



PLANNING COMMISSION AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Wednesday, March 19, 2025 @ 6:00 PM

The public is invited to attend these meetings in person
Attend by Phone: 1-844-992-4726 Meeting Access Code: 2484 647 4627

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

1. **Call To Order**

2. **Roll Call**

___ D. Petersen ___ J. Norwood ___ J. Grecula ___ D. Gorham ___ B. Higgins ___ J. Powell ___
T. Erickson

3. **Pledge of Allegiance**

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

5. **Approval Of Minutes**

A. **Draft Minutes from the February 19th, 2025 Meeting**

6. **New Business**

A. **Consider Interim Use Permit for the Operation of a Year-Round Warming Shelter - 1926 S 7th St**

B. **Consider Conditional Use Permit for a Boarding House on NW 3rd Street - My Neighbor to Love**

C. **Consider Conditional Use Permit for Vehicle, Trailer, and Equipment Sales - 1801 Mill Ave.**

7. **Unfinished Business**

A. **Review Data Center 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

MISSION

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

PLANNING COMMISSION
Wednesday, February 19th, 2025

Community Development Director Kramvik administered the Oath of Office to new Commissioners Blake Higgins and Jeremy Powell prior to the meeting.

#1 Call to Order

Council Liaison Erickson 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 Higgins, Powell, Petersen, Grecula, and Erickson. Members Norwood and Gorham were noted as absent. Also noted as present were City Administrator Broyles, City Engineer Dehn, Public Works Director Evans, and Community Development Director Kramvik.

#3 Pledge of Allegiance

Council Liaison Erickson opened the meeting with the Pledge of Allegiance to the flag.

#4 Election of Officers (Added Item)

MOVED AND SECONDED BY COMMISSIONERS PETERSEN AND GRECULA, DULY CARRIED, TO APPOINT COUNCIL LIAISON ERICKSON AS THE TEMPORARY CHAIR FOR TONIGHT'S MEETING.

MOVED AND SECONDED BY COMMISSIONERS PETERSEN AND GRECULA, DULY CARRIED, TO APPOINT COMMISSIONER NORWOOD TO SERVE AS CHAIR AND COMMISSIONER GORHAM TO SERVE AS VICE CHAIR FOR 2025.

#5 Approval or Amendment of Agenda

Commissioner Petersen recused himself from New Business Item 7D.

MOVED AND SECONDED BY COMMISSIONERS GRECULA AND PETERSEN, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

#6 Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS GRECULA AND PETERSEN, DULY CARRIED, TO APPROVE THE MINUTES FROM THE JANUARY 15TH, 2025 REGULAR MEETING.

#7 New Business

7a. Consider Preliminary Plat Request for St. Francis Church – 411 N 10th St

Community Development Director Kramvik reviewed the details of the preliminary plat application to consolidate 14 parcels into three parcels; one each for the church, school, and rectory. There is also a street vacation request and the demolition of three homes to allow for this plat. The property would be rezoned from TN-1 (Traditional Neighborhood 1) to PSP (Public Semi Public) Zoning District.

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

The Chair recognized Chad Connor, surveyor with WSN, Erica Marcussen, architect at WSN and Father Michael Garry with St. Francis Church spoke about the project and the intentions of creating a safe and cohesive campus.

The Chair recognized Mike Duval, 468 Tyrol Dr., who called in to the meeting. He has submitted some comments to staff to share with the Commission.

The Chair recognized the following residents that spoke in general support of the project and added their comments:

- Carla Coan, 1117 Broadway St
- Christopher Dens, 4784 Gull Lake Dam Rd
- Angie Gadacz, 902 Fir St
- Kevin Yeager, 325 Bluff Ave
- Ginny Knudson, 12319 Thompson Rd

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

The Chair asked Erica Marcussen to respond to some of the questions asked by residents and Commissioners.

Commission discussion took place.

MOVED AND SECONDED BY COMMISSIONERS PETERSEN AND GRECUA, DULY CARRIED, TO RECOMMEND APPROVAL OF THE PRELIMINARY PLAT REQUEST WITH THE CONDITIONS LISTED FOR ST. FRANCIS CHURCH AS PRESENTED.

7b. Consider Rezoning and Zoning Text Amendment for Paradigm Auto – 310 W Laurel St

Community Development Director Kramvik indicated this property has been out of compliance for quite some time, due to the number of U-Haul's on the property and the current unapproved parking surface.

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

The Chair recognized Al Schmitz 11573 River Vista Dr, Baxter, who is the owner of Tri Axis but has recently sold the business to Patrick Metzler, 1411 7th St S. He is concerned about the deadline to get the parking lot paved, as July may be hard to get a contractor to complete.

The Chair recognized Patrick Metzler, who said as the new owner, he is willing to do whatever is needed because there is a need for U-Haul rentals in Brainerd.

The Chair recognized Mike Duval, 468 Tyrol Dr., who indicated there is a difference in the code for the lighting standard vs what was referenced in the draft ordinance.

The Chair closed the public hearing at 7:01 pm.

MOVED AND SECONDED BY COMMISSIONERS PETERSEN AND GRECUA, DULY CARRIED, TO RECOMMEND APPROVAL OF THE REZONING AND ZONING TEXT AMENDMENT FROM TC (TOWN CENTER) TO ME (MAKERS AND EMPLOYMENT) AT 310 W LAUREL WITH THE CONDITION THAT A POSSIBLE EXTENSION OF THE DATE TO PAVE THE LOT MAY BE REQUESTED AND TO REMOVE #A.c REGARDING LIGHTING FROM THE ORDINANCE.

7c. Consider Conditional Use Permit and Variance for Suite Properties LLC – 324 5th St S

Community Development Director Kramvik explained the property owner currently has one rental unit at this address and would like to incorporate two more units in the vacant space on the second floor. The main floor would remain a commercial space. A variance was also applied for from the landscape requirements.

The Chair opened the public hearing at 7:07 pm.

No one came forward.

The Chair closed the public hearing at 7:08 pm.

MOVED AND SECONDED BY COMMISSIONERS GRECUA AND PETERSEN, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE AND VARIANCE REQUESTS FOR 324 5TH ST S AS PRESENTED.

7d. Consider Preliminary and Final Plat for Three Pete LLC – 15770 Dellwood Dr

Commissioner Petersen recused himself from this topic, as he has ownership interest in the property.

Community Development Director Kramvik gave a brief review of the application for a preliminary and final plat for 15770 Dellwood Dr to create a Common Interest Community (CIC). The CIC will allow each mini-storage unit to be sold to individual property owners.

The Chair opened the public hearing at 7:12 pm.

The Chair recognized Mike Duval, 468 Tyrol Dr., who is asking about the need to insert a scheduled maintenance agreement in the covenants for the septic and well system.

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

MOVED AND SECONDED BY COMMISSIONERS GRECUA AND POWELL TO RECOMMEND APPROVAL OF THE PRELIMINARY AND FINAL PLAT FOR 15770 DELLWOOD DR AND TO REMOVE THE PARKING CONDITION SHOWN.

Members Grecula, Powell, Higgins, and Erickson voted “aye”. No member voted “nay”. The Chair declared the motion carried.

#8 Unfinished Business

8a. Discuss Data Center Ordinance

Community Development Director Kramvik brought a revised data center ordinance to the Commission for review.

Commissioner Petersen stated the Planning Commission should have no input regarding energy and he suggested removing item F. Energy Standards and leaving it to the professionals at BPU.

Public Utilities Director Evans spoke about the ordinance in general and added his comments.

Community Development Director Kramvik indicated there will be a few more changes to the ordinance before it is ready to be voted on.

8b. Review Planning Commission Yearly Itinerary

Community Development Director Kramvik reviewed the itinerary of items that have been completed, those in process and others for future discussion. He asked the Commission if they feel the itinerary is in appropriate order or would like to change the priority on any topic.

MOVED AND SECONDED BY COMMISSIONERS PETERSEN AND GRECULA, DULY CARRIED, TO APPROVE THE ITINERARY AS PRESENTED.

#9 Public Forum

The Chair opened the public forum at 7:36 pm.

No one came forward.

The Chair closed the public forum at 7:36 pm.

#10 Staff Reports

Community Development Director Kramvik made the following updates:

- The EDA held a special meeting last week and approved the revised purchase and development agreement with Blockmetrix for the Thiesse Drive property.

#11 Commission Member Reports

Commissioner Petersen would like all members to think about what types and styles of architecture they feel look best in the City and give their opinions on what they would like to see or not see for future developments.

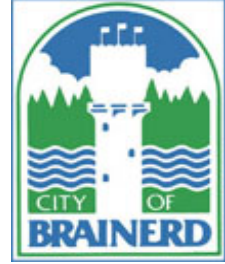
#12 Adjournment

MOVED AND SECONDED BY COMMISSIONERS AND, DULY CARRIED, TO ADJORN
AT 7:40 PM.

Tad Erickson, Council Liaison

DRAFT

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: March 19th, 2025

RE: Consider Interim Use Permit 1926 S 7th St

REQUEST

PUBLIC HEARING. Interim Use Permit

APPLICANT: Bridges of Hope

Jana Shogren has submitted a request on behalf of Bridges of Hope for an Interim Use Permit to operate a warming shelter for the homeless in the Brainerd Lakes Area at 1926 South 7th Street. The current Interim Use Permit for the shelter expires on June 30, 2025. The facility operates between the months of September 1st – April 30th each year. The applicant is proposing to operate the shelter year-round.

CONTEXT

Parcel Number: 41360877 and 41360878

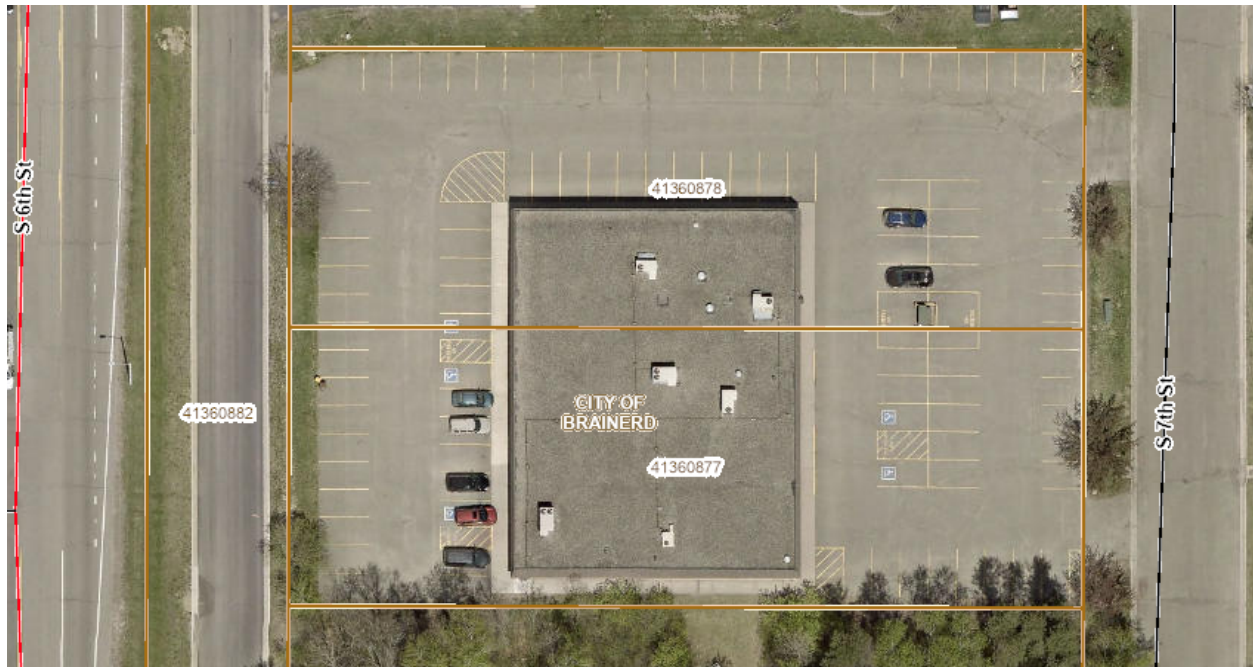
Zoning District: General Commercial (GC) District

Property Area: 56,052 SQFT incl parking lot

Adjacent Uses: North: Offices
East: Evangelical Lutheran Good Samaritan
South: Offices
West: Residential

Adjacent Zoning: North: General Commercial (GC) District
East: General Commercial (GC) District
South: General Commercial (GC) District
West: Contemporary Neighborhood-Two (CN-2) District

AERIAL MAP



FINDINGS OF FACT

1. The property at 1926 S. 7th Street is located in a GC (General Commercial) District and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of warming shelters as an interim use as regulated by Section 515-3-43 of the Brainerd Zoning Ordinance.
2. Ordinance 1521 allowed for warming shelters in the General Business District pursuant to the requirements of Section 515-3-43 of the Zoning Code.
 - a. *The applicant originally proposed a warming shelter to help those in need escape from dangerously cold winter conditions. They stated that the first year of operation would be a trial run to see how things went. They stated that they may consider offering other opportunities in the future.*
 - b. *At the 10/20/2021 Planning Commission Meeting, Ann Hunnicut, the original facility operator, stated that it will be my job will be to make sure crime does not go up and the community is safe, that this isn't going to bring in higher crime rates to the City of Brainerd.*
3. The following are YouTube links to previous meetings:
 - a. [City Of Brainerd - Planning Commission - 10/20/2021](#)
 - b. [City Of Brainerd - Planning Commission - 10/26/2021](#)
 - c. [City Of Brainerd - City Council - 11/1/2021](#)
 - d. [City Of Brainerd - City Council - 11/15/2021](#)
 - e. [City Of Brainerd - Planning Commission - 11/17/2021](#)
 - f. [City Of Brainerd - City Council Special Meeting - 11/22/2021](#)
 - g. [City Of Brainerd - Planning Commission - 7/20/2022](#)

h. [City Of Brainerd - City Council - 8/1/2022](#)

4. The warming shelter originally opened in November of 2021 and is currently operating between the months of September 1st – April 30th each year.
5. The applicant is proposing that the warming shelter operates year-round.
6. Ordinance 1571 prohibits camping in or upon any public property in the City and was passed by City Council on August 5th, 2024. A violation of this section is deemed a misdemeanor.
7. The warming shelter, for the purpose of temporarily sheltering homeless persons, must meet the following criteria as required by the aforementioned section of the Code:
 - a. Operation may not exceed 16 continuous hours.
 - i. The applicant states that the shelter will not exceed 14 continuous hours of operation.*
 - b. Facility occupancy shall not exceed 30 beds or total occupancy of facility as set by the Fire Marshal, whichever is less.
 - i. The shelter will have 20 twin beds and will have two separate sleeping areas: male side and a female side. The Shelter will have 10 overflow mats. They will not exceed 30 guests on any given night.*
 - c. Facility shall be staffed during all hours of operation.
 - i. The facility will be staffed at all times when guests are present.*
 - d. 24-hour contact information shall be provided to the City of Brainerd Police Department and Crow Wing County Community Services Department.
 - i. The shelter has provided contact information to all parties.*
 - e. Except for bicycle racks, the outdoor storage of equipment, furniture, personal items, or other such possessions of those using the facility is not permitted.
 - i. Guest bags, outer clothing (coats, snow pants), and property will be locked up upon arrival at the shelter by staff in the secured guest closet indicated on the floor plan.*
 - f. The facility shall meet all applicable building, safety, fire, and health code requirements.
 - i. The Building Official and Fire Marshal inspected the facility before operation in the first year. The facility met all applicable building, safety, fire, and health code requirements. The Building Official and Fire Marshal have no concerns at this time.*
8. According to [Section 515-5-3 Interim Use Permits Procedure](#), [New Uses](#), Uses defined as Interim Uses which do not presently exist within a respective Zoning District shall be processed according to the standards and procedures for a Conditional Use Permit as established by Section [515-5-2] of this Ordinance.
9. According to [Section 515-5-2 Conditional Use Permits](#), Criteria for Granting Conditional Use Permits. In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general

welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.

- a. The proposed use conforms to the Zoning District and is a permitted Conditional Use identified on the Appendix A: Table of Uses.
 - i. *Appendix A: Table of Uses permits the operation of warming shelters as an interim use as regulated by Section 515-3-43 of the Brainerd Zoning Ordinance.*
- b. The proposed use meets the regulations and standards established in this Ordinance.
 - i. *The proposed use meets all requirements of Section 515-3-43 of the Brainerd Zoning Code.*
- c. 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 shelter is currently operating at the location, and the applicants are not proposing any exterior changes.*
- d. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. *The shelter is currently operating at the location, and the applicants are not proposing any exterior changes.*
- e. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i. *The facility has an adjacent parking lot. There have been no issues to the surrounding neighborhood regarding off-street parking and loading.*
- f. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
 - i. The proposal is consistent with Public Safety GOAL 1: Brainerd will protect and provide for the safety of residents and visitors.
 1. Policy 1. Make efficient use of existing facilities to ensure access to emergency services for all residents and visitors.
 - a. *The warming shelter has provided an asset to the community to shelter those in need during extremely cold winter conditions. Shelter staff have worked well with emergency services.*
 - ii. The proposal is not consistent with Public Safety GOAL 1: Brainerd will protect and provide for the safety of residents and visitors.
 1. Policy 3. Continuously seek to eradicate crime through innovative and contemporary strategies, including preventative, proactive, and responsive measures.
 - a. *After reviewing the data provided by the police department staff sees a direct correlation of an increase in incidents occurring at the shelter or within one block of the shelter. Staff have concerns that*

expanding operation of the shelter will again increase incidents in the neighborhood.

- b. There were 2 Incidents from January 2020 – July 2021. This is prior to the Warming Shelter opening and within one block of Warming Center location.*
- c. There was a total of 119 incidents from August 2021 – February 2025. Incidents either occurred at the shelter or within one block and had a direct correlation with the shelter and/or their patrons.*

Staff have included data from the police department regarding incidents occurring at the shelter or within one block of the shelter.

The Community Development Department has not received a complaint from the public regarding the shelter after the issuance of their second IUP in 2022.

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

STAFF RECOMMENDATION

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

- 1) The facility operates between the months of September 1st – April 30th each year.
- 2) Interim Use Permit shall expire on June 30, 2028.
- 3) If the Brainerd Police Department determines that the facility has been used in a disorderly manner and upon the recommendation of the Police Chief, the Interim Use Permit shall be brought before the City Council for review and consideration for suspending or revoking the permit at the next available City Council meeting.
- 4) Shelter staff shall provide a report to City Council each year prior to September 1st.



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*: 1926 South 7th Street

I (We) the undersigned, do hereby respectfully request the Brainerd City Council to grant an Interim Use Permit to allow Overnight homeless shelter, used to provided a safe nights sleep.

Shelter will be staffed during hours which clients are present. Shelter to be operated year round.

at the property address listed above until the date of 8/31/2028

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

Property Owner: Steven D. Skauge

Address: 1205 N Tower Rd Fergus Falls 56537
(Street) (City) (State) (Zip)

Contact Information #: 218-205-5499 (Home) (Business)
(Fax) steves@productive.mn.org (E-mail)

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

Address: 2011 South 6th street, Brainerd, MN 56401
(Street) (City) (State) (Zip)

Contact Information #: (Home) (Business) 218-825-7682
(Fax) jana@bridgesofhopemn.org (E-mail)

Contact Person: (if different than Property Owner) Jana Shogren or Bill Wear

Address: 2011 South 6th Street, Brainerd MN 56401
(Street) (City) (State) (Zip)

Contact Information #: (Home) (Business) 218-825-7682
(Fax) bill@bridgesofhopemn.org (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: Steven D. Skauge Date: 2/13/25
(Property Owner)

STEVEN D. SKAUGE
(Property Owner-Please print Name)

Jana M. Shogren Date: 2/20/25
(Applicant-If different than owner)

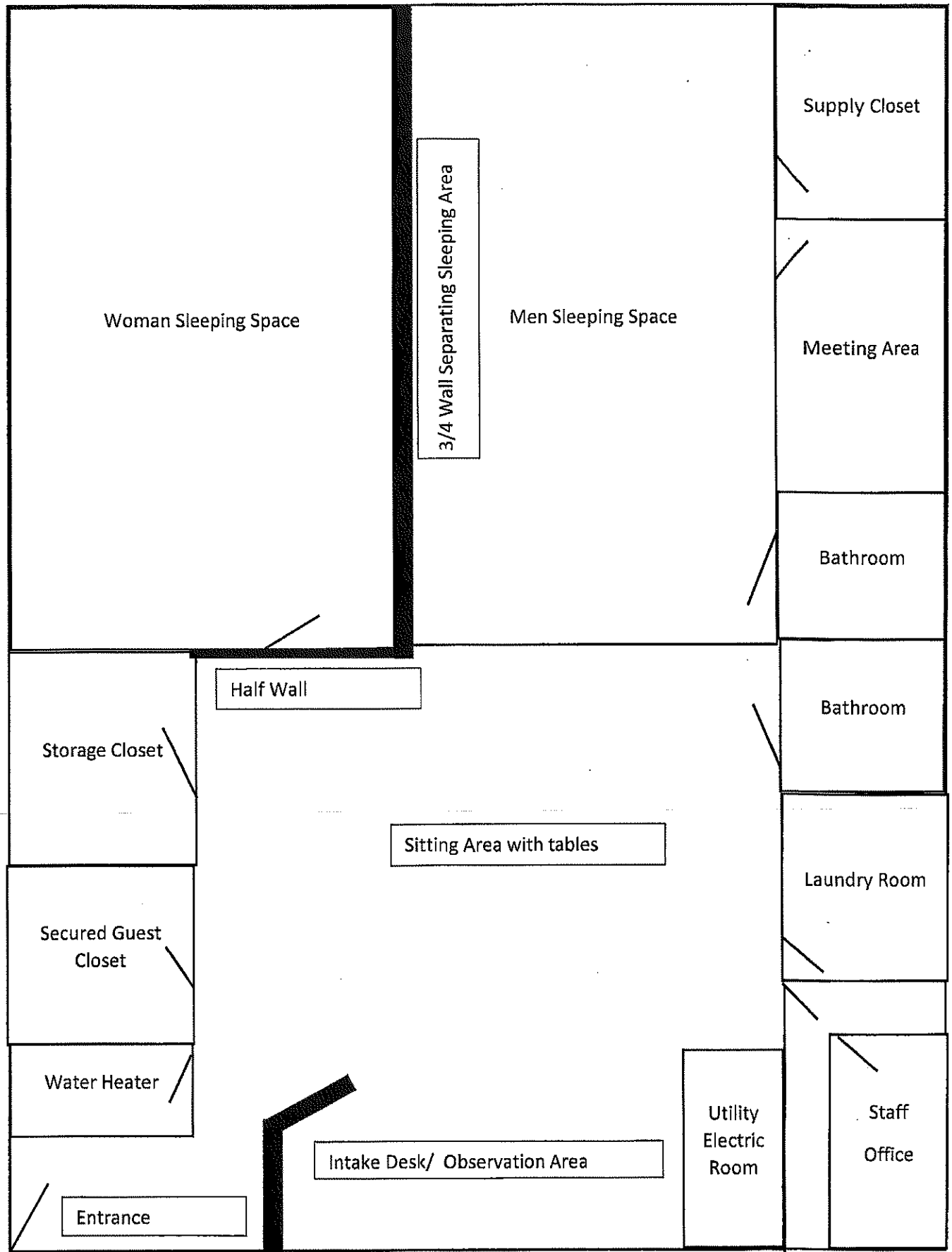
Jana M. Shogren
(Applicant - Please print name)

Interim Use Permit Supporting Information

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





GUEST AGREEMENT

Name: _____ Date: _____

- **I AM 18 YEARS OF AGE OR OLDER.**
- I cannot use illegal substances, marijuana, and/or alcohol in the shelter, or on the grounds of the shelter.
- I will not be allowed to have any personal belongings, coats, or bags while in the shelter. This includes bedding, pillows, and blankets.
- I agree to have all my bags/belongings reviewed and stored by staff. I must check-in my medications, weapons, chemicals, and alcohol. I understand that I cannot get them back until I am ready to check out for the day, between 6:00 a.m. and 8:00 a.m.
- I am only allowed to bring in electronic devices, charging cords, cell phones, and unopened snacks/beverages.
- I cannot bring non-prescription or illegal substances into the shelter, including marijuana.
- I must consent to staff's requests to search my person, personal property and belongings when I am on the "The Bridge on 7th" property.
- I understand I must show respect to staff and other guests while on the premises.
- Lights out at 11:00 p.m. I understand that if I choose to stay in the common area after the lights are out that I will be quiet and respectful to others who may be sleeping.
- Smoking of cigarettes and/or vapes may be allowed on the premises and used in designated area only. Cigarettes, lighters, vapes must be checked in and stored by staff

at the front desk. Smoking is permitted during the shelter operation hours, with only 1 person going out to smoke at a time between the hours of 11:00 p.m. and 7:00 a.m.

- I understand there is no fighting, swearing, or property damage on these premises, both inside the shelter and on the outside premise of the shelter.
- I understand that I have no reasonable expectations of privacy on the shelter premises.
- I understand that any illegal contraband, illegal substances including marijuana, weapons, and/or assault on the premises could result in being banned from the premises indefinitely.
- At no times will Bike's be allowed inside the shelter
- Any property left outside the building after guests leave will be discarded
- Any property left at the shelter for 30 days will be considered abandoned, and will be disposed of
- I understand if I am asked to leave the premises, if refusal to leave, the police may be called and/or you may be banned from the shelter.
- I understand that I will be asked to leave and may be banned from the shelter premises if I do not follow these rules.
- I will maintain confidentiality of other guests in the shelter and outside the shelter.
- I release "The Bridge on 7th" and its volunteers and guest(s) from all liability while acting on my behalf while staying at the shelter.

I agree to comply with the rules and regulations stated above.

Guest Signature: _____ Date: _____

Staff Signature: _____ Date: _____

The Bridge on 7th

EMPLOYEE HANDBOOK

Bridges of Hope/The Bridge on 7th reserves the right to change, add to, eliminate, or modify any of the programs, guidelines, policies and information contained in this handbook at its discretion, with or without notice. Updated 1/1/2025

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The Bridge on 7th Employee Handbook

The Bridge on 7th is owned and operated by Bridges of Hope, a 501(c)(3) nonprofit organization. Bridges of Hope's organizational structure includes a Board of Directors comprised of community members from the Brainerd Lakes area, representing education, human services, law enforcement, business and faith communities. The Board provides leadership and oversight to the ongoing formation of Bridges of Hope in planning, budgeting, fundraising, and community networking.

OUR MISSION

To build bridges of support, anchored in Christ's love, between families in the Lakes area and community assets that can help them thrive and gain hope.

OUR VISION

Bridges of Hope links families to community supports and resources. It creates partnerships within the broader community to help strengthen, stabilize, and support families in the Lakes area, sending a message of hope and empowering families to thrive.

GUIDING PRINCIPLES

- Christ calls us to love our neighbor as ourselves.
- Families can be strengthened by formal and informal support.
- Healing happens best in the context of community.
- Having an active faith makes a difference in a person's life.
- We respect diversity, individual needs, beliefs and values.
- Faith communities are in a unique role of offering relationships to those in crisis.

DESCRIPTION OF SERVICES

The Bridge on 7th will provide a safe overnight facility for individuals 18 years of age or older. The shelter may operate between the months of September 1 and June 1 of each year dependent on weather and executive director approval. The shelter will not be open for more than 14 hours on any given night.

The Bridge on 7th is being operated by Bridges of Hope a non-profit organization and will welcome people of all beliefs and religions. All guests will be respected with no imposition of individual beliefs held by staff or volunteers.

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

PURPOSE OF THIS HANDBOOK

The Employee Handbook contains a summary of the policies and procedures in effect at Bridges of Hope also known as the “Organization”, including those that are unique to employees assigned to The Bridge on 7th. This document is reviewed and updated annually.

This Handbook is designed as a resource for the employees of Bridges of Hope who are assigned to The Bridge on 7th. The policies and procedures described here are intended for informational purposes only. The Handbook is not a contract of employment on the part of the Organization or of the employee. The Organization reserves the right, through the Executive Director, to change, add, or delete items in this document with or without prior notification to the employees.

The benefits, policies, and procedures described in this handbook are constantly under review. The Board of Directors reserves the right to make changes with or without notice to meet employee or Organization needs or changing times.

This handbook supersedes and revokes all previous manuals, handbooks, and personnel policies.

EMPLOYEE CODE OF ETHICS

1. Focus on Client Needs

The client’s needs are primary. The purpose of an employee is to meet these needs in a responsible and helpful manner. Employees should act professionally and civilly at all times. No employee will be required to endure hostile or offensive behavior; any such situations are to be brought to the attention of the Shelter Manager or Executive Director for assistance and resolution.

2. Responsibility to the Client

When an employee feels that he/she cannot effectively address a problem, he/she has the responsibility to suggest alternative options for help to the client. This may include contacting another Bridges of Hope staff member.

3. Confidentiality

From time to time, Warming Shelter staff may participate in client staffing at the Bridges of Hope office and/or may come into contact with Bridges of Hope clients. It is of utmost importance to keep a client’s identity and information confidential. Employees are expected to share information regarding clients on an as-needed basis in accordance with the release of information signed by the client. Law enforcement and/or social services may be contacted without client consent in case of an emergency such as statements of harm, child protection,

illegal activity, etc. Employees should make every effort to verify the proper procedures to be followed in these cases; consulting with the Executive Director for clarification as needed.

4. Organizational Responsibility

Bridges of Hope recognizes that employees may need encouragement and support as they assist clients in the community. Bridges of Hope promotes open communication among employees and between employees, Managers and the Executive Director at all times. Employees will be asked to fulfill their time commitments as assigned by the Managers and Executive Director. In the event of unavailability, immediate supervisor or Executive Director must be notified as soon as possible and in advance of the scheduled workday. Employees whose work schedule flexes to a level greater than the agreed upon assignment are encouraged to address the issue with their immediate supervisor.

5. Personal Relationships

Employees are prohibited from forming personal relationships with clients as such relationships can jeopardize client services and program integrity. In the event of an existing personal relationship, employees are required to disclose the relationship to the Executive Director prior to extending services to allow for client reassignment or other actions as deemed necessary.

6. Representing Bridges of Hope

Because an employee personally reflects the values of Bridges of Hope, he/she will make every effort to represent the agency well even when off-duty. Employees assume certain responsibilities to honor the goals, rules, and regulations of Bridges of Hope.

7. Employee Safety

Employees should never put themselves at risk. If an employee has concerns about his/her safety, he/she should immediately notify the Manager or the Executive Director to determine a course of action.

EMPLOYMENT-AT-WILL

Bridges of Hope and its employees have an employment relationship which is known as employment-at-will. This means that either the Organization or an individual employee has the right to terminate employment at any time, for any reason, as long as doing so does not violate any federal or state employment law.

EQUAL EMPLOYMENT OPPORTUNITY

Bridges of Hope provides equal employment opportunities to all employees and applicants for employment and prohibits discrimination and harassment of any type without regard to race, color, religion, age, sex, national origin, disability status, genetics, protected veteran status,

sexual orientation, gender identity or expression, or any other characteristic protected by federal, state or local laws. This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

SALARY ADMINISTRATION

The Organization is committed to paying competitive compensation and benefits that are necessary to attract, retain and motivate quality employees. Periodically the Organization reviews its compensation structure and provides wage adjustments based on factors such as above average job performance, the annual budget, the market, cost of living, etc. However, wage increases are not guaranteed or given solely on the basis of an employee's length of service with the Organization.

WORK HOURS, OVERTIME, AND PAYCHECKS

[Business Hours: The Bridge on 7th](#)

The Bridge on 7th is open from 7:00 p.m. until 8:00 a.m.

[Work Hours](#)

Each employee is personally responsible for his or her individual time record and reporting it for payroll processing by logging into the payroll system once on the premises. Inaccurate timekeeping or falsification of time records may result in discipline and potential loss of employment.

[Payroll](#)

Employees are paid every other week. Supervisors will review and approve timesheets by 11:00 a.m. on the Monday following the last day of the pay period and payroll will be sent to the payroll processor no later than noon on Wednesday. Pay will be direct deposited on Friday. When payday falls on a legal Holiday, pay will be direct deposited the preceding workday.

Your employee earnings record will be provided to you through Smart HR according to MN Statute 181.032 and include all necessary information. Employees are able to view the electronic copy on an organization device and ask for printed copies while at work.

Under the Minnesota Wage Disclosure Protection law, you have the right to tell any person the amount of your own wages. Bridges of Hope will not retaliate against you for disclosing your own wages.

Overtime Work

Overtime may be required occasionally of non-exempt employees. Approval from the Shelter Director/Manager is required before overtime is worked. Non-exempt employees will be paid for overtime work at one-and-one-half times the regular rate of pay for time worked over 40 hours in any specific workweek. For definition purposes, the workweek officially begins on Sunday at 12:01 a.m. and ends on Saturday at midnight.

ABSENCE FROM WORK, ATTENDANCE, AND PUNCTUALITY

Reliable attendance and punctuality is expected on the part of employees. Each employee has an important role to play in maintaining a productive workplace, so it is essential for employees to report to work on time and only miss work when absolutely necessary. Tardiness and unexcused absences will not be tolerated by the Organization and may be grounds for disciplinary action, up to and including termination of employment.

If an employee must be absent from work for any reason, other than approved time, he/she should notify his/her immediate supervisor as soon as possible before the start of the employee's normal working hours. If an emergency prevents an employee from notifying his/her supervisor at such time, it is expected that the employee will call as soon as possible during the workday. It is your responsibility to notify your supervisor if you will be more than 10 minutes late for your shift. Employees are expected to call and speak directly to their supervisor or shift supervisor. Texts or emails are not permitted. An employee is allowed to use ESST for a qualifying reason during a typically scheduled shift.

Unexcused absences are as follows:

- No call, no show: When an employee does not inform their employer about their absence and fails to show up for work.
- Unapproved partial-day absences: Leaving early or arriving late without prior approval.

EMPLOYEE CLASSIFICATIONS

1 – Shelter Attendant all shelter attendants will accrue ESST at the rate of 1 to 30.

2 – Team Lead- Leads can carry over up to 48 hours of remaining time into 2025. On January 1, 2025, Leads will have 80 hours of ESST deposited. A lead will accrue vacation based on the handbook.

Holidays

The following four holidays will be recognized by the Warming Shelter: New Year's Day, 4th of July, Thanksgiving, and Christmas. Employees will be paid 6 hours of holiday pay for the 4 holidays based on an average of 20 hours a week worked since their start date.

MN Sick and Safe Time

Employees in Minnesota are entitled to earned sick and safe time, a form of paid leave.

Shelter Attendant - Employees will accrue one hour of earned sick and safe time for every 30 hours they work, up to at least 48 hours in a year, with a maximum of accrual of 80 hours.

Lead – Leads can carry over up to 48 hours of remaining time into 2025. On January 1, 2025, Leads will have 80 hours of ESST deposited.

A year for purposes of the employee's earned sick and safe time accrual is the calendar year: January 1, 2025 to December 31, 2025.

At the end of each pay period, employers must provide employees with the number of earned sick and safe time hours used by the employee during the pay period and available for future use. Earned sick and safe time must be paid at the same base rate employees earn from employment. Employees are not required to seek or find a replacement for their shift to use earned sick and safe time. They may use earned sick and safe time for all or part of a shift, depending on their need.

Earned sick and safe time can be used for:

- an employee's mental or physical illness, treatment or preventive care;
- the mental or physical illness, treatment or preventive care of an employee's family member;
- absence due to domestic abuse, sexual assault or stalking of an employee or their family member;
- closure of an employee's workplace due to weather or public emergency or closure of their family member's school or care facility due to weather or public emergency; and
- when determined by a health authority or health care professional that an employee or their family member is at risk of infecting others with a communicable disease.
- making funeral arrangements, attending a funeral service or memorial or addressing financial or legal matters that arise after the death of a family member.

Bridges of Hope will not pay out accrued/unused ESST if an employee leaves their job, either voluntary or involuntary. An employee that transfers departments will retain their accrued ESST. If an employee returns to the organization within 180 days, unused ESST hours will be reinstated.

[Notifying employer, documentation](#)

If an employee plans to use earned sick and safe time for an appointment, preventive care or another permissible reason they know of in advance, inform your direct supervisor as far in advance as possible,

ideally 7 days before the absence. In situations where an employee cannot provide advance notice, the employee should contact their direct supervisor as soon as they know they will be unable to work.

Retaliation, right to file complaint

It is against the law for an employer to retaliate, or to take negative action, against an employee for using or requesting earned sick and safe time or otherwise exercising their earned sick and safe time rights under the law. If an employee believes they have been retaliated against or improperly denied earned sick and safe time, they can file a complaint with the Minnesota Department of Labor and Industry. They can also file a civil action in court for earned sick and safe time violations.

For more information

Contact the Minnesota Department of Labor and Industry's Labor Standards Division at 651-284-5075 or esst.dli@state.mn.us or visit the department's earned sick and safe time webpage at sickleave.mn.gov.

This document contains important information about your employment. Check the box at the left to receive this information in this language or write at the bottom of the document the language you are requesting.

Retirement

After working for Bridges of Hope for one year, all employees who received at least \$5,000 in compensation from Bridges of Hope during any 2 preceding calendar years (whether or not consecutive) and who are reasonably expected to receive at least \$5,000 in compensation during the calendar year, are eligible to participate in the SIMPLE IRA plan for the calendar year. Notice will be sent out each year in October/November. Employees can contact the HR, Finance and Operations Director for further information.

LEAVES OF ABSENCE

Personal Leave of Absence

A personal unpaid leave of absence of up to ten (10) days annually may be granted at the discretion of the Executive Director. Employees must submit a leave of absence request form detailing the basis for the requested leave and proposed duration. Consideration will be given to basis for leave request and impact on the organization.

Disability Leave of Absence

In situations where an employee is suffering from a serious medical condition or disability that prevents them from working, the employee may make a written request for a disability leave of absence.

The disability leave of absence applies to employees who are regularly scheduled to work a minimum of twenty (20) hours per week, who have completed twelve consecutive months of employment of 1250 work hours or greater and who are experiencing a disability that prevents them from working with or without reasonable accommodation.

The request for disability leave of absence requires the completion of the Leave of Absence Request and Healthcare Provider Certification to determine eligibility.

The maximum disability leave of absence period for approved disability leaves is the lesser of the length of total disability or six (6) weeks, whichever occurs first. In no circumstances shall the disability leave period exceed six (6) weeks in a twelve (12) month period measured forward from the date leave first began.

The disability leave of absence is unpaid unless the employee has accrued paid time off available or is receiving workers compensation benefits. The application of paid time or workers compensation benefits does not extend the maximum six (6) week disability leave of absence period. Employees must use available vacation and sick leave during the disability leave period.

Holiday benefits and other paid time off benefit accruals are suspended during an unpaid disability leave of absence.

Employees who return to work immediately following the period of disability and prior to the expiration of the maximum disability leave period will be reinstated to the same position or a similar position at the same rate of pay unless such positions are no longer available as a result of organizational changes such as downsizing or position elimination.

After a serious illness, surgery or workplace injury an employee is required to submit a Report of Work Ability.

Should an employee need to make a request for reasonable accommodations under the ADA, they should contact the Finance, HR and Operations Director.

[School Conference Leave](#)

Minnesota's School Conference and Activities Leave law allows eligible employees up to 16 hours of unpaid leave from work to attend their child's school conferences and activities each year and for each child (see Minnesota Statute 181.9412).

[Parenting Leave](#)

Employees may take up to 12 weeks of unpaid leave upon the birth or adoption of their child. Employees are eligible for this leave regardless of the size of their employer and the amount of time for which they have worked for their employer.

When does the pregnancy and parental leave start?

- The leave must be taken within 12 months of the birth or adoption.
- Employees must request the leave from their employer.
- Employees can choose when the leave will begin.

Employers can adopt reasonable policies about when requests for leave must be made.

If you have paid leave, including sick leave or paid vacation, the amount of pregnancy and parental leave can be reduced so the total leave (parental plus paid leave) is not more than 12 weeks. You only have a right to 12 weeks of leave total for birth or adoption of a child and any pregnancy-related leave, even if you qualify for both FMLA and pregnancy and parental leave. The federal Family Medical Leave Act FMLA requires employers to provide up to 12 weeks of unpaid leave in connection with the birth or adoption of a child or for a serious health condition. You may be entitled to additional leave under FMLA for a nonpregnancy-related serious health condition. You are entitled to employment in your former position or one with comparable duties, hours and pay. You are also entitled to the same benefits and seniority you had before the leave. You may return to part-time work during the leave without forfeiting the right to return to full-time work at the end of the leave. Bridges of Hope will not retaliate, or take negative action, against you for requesting or taking a leave. If you are a member of the U.S. armed services, you may have additional leave rights under the federal Uniformed Services Employment and Reemployment Rights Act.

[Nursing Mothers, Lactating Employees and Pregnancy Accommodations](#)

Bridges of Hope will follow MN Statute 181.939 to accommodate nursing mothers, lactating employees and those that need pregnancy accommodations. The organization will provide reasonable break times each day to an employee who needs to express milk. The break times may run concurrently with any break times already provided to the employee and shall not reduce an employee's compensation for time used for the purpose of expressing milk.

Bridges of Hope will make reasonable efforts to provide a clean, private, and secure room or other location, in close proximity to the work area, other than a bathroom or a toilet stall, that is shielded from view and free from intrusion from coworkers and the public and that includes access to an electrical outlet, where the employee can express milk in privacy. Bridges of Hope will provide reasonable accommodations to an employee for health conditions related to pregnancy or childbirth upon request, with the advice of a licensed health care provider or certified doula, unless the employer demonstrates that the accommodation would impose an undue hardship on the operation of the employer's business. A pregnant employee shall not be required to obtain the advice of a licensed health care provider or certified doula, nor may an employer claim undue hardship for the following accommodations: (1) more frequent or longer restroom, food, and water breaks; (2) seating; and (3) limits on lifting over 20 pounds. The employee and employer shall engage in an interactive process with respect to an employee's request for a reasonable accommodation. Reasonable accommodation may include but is not limited to temporary transfer to a less strenuous or hazardous position, temporary leave of absence, modification in work schedule or job assignments, seating, more frequent or longer break periods, and limits to heavy lifting. Notwithstanding any other provision of this subdivision, an employer shall not be required to create a new or additional position in order to accommodate an employee pursuant to this subdivision and shall not be required to discharge an employee, transfer another employee with greater seniority, or promote an employee.

Nothing in this subdivision shall be construed to affect any other provision of law relating to sex discrimination or pregnancy or in any way diminish the coverage of pregnancy, childbirth, or health conditions related to pregnancy or childbirth under any other provisions of any other law.

Military Leave

For reserve or active duty, military leave will be treated as required by government regulations according to the MN Management and Budget HR/LR Memo #2014-5 Military Leave revised 1/9/2023.

Jury Duty

Bridges of Hope encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees may request unpaid jury duty leave for the length of absence. If desired, employees may use Vacation Leave and Bridges of Hope will comply with any benefits required by law. Employees will be paid their full weekly salary (less any jury pay) for any week in which they perform any work for Bridges of Hope while on Jury Duty.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may arrange to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits. Jury Duty Leave may not be “stacked” consecutively with other available leave.

Leave for Bone Marrow Donations

According to Minnesota statute, Bridges of Hope will provide up to 40 hours of paid leave for the purpose of undergoing a medical procedure to donate bone marrow. Bridges of Hope will require verification by a physician of the purpose and length of each leave requested by the employee to donate bone marrow.

Voting

Every employee who is eligible to vote in an election has the right to be absent from work for the time necessary to appear at the employee's polling place, cast a ballot, and return to work on the day of that election or during the time period allowed under section 203B.081 for voting in person before election day, without penalty or deduction from salary or wages because of the absence. Subd. 2. Elections covered. For purposes of this section, "election" means a regularly scheduled election, an election to fill a vacancy in the office of United States senator or United States representative, an election to fill a vacancy in nomination for a constitutional office, an election to fill a vacancy in the office of state senator or state representative, or a presidential nomination primary under chapter 207A.

Employer-Sponsored Meetings and Communications

Bridges of Hope will follow MN Statute § 181.531, which bans employers from holding mandatory employer-sponsored “captive audience” meetings if those meetings are for the

purpose of communicating the employer's opinion on religious or political matters. Bridges of Hope will not threaten to take or take adverse action against employees who refuse to attend or participate in an employer-sponsor meeting, or who refuse to receive or listen to an employer communication, if the meeting/communication is to communicate the employer's opinion about religious or political matters.

The law defines "political matters" to mean those matters "relating to elections for political office, political parties, proposals to change legislation, proposals to change regulations, proposals to change public policy, and the decision to join or support any political party or political, civic, community, fraternal, or labor organization."

"Religious matters" are defined as matters "relating to religious belief, affiliation, and practice and the decision to join or support any religious organization or association."

PERSONNEL RECORDS

Bridges of Hope will maintain a confidential personnel record on each employee, including, but not limited to, job application, training certificates, performance reviews, conflict of interest disclosure form, and emergency contact information. Employees may review this record upon request to their immediate supervisor. Employees may insert a statement in response to any information that is in dispute; this will become a permanent part of their file. Those who terminate employment will be allowed access to their personnel record in accordance with current state statutes.

Employee can make any necessary changes to personal information, withholding exemptions, and bank information within Smart HR.

PERFORMANCE MANAGEMENT

Performance management is an important function for the Organization and is made up of several components, some of which are on-going work direction, monitoring, and scheduled performance appraisals. Formal reviews provide an opportunity to ensure the job description is accurate and up to date, to clarify job expectations with the supervisor and work team(s), and to provide feedback on performance.

The shelter manager will conduct monthly informal performance reviews for all employees and formal reviews will be done seasonally at shelter opening and closing.

WORK RULES & POLICIES

The Work Rules of the Organization are used to define appropriate behavior and accepted practices. The following policies should provide guidance to your daily work activities, as well as your interaction with others.

Team Member Relations

At Bridges of Hope we are committed to fostering an environment that values open communication and is responsive to the needs and concerns of employees, volunteers, clients and partners. Our experience has shown proactive communication that is thoughtful and direct, serves to create a more effective work environment, one where communications are clearer and attitudes more positive. The information that follows serves as a resource to help guide staff in the process for organizational communications.

Policy

Bridges of Hope is committed to address all suggestions and concerns in a respectful and productive manner, as close to the source as possible. Unresolved matters move will move progressively through the Organization with further discussion and resolution at higher levels of authority as may be necessary.

All complaints, formal or otherwise, are regarded seriously by Bridges of Hope and as such, Bridges of Hope encourages those who are considering such action to do so in a thoughtful manner consistent with the high professional and ethical standards of the Organization.

Statement of General Principles

- Suggestions and/or concerns are most effectively addressed among and between the parties directly involved.
- For situations requiring intervention beyond those directly involved, parties are encouraged to address the matter with the next level or supervision and/or management,
- Formal complaints must be described in detail by the complaining party and will often require a written account of the official complaint.
- The subject(s) of the complaint shall be given a full account of the complaint and shall be provided with the opportunity to respond to the allegations.
- The complaint resolution process shall be conducted honestly, fairly without bias and shall not be unduly delayed.

Procedures

Bridges of Hope's Complaint Resolution Process is a four-level process:

1. The complaining party attempts to resolve the complaint as close to the source as possible, generally through informal discussion with those directly involved.
2. If the matter is not resolved, the complaining party is encouraged to address the matter with their immediate Supervisor. The complaint should contain a detailed description of the matter, the remedy sought and other pertinent data. Such discussions should be confined to the complaining party, the supervisor and other relevant parties. The Executive Director is advised of the complaint and resolution and/or outcomes reached.

3. If the matter is not resolved, the Supervisor refers the matter to the Executive Director. The Executive Director will review the matter, assessing information and performing investigations as deemed necessary to determine the appropriate resolution. Such resolution will be communicated to the complaining party and other relevant parties as deemed appropriate.

4. If the matter is not resolved, The Complaining party will be advised of any additional resources that might be available.

Confidentiality

Honesty and confidentiality are imperative in maintaining credibility and providing quality services to the people and communities the Organization serves. Employees are always expected to treat community members thoughtfully and respectfully. As an employee of Bridges of Hope, there will be access to confidential information of the Organization and of the Organization's clientele. Under Minnesota law, employees are prohibited from disclosing, making available or using in any fashion any such confidential information unless authorized to do so by the Organization.

The type of information that is deemed confidential is any information that is proprietary to the Organization or proprietary to others and entrusted to the Organization, specifically including, but not limited to, client information, financial data, donor lists, communication programs, policies, plans, and current or anticipated products or services, etc. In addition, any documents, records, lists or other tangible items that have been prepared, used, or maintained in connection with employment with Bridges of Hope are the sole property of the Organization and must be returned on or before your last day of employment.

Employee Personal Use of Organization Equipment and Materials

Personal use of equipment owned by the Organization is generally prohibited; however, some exceptions exist when reimbursed by the employee:

- Personal copies and faxes may be made when cost is reimbursed to the Organization, at the rate of 10 cents per sheet per copy and 10 cents per sheet per long-distance fax.
- Use of company email, voicemail and Internet, on a limited basis, with the understanding that the Organization owns the computer equipment, telephone and email system. Therefore, an employee should have no expectation of privacy regarding anything created while using the organization's property.

Privacy and Monitoring

Work areas, desks, computers, networks, electronic files, Internet, phone and email systems are considered Organization property. The Organization, without prior notice, retains the right to monitor an employee's activities in these areas and inspect workspaces and materials, packages carried to and from the workplace. Employees waive any right to privacy in anything they create, store, send, or receive while using company property.

Employees are encouraged to make personal calls during a break using their own cell phone, privately and/or away from the workspace of other employees.

Personal Property

In general, the Organization will not be held responsible for any personal property displayed or stored on Organization premises.

Conflict of Interest

On an annual basis, the Organization reserves the right to request a statement from each Board, Committee, and staff member disclosing in writing any potential conflict of interest on the part of the member or their immediate family, which may exist in connection with any transactions with the Organization.

Employees are responsible for notifying the Executive Director of any conflict of interest that may arise over the course of ordinary business transactions where the employee has a financial interest or a position of authority (director, trustee, officer) with an entity in a position to receive Organization resources. Failure to do so will result in disciplinary action up to and including termination.

Acceptance of Gifts

Employees and their families may not solicit or accept gifts, entertainment, or other benefits intended to influence the Organization's business from a customer, vendor, or other current or potential business contacts of the organization.

Dress Code

Bridges of Hope employees are encouraged to dress comfortably and casually to accommodate the physical nature of the work. All Bridges of Hope employees should remember that they are representing the Organization and with this in mind, should:

- Dress out of respect and accordingly for your clients/customers.
- Dress out of respect for coworkers.
- Use the following guidelines in determining appropriate casual attire: do not wear it if you would wear it gardening, jogging, participating in a sport, going out to a dance club or to the beach.

Drug, Alcohol, Cannabis and Tobacco Use

Bridges of Hope is a Drug, Alcohol and Cannabis free workplace. Bridges of Hope bans the possession, use, sale or distribution of marijuana, cannabis, its related products, drugs and alcohol at the workplace. Bridges of Hope prohibits being impaired and/or under the influence of marijuana, cannabis, its related products, drugs or alcohol while work is being performed.

Bridges of Hope's Human Service Office and Common Goods are both smoke-free locations. Tobacco use is prohibited inside the building(s) at all times. A designated area is available

outside for tobacco users. Employees are expected to exercise common courtesy and to respect the needs and sensitivities of co-workers with regard to the tobacco-free guideline. Tobacco users have a special obligation to keep tobacco use areas litter-free and not to abuse break and/or work rules.

Violation of the drug, alcohol, cannabis and tobacco use policy may result in discipline and potentially termination of employment.

Offensive behavior

It is the Organization's guideline to promote respect and tolerance. Unwelcome verbal or physical conduct that has the purpose or effect of unreasonably interfering with an individual's work performance, or that which creates an intimidating, offensive, or hostile work environment is not tolerated by Bridges of Hope. Harassment that is based on race, color, creed, religion, national origin, sex, disability, age, or any other classification protected by law is expressly prohibited. Any individual engaging in such conduct will be subject to appropriate action, including discipline or termination. This guideline applies to all employees and prohibits harassment in any form, whether physical, verbal, or visual. Creating or distributing harassing, offensive or discriminatory e-mail is strictly prohibited.

Sexual Harassment

One type of harassment that is expressly prohibited is sexual harassment. Sexual harassment of any employee by another employee, supervisor, manager, agent, board member, or visitor will not be tolerated.

"Sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is a condition of keeping or getting a job, whether expressed in explicit or implicit terms,
- Employment decisions are based on an individual's submissions to, or rejection of, such conduct.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

Examples of Prohibited Conduct

The following behaviors are examples of conduct prohibited by this guideline. Please note that these are some examples and are not all-inclusive. If you have a question about whether conduct is permissible under this guideline, you should discuss it with your supervisor, the Executive Director or the Chair of the Board of Directors.

- Use of offensive or demeaning terms which have a sexual connotation,
- Offensive physical proximity or physical contact,

- Any indication expressed or implied, that an individual's job security, job assignment, conditions of employment, or opportunities for advancement or opportunities for training depend or may depend on the granting of sexual favors to any other employee, supervisor, or manager.
- Any action relating to an individual's job status, which is, in fact, affected by consideration of the granting or refusal of social or sexual favors.
- The creation of an atmosphere in which an individual's work, property, or reputation are demeaned because of the person's protected class status,
- The expression of jokes or remarks of a sexual nature or which degrade or malign persons of any protected class,
- The use of epithets or slurs based on an individual's protected class status, and
- The dissemination of materials such as cartoons, articles, pictures, and the like, which have a sexual content or which denigrate persons of a protected class.

This type of behavior is prohibited and should be reported to the Executive Director whether it occurs at the Organization's offices or at an off-site function, and whether it is committed by an employee or non-employee.

Harassment and Offensive Behavior Complaints

An individual who believes he or she has been subject to prohibited harassment or offensive behavior of any category or type should make his or her concerns known by:

1. Telling the person engaging in the harassing conduct or communications that the conduct or communication is offensive, against this guideline, and must stop; and
2. Advising the Executive Director. If a manager or other supervisor learns of any incident in violation of this guideline, the facts must be reported immediately to the Executive Director. If the individual engaging in the offensive conduct or communication is the Executive Director, the individual should contact the Board Chair; and
3. Putting the facts surrounding the harassing conduct or communication in writing. Complaints of prohibited harassment are investigated thoroughly and impartially. The investigation may include interviews with the individual making the charges, the accused individual and appropriate witnesses.

Consensual Relationships

Bridges of Hope recognizes that consensual relationship sometimes exist among staff members which are, or have the potential of becoming, sexual in nature. The Organization generally discourages such relationships, and expressly prohibits those between staff members and clients, as well as those in which one person is in a supervisory capacity over another person. Staff are required to proactively report employee consensual relationships to allow the Organization to assess whether a conflict exists and determine actions required to resolve conflicts as may be necessary.

Retaliation

No retaliation will occur because an individual has, in good faith, reported an incident of suspected harassment. Bridges of Hope, however, recognizes that false accusations of harassment can have a serious impact and requires that such reports not be made lightly or in circumstances that do not demonstrate good faith.

PROHIBITION OF WEAPONS AND WORKPLACE VIOLENCE

The Organization is committed to providing a work environment that is safe for all employees. For this reason, employees are prohibited from engaging in acts or threats of physical violence and from possessing firearms, explosives, or other potentially dangerous weapons while acting in the scope and course of employment. No employee may possess firearms, explosives, or other potentially dangerous weapons within the Bridges of Hope Human Services location, nor within Common Goods. Employees who violate this guideline will be subject to discipline up to and including termination.

If an employee witnesses or is the victim of conduct that violates this guideline, the employee should report the incident to their supervisor or another member of the management team. If the report is made to a supervisor, that supervisor is responsible for reporting the incident to the Executive Director as soon as possible.

MISCONDUCT AND DISHONESTY

Like all organizations, ours is faced with the risks of wrongdoing, misconduct, dishonesty, and fraud. We must be prepared to manage these risks and their potential impact in a professional manner.

For purposes of this guideline, misconduct and dishonesty include but are not limited to:

- Acts which violate the organization's Code of Conduct;
- Theft or other misappropriation of assets, including assets of the Organization, or donors, clients, suppliers or others with whom we have a business relationship;
- Misstatements and other irregularities in the organization's records, including the intentional misstatement of the results of operations;
- Forgery or other alteration of documents;
- Falsification of timecards or requests for payment;
- Fraud and other unlawful acts;
- Any similar acts of misconduct and/or dishonesty.
- The impact of misconduct and dishonesty may include:
- The actual financial loss incurred

- Damage to the reputation of our organization and our employees
- Negative publicity
- The cost of investigation
- Loss of employees
- Loss of donors and partner organizations
- Damaged relationships with our contractors and clients
- Litigation
- Damaged employee morale

The Organization specifically prohibits these and any other illegal activities in the actions of its employees, managers, executives and others responsible for carrying out the organization's activities.

Reporting

It is the responsibility of every employee to immediately report suspected misconduct or dishonesty to the Executive Director. Any reprisal against any employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden.

Reported Incident Follow-up Procedure

Care must be taken in the follow-up of suspected misconduct and dishonesty to avoid acting on incorrect or unsupported accusations, to avoid alerting suspected individuals that follow-up and investigation are underway, and to avoid making statements that could adversely affect the Organization, an employee, or other parties.

Accordingly, the general procedures for follow-up and investigation of reported incidents are as follows:

1. Employees and others must immediately report all factual details in writing as indicated above.
2. The Executive Director has the responsibility for follow-up and investigation as necessary.
3. The Executive Director may obtain the advice of legal counsel as determined necessary.
4. Neither the existence nor the results of investigations or other follow-up activity will be disclosed or discussed with anyone other than those persons who have a legitimate need to know in order to perform their duties and responsibilities effectively.
5. All inquiries from an attorney or any other contacts from outside of the organization, including those from law enforcement agencies or from the employee under investigation, should be referred to legal counsel.
6. Investigative or other follow-up activity will be carried out without regard to the suspected individual's position in or relationship with the organization. The Executive Director shall report all fraud violations to the Board.

“WHISTLEBLOWER” PROTECTION

Employees are protected from retaliation under a number of state and federal laws if they refuse to violate a law in performance of their duties, report violations of law by their employer to a public body, or if they take advantage of rights provided by these laws. This whistleblower protection makes it unlawful to discharge, demote, suspend, harass, or discriminate in any manner against any employee who engages in protected activity. Employees who feel that they have received unjust treatment should contact the Chair of the Board of Directors.

No employee, board member or committee member, who in good faith reports a violation of a law or regulation shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This “Whistleblower” protection is intended to encourage and enable persons to raise serious concerns without fear of adverse consequence.

The Executive Director, working with the Chair of the Board, is responsible for investigating and resolving all complaints and allegations concerning violations of the policy, laws and other regulatory guidelines. Concerns that involve the Executive Director will be referred to the Board Chair or outside legal counsel for resolution. Concerns regarding accounting practices, internal controls or auditing will be addressed by the Finance Committee. The Executive Director shall immediately notify the Finance Committee of any such complaint and work with the Committee until the matter is resolved.

Anyone filing a complaint must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Violations or suspected violations may be submitted on a confidential basis or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

The Executive Director or person responsible for carrying out the investigation will acknowledge receipt of the reported violation or suspected violation by writing a letter (or e-mail) to the complainant within five business days.

DISCIPLINARY STEPS

Disciplinary steps may be required and will be taken as appropriate in response to cases of poor performance or violation of work rules and policies. Bridges of Hope reserves the right to take appropriate disciplinary action for situations as listed below, recognizing that this is not a comprehensive list:

- Excessive absenteeism or tardiness,
- Intoxication/impairment on the job,
- Possession or use of illegal substances/cannabis on Organization property, or during Organization work times,
- Careless or negligent handling of Organization materials or money, or theft,
- Inadequate performance of duties,
- Failure to comply with work rules, including those outlined in this handbook,
- Sexual harassment or other types of offensive behavior,
- Willful misconduct or insubordination,
- Breach of professional ethics, including confidentiality; dishonesty,
- Possession of firearms, explosives, or other potentially dangerous weapons while acting in the scope and course of employment.

Examples of disciplinary actions that the Organization may take include written warnings, temporary suspension with or without pay, or discharge with or without notice. Bridges of Hope reserves the right to discipline at its discretion, depending upon the seriousness of any individual situation and the nature of previous performance or incidents. The Organization's management has the sole discretion to determine what behavior warrants disciplinary action and what type of disciplinary action will be imposed. The Organization reserves the right to terminate employees at any time and with or without cause as long as it does not violate local, state, or federal law.

TERMINATION OF EMPLOYMENT

Employment terminations are to be treated in a professional, confidential manner by all concerned. Just as an employee can terminate employment at any time, for any reason, the Organization may also choose to terminate employment with or without notice, for any reason, subject to applicable laws.

The Organization requests an employee who chooses to terminate employment with the Organization to provide a written termination notice to his/her supervisor a minimum of two weeks in advance of anticipated termination date.

Any employee who is absent from work without having notified his/her immediate supervisor of the absence or the reason for the absence will be considered as having resigned after the third consecutive day of absence.

Any employee who leaves work without authorization from his/her supervisor or other authorized Organization representative or otherwise indicates an intention not to continue his/her employment will be deemed to have resigned.

Departing employees are invited to participate in an exit interview with the Executive Director or designee and will be contacted at the representative's discretion.

Layoffs

Layoffs may occur due to changing Organization needs or structure and/or budget constraints. Every attempt will be made to give employees reasonable notice of impending layoffs.

HEALTH AND SAFETY

The Organization encourages a safe and healthy working environment for its employees, and complies with all applicable safety and right-to-know requirements. The Organization provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications. In addition, the following procedures have been defined:

Accident Reporting

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify their supervisor who will complete an Accident Report. Such reports are necessary to comply with laws and initiate insurance worker's compensation benefits procedures.

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Jana Shogren has submitted a request on behalf of Bridges of Hope for an Interim Use Permit to operate an overnight warming shelter for the homeless in the Brainerd Lakes Area at 1926 S 7th St. The current Interim Use Permit expires June 30, 2025. The facility operates between the months of September 1st and April 30th of each year. The applicant is proposing to operate the shelter year-round.

The property included in this application is described as:

*LOT 4 BLOCK 3 HOLIDAY INN ADDITION TO BRAINERD
LOT 5 BLOCK 3 HOLIDAY INN ADDITION TO BRAINERD
P.I.N. 41360878
P.I.N. 41360877
Section 36, Township 45, Range 31*

The property is zoned GC (General Commercial) District, and Zoning Ordinance Section 515-3 (Allowed Uses) Appendix A: Table of Uses permits the operation of warming shelters as an interim use as regulated by Section 515-3-43 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, March 19th, 2025 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the Interim Use Permit request.

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

Dated this 5th day of March, 2025



James Kramvik
Community Development Director

Publication Date: March 8, 2025

Warming Shelter Data – Incidents occurring at the shelter or within one block of the shelter

- 2 Incidents from January 2020 – July 2021. This is prior to the Warming Shelter opening and within one block of Warming Center location.
- 119 total incidents from August 2021 – February 2025. Incidents either occurred at the shelter or within one block and had a direct correlation with the shelter and/or their patrons.
- 116 incidents at the shelter, 3 occurred within one block of shelter.
- **Resident** – Individual determined to be from Crow Wing County based on their previous address and previous law enforcement contacts.
- **New non-resident** – Previous address outside of Crow Wing County along with no previous law enforcement contacts within Crow Wing County.
- **Non-resident** – Previously identified as a new non-resident.

January 2020 - July 2021 - Prior to Shelter

#	ICR	Date	Type	Location	Resident Status	Summary
1	20003907	3/27/2020	Suspicious person	1900 Blk S 7th St	Resident	Report of a person sleeping next to a baby stroller. Subject was homeless and sleeping.
2	21008305	6/16/2021	Suspicious person	18XX S 7th St	Resident	Reports homeless female laying in the ditch behind his residence.

August 2021 - February 2025

#	ICR	Date	Type	Location	Resident Status	Summary
1	21017841	12/31/2021	Welfare Check	Shelter	Resident	Officer met with subject at facility. Subject stated he just needed some time away from comp and did not need any assistance from officer.
2	22000566	1/14/2022	Disturbance	18XX S 7th St	New Non-Resident	Disturbance, Officer located homeless male who was cold and was causing a disturbance to go to jail to be warm.
3	22000594	1/15/2022	Disturbance	Shelter	Resident	Subject refusing to leave the warming shelter.
4	22000697	1/17/2022	Domestic	Shelter	Residents	Verbal domestic on sidewalk in parking lot
5	22000887	1/22/2022	EMS	Shelter	Resident	Reqt North for female complaining of chest pain
6	22001049	1/26/2022	Suicidal Person	Shelter	New Non-Resident	Reports resident at the warming house stating he wanted to harm himself
7	22001363	2/2/2022	EMS	Shelter	Resident	Reports female having chest pain.

8	22002599	2/27/2022	Suicidal Person	Shelter	New Non-Resident	Suicidal Person
9	22002666	3/1/2022	EMS	Shelter		EMS. Officer assisted North with a medical.
10	22003396	3/18/2022	Public Assist	Shelter	Non-Resident	Male at location needing referral to stay for the night
11	22004120	4/2/2022	Warrant Arrest	Shelter	New Non-Resident	Comp reports he needs a referral to stay at the warming shelter. Active warrant out of Washington Co. Arrested and transported to CWC jail for warrant.
12	22004956	4/19/2022	Intoxicated Person	Shelter	New Non-Resident	Reports male keeps showing up intoxicated. Now threatening others at shelter and making suicidal comments
13	22014205	10/24/2022	Domestic	Shelter	New Non-Resident X2	Warrant arrest. Both arrested for Fugitive from Justice (Wisconsin Warrants)
14	22014343	10/26/2022	Trespass	Shelter	Resident	Officer learned that subject had been banned from the warming shelter. Subject denied any further assistance from officer and left the area. Officers were later called back for subject who was banned in the area.
15	22015106	11/13/2022	Suicidal Person	Shelter	New Non-Resident	Subject reported suicidal ideations and that he is off his medications
16	22015389	11/21/2022	EMS	Shelter	Resident	Requests ambulance for male at location having a panic attack
17	22015443	11/22/2022	Disturbance	Shelter	Resident	Warming shelter requested officers to remove subject.
18	22015644	11/26/2022	EMS	Shelter	Resident	Male at location stating that he does not feel right
19	22015978	12/3/2022	Public Assist	Shelter	New Non-Resident	Requests transport of male to the ER
20	22016375	12/13/2022	Disturbance	Shelter	Resident	Female being loud and refusing to leave.
21	22016420	12/14/2022	EMS	Shelter	Resident	Tooth Pain
22	22016481	12/14/2022	Public Assist	Shelter	Resident	Male needing an officer to get into the warming shelter
23	22016661	12/16/2022	Public Assist	Shelter	Resident	Shelter requesting a referral for a male needing a bed
24	22016731	12/18/2022	Public Assist	Shelter	Resident	Officer spoke with warming shelter to help subject be allowed into warming shelter.
25	23000670	1/13/2023	Public Assist	Shelter	Resident	Requests Officer to sign him in for the night
26	23000886	1/18/2023	EMS	Shelter	Resident	Female requesting to go to the hospital - unknown reasons, possibly mental health
27	23000942	1/19/2023	Public Assist	Shelter	Resident	Officer called the warming shelter and gave a referral
28	23000954	1/20/2023	Harass Comm	Shelter		Caller reports female staff are being harassed and "catcalled" by males that have been staying at the Warming Shelter
29	23001006	1/20/2023	Public Assist	Shelter	Resident	Male needing referral to get into the Warming Shelter
30	23001548	1/27/2023	Public Assist	Shelter	Resident	Comp requested ride to ER for medical issue.

31	23001648	1/29/2023	Public Assist	Shelter	New Non-Resident	From Staples and now needs to be signed in to the warming shelter. Warming shelter refused to allow subject to stay and comp took subject back to Wadena area.
32	23001952	2/7/2023	Public Assist	Shelter	Resident	Would like a referral to warming shelter.
33	23002091	2/9/2023	Disturbance	Shelter	New Non-Resident	Warming shelter requested officers for a disturbance.
34	23002172	2/10/2023	Intoxicated Person	Shelter	Resident	Warming shelter stated intoxicated subject was no longer welcome at the shelter that night
35	23002551	2/18/2023	Public Assist	Shelter	Resident	Requesting Officer's assistance for a referral to the warming shelter
36	23003331	3/8/2023	Public Assist	Shelter	Resident	Subject requested referral to Warming Shelter.
37	23004149	3/27/2023	EMS	Shelter	Resident	Female party seizure
38	23004208	3/29/2023	Information	Shelter	Resident	Complainant stated female attempted to steal bicycle from outside the shelter
39	23004291	3/31/2023	Disturbance	Shelter	Resident	Reports wanting male that is outside removed from property. Warming shelter staff did not wish to press charges for the damage to property in the bathroom. Staff did not want male trespasses.
40	23004814	4/11/2023	Public Assist	Shelter	Resident	Requests officer to sign him into the warming shelter.
41	23004819	4/12/2023	Public Assist	Shelter	Resident	Female at warming shelter requesting referral
42	23005432	4/25/2023	Intoxicated Person	Shelter	Resident	Intoxicated person, subject was transported to the emergency room.
43	23005521	4/27/2023	Threats	Shelter	New Non-Resident	Officer located subject later in the evening at the warming shelter. Subject stated he did not threaten his parents. Subject stated he was not suicidal or homicidal and did not need any law enforcement assistance at this time.
44	23005639	4/30/2023	Threats	Shelter	New Non-Resident	Reports female threatened the male on several occasions at the shelter and at the soup kitchen.
45	23005905	5/5/2023	Public Assist	Shelter	New Non-Resident	Subject wanted transport to safe harbor. Officer spoke with safe harbor who stated they do not take walk ins
46	23005910	5/5/2023	Public Assist	Shelter	Non-Resident	Officer transported subject to the ER.
47	23006078	5/8/2023	Suspicious person	Shelter	NA	Male has a pile of items all over the place in the lot. Suitcase and other personal belongings in the woods near the building.
48	23006089	5/8/2023	Public Assist	Shelter	Resident	Requests courtesy transport subject to ER for wrist pain.
49	23007178	5/28/2023	Suspicious person	Shelter	Resident	Caller reports occupant of blue truck, parked near warming shelter on S 7th St, is staring at Bethany Good Sam and making resident feel uncomfortable. Subject stated that he was homeless and wanted to rest.

50	23013812	10/13/2023	EMS	Shelter	New Non-Resident	Male with infected leg.
51	23013937	10/17/2023	EMS	Shelter	Non-Resident	Request amb for diabetic male experiencing issues
52	23014156	10/21/2023	EMS	Shelter	NA	Reports male fell - semi responsive and was breathing
53	23014206	10/22/2023	EMS	Shelter	Resident	Officers assisted North Memorial EMS
54	23014228	10/23/2023	Public Assist	Shelter	New Non-Resident	Officers gave subject courtesy ride to the bus stop.
55	23014313	10/24/2023	EMS	Shelter	NA	High blood sugar.
56	23014323	10/25/2023	EMS	Shelter	NA	Ems. Officers assisted North.
57	23014356	10/25/2023	EMS	Shelter	New Non-Resident	Medical.
58	23015389	11/18/2023	Public Assist	Shelter	New Non-Resident X2	Reports that he is with a male that stayed at the shelter with him last night and the male isn't able to walk.
59	23015440	11/19/2023	ATL	Shelter	Resident	Comp at this time doesn't want subject signed in as missing. Officer received a phone call from subject at treatment
60	23015680	11/24/2023	Disturbance	Shelter	Resident	Yelling-possibly may lead to fight
61	23015686	11/24/2023	Disturbance	Shelter	New Non-Resident	Intoxicated male in parking lot yelling and cursing at people. Arrested for an A&D hold for Morrison County
62	23015722	11/25/2023	EMS	Shelter	Resident	Medical.
63	23015746	11/26/2023	EMS	Shelter	Resident	Homeless male fell, diabetic, sleeping in entrance
64	23015911	11/30/2023	Disturbance	Shelter	Resident	Female refusing to leave
65	23016443	12/12/2023	Public Assist	Shelter	New Non-Resident X2	Male informed female that he would give the vehicle keys to an officer to give to her. Male refused to speak with Sgt. And refused to give the keys up.
66	23016608	12/16/2023	POR	Shelter	Resident	POR Change of information
67	23016632	12/17/2023	EMS	Shelter	Resident	Reports male is having difficulty breathing.
68	23016759	12/19/2023	911 Hangup	Shelter	New Non-Resident	Arrested for FE 5th Degree Possession of a Controlled Substance and MS Misuse of 911.
69	23016861	12/21/2023	Disturbance	Shelter	Resident	Reports male was arguing with staff and had made a move to hit male
70	23016867	12/21/2023	EMS	Shelter	NA	Requests ambulance for male having an allergic reaction
71	23016967	12/25/2023	EMS	Shelter	Resident	EMS
72	24001803	2/11/2024	Suspicious person	Shelter	Resident	Suspicious Person
73	24001978	2/15/2024	Suicidal Person	Shelter	New Non-Resident	Text to 911 asking for help for mental health crisis
74	24002028	2/15/2024	Public Assist	Shelter	New Non-Resident	Requesting a ride to the warming shelter.

75	24002515	2/26/2024	EMS	Shelter	Resident	Officer assisted North Ambulance with a medical
76	24002906	3/6/2024	Public Assist	Shelter	New Non-Resident	Reports female left the building and is now not welcome back until tomorrow. She is still on the property and they would like her removed for the night.
77	24003470	3/17/2024	Disturbance	Shelter	Non-Resident	Staff stated female subject had just caused a disturbance and been told to leave.
78	24004292	3/30/2024	Disturbance	Shelter	Resident	Drunk male, refusing the leave. Causing a disturbance
79	24004781	4/9/2024	EMS	Shelter	NA	seizure-out front
80	24004943	4/11/2024	POR	Shelter	Resident	Subject now back assigned as homeless.
81	24005044	4/12/2024	Suicidal Person	Shelter	Resident	Suicidal Person
82	24005188	4/15/2024	Disturbance	Shelter	Resident	Arrested for MS Disorderly Conduct, MS Obstructing, and MS Violating Conditions of Release.
83	24005386	4/18/2024	Welfare Check	Shelter	New Non-Resident	Welfare Check.
84	24005443	4/19/2024	EMS	Shelter	New Non-Resident	ambulance for male that has a seizure
85	24005529	4/21/2024	Domestic	Shelter	Resident	Arrested FE Third Degree Assault, MS Domestic Assault, and MS Disorderly Conduct
86	24008265	6/12/2024	Public Assist	Shelter	New Non-Resident	Subject was found requesting rides for ppl at location.
87	24014552	10/3/2024	EMS	Shelter	Resident	Guest at location stating he is not feeling well
88	24015300	10/20/2024	EMS	Shelter	NA	Requests ambulance for male who had a seizure and starting to come out of it
89	24015542	10/25/2024	Public Assist	Shelter	Resident	States a guest is saying he was hit by a car
90	24015549	10/25/2024	EMS	Shelter	Resident	Assisted North Memorial EMS with a medical.
91	24015587	10/26/2024	Welfare Check	Shelter	Resident	Welfare check on subject he has not heard from in two months. Was staying at warming shelter, which confirmed they had seen him today.
92	24015679	10/28/2024	EMS	Shelter	Resident	Seizure.
93	24015805	10/31/2024	EMS	Shelter	Resident	Male outside in the parking lot having a seizure.
94	24015863	11/1/2024	EMS	Shelter	New Non-Resident	Requests ambulance for subject with back pains
95	24016039	11/6/2024	Information	7th	NA	Reported a structure being built in the woods south of location.
96	24016067	11/6/2024	EMS	Shelter	Resident	Seizure.
97	24016109	11/7/2024	Trespass	1900 Blk S 7th	NA	Reports what appears to be the start of a homeless encampment in the woods towards the South and back of building

98	24016817	11/22/2024	Disturbance	Shelter	Resident	Guest has been told to leave multiple times and is refusing, making threats.
99	24016818	11/22/2024	Warrant Arrest	Shelter	Resident	Arrested on three outstanding warrants.
100	24017082	11/29/2024	EMS	Shelter	Resident	Leg pain, medical
101	24017154	12/1/2024	Suicidal Person	Shelter	New Non-Resident	Suicidal person
102	24017400	12/6/2024	Information	Shelter	NA	Caller reports someone behind location. Requests an officer check the location and make sure no one is camping out behind location.
103	24017518	12/9/2024	Disturbance	Shelter	Resident	Male out by the sidewalk and refusing to leave. He has been banned from staying there. Male is intoxicated. Officers arrived and advised subject that he needs to leave. Subject refused and arrested. Arrested/cited for misdemeanor trespassing
104	24017875	12/17/2024	Drug Information	Shelter	NA	Drug info.
105	24018023	12/20/2024	Missing Person	Shelter	Resident	Located at Warming Shelter - removed NCIC.
106	25000259	1/6/2025	EMS	Shelter	Resident	Requests ambulance for guest having a seizure
107	25000407	1/9/2025	Disturbance	Shelter	Resident	Arrested for Gross Misdemeanor Obstruction with Force, Misdemeanor Obstruction, and Misdemeanor Trespassing.
108	25000572	1/13/2025	Welfare Check	Shelter	Resident	Requests welfare check on a subject that is currently being discharged. Subject stated that she wanted to be left alone and did not need any assistance from officers.
109	25000628	1/15/2025	EMS	Shelter	Resident	Reports subject having an asthma attack.
110	25000854	1/18/2025	EMS	Shelter	Resident	Diabetic male heavily intoxicated.
111	25000925	1/20/2025	EMS	Shelter	Resident	Requests ambulance for female trouble breathing - asthma and no inhaler.
112	25001129	1/24/2025	Intoxicated Person	Shelter	Resident	Subject was found to be drinking on the property and not allowed to come inside
113	25001313	1/29/2025	EMS	Shelter	Resident	Officer assisted North Memorial EMS
114	25001615	2/4/2025	Welfare Check	Shelter	New Non-Resident	Complainant states they have a client there that is having delusions that people are talking to him that are not there.
115	25001964	2/10/2025	Public Assist	Shelter	Resident	Subject requested officer assist with referral to Warming Shelter
116	25002094	2/13/2025	Disturbance	Shelter	New Non-Resident	Female not wanting to get up. She is hitting herself and becoming more aggressive.
117	25002188	2/15/2025	Public Assist	Shelter	Resident	Older male walked. Courtesy transport.
118	25002279	2/17/2025	Suicidal Person	Shelter	Resident	Reports female that tried to hang herself. Subject transported to ER by North Memorial EMS
119	25002431	2/20/2025	Disturbance	Shelter	Resident	Caller reports two subjects were yelling at each other.

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: March 19th, 2025

RE: Consider Conditional Use Permit on NW 3rd St for the Construction of a Mixed-Use Residential 8-bedroom (single occupancy) Boarding House with an Apartment Attached for the Property Manager

INTRODUCTION

Vicky Kinney has submitted a request on behalf of My Neighbor to Love Coalition for a Conditional Use Permit for parcels 41040800 and 41040801, which is located on NW 3rd between Jackson and James Street. The purpose of this request is to construct a mixed-use residential 8-bedroom single occupancy boarding house with an apartment attached for the property manager. The applicant has also requested 18 months to begin the project.

PUBLIC HEARING. Conditional Use Permit

CONTEXT

Parcel Number: 41040800 and 41040801

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

Property Area: 26,602 SQFT

Adjacent Uses: North: Vacant Land
East: Vacant Land – future 12-plex
South: Multi-Family Residential
West: Vacant Land & Multi-Family Residential

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

AERIAL MAP



FINDINGS OF FACT

1. **PIDs 41040800 and 41040801** are 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 a mixed -use boarding house as a conditional use in the TN-2 District.
 - a. *The applicant proposes the construction of an 8-bedroom boarding house with an apartment attached for the property manager to reside.*
2. According to [Section 515-6.2.C.9 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.
3. [Table 515-2-9.1. TN-2 Dimensional Standards – Density, Lot Size, Coverage and Height Standards](#)
 - a. Lot Size (minimum) – 4,000 – 25,000 SF (25,000+ requires CUP)
 - b. Density (range) - 9 – 20 DU/AC (20+ DU/AC requires CUP)
 - c. Front Yard Setback (range) – 5' – 20' if Residential

- d. Side Yard Setback – 5’/10’ corner
 - e. Rear Yard Setback – 10’
 - i. *The proposed structure is located 20 feet from the front property line which is the maximum allowed in the TN-2 District.*
 - ii. *The proposed structure meets the rear and side yard setback requirements of the TN-2 District.*
4. [Table 515-4-12.3 Parking Space Minimum](#)
- a. Boarding Houses: One (1) parking space per boarding room
 - i. *The applicant is proposing an 8-bedroom (single occupancy) boarding house which will require eight off-street parking spaces*
 - ii. *One board room will be used as an office.*
 - b. 2 Bedroom apartment unit: Two (2) bedrooms = two (2) spaces per dwelling unit
 - i. *The applicant is proposing a two-bedroom apartment which will require two (2) parking spaces.*
 - ii. *The applicant has included ten (10) spaces in the site plan to meet the off-street parking requirements.*
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. *Boarding Houses and mixed-use buildings 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. [According to Section 515-4-10.G.1&4](#) All exposed parking areas of ten (10) or more spaces in a front and side yard abutting a public street right-of-way shall be landscaped. When a parking lot is adjacent to or across an alley from a residentially zoned property, the required screen height shall be increased to six (6) feet. Refer to Table [515-4-10.2] Plant Spacing Requirements for Screening.
 - 1. *The applicant has proposed a 6’ high privacy screen shrub planting along all sides of the parking lot.*

- a. *Remaining trees and shrubs after site grading could be considered for screening upon completion of site grading.*
 - 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 number of plantings.
 - 1. *After a proposed administrative boundary line adjustment, the front yard property line will be approximately 125'.*
 - 2. *A total of 1 tree per each 25' is required. The lot is required to have a total of 5 trees.*
 - a. *The applicant has proposed 5 new trees in the front yard with a mix of deciduous and evergreen tree species.*
 - 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.*
 - 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.
 - h. The City Engineer has no concerns at this time with the stormwater/ grading plan.
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 parties have contacted the Community Development Department with concerns about the Conditional Use Permit application for the mixed-use 8-bedroom boarding house.

STAFF RECOMMENDATION

Staff recommends approval of the request as presented with the following conditions:

- 1) The applicant is allowed 18 months to start the project.
- 2) A boundary line adjustment which includes the stormwater retention basin is approved prior to issuance of the building permit.



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2307

www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

Should be Commercial

	RESIDENTIAL	COMMERCIAL
CONDITIONAL USE PERMIT	☒ (\$350.00)	☐ (\$500.00 + \$500.00 escrow deposit)
REZONING	☐ (\$350.00)	☐ (\$500.00)
VARIANCE	☐ (\$350.00)	☐ (\$500.00 + \$500.00 escrow deposit)
ZONING TEXT AMENDMENT	☐ (\$250.00)	☐ (\$400.00)

PROPERTY ADDRESS: TBD 3rd St. NW, Brainerd, MN 56401

LEGAL DESCRIPTION: Lot(s): 004 + 5 Block: 00F Addition: _____
(attach description if lengthy) 6

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@mntlc.org

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: We would like to build an 8-bedroom (single occupancy) boarding house. It will have an apartment attached for a property manager.

We also request an extension of 18 months for the permits. Construction is contingent on a grant award with a Dec. 2025 notification & we will need to wait until spring to begin.

Vicky Kinney
Property Owner Signature

3-3-2025
Date

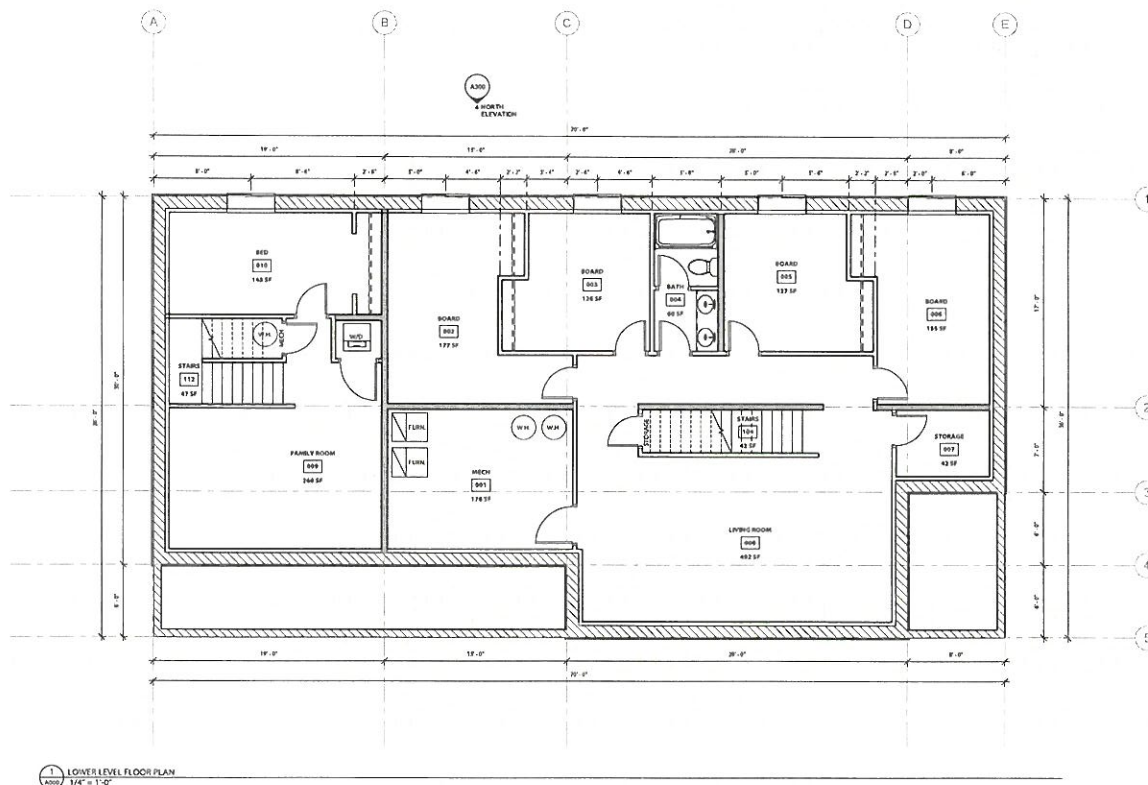
Vicky Kinney
(Please print name)

Vicky Kinney
Applicant Signature

3-3-2025
Date

Vicky Kinney
(Please print name)

(OVER)



**MY NEIGHBOR TO LOVE COALITION
CREEKSIDE BOARDING HOUSE**

BRainerd, MN 56401

PRELIMINARY

PROVIDED: 3/13/2013 2:46:23 PM

PROJECT NUMBER: _____
ISSUED: _____

REVISION	DATE

LOWER LEVEL FLOOR
PLAN

A000

BRAINERD, MN 56401

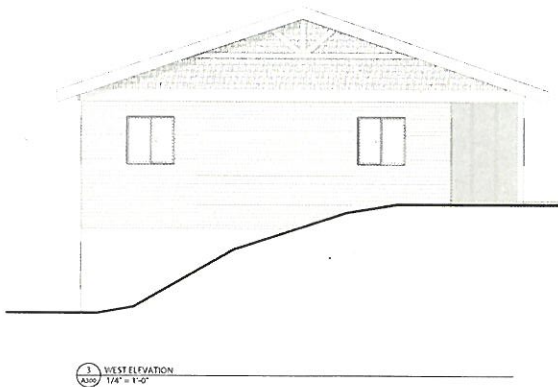
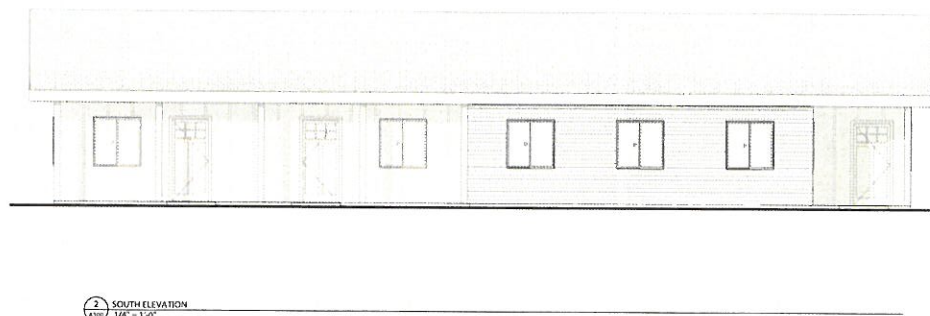
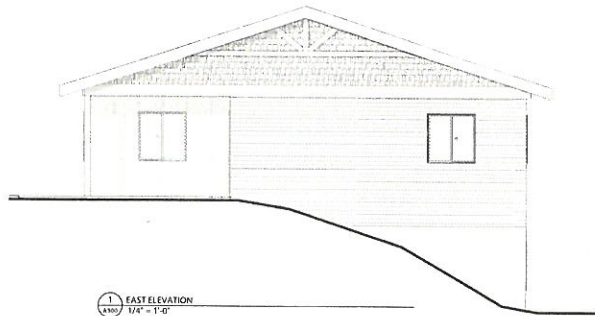
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A		
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A100



ROOM FINISH SCHEDULE							
MARK	DESCRIPTION	AREA	FLOOR FINISH	BASE FINISH	WALL FINISH	CEILING FINISH	REMARKS
000	LIVING ROOM	212.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
001	KITCHEN	176.50	CEMIC	WB	CVP BO-PT	CVP BO-PT	
002	DINING	177.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
003	HALLWAY	126.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
004	BATH	90.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
005	HALLWAY	127.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
006	ROOM	153.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
007	KITCHEN	177.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
008	STORAGE	11.50	LVP	WB	CVP BO-PT	CVP BO-PT	
009	STORAGE	11.50	LVP	WB	CVP BO-PT	CVP BO-PT	
010	PANTRY ROOM	160.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
011	POOL	141.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
012	POOL	141.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
013	POOL	141.50	CEMIC	WB	CVP BO-PT	CVP BO-PT	
014	CEILING FINISH	117.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
015	CEILING	242.10	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
016	CEILING	121.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
017	MULTI-ROOM	113.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
018	STAIRS	40.50	CPL-3	CPL-3	CVP BO-PT	CVP BO-PT	
019	CLEAR	1.50	LVP	WB	CVP BO-PT	CVP BO-PT	
020	ROOM	184.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
021	ROOM	114.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
022	BATH	90.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
023	ROOM	118.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
024	ROOM	118.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
025	ROOM	118.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
026	ROOM	118.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
027	STAIRS	40.50	CPL-3	CPL-3	CVP BO-PT	CVP BO-PT	
028	HALLWAY	113.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	
029	BATH	90.50	LVP	CVP BO-PT	CVP BO-PT	CVP BO-PT	



MY NEIGHBOR TO LOVE COALITION
CREEKSIDE BOARDING HOUSE

BRAINERD, MN 56401

PRELIMINARY

PROJ. NO. 24122023 2-00-28 P10

PROJECT NUMBER: —	
ISSUED:	
REVISION	DATE

BUILDING ELEVATIONS

A300

Description & Landscaping Plan

Conditional Use Permit Requests:

On lots - PIN 41040800 & 41040801 (TN-2 district) My Neighbor to Love Coalition would like to build and operate an 8-bedroom boarding house with an attached 2-bedroom apartment for a manager.

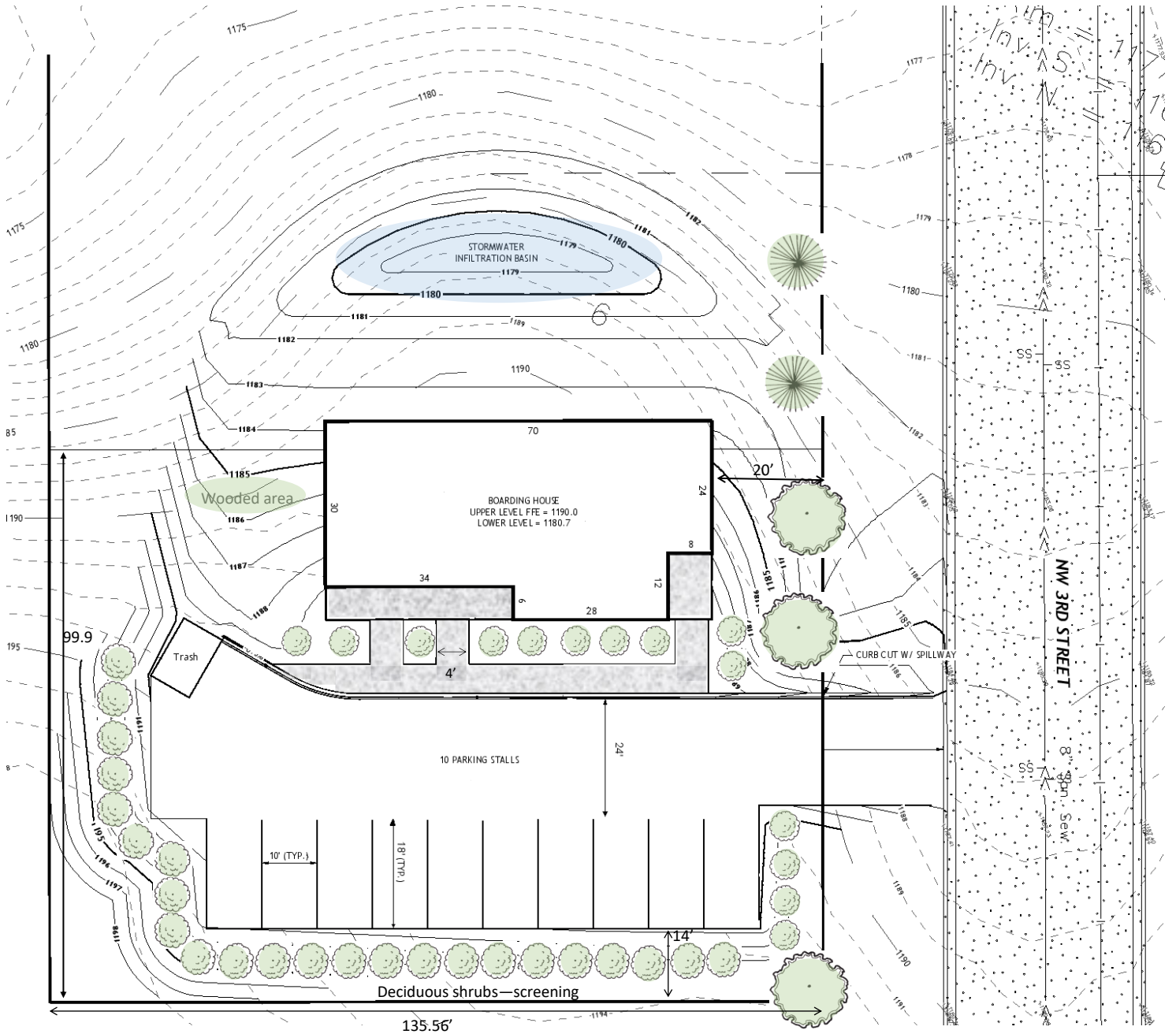
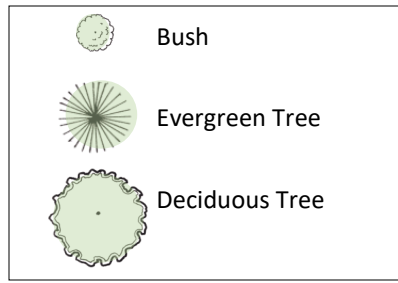
We request an extended time of 18 months for the permits. Funding for construction is dependent on a grant award. The grant application is due in April and notice will be given in December, which is not the time of year when construction can begin, therefore we need a few extra months.

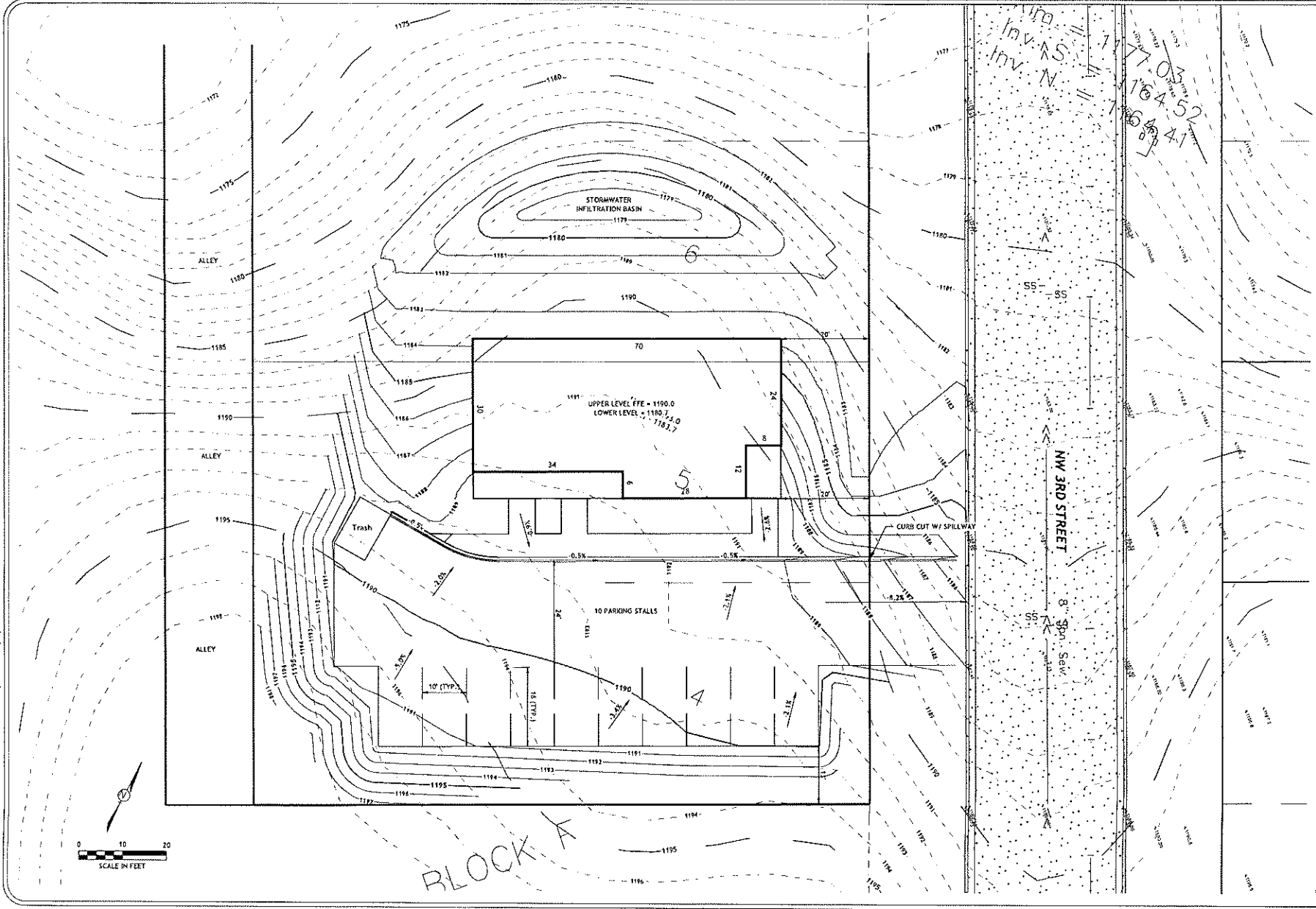
Landscaping:

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 the parking lot will contain 6' high deciduous 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 and/or fruit bearing bushes on the south and east sides.
- Trees - The deciduous trees 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. Spruce trees will also be planted.

Shade Tree and Ornamental Trees (Flowering Crab, Hawthorn, etc.) will have at least a 1 ½ inch diameter. Evergreen Trees will be 4 to 5 feet at planting. Tall shrubs will be 5-gallon size and low shrubs will be 2-gallon size. All plants and trees will be of approved nursery stock.





DATE	BY



BOARDING HOUSE
MY NEIGHBOR TO LOVE COALITION LLC
SECTION 4, TOWNSHIP 133, RANGE 28
BRainerd, MINNESOTA

CONCEPT SITE & GRADING PLAN

DATE: 03/11/25
 DESIGNED: JLM
 CHECKED: JLM
 SCALE: AS SHOWN

Sheet No. C1.0

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 mixed-use residential 8-bedroom (single occupancy) boarding house with an apartment attached for the property manager to reside. Boarding houses are considered commercial uses in Section 515-3 Appendix A: Table of Uses while the proposed attached apartment is a residential use. The property is located on NW 3rd Street between James Street and Jackson Street.

The property is legally described as:

*LOT 6, BLOCK F, AND THE ADJACENT SOUTHERNLY HALF OF VACATED
ROBERT STREET, WEST BRAINERD
PID 41040800*

*LOTS 4 AND 5, BLOCK 4, WEST BRAINERD
PID 41040801*

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 mixed-use building and boarding house 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 19, 2025 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 5th day of March, 2025



James L. Kramvik
Community Development Director

Publication Date: March 8th, 2025

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: March 19th, 2025

RE: Consider Conditional Use Permit for Auto, Trailer, and Equipment Sales at BIC - 1801 Mill Ave

INTRODUCTION

Mike Higgins on behalf of Brainerd Land LLC, 1801 Mill Ave., has applied for a Conditional Use Permit (CUP) to lease space to a third-party dealer for auto, trailer, and equipment sales.

Parcel Number: 41180629

Zoning District: General Industrial (GI) District

Property Area: 75.48 Acres

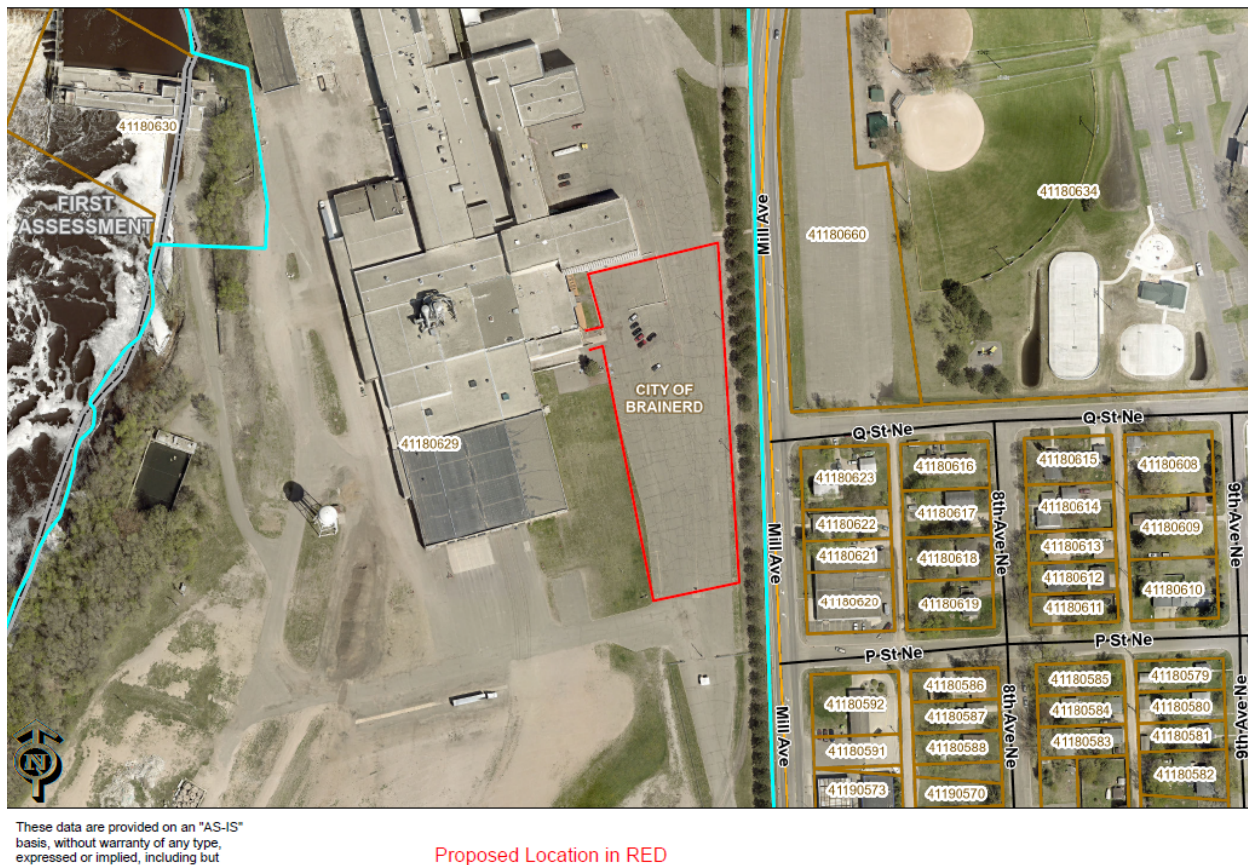
Sales Area: 94,700 SQFT

Building Area: 220,000 SQFT (After Proposed Demo)

Adjacent Uses: North: Rice Lake
East: Memorial Park & Residential Housing
South: Vacant Industrial
West: Mississippi River

Adjacent Zoning: North: Rice Lake
East: Park (P) District & Traditional Neighborhood 2 (TN-2) District
South: Traditional Neighborhood 1 (TN-1) District
West: Mississippi River

AERIAL MAP



FINDINGS OF FACT

1. The property at 1801 Mill Ave, MN 56401 is in a General Industrial (GI) zoning district. Zoning Ordinance [515-3 Allowed Uses. Appendix A: Table of Uses](#) allows for auto & trailer dealerships and outdoor equipment service, sales, and rentals with an approved conditional use permit.
2. According to [Section 515-3-29 Outdoor Service, Sales and Rental](#). Any outdoor services, sales, and equipment rental must comply with the following minimum standards:
 - A. Outside services, sales and equipment rental connected with the principal use is limited to fifty (50) percent of the gross floor area of the principal use.
 - i. *The approximate sales area is 97,000 SQFT.*
 - ii. *The principal building after the proposed demolition of a portion of the primary structure is 220,000 SQFT.*
 - iii. *The outside sales area is approximately 44% of the gross floor area of the principal use, which is within the requirements of this Section.*

- B. Outside sales areas are fenced and screened from view of neighboring properties and any public rights-of-way.
 - i. *The proposed sales area is completely fenced with a row of mature red pine trees along the fence line.*
 - ii. *The trees do not provide screening from view of neighboring properties and public rights-of-way.*
 - iii. *The property has historically been a heavily utilized manufacturing, warehousing, and distribution facility that has not been screened to the public.*
- C. All lighting shall be hooded and downcast so that the light source shall not be visible from the public right-of-way or neighboring properties.
 - i. *The applicant has not proposed additional lighting. All new lighting must adhere to Section 515-4-8 Outdoor Lighting.*
- D. Any dedicated sales area shall be hard surfaced to control dust and drainage.
 - i. *The proposed location will be on a paved surface.*
- 3. According to [Section 515-3-6 Auto Dealership](#). Any Auto Dealership must comply with the following minimum standards:
 - A. Outdoor sales area shall be set at least five (5) feet back from all property lines, and at least 15 feet back from any Street surface.
 - i. *The proposed sales area is set back approximately 57 ft from the property line and right-of-way line.*
 - B. Outdoor sales shall be physically defined on the site by surfacing, curbing, landscaping, or a fence barrier.
 - i. *The sales area is paved, fenced, and is lined with red pine trees.*
 - C. The boulevard portion of the street right-of-way shall not be used for parking, or storage or display of sale items.
 - i. *The boulevard portion of the street right-of-way will not be used.*
 - D. Outside sales areas must be fenced or screened from view of neighboring residential uses or abutting Residential Zoning Districts.
 - i. *The sales area is fenced from view of neighboring residential uses or abutting Residential Zoning Districts but is not screened.*
 - E. All lighting shall be hooded and downcast so that the light source is not visible from the public right-of-way or from an abutting residence.
 - i. *The applicant has not proposed additional lighting. All new lighting must adhere to Section 515-4-8 Outdoor Lighting.*
 - F. All display/sales/storage areas must be paved and must comply with any requirements of the City Engineer.
 - i. *The City Engineer has no concerns with the proposed use.*
 - ii. *Crow Wing County stated that they would not permit an additional entrance to the facility.*
 - iii. *The applicant has not proposed an additional curb cut.*
 - G. Required parking shall be segregated from the sales display. The area used for sales shall not take up any required parking space.

- i. According to Section [515-4-12 Off-Street Parking](#), the GI District has no off-street parking requirements.
- ii. The property has multiple areas for off-street parking.
- iii. It has been confirmed that the third-party equipment sales company will consist of two (2) employees.

4. **Criteria for Granting Conditional Use Permits.** In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.

- A. The proposed use conforms to the Zoning District and is a permitted Conditional Use identified on Appendix A: Table of Uses.
 - i. *Zoning Ordinance 515-3 Allowed Uses. Appendix A: Table of Uses allows for auto & trailer dealerships and outdoor equipment service, sales, and rentals with an approved conditional use permit in the GI District.*
- B. The proposed use meets the regulations and standards established in this Ordinance.
 - i. *The proposed use meets all requirements established in this Ordinance with the exception to the screening requirement for Section 515-3-29 Outdoor Service, Sales and Rental.*
 - ii. *Staff are seeking direction from the Planning Commission and City Council to change the Ordinance as sales areas should not be required to screen. Screening should be reviewed on a case-by-case basis through the conditional use permit process.*
- 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 Building Official and Fire Marshal have reviewed the site plan and have no issues.*
- 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. *This use will be located on an existing industrial property and will be consistent with its surroundings.*
- E. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. *The applicant proposes no changes to the parcel other than the sales area.*
- F. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i. *The proposed use will not significantly increase vehicle traffic on Mill Ave. This property is zoned General Industrial and can accommodate off-street loading and parking.*
- 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 exist.*

5. **Section 515-2.B.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. Such conditions may include, but are not limited to, the following:

- A. Increasing the required lot size or yard setback dimension.
- B. Limiting the height, size, or location of buildings.
- C. Regulating ingress and egress to the property and the proposed structures thereon with particular references to vehicle and pedestrian safety and convenience, traffic flow and control, and access in case of fire or another catastrophe.
- D. Regulating the street width.
- E. Increasing the number of required off-street parking spaces.
- F. Limiting the number, size, location, or lighting of signs.
- G. Requiring a berm, fencing, screening, landscaping, or other facilities to protect adjacent or nearby property.
- H. Requiring dedication of some open or green space.
- I. Regulating the appearance of the facilities or site so that they are harmonious with the neighborhood and City.

As of this writing, Crow Wing County has contacted the Community Development Department for more information on the Conditional Use Permit application.

STAFF RECOMMENDATION

The Community Development Department recommends approval of the Conditional Use Permits for 1811 Mill Ave.

Staff also recommend that screening requirements in the Zoning Code should be removed from outside sales areas.



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	☐ (\$350.00)	☒ (\$500.00 + \$500.00 escrow deposit)
REZONING	☐ (\$350.00)	☐ (\$500.00)
VARIANCE	☐ (\$350.00)	☐ (\$500.00 + \$500.00 escrow deposit)
ZONING TEXT AMENDMENT	☐ (\$250.00)	☐ (\$400.00)

PROPERTY ADDRESS: 1801 Mill Ave. Brainerd, MN 56401

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: _____
(attach description if lengthy) Parcel ID# 41180629

Property Owner Name: Brainerd Land LLC

Street Address: 1801 Mill Ave City: Brainerd State: MN Zip Code: 56401

Phone Number: 218-454-3960 Fax: _____ E-mail: mikeh@brainerd

Applicant Name: (If different than Property Owner) T.B.D. industrialcenter.com

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

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

Description of Request: I would like to lease space to
Equipment or car + trailer dealerships @ the
1801 Mill Ave property

Property Owner Signature

Michael P Higgins
(Please print name)

2/18/25

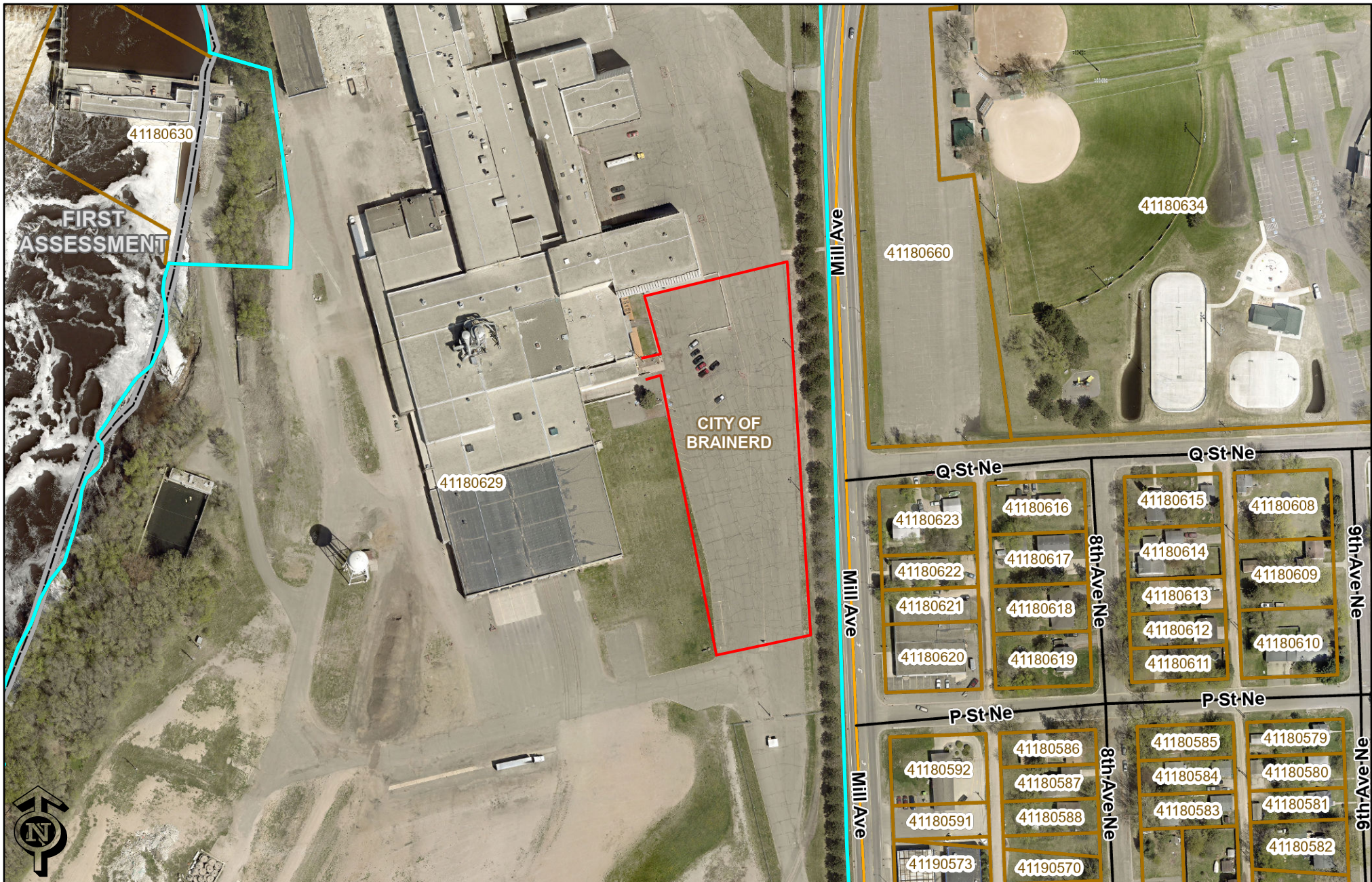
Date

Applicant Signature

Date

(Please print name)

(OVER)



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Proposed Location in RED

Date: 2/20/2025 Time: 11:35 AM

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Mike Higgins on behalf of Brainerd Land, LLC, 1801 Mill Ave, Brainerd has submitted a request for a Conditional Use Permit to lease space to a third-party dealer for equipment, trailer, and auto dealership. The property included in this application is described as:

*BRAINERD INDUSTRIAL PARK
Parcel #: 41180629
Section 18, Township 045, Range 030*

The property is zoned GI (General Industrial) District, and Zoning Ordinance Section 513-3 Appendix A Table of Uses allows for auto dealerships and outdoor service, sales and rental as a conditional use in the GI District. 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 Planning Commission at 6:00 p.m. Wednesday, March 19th, 2025 in the Council Chambers at Brainerd City Hall, 501 Laurel Street, to consider the Conditional Use Permit request.

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

Dated this 5th day of March, 2025



James L. Kramvik
Community Development Director

Publication Date: March 8, 2025

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: March 19th, 2025

RE: Data Center Ordinance Memo

INTRODUCTION

At the October 7th City Council meeting, the Council directed staff to work on a crypto-mining ordinance after completion of the design standards ordinance. This was due to continuing concerns in the community and surrounding areas regarding data centers (crypto-mining facilities) and similar uses. Data center regulations are necessary to protect the public health, safety, and welfare and avoid unintended impacts on resources and adjacent uses.

A potential data center ordinance should provide a list of requirements in the allowed use section of the zoning code, potentially require data centers to obtain a conditional use permit or interim use permit, and determine which zoning districts it should be allowed in.

PROPOSED ORDINANCE

The Planning Commission reviewed the proposed Data Center Ordinance at their February 19th meeting and received comments and recommendations from the Public Utilities Director. Staff highlighted sections in the ordinance that were recommended and added to the proposed ordinance.

STAFF RECOMMENDATION

Staff are seeking direction on the added language.

Staff recommend finalizing the ordinance language and holding a public hearing at the March 16th Planning Commission meeting.

**ORDINANCE
NO. 15XX**

**AN ORDINANCE AMENDING SECTIONS 515-6-2 RULES AND DEFINITIONS, 515-3
APPENDIX A TABLE OF USES, AND 515-3 ALLOWED USES OF THE ZONING
CODE, RELATING TO DATA CENTERS**

WHEREAS, a public hearing was held by the Planning Commission as required by the Zoning Code, on _____, 2025

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Brainerd, Minnesota, as follows:

SECTION ONE: Purpose

The purpose of this ordinance is to create land use regulations and provide a definition for data centers to protect the public health, safety, and welfare and avoid unintended impacts on resources and adjacent uses.

SECTION TWO: Section 515-6-2.C Definitions of Use, Standards and Terms are hereby amended as indicated, with the following added language underlined:

Data Center: A facility or portion of a facility housing networked computer systems and telecommunications equipment used for remote storage, processing, and distribution of data. Data centers include commercial cryptocurrency mining facilities, AI centers, cloud storage, and other similar uses.

SECTION THREE: 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>Data centers, AI centers, cloud storage, and other similar uses.</u>	<u>515-3-XX</u>														<u>C</u>		

SECTION FOUR: Section 515-3 Allowed Uses 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:

- A. Data Centers are not permitted to operate in the City of Brainerd unless explicitly approved by a Conditional Use Permit. Data Centers that are ancillary to another primary use are permitted if they:
1. Occupy no more than ten percent of the building footprint,

2. Are used to serve the enterprise functions of the on-site property owner and are not used to lease data storage and processing services to third parties.
3. Are not housed in a separate stand-alone structure on the parcel.

B. Noise. Commercial grade mechanical equipment and similar noise sources, including but not limited to generators and air heating or cooling equipment, shall comply with the requirements of MPCA noise rules (Minn. Rules Ch. 7030).

1. The Data Center shall be designed and built to incorporate sound mitigation methods to reduce sound levels emanating from the Data Center to adjacent residential structures within 1000 feet of the facility.
2. Prior to approval, a noise study shall be submitted by a third-party engineer demonstrating to the City that the operation of the data center will comply with MPCA noise rules.
 - a. The operator shall conduct a sound study performed by a third-party acoustic engineer to document baseline sound levels in the area of the proposed Data Center, including noise levels measured at the property line of the nearest property to the Data Center property that is planned or zoned for residential land uses, or other noise sensitive use as reasonably determined by the Zoning Administrator.
3. Upon operation of the Data Center, the operator must conduct an additional noise study, as measured at the property line of the nearest property to the Data Center or other noise sensitive use as reasonably determined by the Zoning Administrator.
4. The City may order an additional sound study once per year during peak operation of the Data Center mechanical equipment. The Data Center operator must provide the results of the noise study, conducted by a third-party engineer, to the City within 30 days of the request by the City or show proof that they have contracted with a third-party engineer and the results will be available in a reasonable amount of time.
5. Unless backup generators are supplying backup electrical supply during a power outage, backup generators may operate between the hours of 9:00 am and 5:00 pm, Monday through Friday, excluding holidays.
 - a. Curtailment of power supply or voluntary shutdown of power is not considered to be a power outage.
6. Upon request by City staff after issuance of a certificate of occupancy and commencement of the operation of the Data Center, the operator of a Data Center must provide a liaison between the hours of 8:00 am and 10:00 pm CST each day to respond to complaints about noise emanating from the Data Center.
 - a. Contact information shall be posted on the City of Brainerd website.
 - b. Upon operation of the Data Center, the City shall notify and provide contact information for the facility liaison to property owners within 500 feet of the facility.

C. Hazardous Waste Plan. Prior to operating, the operator shall submit a hazardous waste plan for review by the Community Development Department, Public Works Department, Public Utilities Department, and Fire Department.

- a. Verification must be provided that all electronic waste generated by the operation will be handled by a licensed electronic waste recycling firm.
- b. Changes to the operation of the facility that affects hazardous waste material must be approved by the City.

D. Water and Wastewater Plan. Prior to approval, the developer shall apply for a sewer extension permit with the MPCA and submit a water and wastewater plan for review by the Public Works Department and Public Utilities Department.

E. Screening. Outdoor equipment that serves the data center, including but not limited to mechanical equipment and generators, must not be located closer to a property line along a public street than the principal building and must be fully screened from view of adjacent public rights-of-way and properties.

F. Energy Plan. Prior to approval, loads over one megawatt in capacity will be responsible for having a system impact study completed by the appropriate power transmission owner operator in the area.

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

Adopted this _____ day of _____, 2025

MIKE O'DAY
President of the Council

Approved this _____ day of _____, 2025

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator

Published: One Time – _____