall be fully screened so as not to be visible from abutting properties and rights-of-way. All outdoor storage shall follow the standards as established [Section 515-4-10. G.](#) for the screening of Parking Lots.
 - i. *The applicant is proposing an 8-foot-tall chain link fence with privacy slats and barb wire around the property. Privacy slats will be installed on the north side of the fence to screen the outdoor storage from the road. The remainder of the property is screened from outdoor storage with natural vegetation and will not be seen from adjacent properties. [Section 515-4-11.F.4](#) states that non-residential fences up to eight and one half (8 ½) feet in height are permitted. Such fences in a front yard must be ninety (90) percent open. The proposed fence must be fully screened and therefore must be setback 40 feet from the front property line as regulated by [Section 515-2-16.C](#) General Industrial Zoning District Dimensional Standards.*
 - ii. *Section 515-4-10.G Parking Lot Screening requires that one (1) shrub shall be planted for every five (5) lineal feet of parking lot perimeter that is adjacent to a public street. The applicant has proposed installing a row of shrubs on the north side of the fence to meet this ordinance.*
 - b. Screening shall be required except for the following:
 - i. Merchandise being displayed for sale in accordance with zoning district requirements.
 - ii. Materials and equipment currently being used for landscaping or construction on the premises (within a period of one (1) year).
 1. *This property is not exempt from screening requirements.*
 - c. The storage area does not take up parking space or loading space as required for conformity to this Ordinance.
 - i. *The applicant has proposed 5 parking spaces for this facility and a large driveway circling the outdoor storage facility property. No storage is proposed in the parking or loading space.*
 - d. The storage area is fenced and secured.
 - i. *This site will be fully fenced by an 8-foot-tall chain link fence with barbwire.*
 - e. The storage area is paved or surfaced to control dust and erosion.
 - i. *The driveway and parking area will be paved with asphalt.*
 - f. All parking, loading and truck staging activities shall occur on site. On-street parking and loading associated with the use is prohibited.
 - i. *This facility has a large driveway where all unloading will occur.*
 - g. Noises emanating from the use are in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulations MPC 7030.
 - i. *This will be part of the building review process. The cooling towers will help reduce noise levels produced by the crypto mining machines and cannot exceed MPCA standards.*
5. [Section 515-5-3.C.a](#) states that an Interim Use shall comply with the following standards:
 - a. Meets the standards of a Conditional Use Permit set forth in [Section \[515-5-2\]](#) of this Ordinance.
 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. *The purpose of the GI Zoning District is to provide for the establishment of heavy industry and manufacturing development and use, which because of the nature of the product or character of activity, requires isolation from residential and commercial uses. The proposed property is surrounded by industrial/undeveloped land. Crypto mining with data storage containers and cooling towers is considered outdoor storage as a principal use and is allowed as an interim use in the GI District.*
- b. The proposed use meets the regulations and standards established in this Ordinance.
 - i. *Special standards for outdoor storage have been reviewed in section 2 of the Findings of Facts.*
- c. The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
 - i. *The proposed use will not be dangerous, injurious, or noxious to adjacent properties or persons.*
- d. The proposed use shall be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - i. *The proposed crypto mining facility will be fully screened from the road with a chain link fence with privacy slats. The fence will have a row of shrubs planted along the roadside of the fence.*
- e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. *Chain link fences with barb wire are consistent with other GI District zoned properties including FedEx which is in the same industrial park.*
- f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 1. *The proposed crypto mining facility is the last property in the industrial park and will have no effect on any residential neighborhoods. All surrounding property is zoned for Industrial Uses or agriculture.*
- g. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
 1. **Goal 1 of Chapter 5** of the Comprehensive plan which states, "Support infill and redevelopment throughout Brainerd as a strategic component of growth."
 - a. **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."

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, one party has contacted the Community Development Department about the Interim Use Permit application and was concerned about the noise generated from crypto mining facilities.

STAFF RECOMMENDATION

Staff recommends approval of the Interim Use Permit for outdoor storage as a principal use for a crypto mining facility with the following conditions:

1. The Brainerd EDA approves the material change in the construction plans and extends the construction commencement deadline.
2. The guard shack is moved behind the front yard structure setback.



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218/828-2307

www.ci.brainerd.mn.us

INTERIM USE PERMIT

Application Form (residential - \$350.00 / 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*: 1918 Thiesse Dr, Brainerd, MN 56401

I (We) the undersigned, do hereby respectfully request the Brainerd City Council to grant an Interim Use Permit to allow cryptocurrency mining

_____ *at the property address listed above until the date of* _____

Legal Description (attach, if lengthy): Lot 1 Block 3 Addition Brainerd Industrial Park
First Addition, Crow Wing County, Minnesota

Property Owner: VCV Digital Infrastructure Minnesota, LLC

Address: 1540 Broadway, Suite 1010, New York, NY 10036

(Street)

(City)

(State)

(Zip)

Contact Information #: _____
(Home)

917-558-3563

(Business)

jerry.tang@vcvdigital.com

(E-mail)

(Fax)

Applicant: (if different than Property Owner) _____

Address: _____
(Street) (City) (State) (Zip)

Contact Information #: _____
(Home)

(Business)

(Fax)

(E-mail)

Contact Person: (if different than Property Owner) _____

Address: _____
(Street) (City) (State) (Zip)

Contact Information #: _____
(Home)

(Business)

(Fax)

(E-mail)

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

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

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

Signed by: Yuan Tang  Digitally signed by Yuan Tang
Date: 2024.04.30 18:19:11 -04'00' Date: 4.30.2024
(Property Owner)

Jerry Tang
(Property Owner-Please print Name)

(Applicant-If different than owner) Date: _____

(Applicant - Please print name)

Interim Use Permit Supporting Information

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

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Jerry Tang has submitted a request on behalf of VCV Digital Infrastructure Minnesota, LLC for an Interim Use Permit for outdoor storage as a principal use at 1918 Thiesse Dr for a crypto mining facility. The property included in this application is described as:

*LOT 1 BLOCK 3
BRAINERD INDUSTRIAL PARK FIRST ADDITION
P.I.N. 41060508
Section 6, Township 44, Range 30*

The property is zoned GI (General Industrial) District, and Zoning Ordinance *Section 515-3 (Allowed Uses) Appendix A: Table of Uses* permits outdoor storage as a principal use as an Interim Use as regulated by Section 515-3-28 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, May 15, 2024 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the Interim Use Permit.

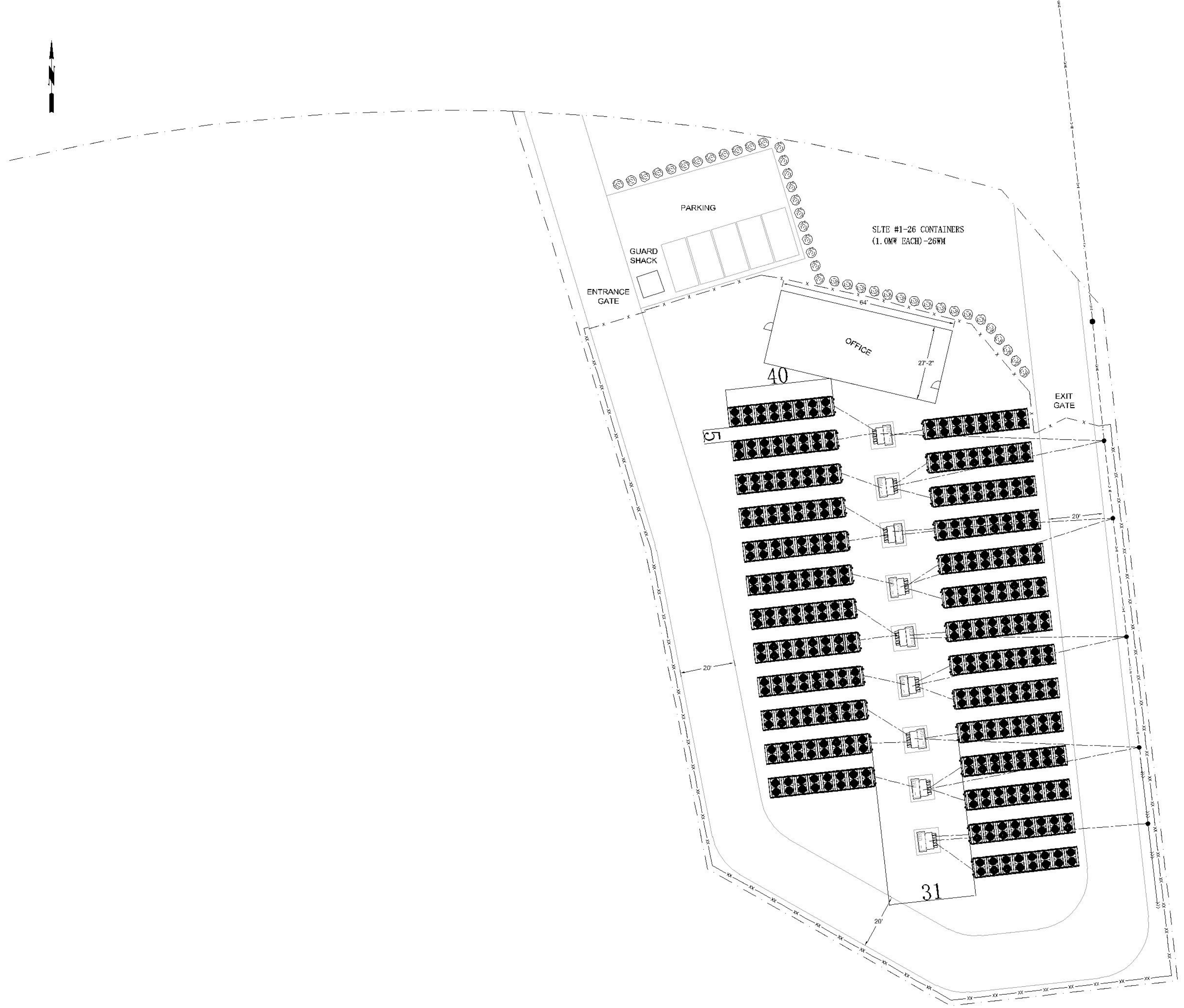
Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

Dated this 1st day of May, 2024



James Kramvik
Community Development Director

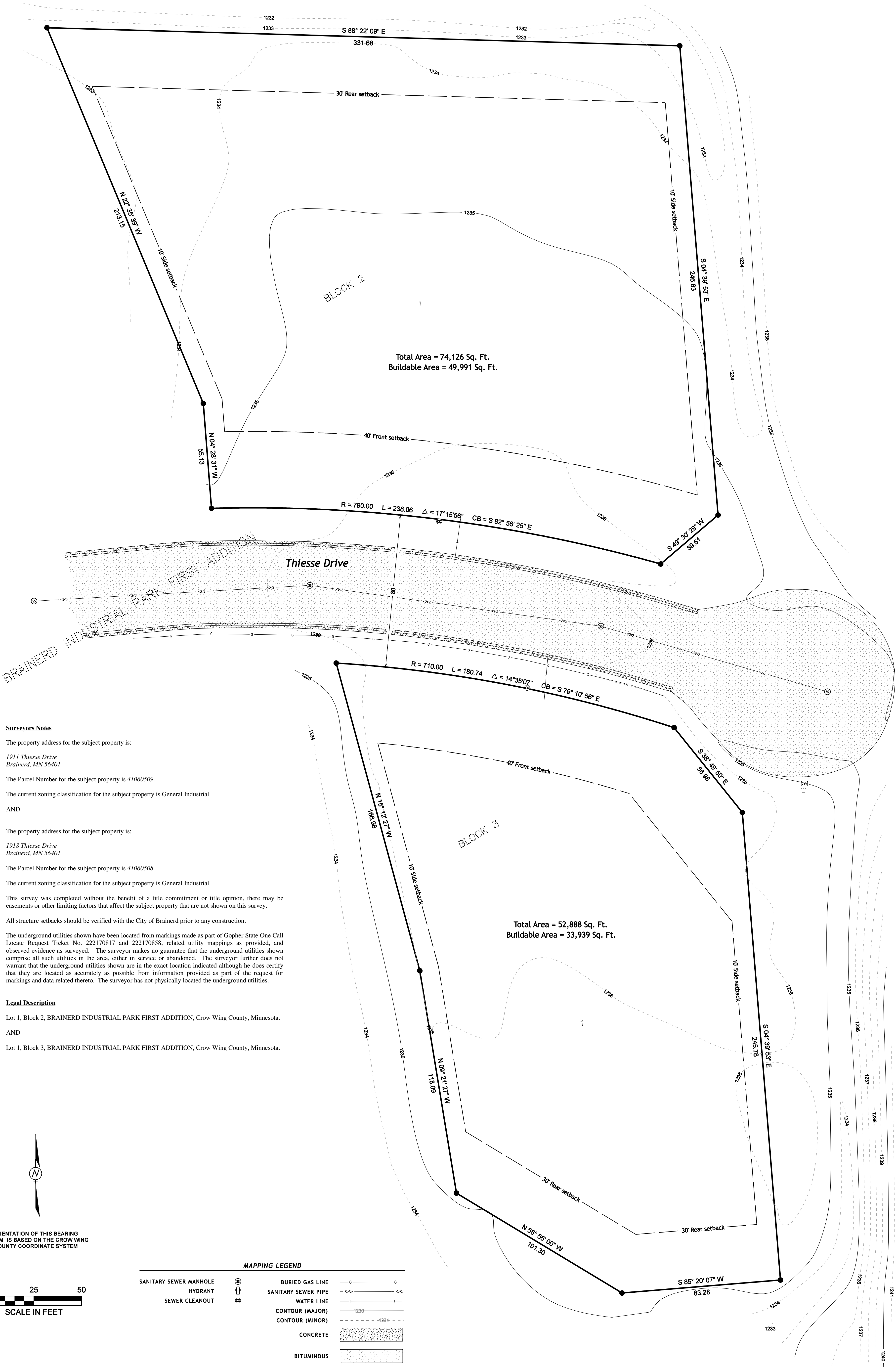
Publication Date: May 4th, 2024



NOTE:
1. THIS LAYOUT IS FOR CONCEPTUAL REVIEW ONLY. NOT INTENDED AS FINAL DESIGN.

- LEGEND:
- 34.5 KV OH LINES
 - 2.5 MVA 3.2MVA TRANSFORMER
 - PROPERTY LINES
 - 8' PRIVACY FENCE
 - 8' CHAIN LINK FENCE W/ BARBED WIRE
 - UG ELECTRICAL LINES
 - ACCESS ROADS
 - DOWN GUY
 - SHRUBS

TITLE:				
DESIGNED BY:	Jack	DATE:	QTY:	DWG No:
TECHNICALIZED BY:		DATE:	SIZE: A4	
CHECKED BY:	Derek	DATE:	WEIGHT:	
APPROVED BY:		DATE:		
SHEET 1 OF 1 SHEET				



Surveyors Notes

The property address for the subject property is:

1911 Thiesse Drive
Brainerd, MN 56401

The Parcel Number for the subject property is 41060509.

The current zoning classification for the subject property is General Industrial.
AND

The property address for the subject property is:

1918 Thiesse Drive
Brainerd, MN 56401

The Parcel Number for the subject property is 41060508.

The current zoning classification for the subject property is General Industrial.

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.

All structure setbacks should be verified with the City of Brainerd prior to any construction.

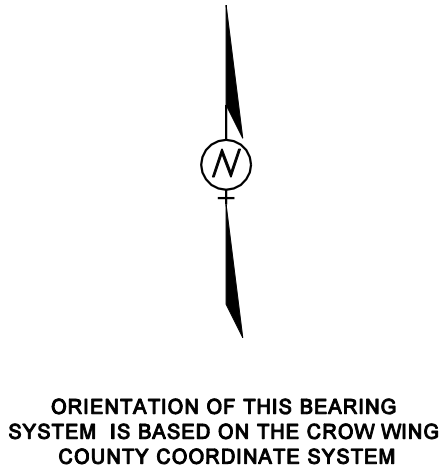
The underground utilities shown have been located from markings made as part of Gopher State One Call Locate Request Ticket No. 222170817 and 222170858, related utility mappings as provided, and observed evidence as surveyed. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information provided as part of the request for markings and data related thereto. The surveyor has not physically located the underground utilities.

Legal Description

Lot 1, Block 2, BRAINERD INDUSTRIAL PARK FIRST ADDITION, Crow Wing County, Minnesota.

AND

Lot 1, Block 3, BRAINERD INDUSTRIAL PARK FIRST ADDITION, Crow Wing County, Minnesota.



MAPPING LEGEND

SANITARY SEWER MANHOLE	(Symbol)	BURIED GAS LINE	(Symbol)
HYDRANT	(Symbol)	SANITARY SEWER PIPE	(Symbol)
SEWER CLEANOUT	(Symbol)	WATER LINE	(Symbol)
		CONTOUR (MAJOR)	(Symbol)
		CONTOUR (MINOR)	(Symbol)
		CONCRETE	(Symbol)
		BITUMINOUS	(Symbol)



1120 Industrial Park Road
Brainerd, MN 56401
218-626-5333
13 North 11th Avenue
St. Cloud, MN 56303
320-259-1286

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*
James Kramer, MN License No. 23668

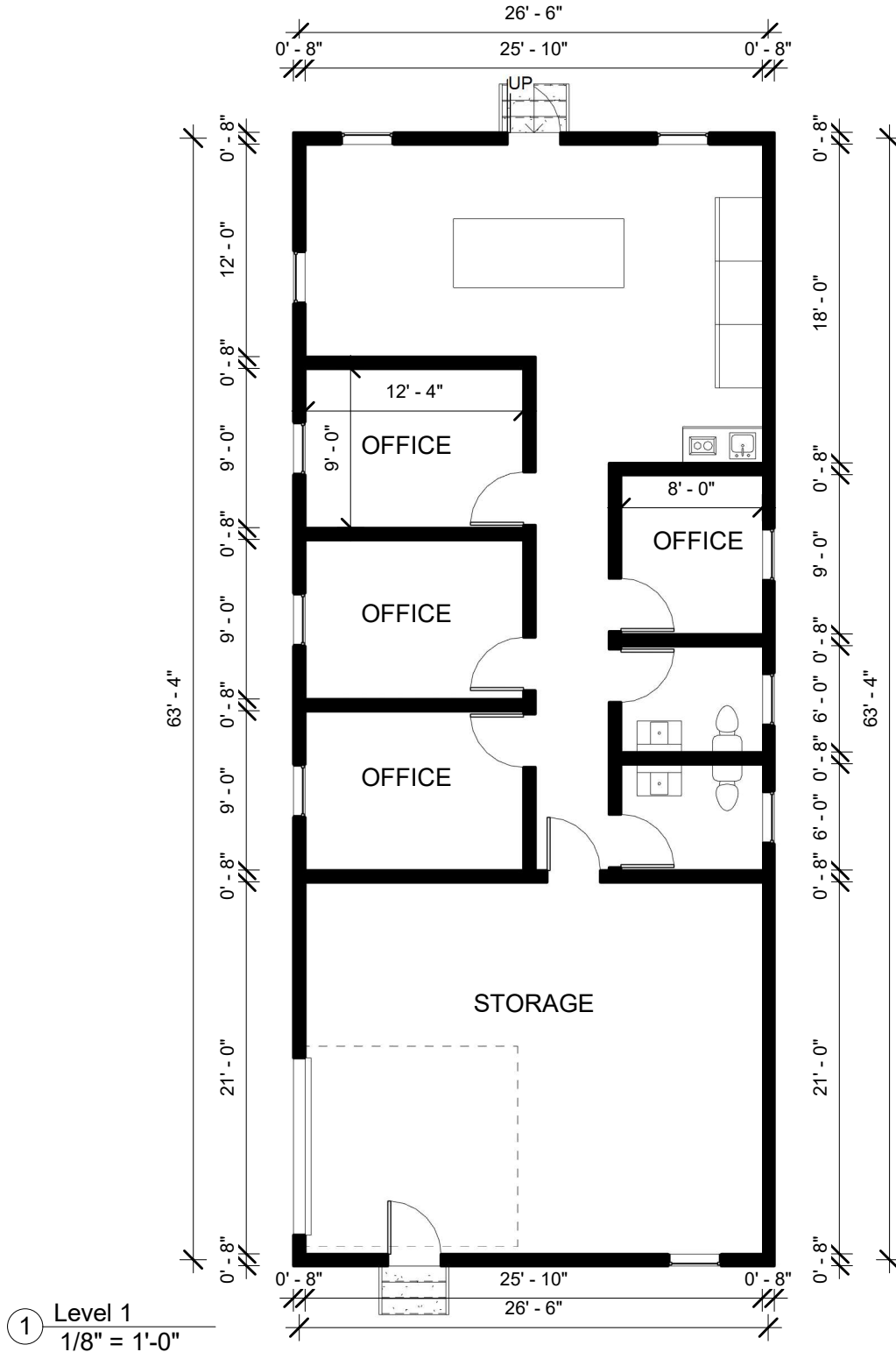
08/17/2022
Date

PROJECT NO. SUMME2201

CERTIFICATE OF SURVEY
Topographic and Property Boundary Survey

Summey Engineering Associates, PLLC
Section 06, Township 44 North, Range 30 West
Crow Wing County, Minnesota

Sheet No. 1 of 1



www.autodesk.com/revit

Owner

Design FLOOR PLAN

FLOOR PLAN

Project number 1

Date 23/8/2022

Drawn by MOHAMED

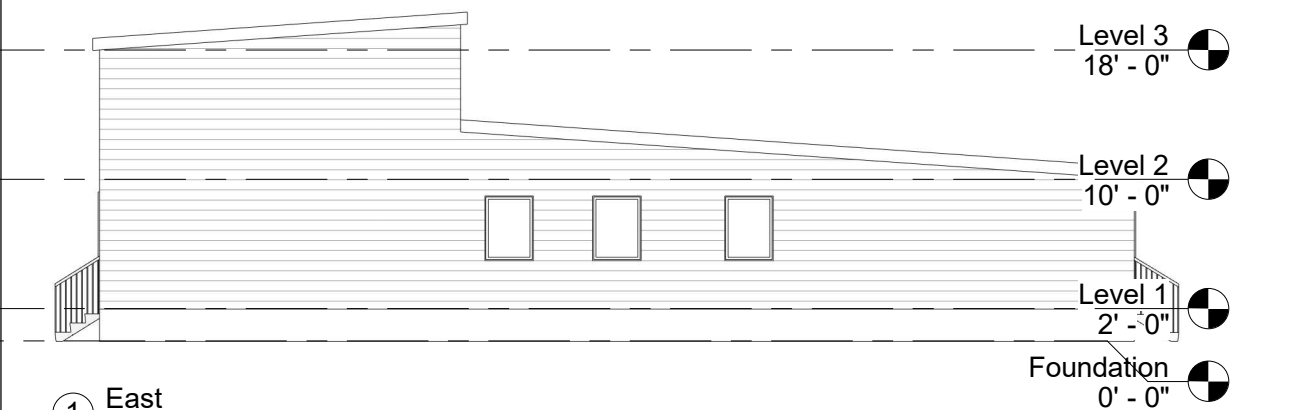
Checked by Checker

A101

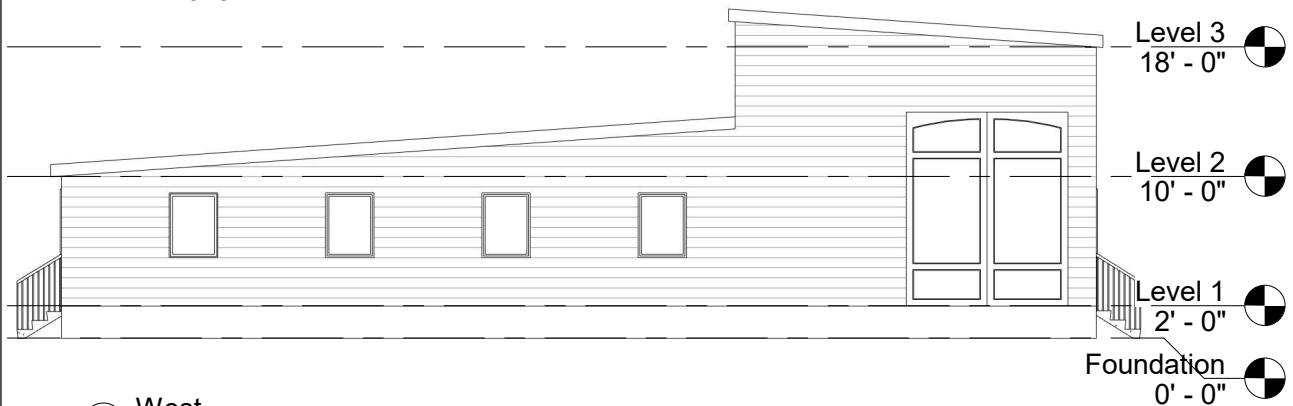
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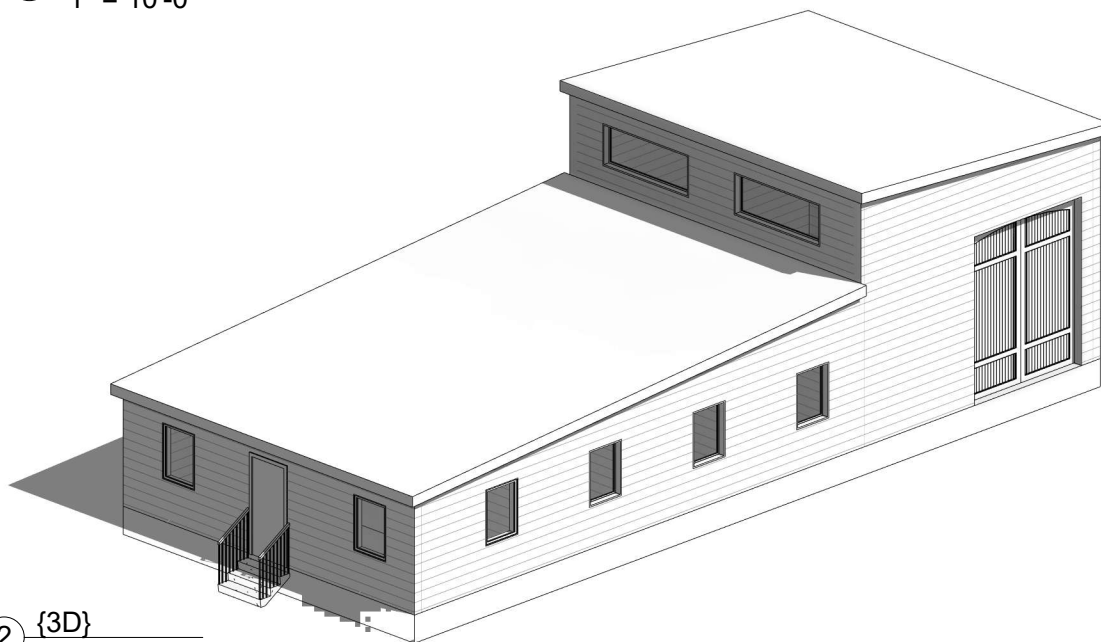
① East
1" = 10'-0"



③ West
1" = 10'-0"



② {3D}



www.autodesk.com/revit

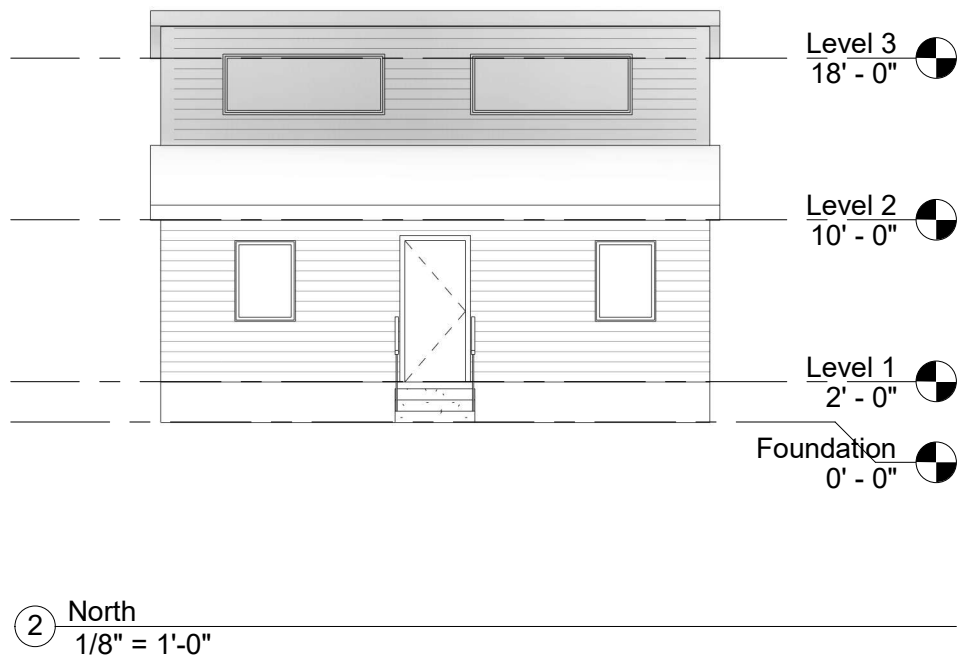
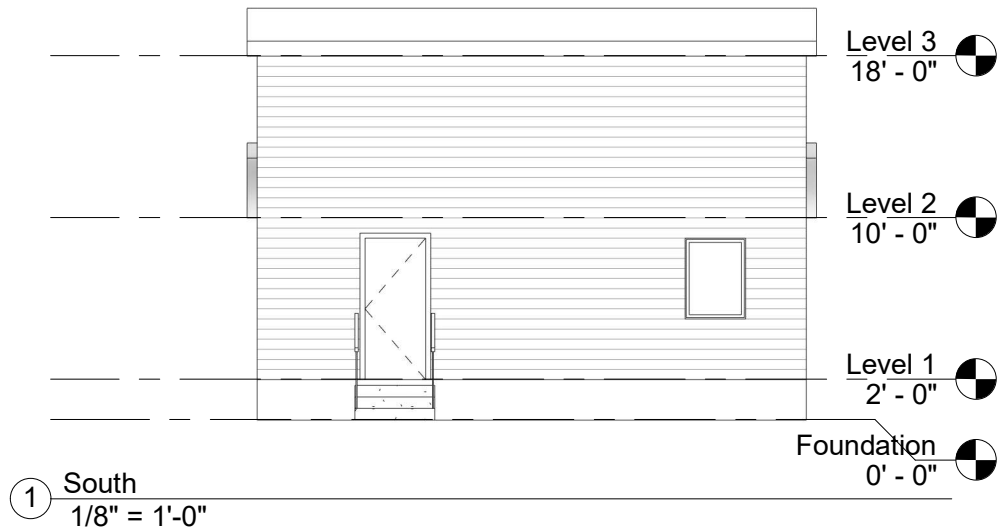
Owner

Design FLOOR PLAN

ELEVATIONS & 3D VIEW

Project number	1	A102
Date	23/8/2022	
Drawn by	Author	Scale 1" = 10'-0"
Checked by	Checker	

23/08/2022 08:34:55



www.autodesk.com/revit

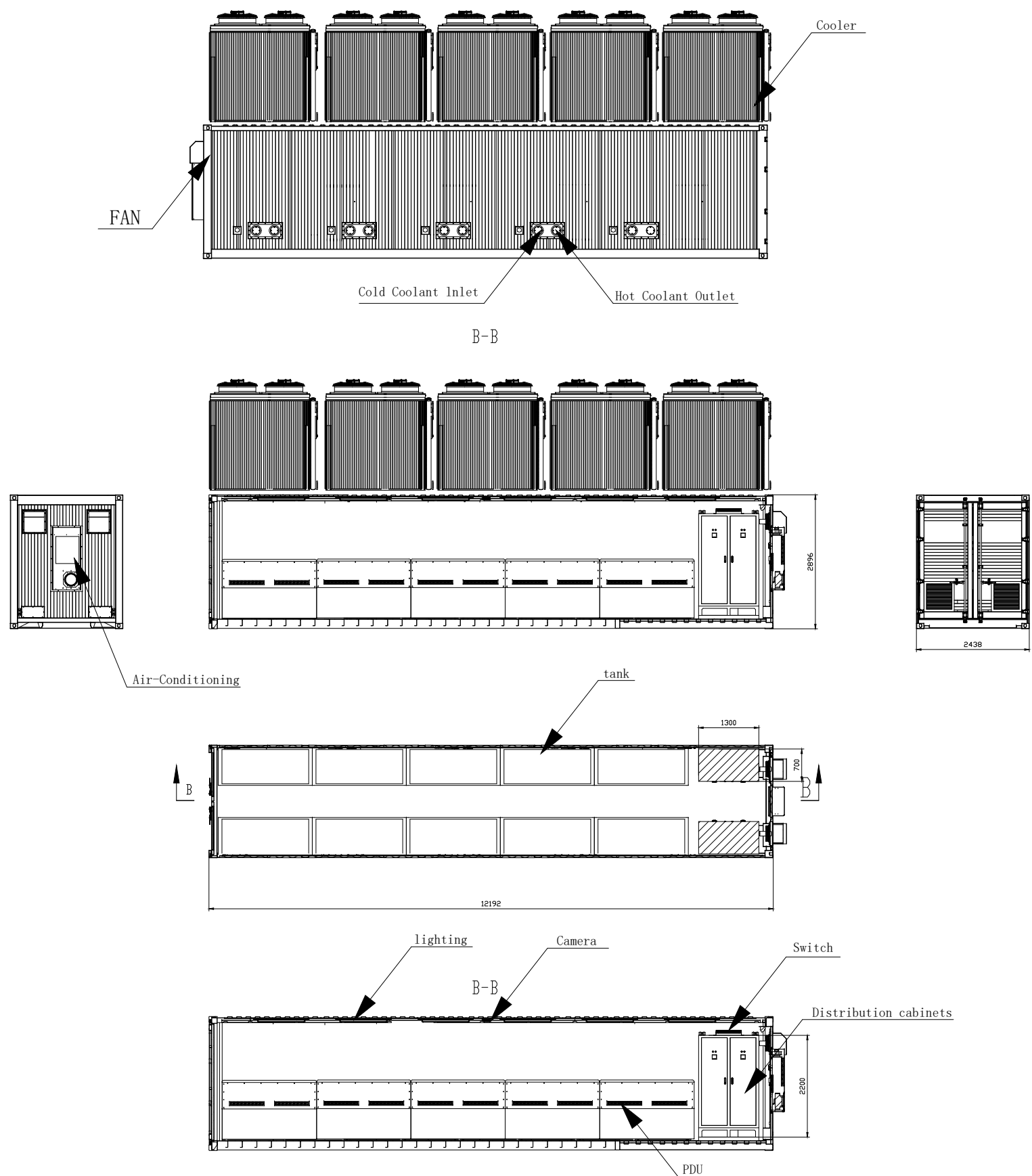
Owner

Design FLOOR PLAN

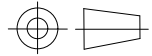
ELEVATIONS

Project number	1	A104
Date	23/8/2022	
Drawn by	Author	Scale 1/8" = 1'-0"
Checked by	Checker	

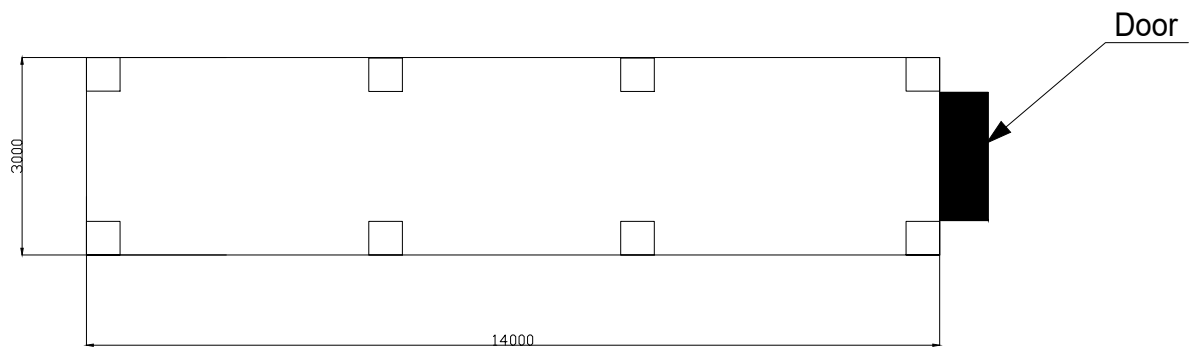
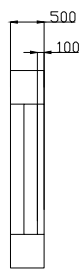
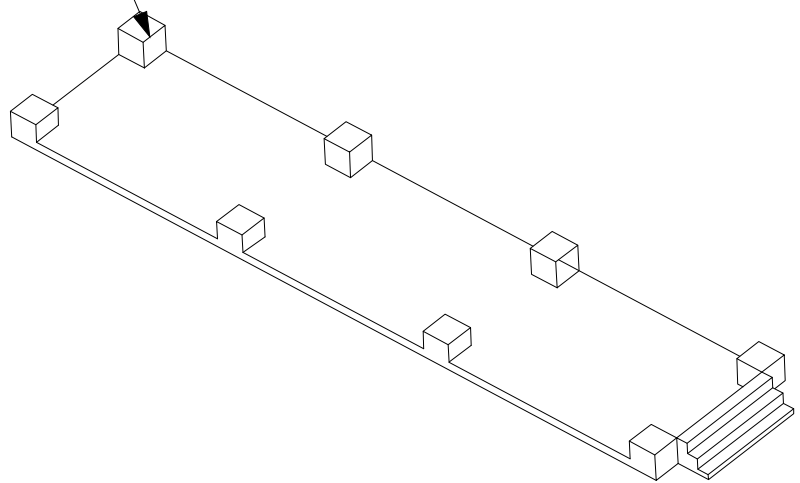
23/08/2022 08:34:57



Net weight of the container: 12T
 Operating weight of the container: 30T
 Net weight of 200kW air cooler:1.3T
 Operating weight of 200kW air cooler:2.0T
 Operating weight per set of air coolers (5 units):10T
 Overall net weight: 18.5T
 Overall operating weight:40T

TITLE:				
DESIGNED BY:	Jack	DATE:	QTY:	DWG No:
TECHNICALIZED BY:		DATE:	SIZE: A4	
CHECKED BY:	Derek	DATE:	WEIGHT:	
APPROVED BY:		DATE:		
SHEET 1 OF 1 SHEET				

Load 5.5t



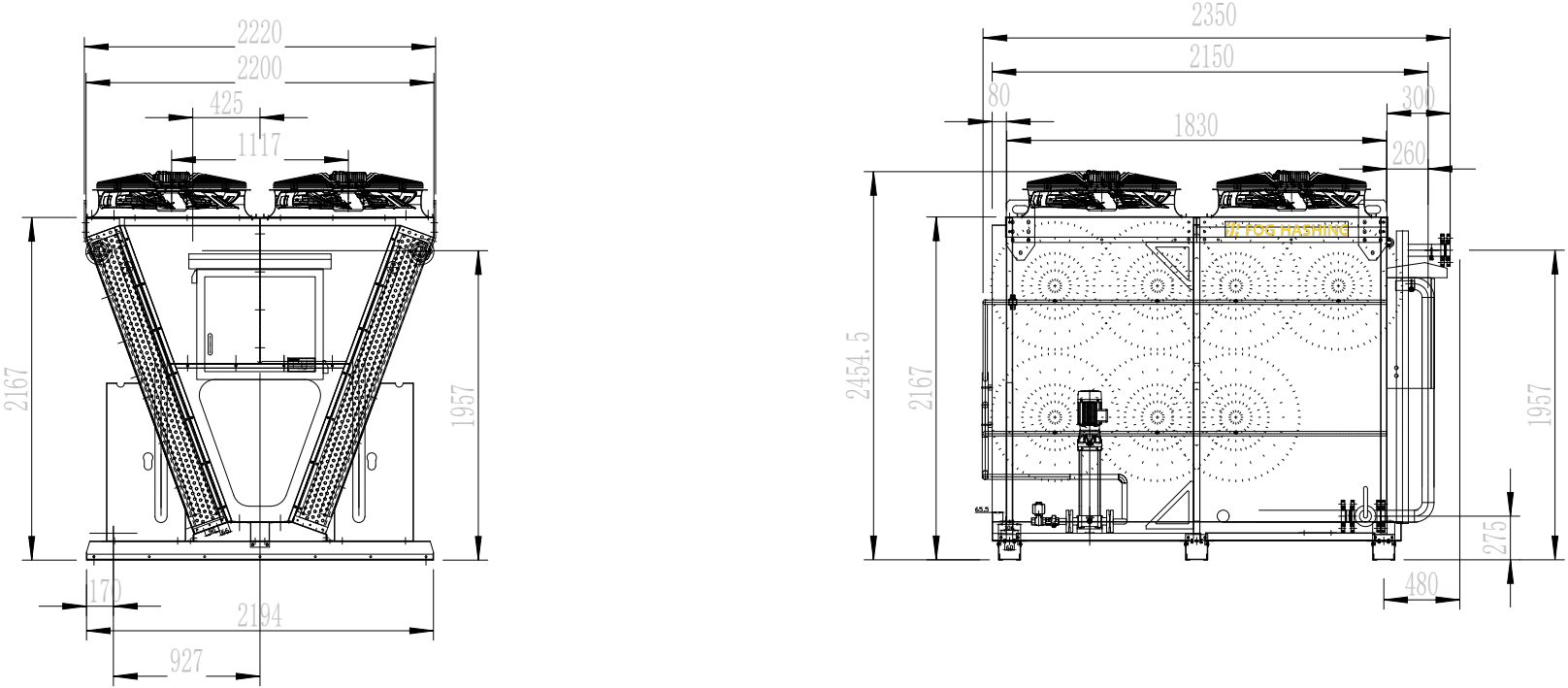
Foundation bearing requirements:
Container:5.5T*8

Note:

- 1. Ensure the foundation is capable of supporting the weight of both the container and the dry cooler adequately.
- 2. The foundation design can be adapted based on the conditions of the site.

TITLE:				
DESIGNED BY:	Jack	DATE:	QTY:	DWG No:
TECHNICALIZED BY:		DATE:	SIZE: A4	
CHECKED BY:	Derek	DATE:	WEIGHT:	
APPROVED BY:		DATE:		
SHEET 1 OF 1 SHEET				



Dry Cooler Spec			
Model	FHDC-200	Ambient Temperature	30.0°C
Oil Cooling Capacity	200 kW	Inlet/Outlet Temperature Max	60/45°C
Dimensions	L-2350 * W-2235 * H-2450	Weight	1330kg
Inlet/Outlet Pipelines	DN50	Noise	71 dB(A)
Dry Cooler type	V-shape	Pre-cooling Spray System	Mist spray
Fan Spec			
Power supply	350V-480VAC- 3P - 50/60HZ	Type Fans	EC
Fan diameter	900 mm	Number of Fans	4
Control mode	Intelligent speed adjustment	Total Fan PowerMax	8040 W
Oil Pump Spec			
Power supply	350V-480V AC-3Phase-50/60HZ	Pump power	5.5kW
Number of pump	2	Pump Circulation Volume	28m³/h
Installation method	Integrated into the dry cooler		
Outline diagram			
			

- Note:
- The pre-cooling spray system reduces the temperature of the air entering the dry cooler to improve its performance at high temperatures. Only used in extreme high temperature weather conditions. The user can activate or deactivate the system as needed. Use requires ensuring a reliable water supply, checking the spray heads regularly and preventing clogging.
 - The final parameters may have some changes, and the final shipping parameters shall prevail.





MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: May 15th, 2024

RE: Discussion on Garage Requirements for Residential Housing

INTRODUCTION

The Zoning Code requires garages and storage space for residential buildings with one to four units in all residential zoning districts. The garage requirement was discussed at great length during the Zoning Code update that was completed in 2022. Commission members voiced concerns about the outdoor storage of lawn mowers, tools, snow blowers, toys, etc. and the increasing problem in the City. The Planning Commission ultimately recommended to leave the consultant's recommendation in the Zoning Code which requires the following according to [Section 515-4-2 Building Design Standards](#):

1. All **new single-family detached dwellings** shall have a minimum of one (1) enclosed garage which may be either detached or attached to the principal structure.
2. **Attached Single-Family Residential Structures (duplex, triplex, fourplex)** Each dwelling unit shall include, at a minimum, a one (1) enclosed garage stall, that shall have a minimum dimension of 12 feet by 20 feet.
 - a. Dwellings Units without basements. Each dwelling unit shall include, at a minimum, a one (1) stall 16' x 20' foot garage.
3. **Multi-family attached dwelling units** (5 dwelling units or more): no garage requirement.

The Community Development Department continues to receive multiple code complaints regarding outdoor storage issues throughout the entire City. Single family homes are primarily maintained by homeowners or tenants which requires the storage of tools and outdoor power equipment at the property. Single family homes also tend to accumulate more recreational items than that of multifamily buildings. Historically, the Community Development Department receives more code complaints about properties that do not have a storage shed or garage. However, severe outdoor storage issues are unrelated to the amount of available storage on site.

Multiple contractors and developers have stated that required garages impact affordable housing and rent prices and are often used only for storage by tenants and in turn creates additional off-street parking issues.

STAFF RECOMMENDATION

Staff recommends the Planning Commission consider the existing ordinance pertaining to garage requirements and to provide direction to Staff.