



PLANNING COMMISSION AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Wednesday, September 17, 2025 @ 6:00 PM

The public is invited to attend these meetings in person
Attend by phone: 1-844-992-4726 Meeting Access Code: 2482 329 2490

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

1. **Call To Order**

2. **Roll Call**

___ D. Gorham ___ J. Grecula ___ J. Norwood ___ D. Peterson ___ J. Powell ___ T. Erickson ---
vacant

3. **Pledge of Allegiance**

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

5. **Approval Of Minutes**

A. **Draft Minutes from the August 20th, 2025 Meeting**

6. **Unfinished Business**

A. **Hold Public Hearing and Consider Sign Ordinance**

7. **New Business**

A. **Consider a Preliminary Plat, a Planned Unit Development (PUD) and a Rezoning for a Proposed 190-unit Apartment Complex for Parcel ID's 41020691 and 41020682 on HWY 371 S**

B. **Consider Zoning Text Amendment, an Interim Use Permit, and Variance for Cannabis Microbusiness at Yesterday's Gone - Parcel ID# 41241525**

C. **Consider Rezoning and Future Land Use Map Amendment from CN-2 (Contemporary Neighborhood 2) to GC (General Commercial) to Allow for Office/Retail Building - 3424 Oak St**

D. **Review Shoreland 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, August 20th, 2025

#1 Call to Order

Planning Commission Chair Norwood 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 Gorham, Grecula, Peterson, Erickson, and Norwood. Noted absent was Commissioner Powell. Also noted as present was Community Development Director Kramvik.

#3 Pledge of Allegiance

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

#4 Approval of Agenda

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND GRECULA, DULY CARRIED, TO AMEND AND APPROVE THE AGENDA BY MOVING NEW BUSINESS AHEAD OF UNFINISHED BUSINESS.

#5 Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS PETERSON AND GORHAM, DULY CARRIED, TO APPROVE THE MINUTES FROM THE JULY 16TH, 2025 REGULAR MEETING AS PRESENTED.

#6 Public Forum

The Chair opened the public forum at 6:01 pm.

No one came forward.

The Chair closed the public forum at 6:02 pm.

#7 New Business

7a. Consider Variance Request for the Placement of a Garden Shed in the Front Yard – 722 Mississippi Dr

Community Development Director Kramvik explained the details of the application and reasons for the request. Due to construction of the new home on the river, there was no option for the shed to be placed in the backyard of the property.

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

The Chair recognized Scott Ransom, 714 Mississippi Drive, who spoke in favor of the variance request.

The Chair recognized Allan Albertson, who is the applicant and property owner and he explained the garden shed will have the same exterior siding and roofing as the new home that is being built.

The Chair closed the public hearing at 6:06 pm.

MOVED AND SECONDED BY COMMISSIONERS PETERSON AND ERICKSON, DULY CARRIED, TO RECOMMEND APPROVAL OF THE VARIANCE REQUEST TO CONSTRUCT A GARDEN SHED IN THE FRONT YARD AT 722 MISSISSIPPI DRIVE AS PRESENTED.

CDD Kramvik indicated this will be heard at the City Council meeting September 2nd, 2025 at 7:30 pm.

7b. Consider Variance Request to Expand a Non-Conformity (Side Yard Setback) for a Vertical Addition – 703 7th St N

Community Development Director Kramvik stated the property owner wants to add another level to his home. The house is now 4' 10' away from the foundation to the assumed property line and the zoning code states a 5' minimum setback is required. However, since the increase will be a vertical increase and not horizontal, it does not affect actual setbacks.

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

The Chair recognized Joe Douglass, the owner of the property. He explained the need for a new roof and with a growing family, they decided they would like to add a new level to the house for a bedroom and bathroom since they were replacing the roof anyway.

The Chair closed the public hearing at 6:11 pm.

MOVED AND SECONDED BY COMMISSIONERS GRECUA AND PETERSON, DULY CARRIED, TO RECOMMEND APPROVAL OF THE VARIANCE REQUEST TO EXPAND ON A NON-CONFORMITY OF A SIDE YARD SETBACK TO ALLOW FOR A VERTICAL ADDITION TO THE HOME AS PRESENTED.

CDD Kramvik indicated this will be heard at the City Council meeting September 2nd, 2025 at 7:30 pm.

#8 Unfinished Business

8a. Review Sign Ordinance

Community Development Director Kramvik reviewed the changes made to the sign ordinance based on suggestions from the previous meeting.

Commission discussion took place.

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND GORHAM, DULY CARRIED, TO RECOMMEND APPROVAL OF THE SIGN ORDINANCE AS PRESENTED.

A completed ordinance will be presented at the September Planning Commission meeting for a public hearing and vote by the Commission.

#9 Staff Reports

Community Development Director Kramvik made the following updates:

- Staff have been working on the Shoreland Ordinance, which is currently being reviewed by the DNR and the City Attorney
- Staff will also be sending out for an RFP for a Comprehensive Plan update

#10 Commission Member Reports

Member Gorham asked about the applicants for cannabis. CDD Kramvik indicated the City has filled the two maximum allowed number of registrations.

Member Norwood recapped the itinerary for the upcoming months of 2025.

#11 Adjournment

MOVED AND SECONDED BY COMMISSIONERS GRECUA AND GORHAM, DULY CARRIED, TO ADJORN AT 6:39 PM.

James Norwood, Planning Commission Chair

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: September 17th, 2025

RE: Sign Ordinance Memo

INTRODUCTION

Staff have received complaints about signage aesthetics in our major corridors and downtown. Signage is an important aspect of the overall characteristics of a commercial area and sub-standard signage can detract from the appearance and create negative perceptions to visitors. All signs are regulated by Section 515-3-37 of the Zoning Code. The purpose of the ordinance is to maintain, enhance, and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community. The ordinance regulates size and location but does not regulate material. Banner signs made of canvas or vinyl have increased in Brainerd and the aesthetics have become an issue. Signs should serve to communicate for the business but should be held to a standard as they also play an important role in attracting visitors and new businesses to an area.

The EDA made a motion to recommend the Planning Commission review Sign Standards specifically for the Commercial Corridor, Town Center, and Main Street Zoning Districts. Staff also included some additional items for consideration.

Note: The EDA is considering using available funds to help businesses improve their signage with a possible 50% matching grant. Prior to offering the grant, the EDA would like the City to consider signage design standards

PROPOSED CHANGES SUMMARY

- 1) Change sign regulations during election years to reflect state statute.
- 2) Prohibit banner signs except on a temporary basis of 60 days per calendar year.
- 3) Allow signs to encroach the MNDOT right-of-way with MNDOT approval.
- 4) Require the removal of signs that are in disrepair or are no longer associated with a vacated business.
- 5) Allow larger pylon signs in the General Industrial District for larger properties.
- 6) Require design elements for wall, canopy, and marquee signs.
- 7) Allow for more than one monument sign for drive through businesses.

Note: The proposed ordinance does not include additional language pertaining to lighting for signs.

STAFF RECOMMENDATION

Hold a public hearing for the proposed sign ordinance and recommend approval as presented.

**ORDINANCE
NO. 15XX**

AN ORDINANCE AMENDING SECTION 515-3-38 SIGNS OF THE ZONING CODE

WHEREAS, a public hearing was held by the Planning Commission as required by the Zoning Code, on September 17th, 2025

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

SECTION ONE: Purpose

1. Regulate the number, location, size, type, illumination, and other physical characteristics of signs within the City in order to promote the public health, safety, and welfare.
2. Maintain, enhance, and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community.
3. Improve the visual appearance of the City while providing for effective means of communication, consistent with constitutional guarantees and the City's goals of public safety and aesthetics.
4. Provide for fair and consistent enforcement of the sign regulations set for herein under the zoning authority of the City.

SECTION TWO: Section 515-3-38.E.d Permit Not Required, with the following added language underlined:

- d. No more than two (2) ground mounted signs and two (2) flags are allowed per property.
 - i. Additional signs of any size are permitted beginning forty-six (46) days before the State primary in a State general election year until ten (10) days following the State general election, and ninety-one (91) days prior to any special election until ten (10) days following the special election.

SECTION THREE: Section 515-3-38.I General Regulations, with the following added language underlined:

8. Banner signs are prohibited in all zoning districts except on a temporary basis. One banner sign per building wall shall be permitted in the TN-2, CC, GC, TC, MS, ME, and GI Zoning Districts for a period of 60 days per calendar year.

- a. Banner signs will be part of the allowable sign area percentage and shall not exceed the maximum area percentage specified for each zoning district.

13. Projecting signs may be allowed in commercial districts provided that:

- b. The sign does not project more than five (5) feet beyond the wall to which it is mounted, may not project over any vehicular drive aisle or traveled portion of a public or private street and may not project over a public right-of-way except within the CC, TC, and MS Zoning Districts.

15. Signs are not allowed to encroach into or over MnDOT right-of-way without MnDOT approval.

16. Any sign that is found to be unreadable, unsafe, unsecured, abandoned, unlawful or in disrepair shall be repaired or removed by the property owner or lessee within 60 days.

17. All signs or sign messages shall be removed by the owner or lessee of the premises upon which a sign is located when the business it advertises is no longer conducted therein.

18. A real estate sign is limited to up to nine square feet in residential districts and up to 32 square feet in commercial districts. A real estate sign must be removed within ten days after sale or rental of property.

SECTION FOUR: Section 515-3-38.J District Regulations, with the following added language underlined and deleted language struck out.

10. Within the [CC, GC, MS, TC, ME, GI] Districts the following additional regulations shall apply:

- b. A 100 square foot sign up to 25 feet tall is permitted for a parcel with street frontage of 100 feet or less.

- i. In GI, CC, and GC Zoning Districts, one (1) square foot of sign area may be added to the permitted 100 square foot sign area for each one (1) foot of street frontage over 100 feet. A sign up to 300 square feet is permitted.
- ii. Parcels in the GI, CC, and GC Zoning Districts with more than 300 feet of street frontage may have one (1) additional sign for each additional 300 feet of street frontage. Signs shall be located at least 300 feet apart.

11. Wall, Canopy and Marquee Signs. Wall, canopy, or marquee signs may occupy up to fifteen (15) percent of a building façade fronting a public street or alley. ~~Up to an additional 16 square feet may be used for awning signs.~~

a. Materials. Sign materials shall be consistent or compatible with the original construction materials and architectural style of the building facade on which they are to be displayed. Every sign shall be constructed in a professional manner and shall not cause blight or a negative impact.

b. Position. Wall, projecting or overhanging signs shall be positioned so as to create an integral design feature of the building to complement and enhance the building's architectural features. Signs shall not obscure or destroy architectural details such as stone arches, glass transom panels or decorative brickwork.

c. Window Signs. Window signs shall not be counted towards the allowable wall signage area but shall consist of vinyl material, paint, or be three dimensional.

d. Design Elements. In addition to the signs allowed without a permit pursuant to this Section, signs must be a three-dimensional wall sign, awning or canopy sign, or a projecting sign.

i. Three-dimensional wall signs include raised lettering, framing, etc...

15. In addition to the freestanding sign allowed by this Subsection, convenience food uses with drive through facilities may display additional signs, provided that:

~~a. Not more than one (1) sign is allowed.~~

~~b. The height of the sign shall not exceed six eight (6 8) feet including its base or pole measured from grade to the top of the structure.~~

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 – _____

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515-3-38 Signs

A. **Findings, Purpose, and Intent.** It is not the purpose or intent of this Sign Ordinance to regulate the message displayed on any sign, nor is it the purpose or intent of this Ordinance to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this Ordinance is to:

1. The City Council hereby finds as follows:
 - a. Signs provide an important medium through which individuals may convey a variety of messages.
 - b. Exterior signs have a substantial impact on the character and quality of the environment.
 - c. Signs can create traffic hazards, aesthetic concerns, and detriments to property values, thereby threatening the public health, safety, and welfare.
 - d. As defined by Section [515-6] of this Ordinance, a sign is any letter, word or symbol, poster, picture, statuary, reading matter or representation in the nature of advertisement, announcement, message or visual communication, whether painted, posted, printed, affixed or constructed, including all associated brackets, braces, supports, wires and structures, which is displayed for informational or communicative purposes.
 - e. The City's zoning regulations have included the regulation of signs in an effort to provide adequate means of expression and to promote the economic viability of the business community, while protecting the City and its citizens from a proliferation of signs of type, size, location and character that would adversely impact upon the aesthetics of the community and threaten the health, safety and welfare of the community. The regulation of the physical characteristics of signs within the City has had a positive impact on traffic safety and the appearance of the community.
2. The purpose and intent of this Ordinance is to:
 - a. Regulate the number, location, size, type, illumination, and other physical characteristics of signs within the City in order to promote the public health, safety, and welfare.
 - b. Maintain, enhance, and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community.
 - c. Improve the visual appearance of the City while providing for effective means of communication, consistent with constitutional guarantees and the City's goals of public safety and aesthetics.
 - d. Provide for fair and consistent enforcement of the sign regulations set for herein under the zoning authority of the City.

B. **Effect.** A sign may be erected, mounted, displayed, or maintained in the City if it is in conformance with the provisions of this Ordinance. The effect of this Ordinance, as more specifically set for herein, is to:

1. Allow a wide variety of sign types in commercial zones, and a more limited variety of signs in other zones, subject to the standards set forth in this Sign Ordinance.
2. Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this Sign Ordinance.
3. Prohibit signs whose location, size, type, illumination, or other physical characteristics negatively affect the environment and where the communication can be accomplished by means of having a lesser impact on the environment and the public health, safety, and welfare.
4. Provide for the enforcement of the provisions of this Sign Ordinance.

C. **Severability.** If any section, subsection, sentence, clause, or phrase of this Sign Ordinance is for any reason held to be invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of this sign Ordinance. The City Council hereby declares that it would have adopted the sign Ordinance in each section,

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subsection, sentence, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

D. Permit Required. No sign shall be erected, altered, improved, reconstructed, maintained, or moved in the City without first securing a Sign Permit from the City:

1. The content of the message or speech displayed on the building and/or sign shall not be reviewed or considered in determining whether to approve or deny a Sign Permit.
2. Application for an Administrative Permit shall be filed by the property owner or designated agent with the City on forms to be provided by the City.
3. Application for a Permit shall contain the following information unless waived by the City:
 - a. Names and addresses of the applicant owners of the sign and lot.
 - b. Address at which any signs are to be erected.
 - c. Lot, block, and addition at which the signs are to be erected and the street on which they are to front.
 - d. Type and size of sign (e.g., wall sign, pylon sign, monument sign).
 - e. A Sketch Plan to scale showing the location of lot lines, building structures, parking areas, existing and proposed signs, and any other physical features.
 - f. Inventory of existing on-site signage (size, height, location).
 - g. Plans, location and specifications and method of construction and attachment to the buildings or placement method of the ground.
 - h. Copy of stress sheets and calculations showing that the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other laws and Ordinances of the City.
 - i. Written consent of the owner or lessee of any site on which the sign is to be erected.
 - j. Any Electrical Permit and/or Building Permit required and issued for the sign.
 - k. A detailed description of any electronic or electrical components that are proposed to be added to the sign.
 - l. Other information to demonstrate compliance with this and all other Ordinances of the City.
4. The Sign Permit application shall be accompanied by a fee. Fees for the review and processing of Sign Permit applications shall be imposed in accordance with the fee schedule established by City Ordinance.
5. The City shall notify the applicant, in writing, of an incomplete application within fifteen (15) days of the date of submission.
6. The City shall review the application and related materials and shall determine whether the proposal is in compliance with all applicable evaluation criteria, Ordinances and applicable performance standards set forth in this Ordinance within sixty (60) days of submission of a complete application pursuant to MN State Statutes Section 15.99. If the work that is authorized under a permit has not been completed within sixty (60) days after the date of issuance, the permit shall be null and void.
7. All signs, including electric wiring, supporting structure, guy wires or chains, shall be properly maintained and kept in safe condition. A sign or sign structure which is deteriorated, unsafe, defaced or otherwise altered shall be repaired, repainted, or replaced by the permit holder or property owner on which the sign is located.

E. Permit Not Required. The following signs shall not require a permit and are allowed in addition to those signs allowed by Section [J] of this Subsection. These exemptions however shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance and its compliance with the provisions of this Ordinance or any other law or Ordinance regulating the same.

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1. The changing of the display surface on an existing sign.
2. Signs, subject to the following:
 - a. Signs shall only be located on private property with the permission of the property owner.
 - b. Signs shall be placed no less than fifteen (15) feet from the back of the curb and shall not be within the sight visibility triangle or located within the Right-of-Way.
 - c. Ground mounted signs shall not exceed six (6) square feet in area and shall not exceed three (3) feet in height.
 - d. No more than two (2) ground mounted signs and two (2) flags are allowed per property.
 - i. Additional signs of any size are permitted beginning forty-six (46) days before the State primary in a State general election year until ten (10) days following the State general election, and ninety-one (91) days prior to any special election until ten (10) days following the special election.
 - e. Signs shall not be illuminated.
3. One (1) temporary off-premises sign on private property six (6) square feet or less in size, not to exceed three (3) feet. Temporary signs shall be allowed for a period of seven (7) days.
4. Signs located within the public right-of-way are regulated by Chapter [VIII] of the City Code.
5. Official signs.

F. Prohibited Signs. The following signs are prohibited:

1. Any sign, signal, marking or device which purports to be or is an imitation of or resembles any official traffic control device or railroad sign or signal, or emergency vehicle signs, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.
2. All signs over three hundred (300) square feet in area.
3. All off-premises signs greater than six (6) square feet in area.
4. Changeable copy signs, except as specifically allowed by Subsection [J].
5. Content classified as "obscene" as defined by Minnesota State Statutes Section [617.241].
6. Flashing or rotating signs.
7. Signs painted, attached or in any other manner affixed to trees or similar natural surfaces, or attached to utility poles, bridges, towers, or similar public structures.

G. Violations. Any person who violates, disobeys, omits, neglects, or refuses to comply with, or resists the enforcement of any of the provisions of this Ordinance shall, upon conviction thereof, be guilty of a petty misdemeanor. Persons violating this Section may be fined in addition to other penalties for Ordinance violations allowed by this Ordinance. Any sign violation of this Section may be subject to immediate removal by the City, at the expense of the owner, without notice to the property owner or owner of the sign if different than the property owner. Each day that the violation continues is a separate offense.

1. This Ordinance shall be administered and enforced by the Zoning Administrator. The Zoning Administrator may institute in the name of the City any appropriate actions or proceedings against a violator.
2. Inspection. All signs for which a permit is required shall be subject to inspection by the Zoning Administrator.
3. The City reserves the right to require the removal at the owner's expense of any sign when the requirements of this Section are not completely followed and adhered to, or if a sign is not properly maintained or falls into a state of disrepair. The City shall not have any obligation or liability to replace any sign when removed by the City.

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H. **Substitution.** The owner of any sign which is otherwise allowed by this sign Ordinance may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. Conversion back to commercial copy is permitted as allowed in each Zoning District. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.

I. General Regulations.

1. All freestanding and monument signs shall be set back three (3) feet from any property line and outside of the site visibility triangle. No portion of the sign shall extend into the public right-of-way or an easement.
2. Wall signs may extend no more than 24 inches from the building façade and may encroach into the public right-of-way where there is a zero-building setback.
3. The installation of electrical signs shall be subject to the State Electrical Code. Electrical service to a freestanding sign shall be underground.
4. No sign shall be attached or be allowed to hang from any building until all necessary wall attachments have been approved by the City Building Official.
5. No signs, guys, stays or attachments shall be erected, placed, or maintained on trees nor interfere with any electric light, power, telephone or telegraph wires or the supports thereof.
6. Illuminated signs shall be shielded to prevent lights from being directed at oncoming traffic in such brilliance that it impairs the vision of the driver and may not interfere with or obscure traffic signs or signals. Lighting may not illuminate any adjacent properties, buildings, or streets.

a. _____

~~6.7.~~ Portable signs which are designed to be transported, including by trailer or on its own wheels, even though the wheels of such sign may be removed are permitted within GC, CC, ME, and GI Zoning Districts subject to the following:

- a. A Sign Permit is issued for the sign that shall require a non-refundable fee as set by Ordinance, together with a bond or cash deposit is issued for the sign.
- b. In the event the sign is not removed within two (2) business days of the permit expiration date, the bond or cash deposit shall be forfeited as a penalty.
- c. Permits shall be for periods not to exceed 60 consecutive days of each 90-calendar day period for one premises, or a total of 120 days in a calendar year.
- d. One (1) temporary sign is allowed on the premises at one time.

~~e.~~ Temporary signs permitted by Subsection [D] of this Ordinance shall be exempt from the requirements of this Section.

~~8. Banner signs are prohibited in all zoning districts except on a temporary basis. One banner sign per building wall shall be permitted in the TN-2, CC, GC, TC, MS, ME, and GI Zoning Districts for a period of 60 days per calendar year.~~

~~e.a. Banner signs will be part of the allowable sign area percentage and shall not exceed the maximum area percentage specified for each zoning district.~~

~~7.9.~~ No sign or sign structure shall be erected or maintained that prevents free ingress or egress from any door, window, or fire escape. No sign or sign structure shall be attached to a standpipe or fire escape.

~~8.10.~~ A freestanding sign or sign structure constructed so that the faces are not back-to-back, shall not have an angle separating the faces exceeding twenty degrees (20°) unless the total area of both sides added together does not exceed the maximum allowable sign area for that District.

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~~9.11.~~ The area within the frame of a sign shall be used to calculate the square footage except that the width of a frame exceeding twelve (12) inches shall constitute sign face, and if such letters or graphics be mounted directly on a wall or fascia or in such way as to be without a frame the dimensions for calculating the square footage shall be the area extending six (6) inches beyond the periphery formed around such letters or graphics in a plane figure bounded by straight lines connecting the outermost points thereof. Each surface utilized to display a message or to attract attention shall be measured as a separate sign and shall be calculated in the overall square footage. Symbols, flags, pictures, wording, figures, or other forms of graphics painted on walls, awnings, free-standing structures, suspended by balloons, or kites or on persons, animals, or vehicles are considered a sign and are included in calculating the overall square footage.

~~10.12.~~ The top of a wall sign, including its superstructure, if any, shall be no higher than the top of the roof of the building to which such sign may be attached.

~~11.13.~~ Projecting signs may be allowed in commercial districts provided that:

- a. There is a minimum of eight (8) feet of clearance under the base of the sign to the ground below.
- b. The sign does not project more than five (5) feet beyond the wall to which it is mounted, may not project over any vehicular drive aisle or traveled portion of a public or private street and may not project over a public right-of-way except within the CC, TC, and MS Zoning Districts.
- c. The area of the projecting sign is not more than fifty (50) percent of the maximum area allowed for an individual wall sign in the respective zoning district in Subsection [J.9 and J.10] of this Subsection.

~~12.14.~~ Roof signs shall be allowed in commercial and industrial districts provided that:

- a. The height of the sign shall not exceed the height of the roof.
- b. The sign design shall be consistent with the building character and integrated into the building architecture.

15. Signs are not allowed to encroach into or over MnDOT right-of-way **without MnDOT approval**.

16. Any sign that is found to be unreadable, unsafe, unsecured, abandoned, unlawful or in disrepair shall be repaired or removed by the property owner or lessee within 60 days.

17. All signs or sign messages shall be removed by the owner or lessee of the premises upon which a sign is located when the business it advertises is no longer conducted therein.

~~13.18.~~ A real estate sign is limited to up to nine square feet in residential districts and up to 32 square feet in commercial districts. A real estate sign must be removed within ten days after sale or rental of property.

J. **District Regulations.** In addition to the signs allowed by this Subsection, the following signs shall be allowed within the specific Base Zoning Districts:

1. Non-residential uses within the RL, GL, CN and TN Base Zoning Districts.
 - a. Except for the uses specified in Appendix A: Table of Uses, one (1) sign shall be allowed per parcel provided that:
 - i. The total area of the sign shall not exceed thirty-two (32) square feet.
 - ii. A freestanding sign shall be limited to a maximum height of six (6) feet.
2. Signs shall be allowed for a subdivision or multiple family development of five (5) or more lots or dwelling units provided that:
 - a. One (1) sign shall be allowed at each street entrance. Entrances less than one hundred (100) feet apart are not permitted individual entrance signs.
 - b. The area of each sign shall not exceed twenty-four (24) square feet.
 - c. Freestanding signs shall be limited to a maximum height of six (6) feet.

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- d. Illumination of the sign shall be as regulated in [I.6.] of this Subsection.
 - e. For sign(s) requiring regular long-term maintenance, the sign(s) shall be located on common space of sufficient size and area to accommodate said structure. The property owner or association shall be responsible for maintenance of the sign.
 - f. One (1) wall sign up to sixteen (16) square feet is permitted for each multifamily development.
 - g. The area around the sign shall be landscaped in such a manner to accent and enhance the sign while remaining sensitive to the natural features of the site. Detailed site and landscape plans shall be included with each sign permit application and shall be subject approval by the Zoning Administrator.
 - h. The design and construction of area identification signs shall be done with the highest commercial quality materials and workmanship to keep maintenance and upkeep costs to a minimum and to minimize the potential for vandalism. Area identification signs are to be aesthetically pleasing when designed and constructed. The sign shall be compatible with nearby structures in the area. Detailed construction plans and a materials list shall be included with each Sign Permit application and shall be subject approval by the Zoning Administrator.
3. Additional signs shall be allowed upon approval of a Final Plat for a subdivision having not less than five (5) lots provided that:
- a. One (1) sign shall be allowed per project or subdivision or one (1) sign for each frontage to a public street, whichever is greater.
 - b. The area of the sign shall not exceed thirty-two (32) square feet.
 - c. Freestanding signs shall be limited to a maximum height of eight (8) feet.
 - d. The sign shall not be displayed for a period to exceed twenty-four (24) months from the date a permit is issued for the sign or until building permits have been issued for eighty-five (85) percent of the lots or dwelling units within the subdivision, whichever is less restrictive.
4. Government buildings and structures, public, quasi-public or private recreation buildings, public parks and recreation areas, public and private educational institutions limited to accredited elementary, middle, senior high schools, or colleges and universities, and places of worship shall be allowed the following signs:
- a. Not more than two (2) wall signs shall be permitted on the front wall. The combined total area of such sign or signs shall not exceed the lesser of fifteen (15) percent of the area of the front face (including doors and windows).
 - b. For each principal building on a lot, there shall not be more than one (1) freestanding monument sign except on a corner lot where two signs, one facing each street, shall be permitted. No such signs shall exceed one hundred (100) square feet in area. Monument signs may not exceed twelve (12) feet in height. The monument sign may include a changeable copy sign as part of the allowable sign area.
5. The changeable copy sign may be a wall, freestanding, or monument sign. The changeable copy sign area shall be counted as part of the total sign area allowed within the Base Zoning District.
6. No more than one (1) changeable copy sign per parcel.
7. A dimmer switch shall be installed which limits illumination brilliance of the sign during nighttime hours to no more than five hundred (500) lumens. Nighttime hours shall be considered to be from dusk to dawn.
8. Minimum height of the sign shall be eight (8) feet as measured from grade to the bottom of the sign.
- a. Temporary signage is subject to the provisions of Subsection [D and I] of this Ordinance.
9. Within the TN-2 District the following additional regulations shall apply:
- a. All residential use regulations in accordance with Appendix A: Table of Uses.

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- i. Each parcel shall be allowed one (1) wall sign up to two (2) square feet in area and one (1) freestanding sign up to 12 square feet in area.
 - ii. The height of a freestanding sign shall not exceed six (6) feet.
10. Within the [CC, GC, MS, TC, ME, GI] Districts the following additional regulations shall apply:
 - a. The total area of building signs displayed on a parcel shall not exceed 15 percent of the building façade on which the sign is to be located fronting not more than two (2) public streets.
 - b. A 100 square foot sign up to 25 feet tall is permitted for a parcel with street frontage of 100 feet or less.
 - i. In GI, CC, and GC Zoning Districts, one (1) square foot of sign area may be added to the permitted 100 square foot sign area for each one (1) foot of street frontage over 100 feet. A sign up to 300 square feet is permitted.
 - ii. Parcels in the GI, CC, and GC Zoning Districts with more than 300 feet of street frontage may have one (1) additional sign for each additional 300 feet of street frontage. Signs shall be located at least 300 feet apart.
 - c. Sign area for parcels permitted more than one (1) sign is equal to the total feet of street frontage. If more than one (1) sign is used, the total sign area allowed shall be distributed between permitted signs.
 - d. Each sign shall be 300 feet apart and each sign may not exceed 300 square feet in area.
 - e. Signs shall be located on the street frontage for which its sign area is determined.
11. Wall, Canopy and Marquee Signs. Wall, canopy, or marquee signs may occupy up to fifteen (15) percent of a building façade fronting a public street or alley. ~~Up to an additional 16 square feet may be used for awning signs.~~
 - a. Materials. Sign materials shall be consistent or compatible with the original construction materials and architectural style of the building facade on which they are to be displayed. Every sign shall be constructed in a professional manner and shall not cause blight or a negative impact.
 - b. Position. Wall, projecting or overhanging signs shall be positioned so as to create an integral design feature of the building to complement and enhance the building's architectural features. Signs shall not obscure or destroy architectural details such as stone arches, glass transom panels or decorative brickwork.
 - ~~11.c.~~ Window Signs. ~~Window signs shall not be counted towards the allowable wall signage area but shall consist of vinyl material, paint, or be three dimensional.~~
 - d. Design Elements. ~~In addition to the signs allowed without a permit pursuant to this Section, signs must be a three-dimensional wall sign, awning or canopy sign, or a projecting sign.~~
 - i. Three-dimensional wall signs include raised lettering, framing, ect...
12. Awning or Canopy Signs. Letters may be painted or otherwise affixed to any permissible awning or canopy as follows:
 - a. One sign per canopy fascia fronting onto a public street.
 - b. Be within the physical dimensions of the awnings or canopy fascia.
13. Accessory signs to gas sales in conjunction with automobile service stations or convenience stores are permitted provided that:
 - a. *Gasoline and Price Sign.* One (1) sign (single or double faced) per frontage on a public street, suitable for apprising persons of the total sign price per gallon. The area of such price sign shall not exceed 16 square feet on either side. Each such sign shall be affixed to the standard of a ground sign or light fixture and shall state the total price. No sign posting an incomplete price or less than the total sales price is permitted.

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- b. Signs denoting operating instructions associated with self-service gas facilities including gas pump, air supply and car washes are exempt from the maximum sign area standards of this Subsection.

14. Changeable Copy Signage.

- a. The changeable copy sign may be a wall, freestanding, or monument sign. The changeable copy sign area shall be counted as part of the total sign area allowed within a respective Zoning District.
 - b. No more than one (1) changeable copy sign per parcel.
 - c. A dimmer switch shall be installed which limits illumination brilliance of the sign during nighttime hours to no more than five hundred (500) lumens. Nighttime hours shall be considered to be from dusk to dawn.
 - d. Minimum height of the sign shall be eight (8) feet as measured from grade to the bottom of the sign.
15. In addition to the freestanding sign allowed by this Subsection, convenience food uses with drive through facilities may display additional signs, provided that:

~~a. Not more than one (1) sign is allowed.~~

~~b.a.~~ The sign shall be single sided with an area not to exceed fifty (50) square feet.

~~e.b.~~ The height of the sign shall not exceed six (68) feet including its base or pole measured from grade to the top of the structure.

~~d.c.~~ The sign shall not encroach into any principal building setback and shall be located directly adjacent to the drive through aisle and oriented in such a manner so that the sign provides information to the drive through patrons only and does not impair site visibility or obstruct circulation.

16. Multiple Occupancy Commercial and Industrial Buildings including Business/Commercial Centers:

- a. Except as provided for in this Subsection, individual tenants of a multiple occupancy building within a commercial or industrial zoning district may display separate wall, canopy, or marquee signs when a tenant's business has an exclusive exterior entrance subject to the following requirements:
 - i. The number of wall signs shall be limited to one (1) per tenant space, except one (1) sign per exterior wall may be displayed for the tenant of a corner suite or a suite that extends through a building this having two (2) exterior walls facing a public right-of-way.
 - ii. The total area of all wall signs shall not exceed fifteen (15) percent of the tenant bay.
 - iii. Signs shall be located on the exterior wall of the tenant space to which the Sign Permit is issued but are not required to face a public street.
- b. In addition to wall and free-standing signs, canopy and marquee signs are allowed provided that:
 - i. Occupy up to an additional sixteen (16) square feet on a building façade fronting a public street or alley.
 - ii. Letters are painted or otherwise affixed to any permissible awning or canopy as follows:
 - a. One (1) sign per canopy fascia fronting onto a street.
 - b. Be within the physical dimensions of the awnings or canopy fascia.
- c. Business/Commercial Centers may erect one (1) free standing sign per street frontage, not to exceed two (2) freestanding signs per site (single or double faced).
- d. Changeable copy signs are allowed in accordance with this Subsection.

K. Non-Conforming Signs. A nonconforming sign lawfully existing upon the effective date of this Section shall be regulated in accordance with this Section.

NOTICE OF HEARING

Notice is hereby given that the City of Brainerd Planning Commission will be conducting a public hearing to consider a proposed ordinance amending Section 515-3-37 Signs of the Zoning Code. The primary purpose of this ordinance is to maintain, enhance, and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community. The proposed ordinance includes but is not limited to the following changes to Section 515-3-37: requires wall signage to have a three-dimensional design element, increases size for pylon signage in the General Industrial Zoning District, allows for the temporary placement of canvas signs but prohibits permanent placement, and requires old signage no longer pertaining to the property to be removed.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, September 17th, 2025 in the Council Chambers at Brainerd City Hall, 501 Laurel Street. A copy of the proposed ordinance can be viewed at Brainerd City Hall in the Community Development Department on the second floor.

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

Dated this 3rd day of September, 2025



James Kramvik
Community Development Director

Publication Date: September 6th, 2025

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: September 17th, 2025

RE: Consider Preliminary Plat, Planned Unit Development (PUD) and a Rezoning for a Proposed 190-unit Apartment Complex for Parcel ID's 41020691 and 41020682 on HWY 371 S

REQUEST

PUBLIC HEARING. Planned Unit Development - Development Stage Plan, Preliminary Plat, Rezoning to a Planned Unit Development Overlay District with an underlying CN-2 (Contemporary Neighborhood 2) Zoning District.

Kuepers Inc has submitted applications for a Preliminary Plat, a Planned Unit Development and a Rezoning for parcels 41020691 and 41020682 for a proposed 190-unit apartment complex/development. The properties are currently zoned RL-1 (Rural Living 1), and the applicant is requesting a rezoning to a PUD Overlay District with an underlying CN-2 (Contemporary Neighborhood 2) Zoning District. The primary purpose of the PUD Overlay District request is to allow for a mix of residential and commercial uses.

CONTEXT

Parcel Numbers: 41020691 and 41020682

Zoning District: Rural Living 1 (RL-1) Zoning District – requested change to a PUD Overlay District with an underlying CN-2 Zoning District

Property Area: 49 Acres

Adjacent Uses: North: Townhouses
East: Mn Teen Challenge vacant property
South: Automotive Repair Shop
West: Crow Wing Township

Adjacent Zoning: North: CN-2 (Contemporary Neighborhood 2) District
East: GC (General Commercial) District
South: Crow Wing Township
West: Crow Wing Township property

AERIAL MAP



ENVIRONMENTAL ASSESMENT WORKSHEET (EAW)

Prior to a final decision by City Council, the Council is required to complete an Environmental Assessment Worksheet (EAW) for the development, as there are over one-hundred and fifty (150) proposed units. The Environmental Assessment Worksheet (EAW) is a brief document designed to lay out the basic facts of a project necessary to determine if an environmental impact statement (EIS) is required for the proposed project. In addition to the legal purpose of the EAW in determining the need for an EIS, the EAW also provides permit information, informs the public about the project, and helps identify ways to protect the environment. The EAW is not meant to approve or deny a project but instead act as a source of information to guide other approvals and permitting decisions. Kuepers has hired an engineering firm to complete the EAW.

FINDINGS OF FACT - PLANNED UNIT DEVELOPMENT AND (PUD) ZONING OVERLAY

1. According to [Section 515-5-7.B](#), a Planned Unit Development (PUD) may include land uses from a variety of Base Zoning Districts, and may include design flexibility related to density, setbacks, building heights, lot area, lot width, etc. Any mixed-use project that does not comply with the dimensional or use standards may utilize the Planned Unit Development (PUD) Overlay Zoning District. All PUD Overlay Zoning Districts must identify the areas where flexibility from the Base Zoning District standards is established.
2. [Section 515-2-21](#) states the purpose and Intent of the Planned Unit Development Overlay District is to provide for the integration and coordination of land parcels as well as the combination of various types of residential, commercial, and industrial uses.
3. **Voyager Heights - Planned Unit Development (VH-PUD).** The purpose of the VH-PUD is to allow for the development and redevelopment of the property with a mix of uses and dimensional standards. The following standards are established.
 - a. The standards and uses contained within the Contemporary Neighborhood-2 (CN-2) Base Zoning District shall govern the VH-PUD district, with the modifications as noted in Table 515-2-21.3
 - b. Additions to existing structures are permitted provided it meets the CN-2 Zoning District Dimensional Standards of Table 515-2-7.1 and all other requirements in the Zoning Code.
 - c. Development Standards. All approved Final PUD Plans shall govern the development of the property and shall be kept on file with the City Zoning Administrator.

Proposed Table 515-2-21.3 VH-PUD Dimensional and Use Standards - Density, Lot Size, Coverage and Height Standards.

Lot Dimensions		
	Lot Size	None
	Density (minimum)	4+ DU/Acre
	Lot Width	None
Principal Building, Attached Accessory Building, and Detached Accessory Building Standards		
	Front Yard Setback (minimum)	20'
	Rear Yard Setback (minimum)	20'
	Location, detached	Must meet Principal Structure setbacks, may be located in any Yard
	Total Number of Permitted Accessory Buildings	3 per Primary Structure
Coverage and Height Standards		
	Impervious Surface Coverage (maximum)	75%
	Principal structure height (maximum)	45'
Other Standards		
	Driveway	Width at ROW maximum is 36'
	Parking (minimum)	none
	Shrub Planting (minimum)	Four (4) shrubs or perennials shall be planted per first floor dwelling unit

	Landscape Islands (minimum)	One (1) island per thirty (30) continuous rows of internal parking spaces
	Commercial and Industrial Use Design Construction Standards	Facades facing a public street shall not exceed twenty-five (25) percent metal unless allowed upon approval of a Conditional Use Permit. Side and Rear Facades may be one-hundred (100) percent metal and may have exposed fasteners.
Uses Permitted		
	Appendix A: Table of Uses, CN-2 District	All permitted, conditional and interim uses
	Multifamily attached dwelling units (5+ units)	P
	Car Wash Accessory to Motor Vehicle Fuel Sales	C
	Commercial/Retail Establishments	C
	Contractor Offices	C
	Motor Vehicle Fuel Sales	C
	Office Businesses	C
	Light Manufacturing	C
	Warehouse, distribution facilities and wholesale business	C

The City may approve the Planned Unit Development (PUD) only if it is found that the development satisfies all of the following standards:

4. The proposed Planned Unit Development (PUD) is in conformance with the Comprehensive Plan for Brainerd. At a minimum, the City must find that:
 - a. The use will not create an excessive burden on existing parks, schools, streets, and other public facilities and utilities, which serve or are proposed to serve the area.
 - i. *The developer has hired an engineering firm to conduct a traffic study, which will be available before final approval. Staff have no concerns at this time.*
 - ii. *The development will include its own open space areas.*
 - iii. *The development will connect to the City's sewer, water, and electrical system. The City Engineer is currently working with an engineering firm on a sewer study for South Brainerd, specifically for this area. The study will indicate how the system must be designed.*
 - iv. *The additional residential units will positively impact the City and School District.*
 - b. The use is reasonably related to the overall needs of the City and is compatible with the surrounding land use.
 - i. *The City and Crow Wing County as a whole are in need of diverse housing options, which are a part of the Housing Goals and Policies of the Comprehensive Plan.*
 1. HOUSING GOAL 1 Provide a diverse mix of housing choices for all stages of life, income ranges, and ownership/rental preferences.
 - a. Policy 2 - Expand home ownership and rental opportunities through rehabilitation and new construction.
 - b. Policy 5 - Ensure an adequate supply of quality and affordable housing units for current and future residents.

- c. The Planned Unit Development (PUD) is an effective and unified treatment of the development possibilities on the project site, and the development plans provide for the preservation of unique natural amenities.
 - i. *The development intends to use the rural setting of the site as an integral element of the development. The wetland to the north will provide as a buffer between this property and the low-medium density Woodland Hills Development.*
 - d. The uses proposed will not have an undue and adverse impact on the reasonable enjoyment of neighboring property and will not be detrimental to surrounding uses.
 - i. *This property is surrounded primarily by vacant land and is adjacent to Business 371 and will not have an undue and adverse impact on the reasonable enjoyment of neighboring property and will not be detrimental to surrounding uses.*
 - ii. *Properties along Business 371 in this area are all commercial uses.*
5. Additionally, the Planned Unit Development (PUD) meets one or more of the following development criteria according to Section 515-5-7.C.2
- a. A minimum of two (2) or more principal structures is proposed.
 - i. *The applicant is proposing the construction of five (5) multi-unit buildings with separate garages.*
 - b. The tract is at least two (2) acres in size.
 - i. *Lot 1 Block 1 is 8.48 acres*
 - ii. *Lot 1 Block 2 is 6.13 acres*
 - c. The Planned Unit Development (PUD) can be planned and developed to harmonize with any existing or proposed development in the areas surrounding the project site.
 - i. *Natural buffers will be maintained between existing developments and the site.*
 - ii. *The surrounding developments are comprised of residential properties, a senior living facility, a recovery facility, and commercial properties along Business 371.*
 - d. Each phase of the proposed development is of sufficient size, composition, and arrangement so that its construction, marketing, and operation are feasible as a complete unit, and that provision for and construction of dwelling units and common open space are balanced and coordinated. In addition, the total development is designed in such a manner as to form a desirable and unified environment within its own boundaries.
 - i. *The proposed development will be fully constructed with five apartment buildings to accommodate 190 dwelling units.*
 - ii. *The remaining property has been divided into Outlots that would require future approvals from the City to develop.*
 - iii. *The proposed design allows for the future expansion of both residential and commercial uses and the developer plans to subdivide Outlot A in the future for commercial uses along Business 371 and additional residential uses to the west.*

- e. Financing is available to the applicant on conditions and in an amount which is sufficient to assure completion of the Planned Unit Development (PUD). To evidence this finding, a written statement of financial feasibility, which is accepted by the City, shall be submitted by the applicant.
 - i. *The applicant has the ability to acquire the necessary financing to complete the proposed development in full.*
 - ii. *The applicant will be required to provide proof of financing with approval of the Final Plan.*
 - iii. *The applicant has provided an escrow to the City to pay for legal review.*
- f. Planned Unit Development (PUD) provides for architectural diversity by way of varied building types and exterior building design.
 - i. According to [Section 515-4-2 Building Design Standards](#) - Multi-family dwelling units shall be designed to create visual interest through a variety of materials, colors, textures, installation direction, structural elements such as balconies, porches, and wall patterns, or other characteristics that create articulation either between units or floors.
 - 1. *The proposed building has a variety of elements to create visual interest such as alternating wall patterns, color changes, stonework, and balconies.*
- g. Underground Utilities. In any Planned Unit Development (PUD), all utilities, including, but not limited to, telephone, electricity, gas, and cable television shall be installed underground.
 - i. *All utilities in the development are planned to be placed underground.*
- h. Utility Connections.
 - i. Water Connections. When more than one property is served from the same service line, a shut off valve must be located in such a way that each unit's service may be shut off and secured by the City, in addition to the normally supplied shut off at the street.
 - ii. Sewer Connections. When more than one (1) unit is served by a sanitary sewer lateral which exceeds three hundred (300) feet in length, provisions must be made for a manhole to allow adequate cleaning and maintenance of the lateral. All maintenance and cleaning shall be the responsibility of the property owner's association or owner.
 - 1. *Staff have no concerns about the utility design at this time.*
- i. Roadways, Private. Design - Private roadways within the project shall have an improved surface to 28 feet or more in width and shall be so designed as to permit the City fire trucks to provide protection to each building.
 - i. *The applicant proposes to create a public street between the two apartment complexes.*
 - ii. *The Fire Department has reviewed the site plan and has no concerns.*
- j. Parking. No portion of the required private road system may be used in calculating required off-street parking space or be used for parking.
 - i. *The proposed planned unit development does not have a private road.*

- ii. *The proposed PUD Overlay district regulations propose no parking minimums for this development as the applicant has adequately addressed off-street parking in the plans.*
 - iii. *This development is subject to parking maximums which the proposed site plan does not exceed.*
- k. Landscaping. In any Planned Unit Development (PUD), landscaping shall be provided according to a plan approved by the City Council, which shall include a detailed planting list with sizes and species indicated as part of the final plan. In assessing the landscaping plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structures and the overall scheme of the Planned Unit Development plan.
 - i. *A detailed landscape plan has been submitted. The landscape plan has been designed to enhance the structures and parking facilities.*
 - ii. *Significant natural buffers will be maintained that will help screen the development from surrounding areas and roadways.*
- l. Public services. The proposed project shall be served by the City water and sewer system, and fire hydrants shall be installed at such locations as necessary to provide fire protection.
 - i. *The development will be served by City sewer and water, and there are no concerns over placement of the fire hydrants at this time.*
- m. Refuse. Provision for trash pick-up shall be provided according to a plan approved by the City Council.
 - i. *Per City Code, refuse must be collected at a minimum of a weekly basis.*
- n. Best Management Practices. All Planned Unit Developments shall incorporate Best Management Practices for stormwater management as defined by Chapter 7 of the City Code, subject to review and approval of the Zoning Administrator, Planning Commission and City Council.
 - i. *The City Engineer has reviewed the proposed development for stormwater impacts and has expressed no concerns at this time. A full stormwater review will be conducted upon the submittal of the PUD final plan.*
- o. Sidewalks and Trails. Except as otherwise determined by the City Council, concrete sidewalks not less than five (5) feet in width and/or bituminous trails not less than eight (8) feet in width shall be provided.
 - i. *The applicant proposes a sidewalk on the south side of Voyager Drive.*

FINDINGS OF FACT – PRELIMINARY PLAT

1. That the proposed subdivision is consistent with adopted applicable general and specific comprehensive plans of the City.
 - a. *The applicant proposes to rezone the property from Rural Living 1 (RL-1) to a PUD Overlay District.*
 - i. Section 515-2-21 states the purpose and Intent of the Planned Unit Development Overlay District is to provide for the integration and coordination of land parcels as well as the combination of various types of residential, commercial, and industrial uses.

- ii. *The applicant proposes to construct 190 apartment units with future commercial uses fronting Business 371.*
 - iii. *The future land use map designates this area for Mixed Residential/Commercial.*
- 2. The proposed subdivision is consistent with the Comprehensive Plan.
 - a. HOUSING GOAL 1 - Provide a diverse mix of housing choices for all stages of life, income ranges, and ownership/rental preferences.
 - i. Policy 2 - Expand home ownership and rental opportunities through rehabilitation and new construction.
 - ii. Policy 5 - Ensure an adequate supply of quality and affordable housing units for current and future residents.
- 3. That the physical characteristics of this site, including but not limited to topography, percolation rate, soil conditions, susceptibility to erosion and siltation, susceptibility to flooding, water storage, drainage and retention, are such that the site are suitable for the type of development, design, or use contemplated.
 - a. *The site does not have topographical challenges.*
 - b. *The developer has spoken with the City Engineer and regulatory authority about utility construction through the wetland and there are no concerns at this time.*
- 4. That the site is physically suitable for the proposed density of development.
 - a. The density for Lot 1 Block 1 is 13.44 dwelling units per acre
 - b. The density for Lot 1 Block 2 is 12.40 dwelling units per acre
 - i. *The CN-2 District, which is the base zoning district for the proposed PUD overlay, allows for a maximum of 12 dwelling units per acre.*
 - ii. *The proposed PUD Overlay district does not have a maximum dwelling unit per acre requirement and density will be reviewed on a case-by-case basis for each phase proposed by the developer.*
 - iii. *This area is currently underdeveloped with access to Greenwood Street that leads to Business 371 and Buffalo Hills Lane East. City staff have no concerns regarding traffic at this time.*
 - iv. *The developer is conducting a traffic study that will be reviewed prior to the final approval.*
 - v. *The site plan is designed appropriately for the five apartment buildings, garages, off-street parking, and community open space.*
- 5. That the design of the subdivision or the proposed improvements are not likely to cause environmental damage.
 - a. *Improvements will not cause environmental damage to the surrounding neighborhood. The development agreement would ensure that all stormwater is properly managed on site.*
- 6. That the design of the subdivision or the type of improvements, are not likely to cause public health problems.
 - a. *The improvements will not cause any public health problems.*
- 7. That the design of the subdivision or the type of improvements will not conflict with easements of record or with easements established by judgment of a court.
 - a. *Utility easements will remain and are depicted on the preliminary plat.*

8. That the proposed subdivision, its site, or its design does not adversely affect the flood carrying capacity of the floodway increases flood stages and velocities or increases flood hazards within the floodway fringe or within other areas of the City.
 - a. *The proposed site will not increase flood hazards.*
9. The proposed subdivision is consistent with the policies and standards of the State defined shoreland, floodplain, and wetland regulations.
 - a. *The proposed plat is outside of the shoreland district and floodplain.*
10. The City Council deems the subdivision is not premature.
 - a. *The proposed subdivision is located along current infrastructure.*
 - b. *Utilities will need to be constructed to serve the proposed development but are in close proximity to the site.*
11. A subdivision shall be consistent with the following plans:
 - a. Brainerd Comprehensive Plan.
 - b. Brainerd Sanitary Sewer Plan/Engineering Specifications.
 - c. Brainerd Water Plan/Engineering Specifications.
 - d. Stormwater Management Plan.
 - e. Comprehensive Trail Plan.
 - f. Capital Improvement Plan.
 - i. *A full list of the requirements in the capital improvement plan can be found in [Section 500-2-5.11.f](#)*
 - ii. *The Engineering Department and Community Development Department have no concerns with the above plans.*

As of this writing, the Community Development Department has received once call regarding the proposed project. The resident was concerned about loosing their view to the forest across from Woodland Hills Lane if this property is developed.

STAFF RECOMMENDATION

Staff recommend approval of the following requests:

- 1) Rezoning from RL-1 to PUD Overlay
- 2) Preliminary Plat
- 3) PUD Development Stage Plan

Note: The City Council cannot make a final determination for the development prior to the completion of the EAW. All statutory requirements to provide an answer to the developer are paused until the completion of the EAW.

**ORDINANCE
NO. 15XX**

**AN ORDINANCE AMENDING SECTION 515-2-21 PUD AND THE ZONING MAP OF
THE CITY OF BRAINERD**

WHEREAS, a public hearing was held by the Planning Commission as required by the Zoning Code, on September 17th, 2025

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

SECTION ONE: Section 515-2-21.D of the Zoning Code is hereby amended by adding the following underlined language:

3. Voyager Heights - Planned Unit Development (VH-PUD). The purpose of the VH-PUD is to allow for the development and redevelopment of the property with a mix of uses and dimensional standards. The following standards are established.

- a. The standards and uses contained within the Contemporary Neighborhood-2 (CN-2) Base Zoning District shall govern the VH-PUD district, with the modifications as noted in Table 515-2-21.3
- b. Additions to existing structures are permitted provided it meets the CN-2 Zoning District Dimensional Standards of Table 515-2-7.1 and all other requirements in the Zoning Code.
- c. Development Standards. All approved Final PUD Plans shall govern the development of the property and shall be kept on file with the City Zoning Administrator.

Proposed Table 515-2-21.3 VH-PUD Dimensional and Use Standards - Density, Lot Size, Coverage and Height Standards.

Lot Dimensions	
Lot Size	None
Density (minimum)	4+ DU/Acre
Lot Width	None
Principal Building, Attached Accessory Building, and Detached Accessory Building Standards	
Front Yard Setback (minimum)	20'
Rear Yard Setback (minimum)	20'
Location, detached	Must meet Principal Structure setbacks, may be located in any Yard
Total Number of Permitted Accessory Buildings	3 per Primary Structure
Coverage and Height Standards	
Impervious Surface Coverage (maximum)	75%
Principal structure height (maximum)	45'
Other Standards	

	<u>Driveway</u>	<u>Width at ROW maximum is 36'</u>
	<u>Parking (minimum)</u>	<u>none</u>
	<u>Shrub Planting (minimum)</u>	<u>Four (4) shrubs or perennials shall be planted per first floor dwelling unit</u>
	<u>Landscape Islands (minimum)</u>	<u>One (1) island per thirty (30) continuous rows of internal parking spaces</u>
	<u>Commercial and Industrial Use Design Construction Standards</u>	<u>Facades facing a public street shall not exceed twenty-five (25) percent metal unless allowed upon approval of a Conditional Use Permit. Side and Rear Facades may be one-hundred (100) percent metal and may have exposed fasteners.</u>
Uses Permitted		
	<u>Appendix A: Table of Uses, CN-2 District</u>	<u>All permitted, conditional and interim uses</u>
	<u>Multifamily attached dwelling units (5+ units)</u>	<u>P</u>
	<u>Car Wash Accessory to Motor Vehicle Fuel Sales</u>	<u>C</u>
	<u>Commercial/Retail Establishments</u>	<u>C</u>
	<u>Contractor Offices</u>	<u>C</u>
	<u>Motor Vehicle Fuel Sales</u>	<u>C</u>
	<u>Office Businesses</u>	<u>C</u>
	<u>Light Manufacturing</u>	<u>C</u>
	<u>Warehouse, distribution facilities and wholesale business</u>	<u>C</u>

SECTION TWO: The Zoning Map of the City of Brainerd is hereby amended by changing the zoning designation of the property below from a RL-1 (Rural Living 1) District to Voyager Heights – Planned Unit Development (VH-PUD) Planned Unit Development Overlay District:

PIN 41020691 and 41020682

SE1/4 of NE1/4 2 44 31

AND

PT OF NE1/4 OF SE1/4 LYING N & W OF C/L OF BUSINESS HWY 371

SECTION THREE: 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 – _____



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2307 building@ci.brainerd.mn.us

www.ci.brainerd.mn.us

PRELIMINARY PLAT/FINAL PLAT/P.U.D APPLICATION

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

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

☒ **PLANNED UNIT DEVELOPMENT** (\$1,000 + \$2,000 escrow deposit/residential)
(\$1,500 + \$2,000 escrow deposit/commercial)

PROPERTY ADDRESS: TBD Greenwood Street

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: See Survey
(attach description if lengthy) PID#'s: 41020691 and 41020682

Property Owner Name: Lively Auto Company

Street Address: 512 Laurel Street **City:** Brainerd **State:** MN **Zip Code:** 56401

Phone Number: _____ **Fax:** _____ **E-mail:** rboe@larkinhoffman.com

Applicant Name: (if different than Property Owner) Kuepers Inc.

Street Address: 17018 Commercial Park Road **City:** Brainerd **State:** MN **Zip Code:** 56401

Phone Number: 218-829-0707 **Fax:** 218-829-0383 **E-Mail:** stevek@kuepers.com

Description of Request: PUD Overlay District requested for our proposed 190 unit market rate apartment complex/development in proposed CN-2 zoning district.

Authentisign

Charlie Mills

08/22/25

Property Owner Signature

Date

Charlie Mills

(Please print name)

Steve Kuepers

Applicant Signature

8-21-25

Date

Steve Kuepers
(Please print name)



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: TBD Greenwood Street

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: See Survey

(attach description if lengthy) PID#'s: 41020691 and 41020682

Property Owner Name: Lively Auto Company

Street Address: 512 Laurel Street City: Brainerd State: MN Zip Code 56401

Phone Number: _____ Fax: _____ E-mail: rboe@larkinhoffman.com

Applicant Name: (If different than Property Owner) Kuepers Inc.

Street Address: 17018 Commercial Park Road City: Brainerd State: MN Zip Code: 56401

Phone Number: 218-829-0707 Fax: 218-829-0383 E-mail: stevek@kuepers.com

Description of Request: Rezone to CN-2 with a PUD Overlay District

Charlie Mills

Property Owner Signature

08/22/25

Date

Charlie Mills

(Please print name)

[Signature]

Applicant Signature

8-21-25

Date

Steve Kuepers

(Please print name)

(OVER)

August 29th, 2025

City of Brainerd
Community Development Department
501 Laurel Street
Brainerd, MN 56401

Subject: Project Narrative for Proposed 'Voyageur Heights Apartments'

We are proposing a 190-unit multifamily housing development at a property that is currently identified as PID#'s 41020691 and 41020682 in the City of Brainerd. The project design includes five 38-unit market rate apartment buildings with site amenities.

Our project site is located on Greenwood Street, a collector street with a direct connection to Business Hwy 371. Of the 52.85 acres of total site area, we are proposing two buildable lots, ROW area and stormwater basins that total 21.19 acres. The rest of the site area will remain undeveloped as outlots.

The wetlands located on the north end of the site will remain in an undisturbed outlot that will provide a natural buffer to single family residential development North of our site. Neighbors include single family residences, vacant land and commercial development along business Hwy 371. Portions of the existing trees/plantation will be saved to serve as a buffer between the proposed apartment building area and neighboring development, Greenwood Street and Hwy 371. Please see our proposed site plan and site renderings.

The subject property is currently zoned RL-1 Rural Living 1. We wish to rezone the property to CN-2 Contemporary Neighborhood with a PUD overlay.

The dwelling unit mix consists of studio, 1- and 2-bedroom units that range in size from 479 SF to 970 SF. Each dwelling unit will have in-unit washers and dryers as well as individually controlled in-unit HVAC systems. Our anticipated monthly rental rates will start at \$995.

Each apartment building has shared amenities both interior and exterior. Interior amenity spaces consist of a secure main entrance, two-story lobby, community room, fitness center, parcel room, mail center and a centralized elevator. Exterior amenity spaces consist of a large central green space, play areas/equipment for children, pickleball court, picnic areas with gas grilles, bike racks and a fenced dog run. All tenants will have access to these shared community spaces.

Our experience in developing market rate housing includes projects throughout the State of Minnesota. We have developed over 5,000 apartment units in over 30 communities in Minnesota. Our projects have experienced strong occupancy and absorption. Furthermore, we maintain property management after construction and our projects are staffed by full-time on-site management.

We are pleased to present this development opportunity to the City of Brainerd. We believe that this proposed housing development will serve as a strong and desirable asset to our community.

Thank you,



Christopher Raimann
Vice President - Architecture

© 2025 Westwood Professional Services, Inc.

SANITARY SEWER, WATERMAIN, STORM SEWER AND STREETS



\\0054943.021.DWG\CRM\005494301.DWG



HOSTING

	PROPERTY LINE
	LOT LINE
	SETBACK LINE
	EASEMENT LINE
	CURB AND GUTTER
	TOP-OUT CURB AND GUTTER
	POINT NORMAL, WATER LEVEL
	RETAINING WALL
	FENCE
	CONCRETE PAVEMENT
	CONCRETE SIDEWALK
	HEAVY DUTY BITUMINOUS PAVEMENT
	NORMAL DUTY BITUMINOUS PAVEMENT
	NUMBER OF PARKING STALLS
	TRANSFORMER
	SITE LIGHTING
	TRAFFIC SIGN
	POWER POLE
	BOLLARD / POST

Call 48 Hours before Jiggling
811 or call811.com
 Common Ground Alliance

[illegible]

INITIAL FILE 8/29/2025

KUEPERS, INC
7918 COMMERCIAL PARK RD

1. ORDER: COTTON T-SHIRT 1445, PLAIN MAU, PREPARED BY THE
NICKEL & CROMBIE T-SHIRTING CO. (BOSTON) HAS A
PLAIN MAU BACK. IT IS A 100% COTTON T-SHIRT. IT IS
A 100% COTTON T-SHIRT. IT IS A 100% COTTON T-SHIRT.

**KUEPERS BRAINERD -
VOYAGEUR HEIGHTS**
BRAINERD, MN

Westwood

OVERLAY PLAN

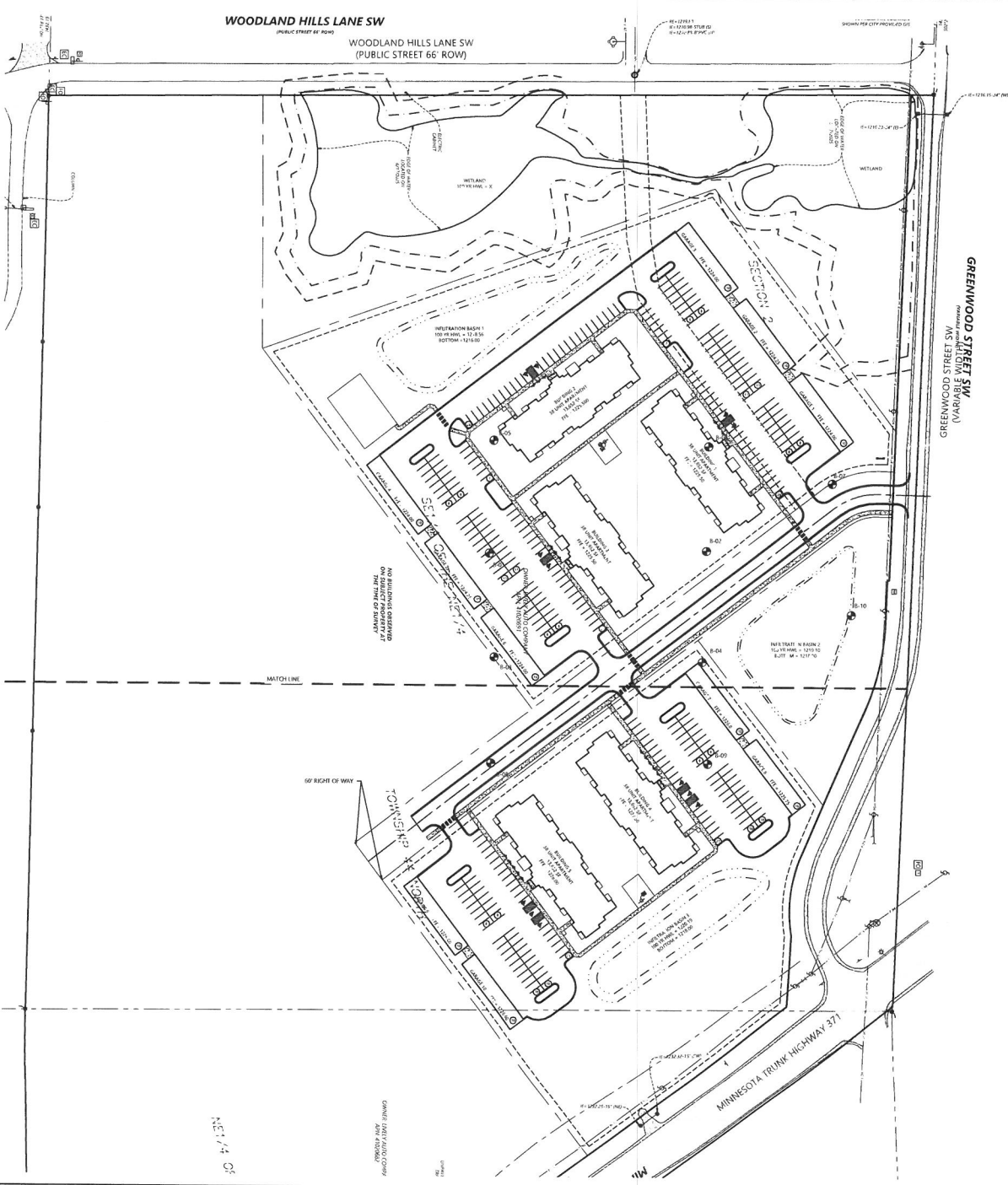
SHEET NUMBER.

C101

DATE 8/29/2025

PROJECT NUMBER 0068943

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SITE LEGEND

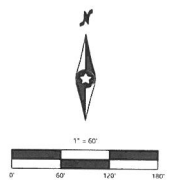
EXISTING	PROPOSED	
---	---	PROPERTY LINE
---	---	LOT LINE
---	---	SETBACK LINE
---	---	EASEMENT LINE
---	---	CURB AND GUTTER
---	---	TOP-OUT CURB AND GUTTER
---	---	FOUR NORMAL WATER LEVEL
---	---	RETAINING WALL
---	---	FENCE
---	---	CONCRETE PAVEMENT
---	---	CONCRETE SIDEWALK
---	---	HEAVY DUTY BITUMINOUS PAVEMENT
---	---	NORMAL DUTY BITUMINOUS PAVEMENT
---	---	NUMBER OF PARKING SPACES
---	---	TRANSFORMER
---	---	SITE LIGHTING
---	---	TRAFFIC SIGN
---	---	POWER POLE
---	---	ROLLAD / PYST

SITE DEVELOPMENT SUMMARY

• EXISTING ZONING	RL-1, RURAL LIVING
• PROPOSED ZONING	CN-2 WITH FUD OVERLAY
• PARCEL DESCRIPTION	PORTION OF 410.0091 & 410.0062
• PROPERTY DEVELOPMENT AREA	923.0613 SQ (2) 19 AC
• DEVELOPMENT AREA INCLUDES THE FOLLOWING GLE PRELIMINARY PLAT FOR LOT AREA DATA	
• LOT 1 - BLOCK 1	
• LOT 1 - BLOCK 2	
• OUTLOT C	
• VOYAGEUR DRIVE	
• EXISTING IMPERVIOUS SURFACE	0 SF (0.00 %)
• PROPOSED IMPERVIOUS SURFACE	141,596 SF (34.74 %)
• BUILDING GROSS SIZE	64,300 SF (COMBINED)
	13,552 SF (INDIVIDUAL)
• FLOOR AREA RATIO (FAR)	0.09 (COMBINED)
	0.02 (INDIVIDUAL)
• PARKING PROVIDED	422
• SURFACE	122
• GARAGE	100

GENERAL SITE NOTES

1. BACKGROUND INFORMATION FOR THIS PROJECT PROVIDED BY WESTWOOD PROFESSIONAL SERVICES, MINNETONKA, MN, JUNE 2025.
2. LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES ARE FOUND, THE ENGINEER SHOULD BE NOTIFIED IMMEDIATELY.
3. REFER TO BOUNDARY SURVEY FOR LOT BOUNDARIES, DIMENSIONS AND AREAS.
4. ALL DIMENSIONS ARE TO FACE OF CURB OR EXTERIOR FACE OF BUILDING UNLESS OTHERWISE NOTED.
5. REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS AND LOCATIONS OF DOORS, RAMPS, AND TRUCK DOORS.
6. ALL CURB RADIUS ARE SHALL BE 8.0 FEET TO FACE OF CURB UNLESS OTHERWISE NOTED.
7. ALL CURB AND GUTTER SHALL BE 1612 UNLESS OTHERWISE NOTED.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLUORESCENT AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE CITY AND ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MHCOT STANDARDS.
9. BITUMINOUS PAVEMENT AND CONCRETE SECTIONS TO BE IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER.
10. CONTRACTOR SHALL MAINTAIN FULL ACCESS TO ADJACENT PROPERTIES DURING CONSTRUCTION AND TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES.
11. SITE LIGHTING SHOWN ON PLAN IS FOR REFERENCE ONLY. REFER TO LIGHTING PLAN PREPARED BY OTHERS FOR SITE LIGHTING DETAILS AND PHOTOMETRICS.



Call 48 Hours before Jugging
811 or call 811.com
Common Utility Alliance

DATE: 8/29/2025
DRAWN BY: J. L. JONES
CHECKED BY: J. L. JONES
SCALE: 1" = 60'

PREPARED FOR
KUEPERS, INC.
19715 COMMERCE DRIVE
MINNETONKA, MN 55345

PROJECT NUMBER: 0068943

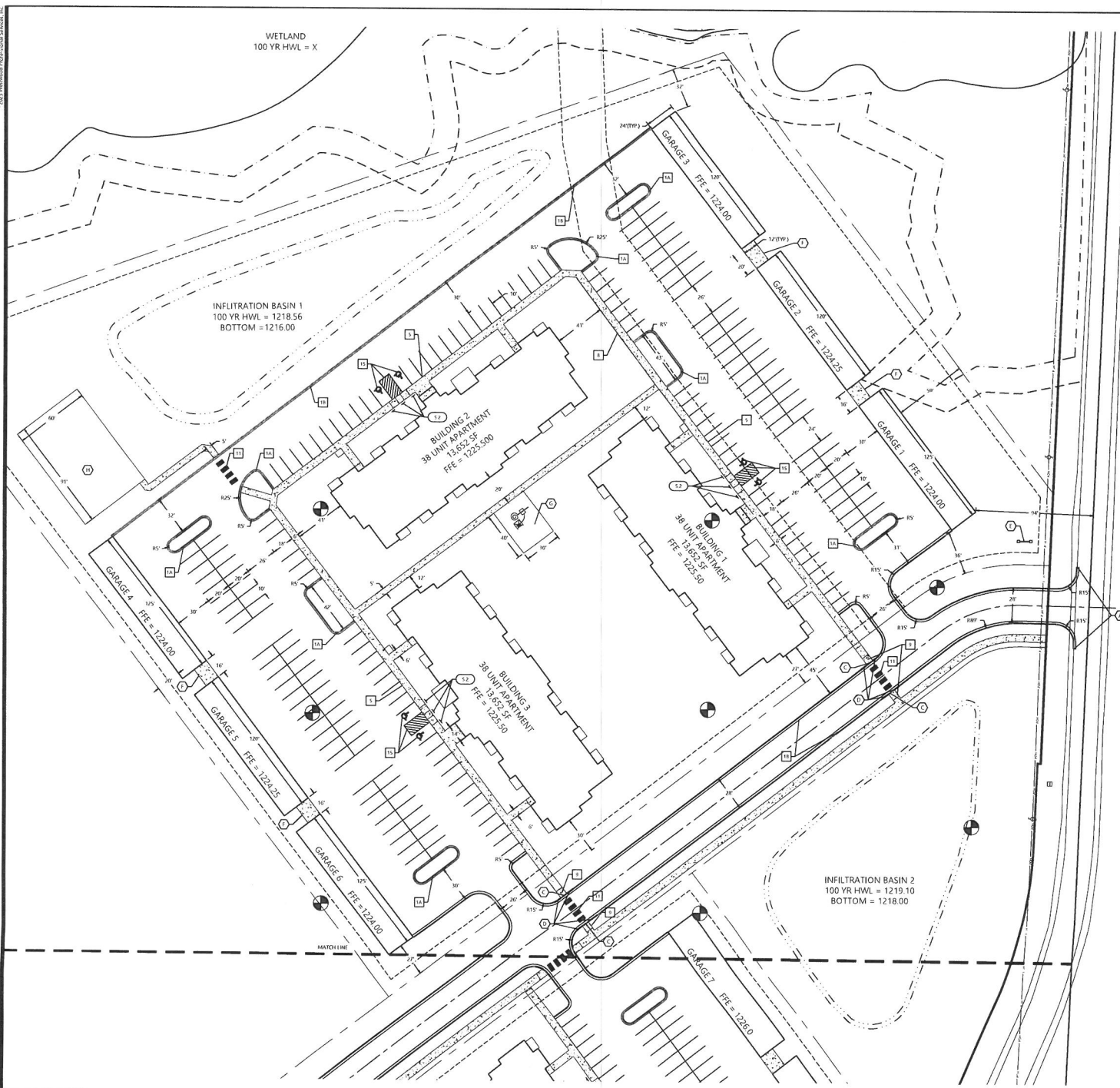
Westwood
Professional Services, Inc.
19715 Commerce Drive
Minnetonka, MN 55345
Phone: 763.251.1111
Fax: 763.251.1112
www.westwoodps.com

SITE PLAN

C200

DATE: 8/29/2025
PROJECT NUMBER: 0068943

KUEPERS BRAINERD - VOYAGEUR HEIGHTS



Call 48 Hours before Jiggling
811 or call811.com
 Common Ground Alliance

SITE LEGEND

EXISTING	PROPOSED	
		PROPERTY LINE
		LOT LINE
		SETBACK LINE
		EASEMENT LINE
		CURB AND GUTTER
		TIP-OUT CURB AND GUTTER
		POND NORMAL WATER LEVEL
		RETAINING WALL
		FENCE
		CONCRETE PAVEMENT
		CONCRETE SIDEWALK
		HEAVY DUTY BITUMINOUS PAVEMENT
		NORMAL DUTY BITUMINOUS PAVEMENT
		NUMBER OF PAVING STILES
		TRANSFORMER
		SITE LIGHTING
		TRAFFIC SIGN
		POWER POLE
		ROADWAY FENCE

GENERAL SITE NOTES

1. SEE SHEET C200 FOR GENERAL SITE NOTES.

□ SITE DETAILS (SI-0XX)

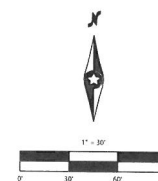
- 1A B612 CURB AND GUTTER
- 1B B618 CURB AND GUTTER
- 5 INTEGRAL CURB AND WALK
- 8 PRIVATE CONCRETE SIDEWALK
- 9 PRIVATE PEDESTRIAN CURB RAMP
- 11 CROSS WALK STRIPING
- 14 SIGN INSTALLATION
- 15 HANDICAP ACCESSIBLE SIGNAGE AND STRIPING
- 19 PAVEMENT SECTIONS

SIGN LEGEND

REFERENCE	SIZE	MIDOT DESIGNATION
S.1 STOP SIGN	R1-1	30" X 30"
S.2 HANDICAP ACCESSIBLE	R7-8M	12" X 18"

SITE KEYNOTES

- A MATCH EXISTING CURB
- B MATCH EXISTING CONCRETE PAVEMENT WITH SAWCUT
- C FLUSH CURB
- D TRANSITION CURB
- E MONUMENT SIGN (SEE ARCH PLANS)
- F CONCRETE PAD FOR TRASH
- G PLAY AREA BY OTHERS (SEE ARCH PLANS)
- H DOG PARK AREA BY OTHERS (SEE ARCH PLANS)

[illegible]

PREPARED FOR: KUEPERS, INC

1. *What is the main purpose of the passage?*
 A. To describe the history of the word "cancer."
 B. To explain the scientific process of identifying cancer.
 C. To discuss the various types of cancer and their treatments.
 D. To explore the social and cultural implications of cancer.

KUEPERS BRAINERD -
VOYAGEUR HEIGHTS
BRAINIWOOD, MINN.

Westwood

SITE PLAN - NORTH

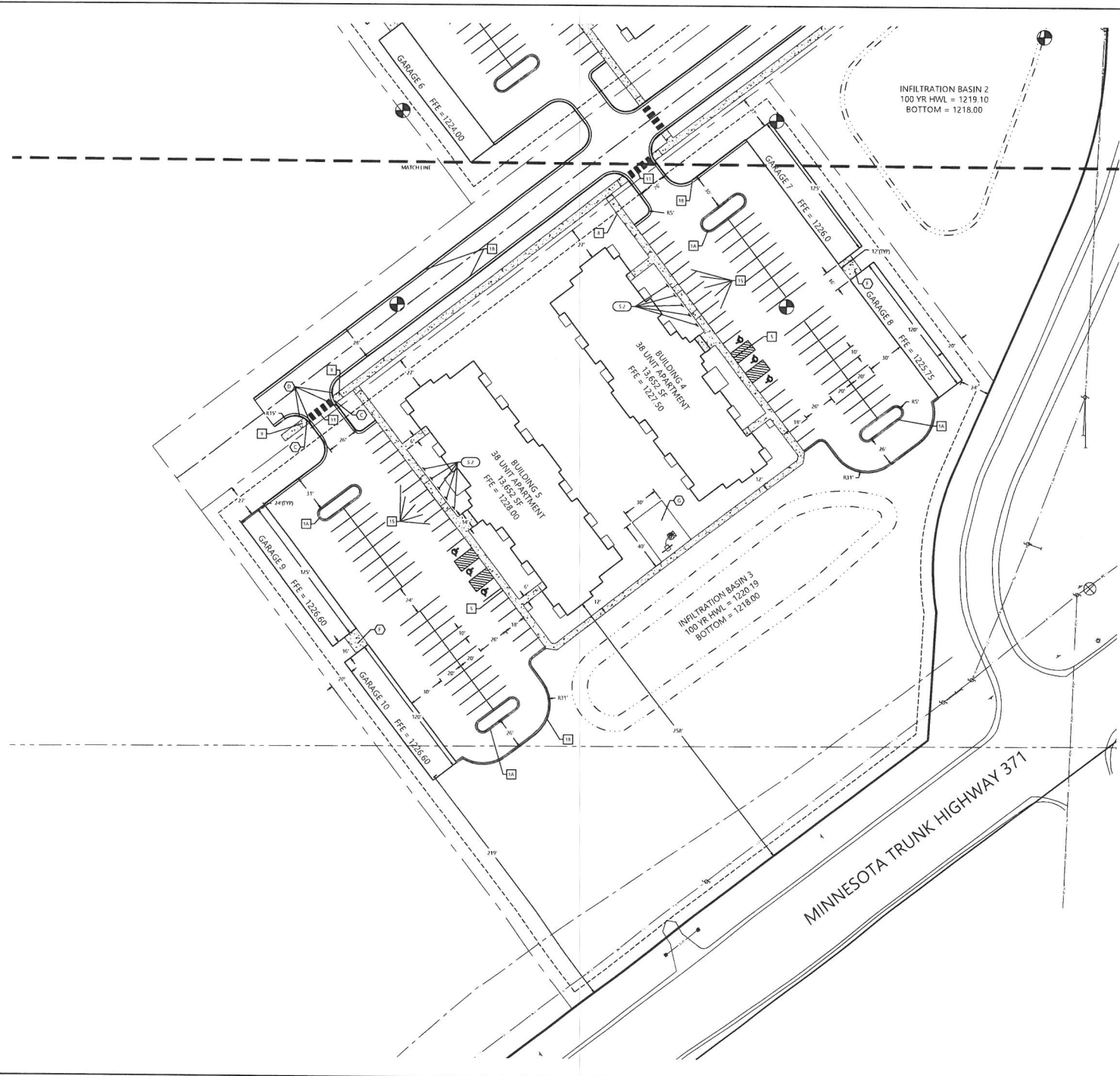
SHEET NUMBER:

C201

DATE 8/29/2025

KUEPERS BRAINERD - VOYAGEUR HEIGHTS

2025 Westwood Professional Services, Inc. 8/29/2025
IN EXISTENCE OR PROPOSED, UNLESS NOTED OTHERWISE



SITE LEGEND

EXISTING	PROPOSED	
---	---	PROPERTY LINE
---	---	LOT LINE
---	---	SETBACK LINE
---	---	EASEMENT LINE
---	---	CURB AND GUTTER
---	---	TRIP-UP CURB AND GUTTER
---	---	FIND NORMAL WATER LEVEL
---	---	RETAINING WALL
---	---	FENCE
---	---	CONCRETE PAVEMENT
---	---	CONCRETE SIDEWALK
---	---	HEAVY DUTY BITUMINOUS PAVEMENT
---	---	NORMAL DUTY BITUMINOUS PAVEMENT
---	---	NUMBER OF PARKING SPACES
---	---	TRANSFORMER
---	---	SITE LIGHTING
---	---	TRAFFIC SIGN
---	---	POWER POLE
---	---	ROLLBACK / POST

GENERAL SITE NOTES

1. SEE SHEET C200 FOR GENERAL SITE NOTES

SITE DETAILS (SI-00X)

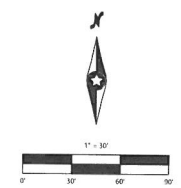
- 1A. BEYOND CURB AND GUTTER
1B. BEYOND CURB AND GUTTER
5. INTERIOR CURB AND GUTTER
8. PRIVATE CONCRETE SIDEWALK
9. PRIVATE PEDESTRIAN CURB RAMP
11. CROSS WALK STRIPING
14. SIGN INSTALLATION
15. HANDICAP ACCESSIBLE SIGNAGE AND STRIPING
19. PAVEMENT SECTIONING

SIGN LEGEND

REFERENCE	SIZE	MINIMUM DESIGNATION
S1 STOP SIGN	81-1	30" X 30"
S2 HANDICAP ACCESSIBLE	81-8M	12" X 18"

SITE KEYNOTES

- A. MATCH EXISTING CURB
B. MATCH EXISTING CONCRETE PAVEMENT WITH SAWCUT
C. FLUSH CURB
D. TRANSITION CURB
E. MONUMENT SIGN (SEE ARCH PLANS)
F. CONCRETE PAD FOR TRASH
G. PLAY AREA BY OTHERS (SEE ARCH PLANS)
H. SOUL PARK AREA BY OTHERS (SEE ARCH PLANS)



DATE: 8/29/2025
DRAWN BY: J. J. J.
CHECKED BY: J. J. J.
APPROVED BY: J. J. J.

PREPARED FOR:
KUEPERS, INC.
1910 COMMERCIAL AVENUE
MINNEAPOLIS, MN 55404

PROJECT NUMBER: 0668943

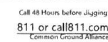
Westwood
2025 Westwood Professional Services, Inc.
10000 Hennepin Avenue, Suite 100
Minneapolis, MN 55426
Phone: 612.338.1100
Fax: 612.338.1101
Email: info@westwoodmn.com
Website: www.westwoodmn.com

SITE PLAN - SOUTH

KUEPERS BRAINERD - VOYAGEUR HEIGHTS
BRAINERD, MN

SHEET NUMBER:
C202

DATE: 8/29/2025
PROJECT NUMBER: 0668943



DISTING

PROPOSED

PROPERTY LINE

INDEX CONTOUR

INTERVAL CONTOUR

CURB AND GUTTER

FLOOD NORMAL WATER LEVEL

STORM SEWER

FLARED END SECTION (WITH KIPAPU)

WATER MAIN

SANITARY SEWER

RETAINING WALL

DRAIN TILE

RIDGE LINE

GRADING LIMITS

SPOT ELEVATION

FLOW DIRECTION

TOP AND BOTTOM OF RETAINING WALL

EMERGENCY OVERTLOW

SOIL BORING LOCATION

0.00

0.25

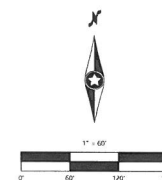
0.50

0.75

1.00

1" = 10'-0"

15'-0"

[illegible]

DATE	8/29/2025
TIME	
LOCATION	
NAME	
ADDRESS	
CITY	
STATE	
ZIP	
PHONE	
FAX	
E-MAIL	
TELETYPE	
TELEFAX	
INTERNET	
OTHER	

—KUEPERS OFFERS THE BEST QUALITY, PREPARED IN THE U.S.A. — THE "KUEPERS" NAME MEANS THAT A KUEPERS IS THE PROFESSIONAL IN THE FIELD UNDER THE NAME OF THE "KUEPERS" COMPANY.

KUEPERS BRAINERD -
VOYAGEUR HEIGHTS

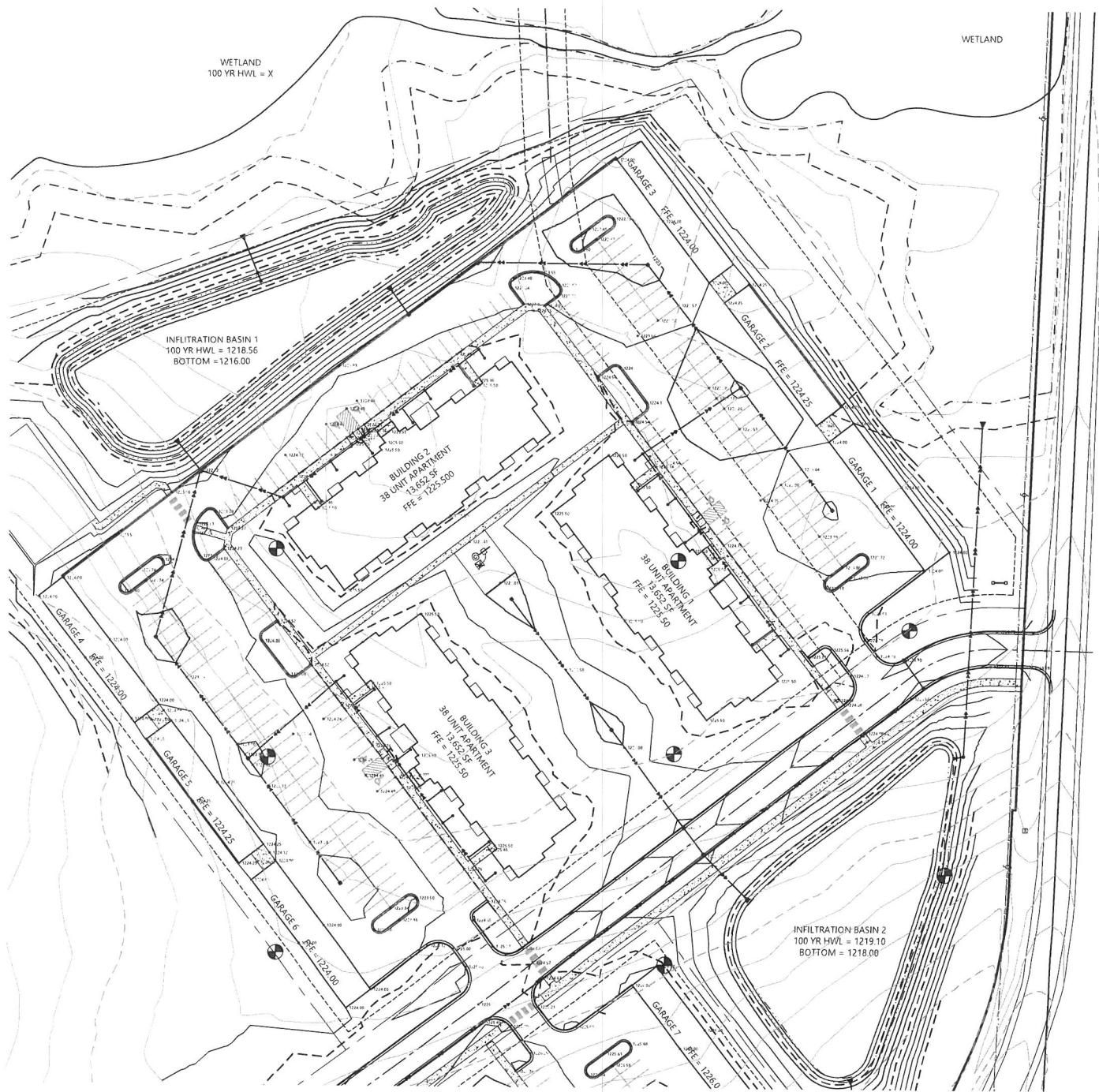
Westwood

GRADING PLAN

SHEET NUMBER

C300

DATE 8/29/2025



GREENWOOD STREET SW
(VARIABLE WIDTH)

GRADING NOTES

[illegible]

1. SEE SHEET C300 FOR GRADING NOTES.

Call 48 Hours before Jiggling
811 or call811.com
Community Connected Alliance

[illegible]

PREPARED FOR:

DAVID BADE
OITE 8/29/2025 11:29:09 AM
40409

KUEPERS BRAINERD -
VOYAGEUR HEIGHTS

Westwood
12701 Wilshire Blvd., Suite 900
Beverly Hills, CA 90210
Tel: 310.206.1270
Fax: 310.206.1271

GRADING PLAN - NORTH

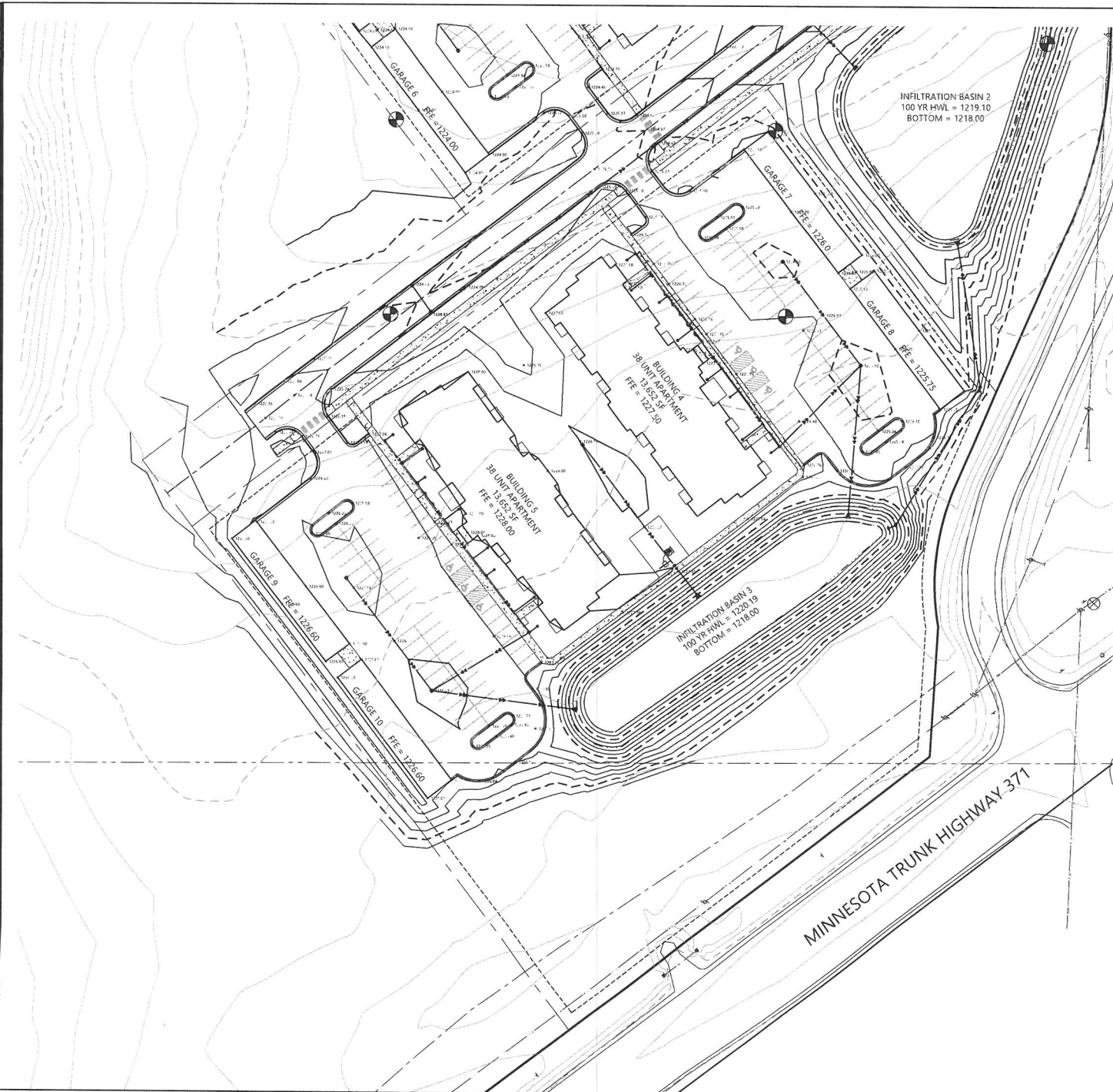
SHEET NUMBER.

C301

DATE 8/29/2025

PROJECT NUMBER: 0068943

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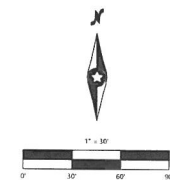
GRADING LEGEND

EXISTING	PROPOSED	PROPERTY LINE
---	---	---
---	---	INDEX CONTOUR
---	---	INTERNAL CONTOUR
---	---	CURB AND GUTTER
---	---	FOND NORMAL WATER LEVEL
---	---	STORM SEWER
---	---	FLARED END SECTION (WITH RPI/RA)
---	---	WATER MAIN
---	---	SANITARY SEWER
---	---	RETAINING WALL
---	---	DRAIN TILE
---	---	EDGE LINE
---	---	GRADING LIMITS
---	---	SPOT ELEVATION
---	---	FLOW DIRECTION
---	---	TOP AND BOTTOM OF RETAINING WALL
---	---	EMERGENCY OVERFLOW
---	---	SOIL BORING LOCATION

GRADING NOTES

1. SEE SHEET C300 FOR GRADING NOTES

Call 48 Hours before Jugging
811 or call811.com
Common Ground Alliance



PROJECT NUMBER: 0058943

DATE: 8/29/2025

SHEET NUMBER: C302

GRADING PLAN - SOUTH

KUEPERS BRAINERD - VOYAGEUR HEIGHTS

Westwood

8/29/2025

8/29/2025

KUEPERS BRAINERD - VOYAGEUR HEIGHTS

BRANERD, MN

PREPARED FOR: KUEPERS, INC.

17115 COMMERCE BLVD. S.W.

BRANERD, MN 55004

WOODLAND HILLS LANE SW
(PUBLIC STREET 66' ROW)

WOODLAND HILLS LANE SW
(PUBLIC STREET 66' ROW)

GREENWOOD STREET SW
(VARIABLE WIDTH)

EROSION CONTROL LEGEND

EXISTING	PROPOSED	PROPERTY LINE
		INDEX CONTOUR
		INTERNAL CANTOIR
		CURB AND GUTTER
		POND NORMAL WATER LEVEL
		SLT FENCE
		HEAVY DUTY SLT FENCE
		REDUNDANT SLT CONTROL
		STORM SEWER
		FLARED END SECTION (WITH RIPRAP)
		WATER MAIN
		SANITARY SEWER
		RETAINING WALL
		DRAIN TILE
		GRAZING LIMITS
		ROCK CONSTRUCTION ENTRANCE
		EROSION CONTROL BLANKET
		TURF REINFORCEMENT MAT
		EMERGENCY COVERLAW
		SOIL BORING LOCATION
		INLET PROTECTION

GENERAL EROSION CONTROL NOTES

- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND LIMITED MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION SHALL NOT BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL VERIFY EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY THE OWNER OR ENGINEER OF DISCREPANCIES.
- ALL Silt Fence and other erosion control features shall be in place prior to any excavation/construction and shall be maintained until stable turf or ground cover has been established. Existing silt fence on-site shall be maintained and/or removed and shall be considered incidental to the grading contract. It is of extreme importance to the owner of current field conditions with respect to erosion control. Temporary ponding, ditches, swales, etc., required by the city shall be incidental to the grading contract.
- EROSION AND SILTATION CONTROL (ESCO) THE CONTRACTOR SHALL ASSUME COMPLETE RESPONSIBILITY FOR CONTROLLING ALL SILTATION AND EROSION OF THE PROJECT AREA. THE CONTRACTOR SHALL USE WHATEVER MEANS NECESSARY TO CONTROL THE EROSION AND SILTATION INCLUDING BUT NOT LIMITED TO: CATCH BASIN WEEDS, CONSTRUCTION ENTRANCES, EROSION CONTROL BLANKET, AND Silt Fence. ESCO SHALL COMMENCE WITH GRADING AND CONTINUE THROUGHOUT THE PROJECT UNTIL ACCEPTANCE OF THE WORK BY THE OWNER. THE CONTRACTOR'S RESPONSIBILITY INCLUDES ALL IMPLEMENTATION AS REQUIRED TO PREVENT EROSION AND THE DEPOSITING OF SILT. THE OWNER MAY DIRECT THE CONTRACTOR'S METHODS AS SEEMED FIT TO PROTECT PROPERTY AND IMPROVEMENTS. ANY DISPOSITION OF SILT OR MUD ON NEW OR EXISTING PAVEMENT OR IN EXISTING STORM SEWERS OR SHALES SHALL BE REMOVED AFTER EACH BASH EVENT. AFFECTED AREAS SHALL BE CLEANED TO THE SATISFACTION OF THE OWNER, ALL AT THE EXPENSE OF THE CONTRACTOR. ALL TEMPORARY EROSION CONTROL SHALL BE REMOVED BY THE CONTRACTOR AFTER THE TURF IS ESTABLISHED.
- ALL STREETS DISTURBED DURING WORKING HOURS MUST BE CLEANED AT THE END OF EACH WORKING DAY. A CONSTRUCTION ENTRANCE TO THE SITE MUST BE PROVIDED ACCORDING TO DETAILS TO REDUCE TRACKING OF DIRT ONTO PUBLIC STREETS.
- PROPOSED PONDS SHALL BE EXCAVATED FIRST AND USED AS TEMPORARY PONDING DURING CONSTRUCTION.
- WHEN INSTALLING END-OF-LINE FLARED END SECTIONS, BRING THE Silt Fence UP & OVER THE FLARED END SECTIONS & COVER DISTURBED AREAS WITH RIP RAP. THE UPSTREAM FLARED END SECTIONS SHALL HAVE 6000 POUNDS PER ACRE OF RIP RAP INSTALLED ON THE DISTURBED SOILS.
- ALL UNPAVED AREAS AT THE END OF CONSTRUCTION ACTIVITIES MUST BE RESEED WITH SEED AND MULCH. SOIL, EROSION CONTROL BLANKET OR BE HARD SURFACE WITHIN 2 WEEKS OF COMPLETION OF CONSTRUCTION.
- THE SITE MUST BE STABILIZED PER THE REQUIREMENTS OF THE MPCA, MNDOT, AND CITY.
 - TEMPORARY (GREATER THAN 1-YEAR) SEED SHALL BE MNDOT SEED MIX 22-111 AT 70.5 POUNDS PER ACRE.
 - TEMPORARY (LESS THAN 1-YEAR) SEED SHALL BE MNDOT SEED MIX 21-112 (BULL) PER 21-111 (SPRING) COMPARAT AT 100 POUNDS PER ACRE.
 - INLET TRAP/RETENTION BASH SHALL BE MNDOT SEED MIX 34-252 AT 14.5 POUNDS PER ACRE.
 - POND SLOPES SHALL BE MNDOT SEED MIX 33-251 AT 35 POUNDS PER ACRE.
 - GENERAL SEEDING SHALL BE MNDOT SEED MIX 25-151 AT 70 POUNDS PER ACRE.
 - MULCH SHALL BE MNDOT TYPE 1 APPLIED AT 2-TONS PER ACRE.
- FOR AREAS WITH SLOPE OF 3:1 OR GREATER, RESTORATION WITH SOD OR EROSION CONTROL BLANKET IS REQUIRED.
- ALL TEMPORARY STOCKPILES MUST HAVE Silt Fence INSTALLED AROUND THEM TO TRAP SEDIMENT.
- ALL PERMANENT PONDS USED AS TEMPORARY SEDIMENT BASINS DURING CONSTRUCTION SHALL BE SEEDDED AFTER THE SITE HAS BEEN STABILIZED TO RESTORE THE POND TO THE PROPOSED BOTTOM ELEVATION.
- ALL CONSTRUCTION SHALL CONFORM TO LOCAL AND STATE RULES INCLUDING THE NATIONAL POLLUTANT DISCHARGE PREVENTION SYSTEM (NPDES) PERM REQUIREMENTS.
- THE SITE MUST BE KEPT IN A WELL-DRAINAGE CONDITION AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR TEMPORARY DITCHES, PIPING, OR OTHER MEANS REQUIRED TO INSURE PROPER DRAINAGE DURING CONSTRUCTION. LOW POINTS IN ROADWAYS OR BUILDING FLOORS MUST BE PROVIDED WITH A POSITIVE OUTFLOW.

Call 48 Hours before Jutting
811 or call 811.com
Consultation Agency

DATE	8/29/2025
BY	
DATE	8/29/2025
BY	
DATE	8/29/2025
BY	
DATE	8/29/2025
BY	

PREPARED FOR
KUEPERS, INC.
17101 COMMERCE DRIVE
MINNETONKA, MN 55345
612.879.2025
612.879.2025

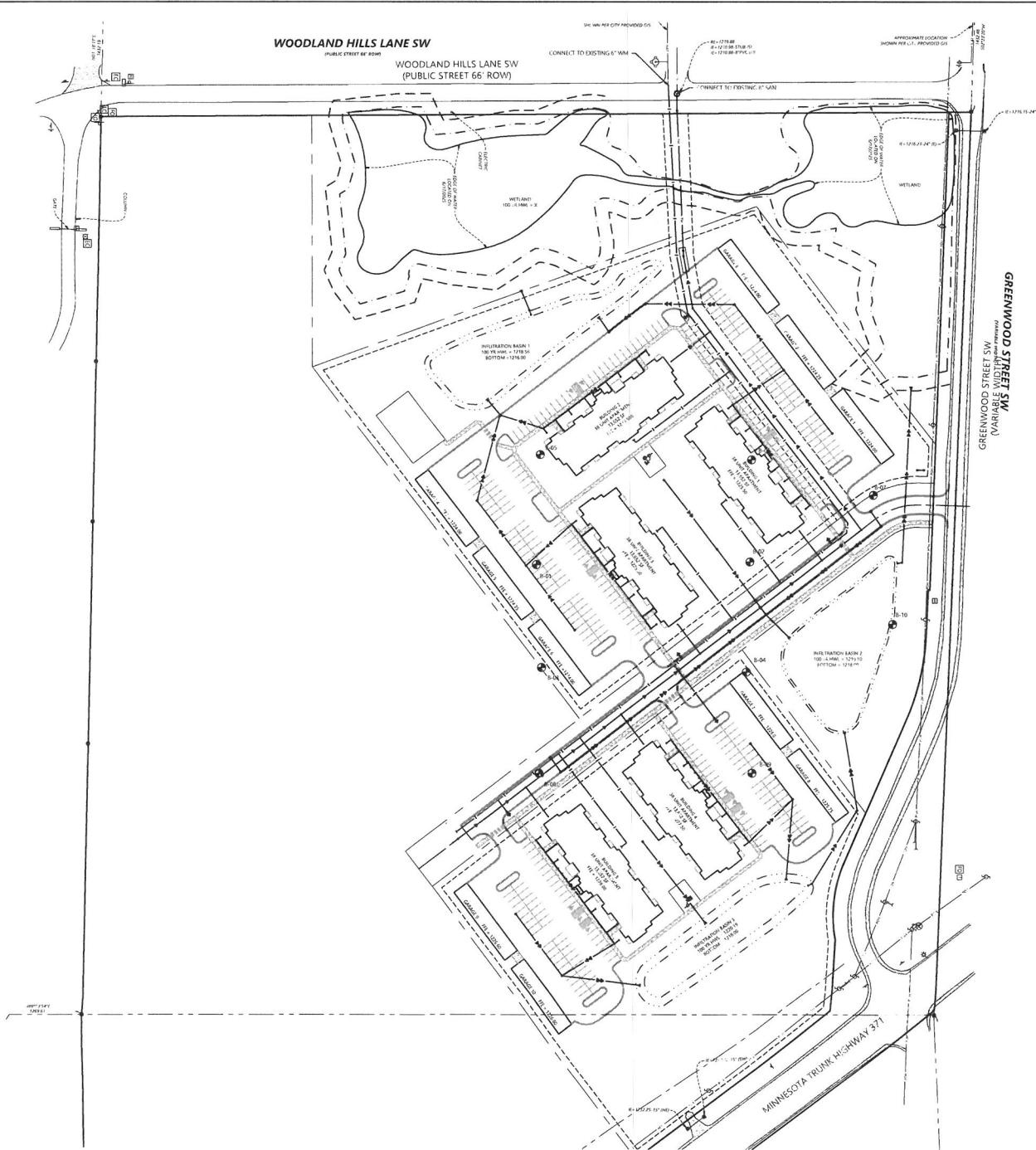
KUEPERS BRAINERD - VOYAGEUR HEIGHTS
BRAINERD, MN

Westwood
10000 Highway 100
Suite 100
Minnetonka, MN 55345
763.853.1000
www.westwoodmn.com

EROSION CONTROL PLAN
SHEET NUMBER
C400

DATE: 8/29/2025
PROJECT NUMBER: 0068943

2025 Minnesota Professional Services Act

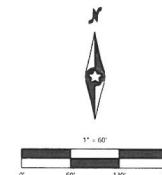


UTILITY LEGEND

EXISTING	PROPOSED	PROPERTY LINE
---	---	EASEMENT LINE
---	---	CURB AND GUTTER
---	---	SANITARY SEWER
---	---	SANITARY SEWER FORCE MAIN
---	---	STORM SEWER
---	---	WATER MAIN
---	---	HYDRANT
---	---	GAS
---	---	UNDERGROUND ELECTRIC
---	---	OVERHEAD ELECTRIC
---	---	UNDERGROUND TELEPHONE
---	---	OVERHEAD TELEPHONE
---	---	TELEPHONE FIBER OPTIC
---	---	CABLE TELEVISION
---	---	DRAIN TILE
---	---	GATE VALVE
---	---	FLARED END SECTION (WITH RIPRAP)
---	---	LIGHT POLE

GENERAL UTILITY NOTES

- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND LIMITED MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION SHALL NOT BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL VERIFY EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY THE OWNER OR ENGINEER OF DISCREPANCIES.
- ALL SANITARY SEWER, STORM SEWER AND WATER MAIN MATERIAL AND INSTALLATIONS SHALL BE PER CITY REQUIREMENTS, MINNESOTA PLUMBING CODE, AND IN ACCORDANCE WITH THE CURRENT EDITION OF STANDARD SPECIFICATIONS FOR WATER MAIN AND SERVICE LINE INSTALLATION AND SANITARY SEWER AND STORM SEWER INSTALLATION AS PREPARED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA.
- PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL OBTAIN THE NECESSARY FEDERAL, STATE AND LOCAL PERMITS FOR THE PROPOSED WORK OR VERIFY WITH THE OWNER OR ENGINEER THAT PERMITS HAVE BEEN OBTAINED. PERMIT FEES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR UNLESS OTHERWISE ARRANGED WITH THE OWNER.
- CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATION AND DIMENSIONS OF DRIVEWAYS, RAMPS, TRUCK DOORS, PORCHES, BUILDING DIMENSIONS AND EXISTING BUILDING UTILITY CONNECTION LOCATIONS.
- ALL PRIVATE LARGE UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS OF THE LOCAL JURISDICTION AND MINNESOTA PLUMBING CODE. ALL SMALL UTILITY UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS OF THE APPROPRIATE UTILITY COMPANY. THE CONTRACTOR SHALL COORDINATE THE SERVICE LINE CONSTRUCTION WITH THE UTILITY COMPANIES.
- CONTRACTOR SHALL OBTAIN ALL NECESSARY CITY PERMITS FOR UTILITY CONNECTIONS, AND UTILITIES SHALL BE INSPECTED AND APPROVED BY THE CITY. THE CITY SHALL BE NOTICED 48 HOURS PRIOR TO COMMENCING WITH THE UTILITY CONSTRUCTION OR ANY REQUIRED TESTING. CONTRACTOR SHALL NOT OPERATE, INTERFERE WITH, CONNECT ANY PIPE OR HOSE TO, OR TAP ANY WATER MAIN BELONGING TO THE CITY UNLESS DULY AUTHORIZED TO DO SO BY THE CITY. ANY AVOIDANCE OR DISREGARD OF SCHEDULED OR UNCHEDULED OCCUPATIONS OF SERVICE TO THE PUBLIC ARE TO BE THE RESPONSIBILITY OF THE CONTRACTOR.
- WATER MAIN LOCATIONS AS SHOWN ARE APPROXIMATE. MINIMUM LENGTH ALLOW FOR ADDITIONAL PIPE WHEN INSTALLING ON TOP OF OR WHEN DEFLECTIONS ARE REQUIRED. THE JOINT DEFLECTIONS SHALL NOT EXCEED THE MAXIMUM RECOMMENDED BY THE PIPE MANUFACTURER OR LOCAL GOVERNING SPECIFICATIONS. FITTINGS REQUIRED TO CONSTRUCT WATER MAIN SHALL BE INCLUDED IN WATER MAIN CONSTRUCTION.
- PROVIDE WATER MAIN THRUST RESTRAINTS PER CITY STANDARD REQUIREMENTS.
- A MINIMUM VERTICAL SEPARATION 18" IS REQUIRED AT ALL WATER LINE CROSSINGS WITH SANITARY SEWER OR STORM SEWER AND WATER LINES SHALL CROSS ABOVE ANY SEWER. IF THIS IS NOT ACHIEVABLE, SANITARY AND STORM SEWER SHALL BE CONSTRUCTED OF A MATERIAL APPROVED FOR USE WITHIN A BUILDING AND AS LISTED IN TABLE 702.2 OF THE MINNESOTA PLUMBING CODE. THE WATER LINE SHALL NOT HAVE JOINTS OR CONNECTION WITHIN 10 FEET OF THE CROSSING. INSULATE CROSSINGS WITH STORM SEWER.
- UTILITY SERVICES TYPICALLY TERMINATE 5' OUTSIDE BUILDING WALL UNLESS OTHERWISE SHOWN OR NOTED.
- DUCTILE IRON WATER LINES SHALL BE CLASS 52 PER AWWA C155 OR C151 COPPER WATER LINES SHALL BE TYPE K PER ASTM B88. PVC WATER LINES SHALL BE PER AWWA C900 AND INSTALLED PER AWWA C900 IF ALLOWED BY CITY.
- ALL WATER LINES SHALL HAVE A MINIMUM COVER. INSULATE WATER MAIN IF LESS THAN 8" OF COVER. INSULATION SHALL BE DOW STEVAMOR BR BRAND 35 OR EQUIVALENT WITH 4 INCHES OF THICKNESS.
- SANITARY SEWER PIPE OUTSIDE THE BUILDING ENVELOPE AND NOT WITHIN 10' OF WATER LINE SHALL BE PPVWVWV CHEMIDE (PVC) 30" IS OR 36" 24" IS REQUIRED FOR DEPTHS GREATER THAN 15 FEET. SANITARY AND STORM SEWER PIPE WITHIN 10 FEET OF THE BUILDING AND UNDER FOOTINGS AND WAREHOUSES OF WATER LINE SHALL BE SCHEDULE 40 PER ASTM D3025. ALL PLASTIC SANITARY SEWER SHALL BE INSTALLED PER D321. SOLVENT WELD JOINTS MUST INCLUDE USE OF A PRIMER WHICH IS OF A CONTRASTING COLOR TO THE PIPE AND CEMENT. ALL SANITARY SEWER SHALL BE TESTED ACCORDING TO MINNESOTA PLUMBING CODE, PART 712.0.
- STORM SEWER PIPE
 - A. RCP AND HOPE PIPE MAY BE INSTALLED WITH APPROVAL OF LOCAL GOVERNING AGENCY OR MIN DEPARTMENT OF LABOR.
 - B. REINFORCED CONCRETE PIPE SHALL BE CLASS 5 FOR PIPE DIAMETERS 18" AND SMALLER, CLASS 3 FOR PIPE DIAMETERS 24" AND LARGER UNLESS OTHERWISE NOTED PER ASTM C137 WITH JOINTS PER ASTM C441.
 - C. HOPE STORM PIPE 4" TO 10 INCHES IN DIAMETER SHALL MEET REQUIREMENTS OF AASHTO M252. HOPE STORM PIPE 12" TO 60 INCHES IN DIAMETER SHALL MEET REQUIREMENTS OF ASTM F2306. FITTINGS SHALL BE PER ASTM D3212 AND INSTALLED PER ASTM D3221.
 - D. PVC STORM SEWER PIPE AND FITTINGS SHALL BE SCHEDULE 40 PIPE PER ASTM D2058 AND INSTALLED PER ASTM D3221.
 - E. CORRUGATED METAL PIPE (CMP) FOR SIZES 18" TO 120 INCH AND MUST MEET ASTM A1202 OR ASTM A179 AND BE INSTALLED PER ASTM A779. CMP MAY NOT BE INSTALLED WITHIN 10 FEET OF A WATER MAIN, WATER SERVICE, OR A BUILDING.
 - F. ALL STORM SEWER JOINTS AND STRUCTURE CONNECTIONS SHALL BE CASTGIRT OR WATERGIRT AS REQUIRED BY MINNESOTA PLUMBING CODE, PART 703. STORM SEWER LOCATED WITHIN 10 FEET OF A BUILDING AND/OR WATER LINE SHALL BE TESTED PER MINNESOTA PLUMBING CODE, PART 712.
- ALL NONCONDUCTIVE PIPE SHALL BE INSTALLED WITH A LOCATE (TRACER) WIRE PER MINNESOTA PLUMBING CODE 604.10.1.
- POST INDICATOR VALVES SHALL BE CLOW T-SPIG OR EQUIVALENTS MEETING AWWA STANDARD C309 AND CITY STANDARDS. VALVE TO BE MECHANICAL JOINT RESISTANT WEDGE GATE VALVE. POST TO BE ADJUSTABLE FOR 6 FEET WATER MAIN DEPTH. THE ELECTRICAL ALARM SWITCH SHALL BE PART NO. FVPS2 OR EQUIVALENT.
- AFTER CONSTRUCTION IS COMPLETED, THE CONTRACTOR SHALL PROVIDE THE OWNER WITH AN AS-BUILT RECORD OF UTILITY CONSTRUCTION. THE AS-BUILT SHALL INCLUDE LOCATION AND LENGTH DEVIATIONS (IN CHANGES TO THE PLAN) CONTRACTOR TO VERIFY WITH OWNER OR ENGINEER WHETHER A PLAN WITH POST CONSTRUCTION ELEVATIONS IS REQUIRED.
- ALL MANHOLE CASTINGS IN PAVED AREAS SHALL BE SUMPED 0.05 FEET. BIRM ELEVATIONS ON PLAN REFLECT THE SUMPED ELEVATIONS.
- ALL CATCH BASIN CASTINGS IN CURB SHALL BE SUMPED 0.15 FEET AND MANHOLE CASTINGS IN PAVED AREAS SHALL BE SUMPED 0.05 FEET. BIRM ELEVATIONS ON PLAN REFLECT THE SUMPED ELEVATIONS.



Call 48 Hours before Jugging
811 or call 811.com
Common Ground Alliance

DATE	8/29/2025
BY	WESTWOOD
DATE	8/29/2025
BY	KUPEERS, INC.
DATE	8/29/2025
BY	WESTWOOD

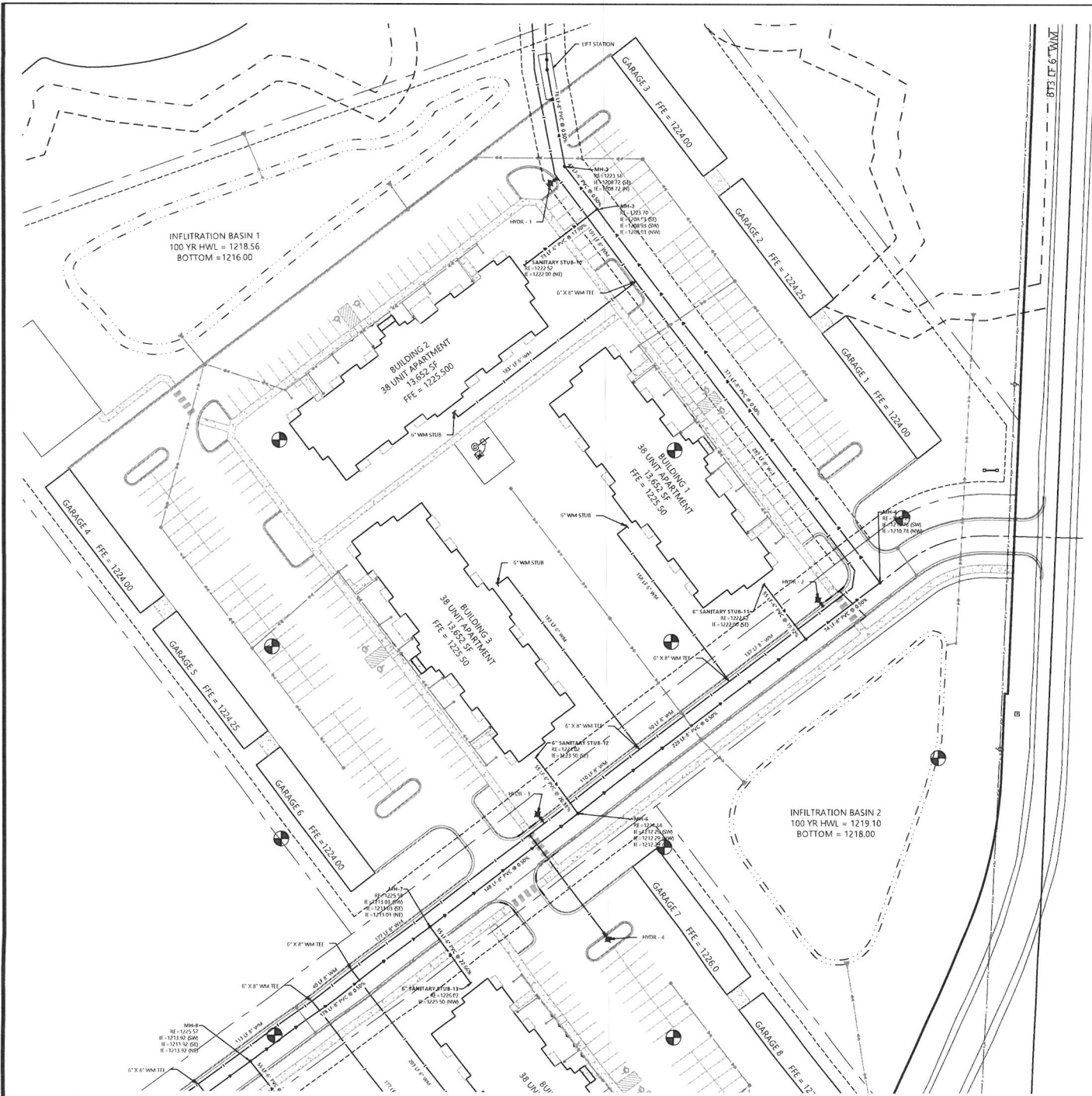
DATE	8/29/2025
BY	KUPEERS, INC.
DATE	8/29/2025
BY	WESTWOOD
DATE	8/29/2025
BY	KUPEERS, INC.

KUPEERS BRAINER -
VOYAGEUR HEIGHTS
BRAINER, MN

Westwood
701 222-1111
www.westwoodmn.com

UTILITY PLAN
SHEET NUMBER
C500

DATE: 8/29/2025
PROJECT NUMBER: 0068943



GREENWOOD STREET SW
(VARIABLE WIDTH)

UTILITY LEGEND

EXISTING	PROPOSED	
---	---	PROPERTY LINE
---	---	EASEMENT LINE
---	---	CURB AND GUTTER
○	●	SANITARY SEWER
○	●	SANITARY SEWER FRICTION SAIDN
○	●	STORM MAIN
○	●	HYDRANT
---	---	GAS
---	---	UNDERGROUND ELECTRIC
---	---	OVERHEAD ELECTRIC
---	---	UNDERGROUND TELEPHONE
---	---	OVERHEAD TELEPHONE
---	---	TELEVISION CABLE OPTIC
---	---	CABLE TELEVISION
---	---	DRAIN TILE
---	---	GATE VALVE
---	---	FLARED END SECTION (WITH BRASS)
---	---	LIGHT POLE

GENERAL UTILITY NOTES

1 SEE SHEET CS00 FOR GENERAL UTILITY NOTES

Call 48 Hours before Jiggling
811 or call811.com
Common Ground Alliance

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NATIONAL ARCHIVES
 COLLEGE PARK, MARYLAND
 REF ID: A6292025

KUEPERS, INC.
7918 COMMERCIAL PARK RD
BRAINERD, MN

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**KUEPERS BRAINERD -
VOYAGEUR HEIGHTS**
BRAINERD, MN

Westwood
12701 Wilshire Blvd., Suite 1400
Beverly Hills, CA 90210
Tel: 310.206.1100
Fax: 310.206.1101
www.westwood.com

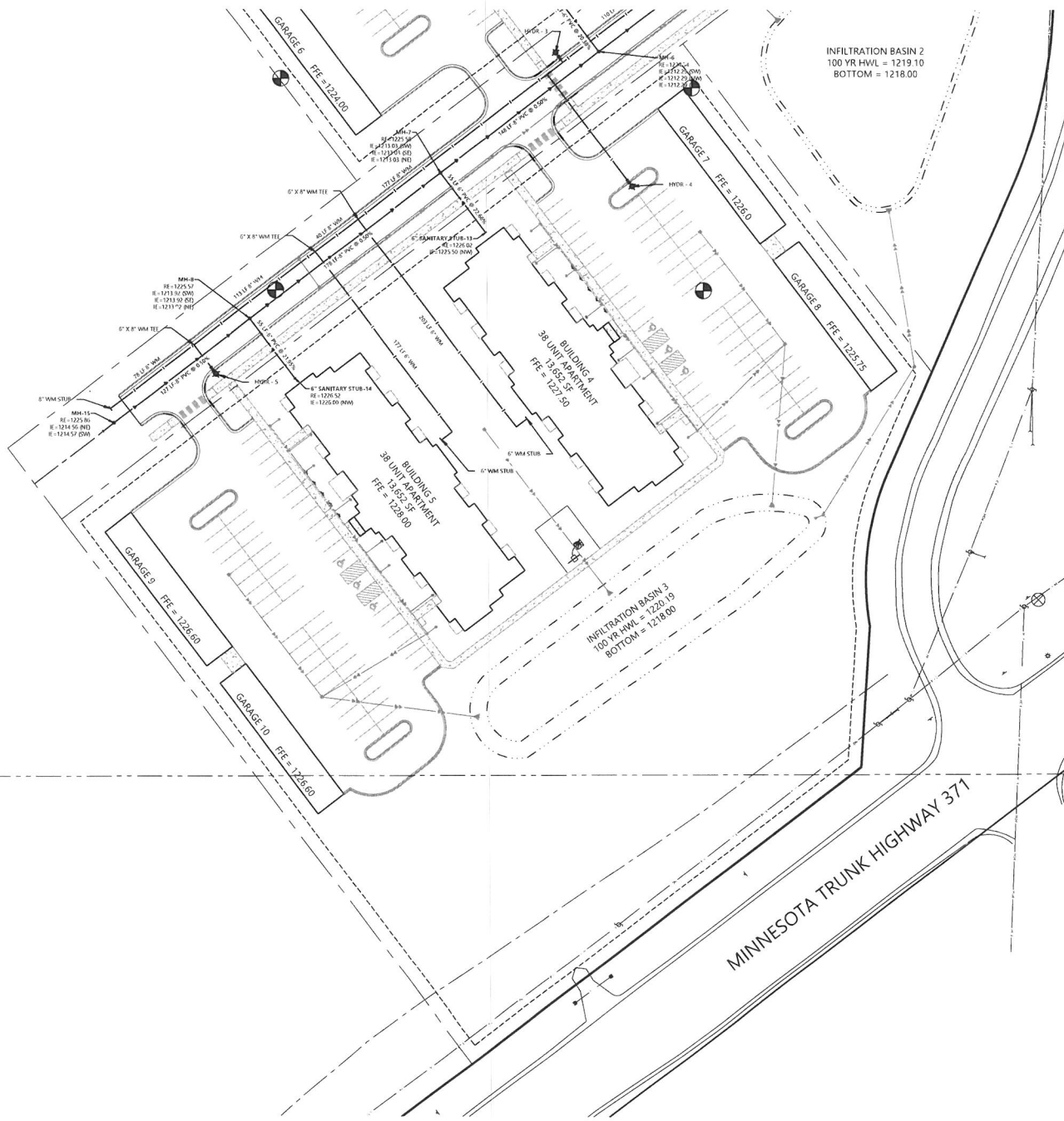
SANITARY SEWER &
WATERMAIN PLAN -
NORTH

SHEET NUMBER

C501

04263235

PROJECT NUMBER 0068943



UTILITY LEGEND

EXISTING	PROPOSED	PROPERTY LINE

GENERAL UTILITY NOTES

1. SEE SHEET C500 FOR GENERAL UTILITY NOTES



DATE	8/29/2025
BY	JD
CHECKED	JD
IN CHARGE	JD
PROJECT	0068943
SHEET	11
TOTAL	11

PREPARED FOR
KUEPERS, INC.
1911 COMMERCIAL PARK RD
BRANDED, MN

PROJECT NO.
0068943
DATE
8/29/2025
BY
JD

KUEPERS BRAINERD - VOYAGEUR HEIGHTS
BRANDED, MN

Westwood
10000 Highway 100
Suite 100
Brainerd, MN 56601
Phone: (218) 838-1111
Fax: (218) 838-1112
Email: info@westwoodmn.com
Website: www.westwoodmn.com

SANITARY SEWER & WATERMAIN PLAN - SOUTH
VOYAGEUR HEIGHTS

SHEET NUMBER
C502

DATE
8/29/2025

PROJECT NUMBER 0068943



DATE 8/29/2025
PROJECT NUMBER 0068943

INITIALS	8/29/2025
DATE	
SURNAME	
FIRST NAME	
MIDDLE NAME	
LAST NAME	
STREET ADDRESS	
CITY	
STATE	
ZIP	
PHONE NUMBER	
E-MAIL ADDRESS	
TELEPHONE NUMBER	
FAX NUMBER	
BUSINESS CARD	
OTHER INFORMATION	

1. SEE SHEET C500 FOR GENERAL UTILITY NOTES.

1. SEE SHEET C500 FOR GENERAL UTILITY NOTES.

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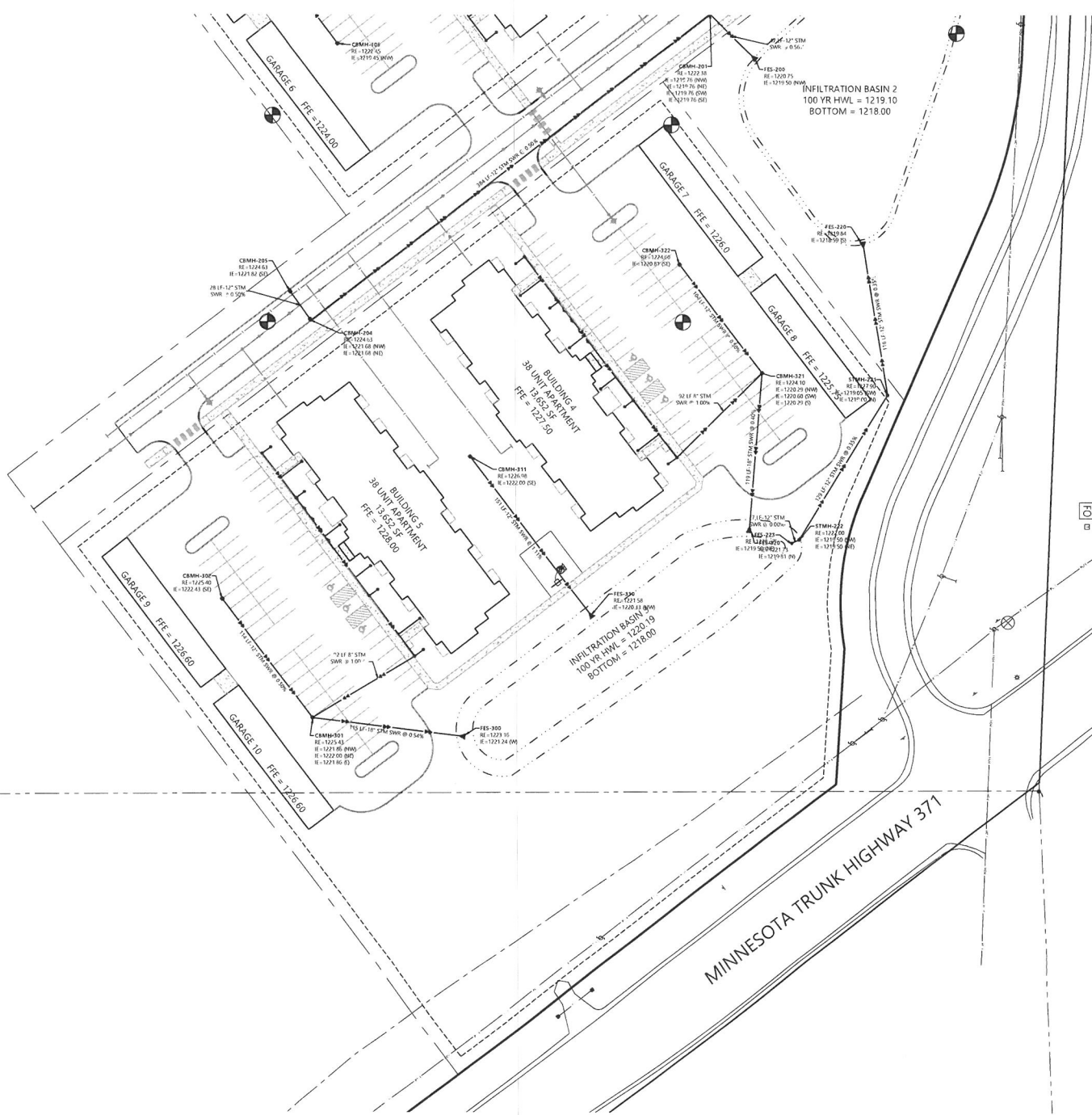
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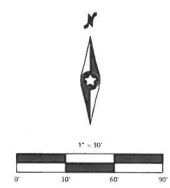


UTILITY LEGEND

EXISTING	PROPOSED	PROPERTY LINE
		PROPERTY LINE
		EASEMENT LINE
		CURB AND GUTTER
		SANITARY SEWER
		SANITARY SEWER FORCE MAIN
		STORM SEWER
		WATER MAIN
		HYDRAMANT
		GAS
		UNDERGROUND ELECTRIC
		OVERHEAD ELECTRIC
		UNDERGROUND TELEPHONE
		OVERHEAD TELEPHONE
		TELEPHONE FIBER OPTIC
		CABLE TELEVISION
		DRAIN TILE
		GATE VALVE
		FLARED END SECTION (WITH RIPRAP)
		LIGHT POLE

GENERAL UTILITY NOTES

1. SEE SHEET C500 FOR GENERAL UTILITY NOTES



DATE: 8/29/2025

PROJECT: STORM SEWER PLAN - SOUTH

SHEET NUMBER: C504

DATE: 8/29/2025

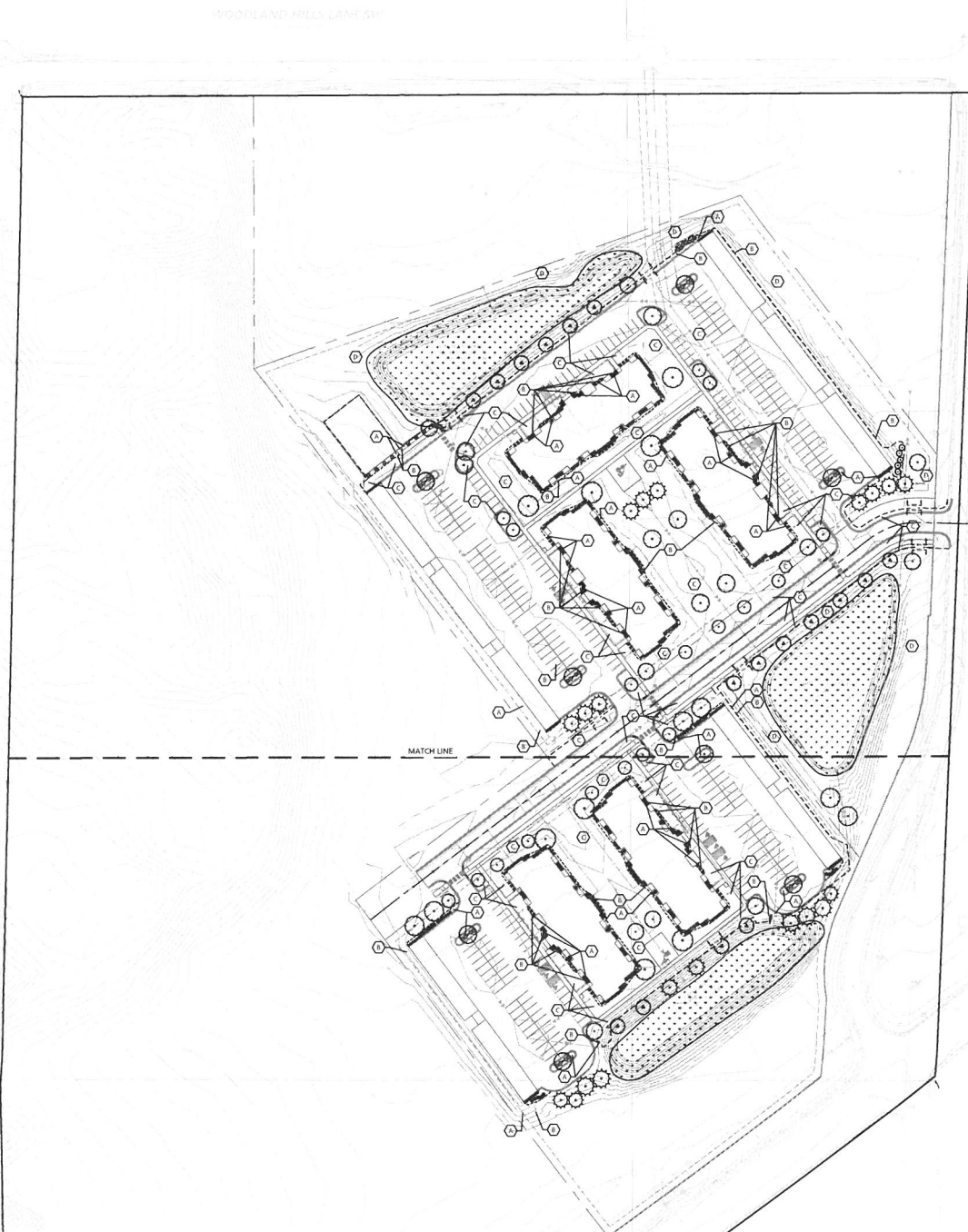
PROJECT NUMBER: 0058943

PREPARED FOR: KUEPERS, INC.
10110 COMMERCE PARK RD
MINNETONKA, MN

PROJECT: KUEPERS BRAINERD - VOYAGEUR HEIGHTS
BRAINERD, MN

DATE: 8/29/2025

PROJECT NUMBER: 0058943

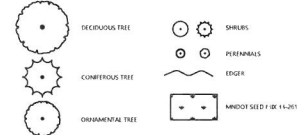


PLANT SCHEDULE

CODE	QTY	COMMON / BOTANICAL NAME	SIZE	SPACING	MATURE SIZE
CONIFEROUS TREES 270					
100	1	REDWOOD / <i>TAXUS CALIFORNICA</i>	1' H/1" DBH	10' SPACING	10' H/10" DBH
105	1	CASTLE REDWOOD / <i>SEQUOIA SEMPERPARVA</i>	1' H/1" DBH	10' SPACING	10' H/10" DBH
106	1	REDWOOD SPIDY / <i>TAXUS ARBORESCENS</i>	1' H/1" DBH	10' SPACING	10' H/10" DBH
110	1	FLORA TRELLIS WHITE SPIDY / <i>TAXUS CALIFORNICA</i>	1' H/1" DBH	10' SPACING	10' H/10" DBH
115	1	REDWOOD SPIDY / <i>TAXUS ARBORESCENS</i>	1' H/1" DBH	10' SPACING	10' H/10" DBH
120	1	WHITE OAK / <i>QUERCUS LAEVOLENS</i>	1' H/1" DBH	10' SPACING	10' H/10" DBH
DECIDUOUS TREES 10					
150	1	PALE TRELLIS / <i>SUGAR MAPLE / <i>AQUILARIA CALIFORNICA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
155	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
160	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
165	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
170	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
175	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
180	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
185	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
190	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
195	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
200	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
205	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
210	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
215	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
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255	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
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265	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
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280	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
285	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
290	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
295	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
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315	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
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370	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
375	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
380	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
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410	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
415	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
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455	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
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470	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
475	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
480	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
485	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
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565	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
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615	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
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675	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
680	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
685	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
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700	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
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720	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
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760	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
765	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
770	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
775	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
780	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
785	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
790	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
795	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
800	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
805	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
810	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
815	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
820	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
825	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
830	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
835	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
840	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
845	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
850	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
855	1	REDWOOD TRELLIS / <i>REDWOOD / <i>SEQUOIA SEMPERPARVA</i></i>	1'5" CAL DBH	AS SHOWN	15' H/6" DBH
860	1	REDWOOD TRELLIS / <i>REDWOOD / </i>			

NOTE: QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.

LANDSCAPE LEGEND

LANDSCAPE KEYNOTES

- A ROCK MULCH (TYP.)
- B EDGER (TYP.)
- C SOD (TYP.)
- D MNDOT SEED MIX 25-13

LANDSCAPE SUMMARY

MULTIFAMILY RESIDENTIAL USE REQUIREMENTS

FOUR SHRUBS SHALL BE PLANTED PER DWELLING UNIT, TWO PERENNIALS CAN BE SUBSTITUTED FOR ONE SHRUB.

REQUIRED TREE PLANTINGS

IN ALL RURAL LIVING ZONING DISTRICTS LOTS SHALL INCLUDE PLANTINGS AT THE RATE OF ONE TREE PER 3,000 SF OF OPEN SPACE AREA. AREA DOES NOT INCLUDE DELINEATED WETLAND AREA. ALL REQUIRED TREE PLANTINGS SHALL HAVE A MIXTURE OF CONIFER AND DECIDUOUS TREES.

REQUIREMENTS

NUMBER OF DWELLING UNITS	190
SHRUBS REQUIRED	750 (190P4 + 750)
OPEN SPACE PROVIDED	477,583 SF
TREES REQUIRED	150 (477,583/3,000 = 159.2)
TREES PROVIDED	94 (89 DECIDUOUS OVERSTORY + 20 CONIFEROUS OVERSTORY + 35 ORNAMENTAL)
SHRUBS PROVIDED	572 (117 DECIDUOUS + 120 CONIFEROUS SHRUBS 401 PERENNIALS + 265 SHRUBS)

SEEDING NOTES

STORMWATER POND:

MNDOT SEED MIX 33-261 STORMWATER SOUTH+WEST (OR A MIX COMPRISED OF SIMILAR VARIETIES OF GRASSES AND FORBS, TO BE APPROVED BY LANDSCAPE ARCHITECT)

SEED MIX TO BE APPLIED AT A RATE OF 35 LBS/ACRE

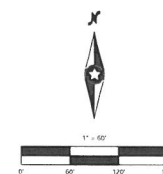
GENERAL TURF

MNDOT SEED MIX 25-131 LOW MAINTENANCE TURF (FOR A MIX COMPRISED OF SIMILAR VARIETIES OF GRASSES AND FORBES, TO BE APPROVED BY LANDSCAPE ARCHITECT.)

SEED MIX TO BE APPLIED AT A RATE OF 220 LBS/ACRE

ALL SEED MIXES TO BE APPLIED DURING RECOMMENDED PLANTING SEASON, AND USING AN APPROVED METHOD, AS FOUND IN THE MINDOT SEEDING MANUAL

ALL SEED MIXES AVAILABLE FROM TWIN CITY SEED COMPANY (TWINCITYSEED.COM, 1.800.545.TURF)

[illegible]

KUEPERS, INC

K
PREPARED FOR

WESTERN CLIENTS THAT THEY WOULD PREPARE TO USE IT. IN FACT, 17 PERCENT OF RESPONDENTS AGREE THAT IT IS THE MOST APPROPRIATE UNDER THE LAW.¹

KUEPERS BRAINERD -
VOYAGEUR HEIGHTS

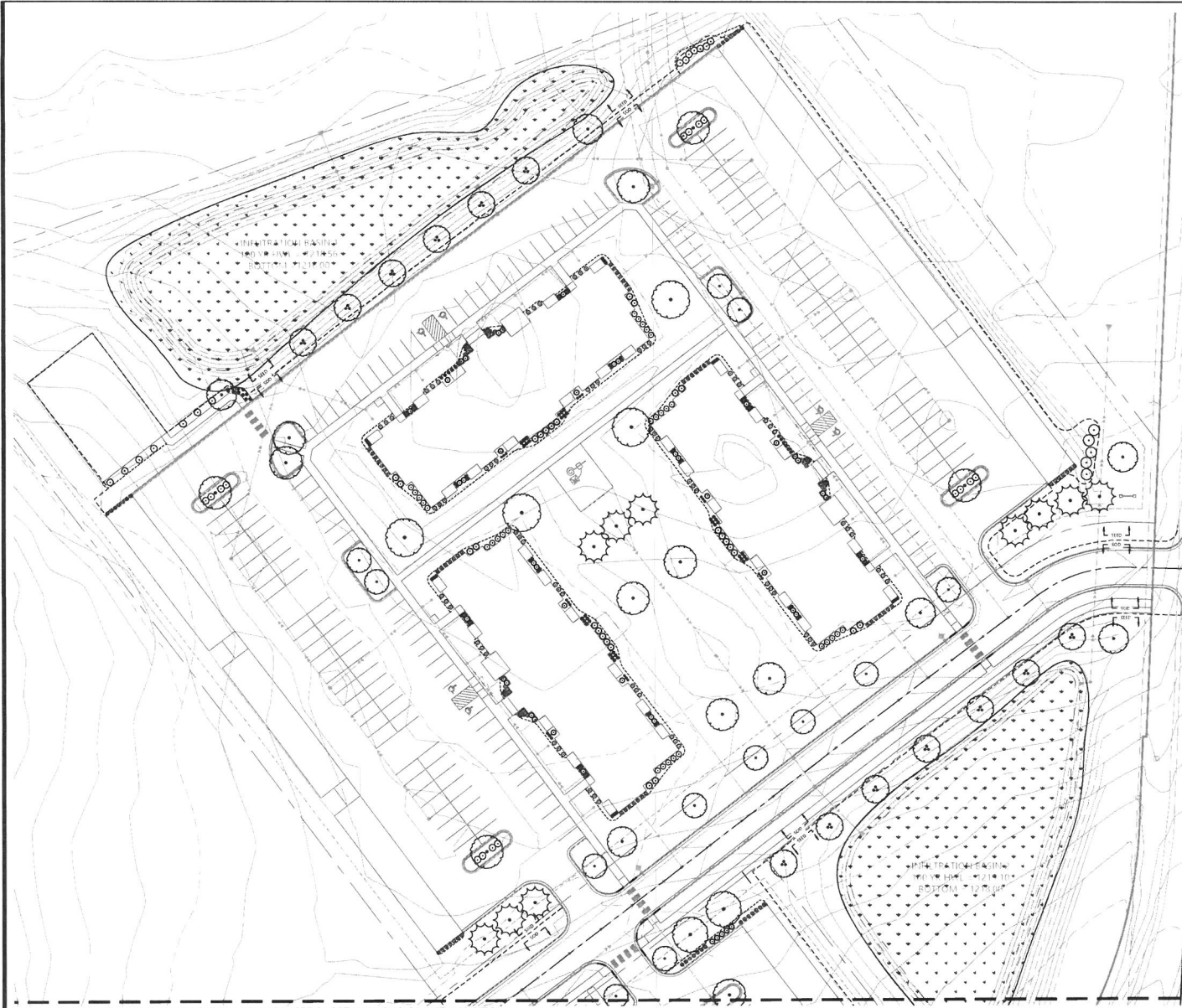
Westwood

LANDSCAPE PLAN

SHEET NUMBER:

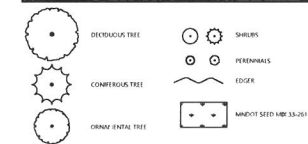
L100

DATE 8/29/2025
PROJECT NUMBER 006894



Call 48 Hours before Jugging
811 or call 811.com
Curbcut Layout & Elevation

LANDSCAPE LEGEND



LANDSCAPE KEYNOTES

- A. RICE MICH (PVP)
- B. EDGE (PVP)
- C. SOIL (PVP)
- D. MUDY SEED MIX 33-33-1

PLANT SCHEDULE (FOR REFERENCE ONLY, SEE SHEET L100 FOR PLANT COUNTS)

CODE	COMMON / BOTANICAL NAME	SIZE	SPACING	MATURE SIZE
CONIFEROUS TREES				
101	BAI GAY TIE / ARIZONA SAGE	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
102	WESTERN RED CEDAR / CONIFEROUS ORIGINARIA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
103	NORWAY SPRUCE / PICEA ABIES	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
104	BLACK PINE / PINUS RESINOSA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
105	RED PINE / PINUS RESINOSA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
106	WHITE PINE / PINUS STROBUS	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
DECIDUOUS TREES				
107	RED BELL / ARIZONA SAGE	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
108	WESTERN RED CEDAR / CONIFEROUS ORIGINARIA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
109	NORWAY SPRUCE / PICEA ABIES	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
110	BLACK PINE / PINUS RESINOSA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
111	RED PINE / PINUS RESINOSA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
112	WHITE PINE / PINUS STROBUS	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
ORNAMENTAL TREES				
113	BAI GAY TIE / ARIZONA SAGE	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
114	WESTERN RED CEDAR / CONIFEROUS ORIGINARIA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
CONIFEROUS SHRUBS				
115	BAI GAY TIE / ARIZONA SAGE	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
116	WESTERN RED CEDAR / CONIFEROUS ORIGINARIA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
117	NORWAY SPRUCE / PICEA ABIES	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
118	BLACK PINE / PINUS RESINOSA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
119	RED PINE / PINUS RESINOSA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
120	WHITE PINE / PINUS STROBUS	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
DECIDUOUS SHRUBS				
121	BAI GAY TIE / ARIZONA SAGE	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
122	WESTERN RED CEDAR / CONIFEROUS ORIGINARIA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
123	NORWAY SPRUCE / PICEA ABIES	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
124	BLACK PINE / PINUS RESINOSA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
125	RED PINE / PINUS RESINOSA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
126	WHITE PINE / PINUS STROBUS	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"

PERENNIALS				
127	BAI GAY TIE / ARIZONA SAGE	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
128	WESTERN RED CEDAR / CONIFEROUS ORIGINARIA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
129	NORWAY SPRUCE / PICEA ABIES	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
130	BLACK PINE / PINUS RESINOSA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
131	RED PINE / PINUS RESINOSA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
132	WHITE PINE / PINUS STROBUS	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
GRASSES				
133	BAI GAY TIE / ARIZONA SAGE	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
134	WESTERN RED CEDAR / CONIFEROUS ORIGINARIA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
135	NORWAY SPRUCE / PICEA ABIES	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
136	BLACK PINE / PINUS RESINOSA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
137	RED PINE / PINUS RESINOSA	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"
138	WHITE PINE / PINUS STROBUS	10' HT. 100"	AS SHOWN	11' 10' 40" W 15' 20"

ABBREVIATIONS: BAI - Balled and Burlapped; CAL - Caliper; HT - Height; MIN - Minimum; D.C. - On Center; QTY - Quantity
NOTE: QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY



DATE	8/29/2025
BY	AK
CHECKED BY	AK
SCALE	1" = 30'

PREPARED FOR
KUEPERS, INC.
1978 E. COMMERCE BLVD.
BRANDED, MN

DESIGNED BY
Westwood
1978 E. COMMERCE BLVD.
BRANDED, MN

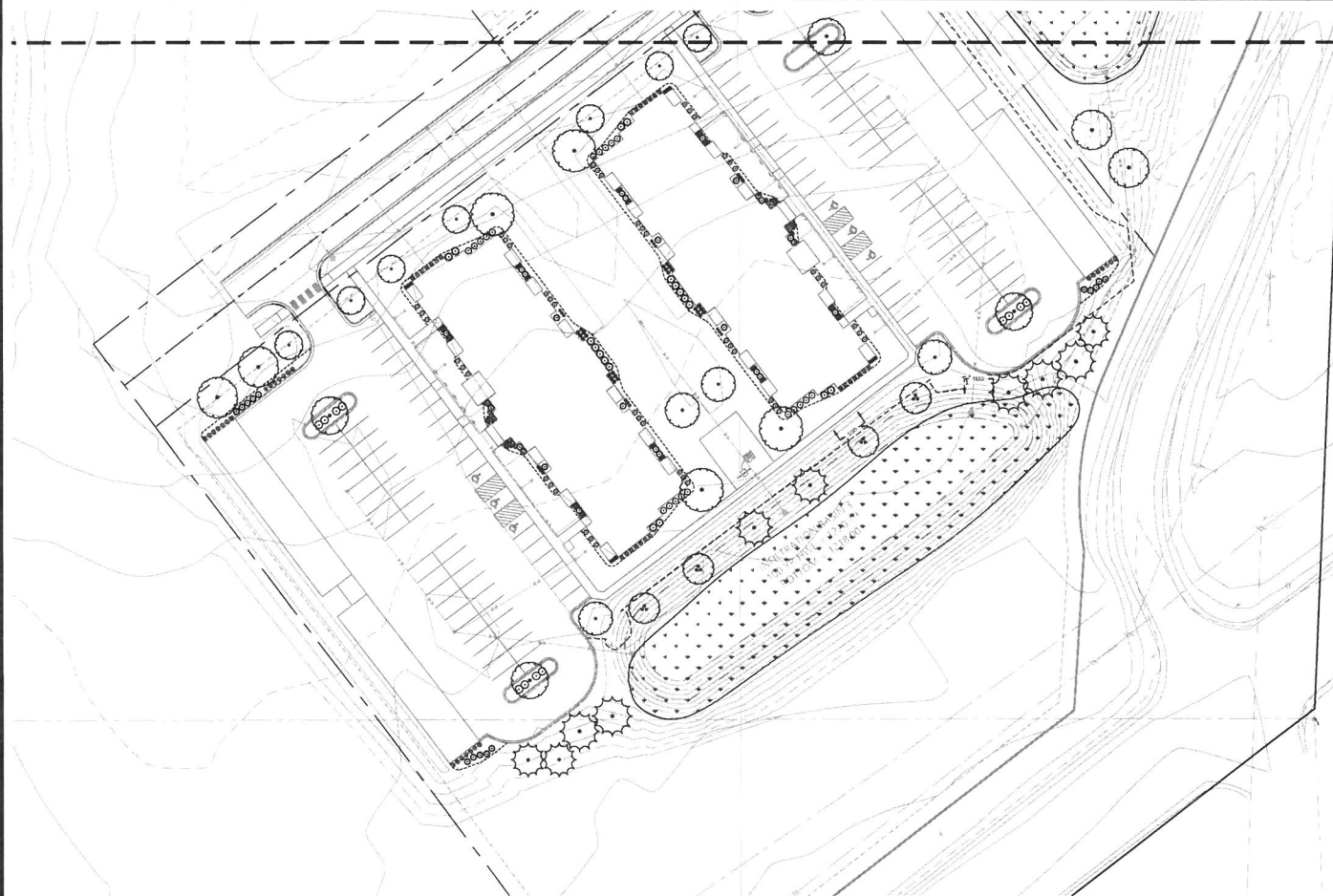
LANDSCAPE PLAN -
VOYAGEUR HEIGHTS
BRANDED, MN

Westwood
1978 E. COMMERCE BLVD.
BRANDED, MN

LANDSCAPE PLAN -
NORTH

SHEET NUMBER
L101

DATE: 8/29/2025
PROJECT NUMBER: 0068943



PLANT SCHEDULE (FOR REFERENCE ONLY, SEE SHEET L100 FOR PLANT COUNTS)

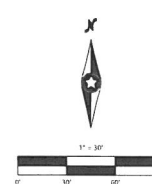
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PERENNIALS

SOD	STELLA DE ORO DAYLIEY / HERMOSA CASCAS X STELLA DE ORO	F1 C101	22" G	15" H	18" W	18" W
ACH	NORTHERN EXPOSURE / AMBER CORAL BELLS / TUCHUCHA X "INTELLIGENCE"	F1 C101	18" G	18" H	15" W	16" W
WCS	KOROLD BEAZING STAR / HATES SPICATA KOROLD	F1 C101	18" G	18" H	24" W	14" W
WEL	WALKER'S LOW CATHART / MUPETA X WALKER'S LOW	F1 C101	24" G	18" H	24" W	18" W
RES	BLACK-EYED SUSAN / RUDECHICA THIRTA	F1 C101	24" G	18" H	26" W	18" W
GRASSES						
YFS	EARL FORESTER HEATHER REED GRASS / CALAMAGROSTIS X ACUTIFOLIA VARE FORESTER	F1 C101	30" G	15" H	14" W	2" W
YFS	GRASS (UNIDENTIFIED) / PNEUMOTICUS BULBIFLUS	F1 C101	24" G	15" H	23" W	2" W

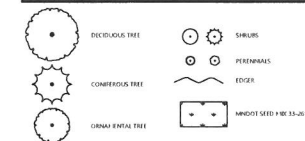
ABBREVIATIONS B&B = BAILED AND BURLAPPED CAL = CALIPER HT = HEIGHT MIN = MINIMUM O.C. = ON CENTER QTY = QUANTITY
CONT = CONTAINER

NOTE: QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY



Call 48 Hours before Jiggling
811 or call811.com
Common Ground Alliance

LANDSCAPE LEGEND

LANDSCAPE KEYNOTES

- A. ROCK MULCH (TYP)
- B. EDGER (TYP)
- C. SOD (TYP)
- D. MNDOT SEED MIX 25-133

INVESTIGATOR'S SIGNATURE _____ DATE 8/29/2025

INVESTIGATOR'S NAME _____

INVESTIGATOR'S TITLE _____

INVESTIGATOR'S PHONE NUMBER _____

INVESTIGATOR'S EMAIL ADDRESS _____

INVESTIGATOR'S ADDRESS _____

INVESTIGATOR'S CITY _____ STATE _____ ZIP _____

INVESTIGATOR'S COUNTRY _____

INVESTIGATOR'S SIGNATURE _____

INVESTIGATOR'S NAME _____

INVESTIGATOR'S TITLE _____

INVESTIGATOR'S PHONE NUMBER _____

INVESTIGATOR'S EMAIL ADDRESS _____

INVESTIGATOR'S ADDRESS _____

INVESTIGATOR'S CITY _____ STATE _____ ZIP _____

INVESTIGATOR'S COUNTRY _____

EPERS, INC
COMMERCIAL PARK RD

SEVENTH-CENTURY CHINA THIS PLAIN WALK PREPARED BY THE
BY ANSON, (1790) IS A BURNING "BY THE WAY" I AM
BY THE WAY IN THE 18TH AND 19TH CENTURIES UNDER THE LAMP
BY THE WAY TO MANHATTAN

KUEPERS BRAINERD -
VOYAGEUR HEIGHTS

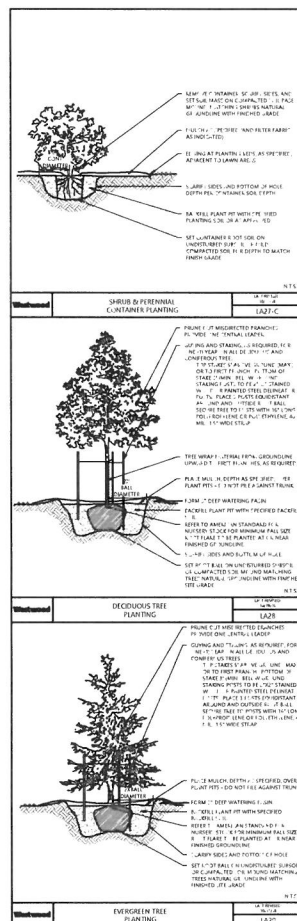
Westwood

LANDSCAPE PLAN -
SOUTH

SHEET NUMBER

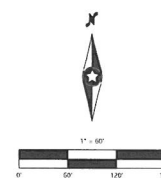
L102

DATE 8/29/2025
PROJECT NUMBER 0068943



PLANTING NOTES

- [illegible]





Date: 4-13-2020 License #: 46319

BRAINERD/BAXTER, MN 218-829-0707

Voyageur Heights Apartments - Building 1

Kuepers Inc.
38 Unit

Project number	01-25-1108	Date	XX-XX-XXXX
Drawn by	RET	Checked by	CJR/ZAR

A1.1

Overall Floor Plan

Scale $3/32" = 1'-0"$

PRELIMINARY NFC

2025-08-27 09:34:24 AM



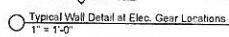
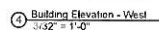
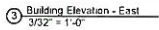
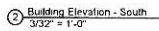
Date: 4-13-2020 License #: 48319

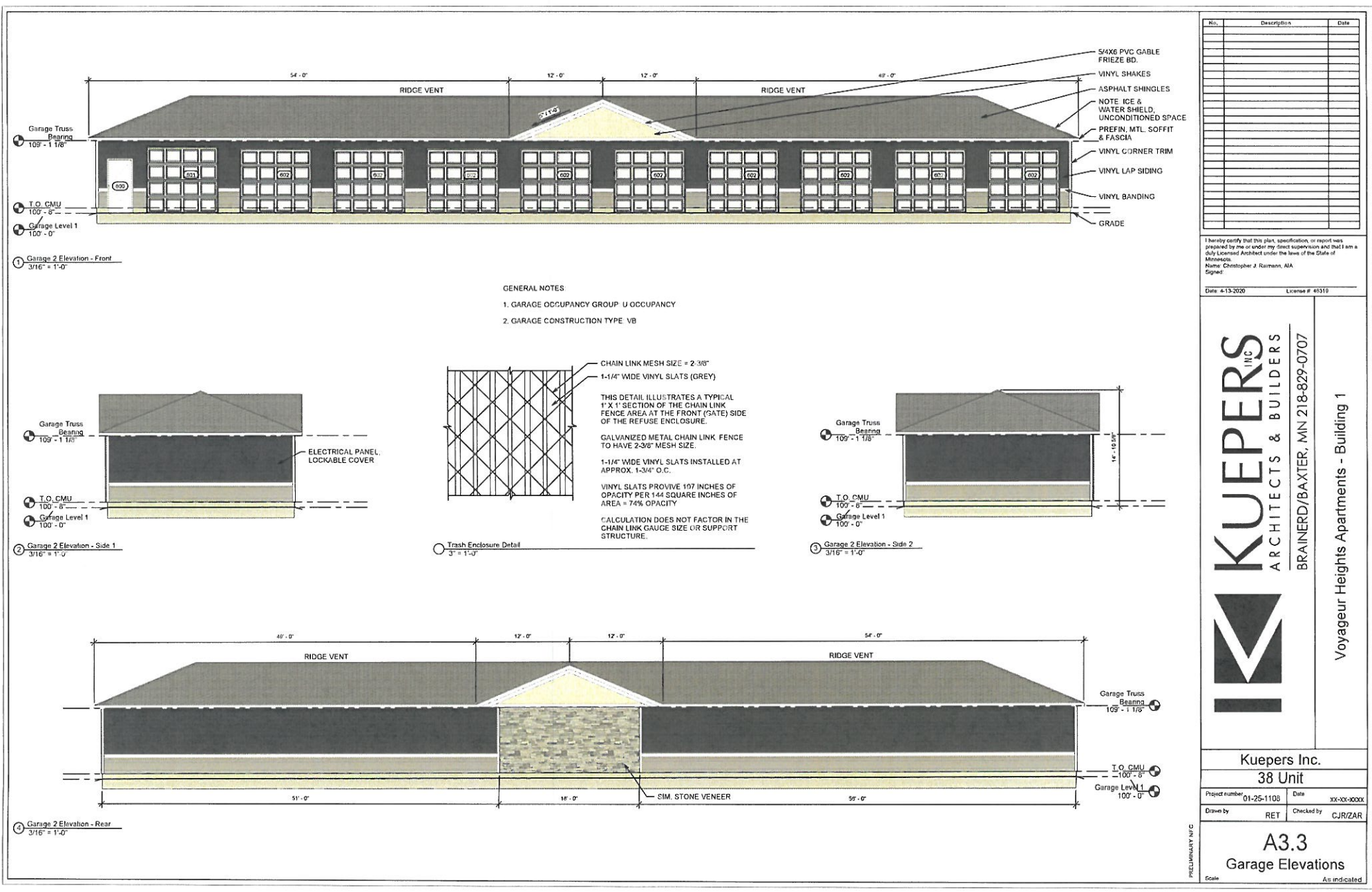


BRAINERD/BAXTER, MN 218-829-0707

Voyageur Heights Apartments - Building 1

Scale $3/32" = 1'-0"$





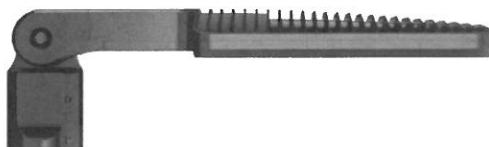
ALED Field-Adjustable Area Lights

RAB

Universal Pole Mount



Slipfitter Mount



Wall Mount



Field-Adjustable Wattage



0-10V



100,000
HOURS



WET
RATED



IP RATING



FIELD
ADJUSTABLE

PROJECT: _____

DATE: _____

TYPE: _____

PREPARED BY: _____



* Dark Sky Approved
in 3000K
(Small & Medium Only)



** 3000K
Models only

KEY FEATURES

- Available in three different sizes:
SMALL: **80/60/40W** selectable
MEDIUM: **150/90/78W** selectable
LARGE: **260/220/170W** selectable
EXTRA LARGE: **385/345/300W** selectable
- CCT: **5000K** or **4000K**; **3000K** available for small and medium size.
- Available in **120-277V**. **480V** available on Medium, Large & XL housings.
- **Universal Pole, Slipfitter** and **Wall Mount** available on all models
- Available in **bronze, black** and **white** finish
- UL listed for **wet location**
- **IP66** listed
- **0-10V** dimmable
- **3G Vibration** rating

TECHNICAL SPECIFICATIONS

CONSTRUCTION

Cold Weather Starting

Minimum starting temperature is -40°C (-40°F)

Maximum Ambient Temperature

Suitable for use in up to 40°C (104°F)

Housing

Die-cast aluminum

Mounting

Pole Universal Pole Mount, Slipfitter or Wall Mount

Tilt increment:

Slipfitter: 5°

Lens

Polycarbonate lens

Gasket

High-temperature silicone gasket

Reflector

Aluminum reflector with white polycarbonate

Green Technology

Mercury and UV free. RoHs-compliant components.

Finish

Formulated for high durability and long lasting color. Available in bronze, white or black finish.

IES Classifications

Type II - Ideal for wide walkways, on ramps and entrance roadways, bike paths, and other long/narrow applications. This type is meant for lighting larger areas is usually located near the roadside.

Type III - Ideal for roadway, general parking, and other area lighting applications where a larger pool of lighting is required. It is intended to be located near the side of the area, allowing the light to project outward and fill the area.

Type IV - Also known as "forward throw", it is especially suited for mounting on the sides of buildings and walls, and for illuminating the perimeter of parking areas. It produces a semicircular distribution with essentially the same candlepower at lateral angles from 90° to 270°.

Type V - Produces a wide and uniform 360° pattern that is perfect for large outdoor areas such as parking lots and pathways.

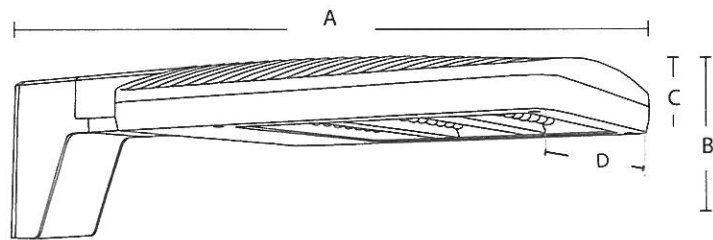
Auto Dealership - Car Dealership optics have a wide distribution with an intentional hot spot that helps to deliver eye-catching light to the front row of cars in a dealership lot while also minimizing "backspill" (light that is thrown back towards the street).

ALED Field-Adjustable Area Lights

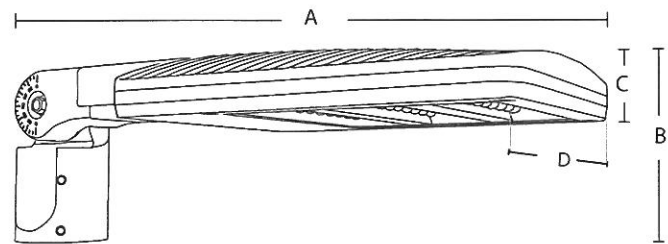


DIMENSIONS

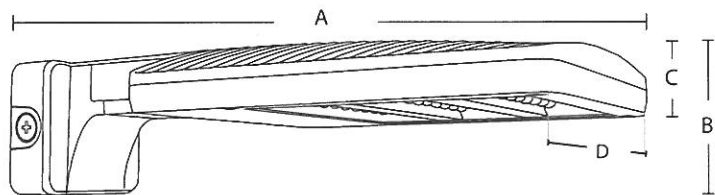
Universal Pole Mount



Slipfitter Mount



Wall Mount



ALED Weights	UNIVERSAL POLE MOUNT	SLIPFITTER MOUNT	WALL MOUNT
SMALL	13.2 lbs	14.7 lbs	13.2 lbs
MEDIUM	16.5 lbs	17.8 lbs	16.5 lbs
LARGE	27.3 lbs	31.5 lbs	26.4 lbs
EXTRA LARGE	34.5 lbs	41.4 lbs	36.3 lbs

ALED	UNIVERSAL POLE MOUNT				SLIPFITTER MOUNT				WALL MOUNT			
Fixture Size	A	B	C	D	A	B	C	D	A	B	C	D
SMALL	21 1/16"	5 3/4"	2 3/8"	10 9/16"	22 11/16"	6 7/8"	2 3/8"	12 1/2"	21 11/16"	5"	2 3/8"	17 1/14"
MEDIUM	23"	5 3/4"	2 3/8"	10 9/16"	24 1/2"	6 7/8"	2 3/8"	12 1/2"	23 1/2"	5"	2 3/8"	17 1/14"
LARGE	28 7/8"	6 3/8"	2 5/8"	10 9/16"	32 7/16"	7 3/4"	2 5/8"	12 1/2"	28 7/8"	5"	2 5/8"	17 1/14"
EXTRA LARGE	32 5/8"	6 3/8"	2 3/4"	19"	36 1/8"	7 13/16"	2 3/4"	19"	32 1/2"	5"	2 3/4"	19"

ALED Field-Adjustable Area Lights

RAB

ACCESSORIES

Image	SKU#	UPC	Description
	ALED SHS	192552028714	ALED HOUSE SIDE SHIELD WITH 4 SCREWS (10 3/8" X 10 1/4" X 6")
	ALED MHS	192552028721	ALEDM HOUSE SIDE SHIELD WITH 4 SCREWS (12 3/16" X 12 1/4" X 6")
	ALED LHS	192552028738	ALEDL HOUSE SIDE SHIELD WITH 7 SCREWS (19 1/4" X 17" X 6")
	ALED XLHS	192552028745	ALEDXL HOUSE SIDE SHIELD WITH 7 SCREWS (23 1/4" X 18 3/4" X 6")
	ALED-RW ARM	192552036528	ROADWAY ARM FOR FA ALED SMALL-MEDIUM BRONZE
	ALED-RW ARM/B	192552036542	ROADWAY ARM FOR FA ALED SMALL-MEDIUM BLACK
	ALED-RW ARM/W	192552036535	ROADWAY ARM FOR FA ALED SMALL-MEDIUM WHITE

ORDERING MATRIX

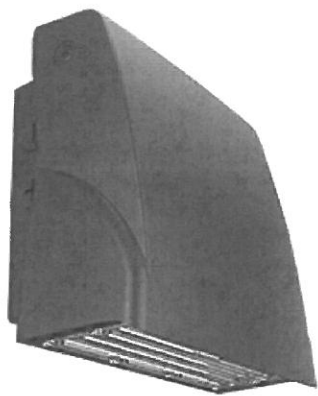
ALED

Family	Housing Size	Distribution		Mounting		Color Temperature		Finish		Voltage*		Options		
ALED														
	S	Small (FA 80/60/40W)	2T	Type II	BLANK	Universal Pole Mount	BLANK	5000K	BLANK	Bronze	BLANK	120-277V	BLANK	No Option
	M	Medium (FA 150/90/78W)	3T	Type III			N	4000K	W	White	/480 ²	480V	/7PR	7-Pin Receptacle
	L	Large (FA 260/220/170W)	4T	Type IV	SF	Slipfitter	Y ¹	3000K	B	Black			/WS2	Multi-Level Motion Sensor with 20' Lens
	XL	Extra Large (FA 385/345/300W)	5T	Type V	WM	Wall Mount					*0-10V Dimming standard			
			AT	Auto Dealership Optic									/WS4 ³	Multi Level Motion Sensor with 40' Lens

¹ Dark sky approved in 3000K, only available only on Small and Medium fixtures

² 480V available only on Medium, Large & Extra Large fixtures

³ Wattstopper option available only on Large & Extra Large fixtures



Color: Bronze

Weight: 3.0 lbs

Project:

Type:

Prepared By:

Date:

Driver Info

Type	Constant Current
120V	0.25A
208V	0.20A
240V	0.15A
277V	0.12A
Input Watts	29.4/28.4/29.7W

LED Info

Watts	30W
Color Temp	3000/4000/5000K
Color Accuracy	70 CRI
L70 Lifespan	100,000 Hours
Lumens	3540/3813/3768 lm
Efficacy	120.5/134.1/127 lm/W

Technical Specifications

Field Adjustability

Field Adjustable:

Color temperature selectable by 3000K, 4000K and 5000K

Compliance

UL Listed:

Suitable for wet locations

IESNA LM-79 & LM-80 Testing:

RAB LED luminaires and LED components have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80.

IP Rating:

Ingress protection rating of IP65 for dust and water

DLC Listed:

This product is listed by Design Lights Consortium (DLC) as an ultra-efficient premium product that qualifies for the highest tier of rebates from DLC Member Utilities. Designed to meet DLC 5.1 requirements.
DLC Product Code: PL8HS37YLUB0

Performance

Lifespan:

100,000-Hour LED lifespan based on IES LM-80 results and TM-21 calculations

Wattage Equivalency:

Equivalent to 175W Metal Halide

LED Characteristics

LEDs:

Long-life, high-efficiency, surface-mount LEDs

Electrical

Driver:

Constant Current, Class 2, 120-277V, 50/60 Hz, 120V: 0.25A, 208V: 0.20A, 240V: 0.15A, 277V: 0.12A

Dimming Driver:

Driver includes dimming control wiring for 0-10V dimming systems. Requires separate 0-10V DC dimming circuit. Dims down to 10%.

Photocell:

120-277V Integrated button photocell included.

Surge Protection:

L-N:2.5 kV,L/N-GND:2.5 kV

Construction

Cold Weather Starting:

The minimum starting temperature is -40°F (-40°C)

Ambient Temperature :

Max Power Temp Rating: 122°F (50°C)
Middle Power Temp Rating: 122°F (50°C))
Low Power Temp Rating: 122°F (50°C)

Housing:

Precision die-cast aluminum housing and door frame

Lens:

Polycarbonate lens

Cut Off:

Adjustable from 0° (full cutoff) to 90°. 7 settings at 15° each.

Finish:

Formulated for high durability and long-lasting color

Green Technology:

Mercury and UV free. RoHS-compliant components.

Installation

Mounting:

Hinged wiring access and conduit entries on the back, sides, top and bottom make installation a snap

Need help? Tech help line: (888) 722-1000 Email: techsupport@rablighting.com Website: www.rablighting.com
Copyright © 2025 RAB Lighting All Rights Reserved Note: Specifications are subject to change at any time without notice

Page 1 of 2

Page 70 of 128

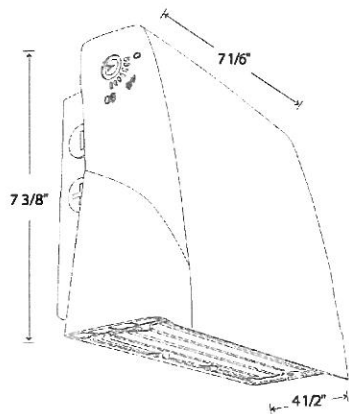
Technical Specifications (continued)

Other

5-Year Limited Warranty:

The RAB 5-year, limited warranty covers light output, driver performance and paint finish. RAB's warranty is subject to all terms and conditions found at rablighting.com/warranty.

Dimensions



Features

- Selectable CCT
- Adjustable cutoff
- Integrated photocell
- 0-10V dimming, standard

Ordering Matrix

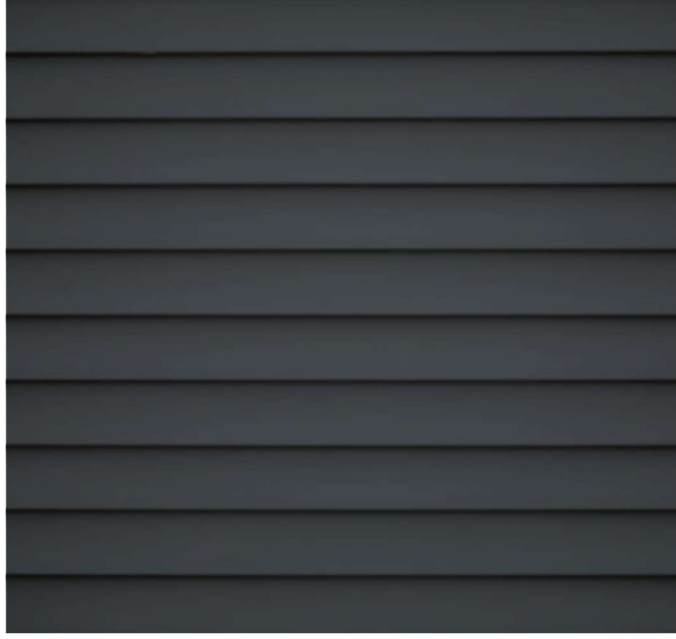
Family	Wattage	Style
SLIM17FA	30	ADJ

15 = 15W
30 = 30W

ADJ = Angle Adjustable



ARCHITECTURAL ASPHALT SHIGLES
Warm Gray



VINYL - LAP SIDING
Base



VINYL - LAP SIDING
Accent 1



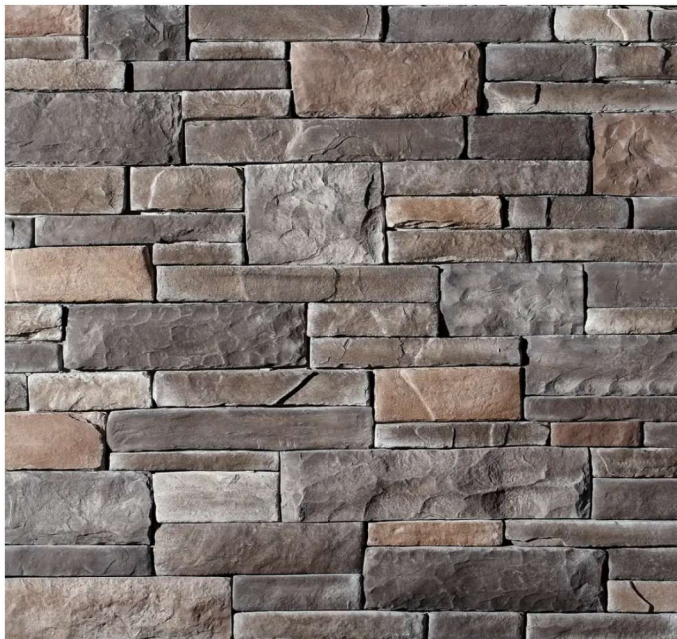
VINYL - LAP SIDING
Accent 2



WINDOWS
White



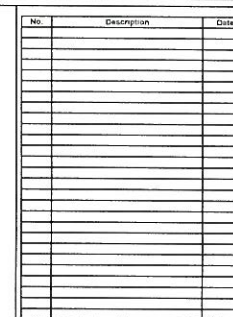
STOREFRONT SYSTEM
Dark Anodized



MANUFACTURED STONE
Dark - Horizontal



VINYL - SHAKES
Accent 1



I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Master Electrician under the laws of the State of Minnesota.
Name: Jason Wild
Signed: 
Date: 09.3.2025 License #: 06077265

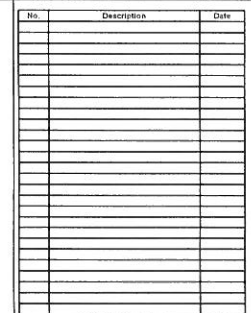


BUILDINGS 1-5

E3.4 Photometric

2

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I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Master Electrician under the laws of the State of Minnesota.
Name: Jason Weld
Signed: 
Date: 09-3-2025 License #: PM077545



BUILDINGS 1-5

E3.5
Photometric

Scale

4/4/2025 3:12:40 PM



Voyageur Heights Apartments | Renderings
BRainerd, MN | 08.27.2025 | #XX-XXXX



Voyageur Heights Apartments | Renderings

BRAINERD, MN | 08.27.2025 | #XX-XXXX



NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Kuepers Inc has submitted applications for a Preliminary Plat, a Planned Unit Development, and a Rezoning for parcels 41020691 and 41020682 for a proposed 190-unit apartment complex/development. The properties are currently zoned RL-1 (Rural Living 1), and the applicant is requesting a Rezoning to a Planned Unit Development Overlay District with an underlying CN-2 (Contemporary Neighborhood 2) Zoning District. The primary purpose of the PUD Overlay District request is to allow for a mix of residential and commercial uses. The property is legally described as:

PIN: 41020691 & 41020682

SE1/4 of NE1/4 2 44 31

AND

PT OF NE1/4 OF SE1/4 LYING N & W OF C/L OF BUSINESS HWY 371

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, September 17th, 2025, in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the Preliminary Plat, Planned Unit Development, and Rezoning requests.

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

Dated this 3rd day of September, 2025



James Kramvik
Community Development Director

Publication Date: September 6th, 2025

September 12, 2025

Ms. Stephanie Bestul
City of Brainerd
Zoning Specialist, Permit Tech

RE: Proposed Project on MN 371 B

Dear Ms. Bestul:

Thank you for providing information to MnDOT District 3 regarding the proposed 190-unit multifamily housing development at PID#'s 41020691 and 41020682 in the City of Brainerd for our review and comment. This request was shared with MnDOT District 3's Development Review Committee (DRC) on Tuesday September 9 for review, discussion and comments. A summary of the discussion and comments is below:

As you know, MnDOT District 3 and the City of Brainerd recently improved the intersection of Greenwood Steet and MN 371B, by re-aligning an acute angel intersection as a right-angle intersection. Additional improvements at this intersection included resurfacing, and right and left turn lanes on MN 371 to accommodate turning movements in and out of Greenwood St.

After reviewing the PUD site plan, PUD Plat application, and rezoning application MnDOT District 3 has the following comments:

- We are interested in reviewing the results of the upcoming EAW when available
- We are interested in reviewing the results of the upcoming EIS when available
- We are interested in reviewing the results of a traffic study when available
- In order to manage access onto MN 371B, MnDOT would recommend the PUD access be located on Greenwood St. approximately 500 ft from the intersection of Greenwood St. and MN 371B as is generally shown in the site plan
- As you work with the developer and share the outcomes of the traffic study, perhaps a secondary access for this PUD could be considered to the north where it appears there is some sort of easement access onto Woodland Hills Lane SW near the proposed parking areas for the following reasons::
 - o Potentially minimize/reduce traffic impacts on Greenwood St. and 371B
 - o Provide a secondary access/outlet for emergency vehicles
 - o Provide a secondary access/outlet for performing maintenance
- Furthermore, as you work with the developer and share the outcomes of the traffic study, perhaps consideration could be given to requiring the internal PUD roads to be constructed in such a way as to accommodate potential future developments further to the South and West in order to continue to develop a local network that could support future development and manage access onto MN 371B in accordance with MnDOT spacing and access management guidelines.

Aside from the comments above, MnDOT District 3 has no additional comments at this time. If you have any further questions or comments, please call me at (218)828.5830.

Sincerely,

An equal opportunity employer

Tad Erickson
Principal Planner

ecc: MnDOT District 3 Development Review Committee File

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: September 17th, 2025

RE: Consider Zoning Text Amendment, Interim Use Permit, and Variance for Cannabis Microbusiness at Yesterday's Gone – Parcel ID# 41241525

REQUEST

PUBLIC HEARING. Zoning Text Amendment, Interim Use Permit, and Variance Request

APPLICANT: Steven Zelinske

Steven Zelinske on behalf of Yesterday's Gone has submitted a request for a Zoning Text Amendment to allow for cannabis microbusinesses to operate in an accessory greenhouse in the TC (Town Center) Zoning District, an Interim Use Permit amendment to allow for the operation of a cannabis microbusiness in an existing accessory greenhouse in the TC District, and a Variance to allow for a fence height of 10' for the property across the alley from Yesterday's Gone that contains the restaurant's greenhouse.

CONTEXT

Parcel Number: 41241525

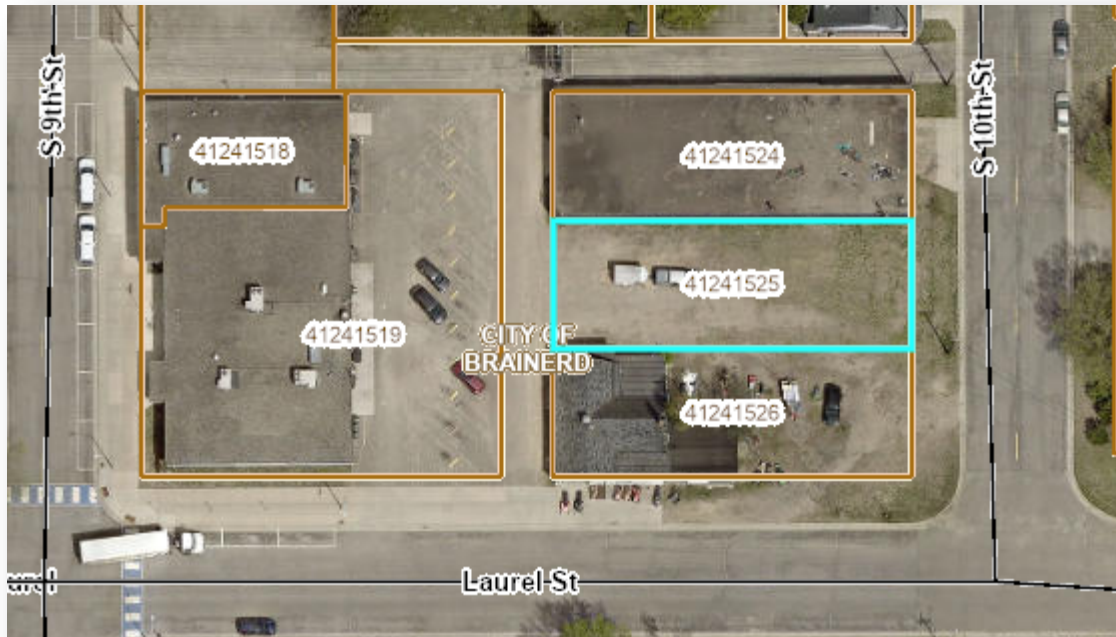
Zoning District: Town Center (TC) Zoning District

Property Area: 7,033 SQFT

Adjacent Uses: North: Commercial Space
East: Great River Door Company
South: Rage Holdings – Office/Garage Space
West: Yesterday's Gone Restaurant

Adjacent Zoning: North: Town Center (TC) District
East: Town Center (TC) District
South: Town Center (TC) District
West: Town Center (TC) District

AERIAL MAP



FINDINGS OF FACT – ZONING TEXT AMENDMENT

1. Parcel number 41241525 is currently located in a TC (Town Center) District.
2. In 2022 the City Council approved a Zoning Text Amendment and Interim Use permit for Yesterday's Gone to operate a commercial greenhouse supporting the operations of a licensed food establishment at an unaddressed parcel with an ID number of 41241525.
3. According to [Section 515-3 -17 – Allowed Uses \(Commercial Greenhouse\)](#) - Commercial greenhouses supporting the operations of a floral shop or licensed food establishment are allowed in the TC District.
4. Mr. Zelinske is requesting that accessory greenhouses be allowed for cannabis microbusinesses in the TC District. Mr. Zelinke has been preliminarily approved by the Office of Cannabis Management and preliminarily approved to operate a cannabis microbusiness with a retail endorsement at Yesterday's Gone.
5. In addition to the text amendment, Mr. Zelinske will also be required to amend his IUP and request a Variance for fence height.
6. The City Council and the Planning Commission shall consider possible adverse effects of the proposed amendment. Their judgment shall be based upon (but not limited to) the following factors:
 - a. The proposed action's consistency with the specific policies and provisions of the official City Comprehensive Plan.
 - i. The requested text amendment is consistent with the comprehensive plan based on the following goals and policies:

1. Economic Development GOAL 3 – Help local businesses grow and attract new businesses in our neighborhoods, along our main corridors, and in our downtown.
 - a. Policy 2 - Attract new businesses best suited for the community's assets, increasing local employment options and building the city's tax base.
 - b. Policy 3 - Encourage entrepreneurs to start their own businesses.
- b. The proposed use's compatibility with present and future land uses of the area.
 - i. *The property is currently utilized as an accessory greenhouse for a licensed food establishment, and the applicant is not requesting an increase in size to the greenhouse.*
 - ii. *The property is designated as downtown in the Future Land Use Map which encourages retail and commercial services. The proposed greenhouse would be accessory to the cannabis microbusiness with retail endorsements.*
- c. The proposed use's effect upon the area in which it is proposed.
 - i. *The property would have no effect upon the area as it is currently operating as a greenhouse.*
 - ii. *As this is a new industry in Minnesota, staff is unsure if there would be a significant smell added to the neighborhood as a result of the growing operations.*
- d. Traffic generation of the proposed use in relation to capabilities of streets serving the property.
 - i. *The green house will not generate a significant amount of traffic except for a few staff members.*
- e. The proposed impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.
 - i. *The proposed use will not have an impact on existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.*

FINDINGS OF FACT – INTERIM USE PERMIT AMENDMENT

1. Parcel number 41241525 is currently located in a TC (Town Center) District and has a valid Interim Use Permit that allows for a commercial greenhouse to support the operations of a food establishment.
2. The operation of a commercial greenhouse supporting the operations of a floral shop or a licensed food establishment requires an Interim Use Permit in a TC District according to [Appendix A: Table of Uses](#) of the Zoning Code.
 - a. The applicant is requesting a text amendment to also allow for commercial greenhouses supporting the operations of a cannabis microbusiness in a TC District.

- b. The applicant also proposes to continue growing herbs for Yesterday's Gone restaurant establishment.
3. Approval of this Interim Use Permit amendment must be contingent upon approval of the text amendment request.
4. Commercial greenhouses supporting the operations of a floral shop or licensed food establishment must comply with the following minimum standards: as required by [Section 515-3-17 Allowed Uses \(Commercial Greenhouses\)](#) of the Zoning Code:
 - a. Structure framing shall be treated wood, aluminum, or steel and shall be covered by materials as regulated by Section 515-4-6 of this Ordinance.
 - i. *The existing greenhouse structure is constructed with a galvanized steel frame and covered with a double layer of 6mil polyethylene film which satisfies the requirements of the Zoning Code.*
 - b. Structure shall not exceed fifteen (15) feet in height.
 - i. *Greenhouse dimensions - height is 12'10" high x 24' wide x 72' long*
 - c. Structure may be located on a separate lot from the licensed food establishment or floral shop it supports provided that:
 - i. The lot is within one hundred fifty (150) feet of the business.
 1. *The lot with the greenhouse is located 20 FT across the alley from Yesterday's Gone.*
 - ii. The structure shall meet the setback requirements of the Base Zoning District or 10 feet from all property lines, whichever is greater.
 1. *The greenhouse site plan meets the setback requirements. The existing greenhouse is 10' from the northern side yard and a 16' southern side yard setback. The proposed front yard setback is 24'. The proposed rear yard setback is 20'.*
 - d. No outdoor storage.
 - i. *The applicant does not propose outdoor storage for the operation.*
 - e. Indoor storage shall be limited to material incidental to the operation of a greenhouse.
 - i. *There have been no issues with prohibited indoor storage as part of the existing operation of the greenhouse.*
 - f. Should the licensed food establishment or floral shop cease operations, the greenhouse must be removed within 60 days.
 - g. Sales shall only occur at the principal place of business that is supported by the greenhouse.
 - i. *The applicant plans to use the proposed greenhouse to produce food and herbs for Yesterday's Gone and for cannabis production for a separate cannabis microbusiness. There will be no direct sales on the greenhouse property.*
5. The Office of Cannabis Management will inspect the site prior to operation to ensure the business meets all State licensing requirements.

FINDINGS OF FACT – VARIANCE

1. Parcel number 41241525 is currently located in a TC (Town Center) District and has a valid Interim Use Permit to allow for a commercial greenhouse to support the operations of a food establishment.
2. The applicant is requesting a text amendment and IUP amendment to also allow for commercial greenhouses supporting the operations of a cannabis microbusiness in a TC District.
3. The Office of Cannabis Management requires a ten (10) foot fence around cannabis micro-businesses growing facilities.
 - a. [Section 515-4-11 Fences](#) of the Zoning Codes states non-residential fences up to eight and one half (8 ½) feet in height are permitted.
 - i. *The applicant is requesting a variance to exceed the height standards in Section 515-4-11 to meet OCM State requirements for a ten (10) foot chain link fence.*
4. [Section 515-5-4.B.3](#), General Provisions and Evaluation Criteria. – Variances shall only be permitted:
 - a. When they are in harmony with the general purposes and intent of the ordinance and
 - i. According to [Section 515-2-11 Town Center \(TC\) District](#) The purpose of the TC District is to encourage the continuation of a viable, traditional downtown area by allowing retail, service, office and entertainment facilities and public and semi-public uses as well as multi-family dwelling units.
 1. *The applicant is requesting a text amendment and IUP amendment to allow for commercial greenhouses supporting the operations of a cannabis microbusiness in a TC District.*
 2. *Cannabis microbusinesses with a retail endorsement are permitted in the TC District and are consistent the retail uses in the area.*
5. [Section 515-5-4.B.4](#), Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance;
 - a. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
 - i. *Fences for non-residential uses are allowed to be constructed up to eight and one half (8 ½) feet in height which is appropriate for most commercial uses.*
 - ii. *OCM requires a fence height of ten (10) feet to operate a cannabis growing facility and thus creates a practical difficulty for the applicant.*
 - b. The variance, if granted, will not alter the essential character of the locality.
 - i. *The construction of the fence will not alter the essential character of the locality as the location currently operates as a commercial greenhouse with an eight (8) foot chain link fence.*

- ii. *The surrounding businesses are industrial in nature and are different in character than the mixed-use development of downtown Brained.*
- c. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
 - i. *The practical difficulties are related to OCM requirements and will add additional costs to the applicant and therefore are not related to economic considerations.*
- 6. Section 515-5-4. B.5, The Board may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
 - a. *Staff recommend no additional conditions.*

At the time of this writing, one party contacted the Community Development Department and asked questions regarding the applications.

STAFF RECOMMENDATION

Staff recommend the following approvals:

- 1) Approval of the text amendment request as presented in the proposed ordinance.
- 2) Approval of the Interim Use Permit amendment contingent upon approval of the text amendment request with the following conditions:
 - a. No outdoor storage
 - b. Indoor storage shall be limited to material incidental to the operation of a greenhouse.
 - c. Cannabis products must be grown indoors.
 - d. Should the establishment cease operations, the greenhouse must be removed within 60 days.
 - e. The Interim Use Permit amendment is approved for a period of three (3) years upon approval by City Council.
- 3) Approval of the Variance request is contingent upon approval of the Interim Use Permit amendment.

**ORDINANCE
NO. 15XX**

AN ORDINANCE AMENDING SECTION 515-3-17 OF THE ZONING CODE

WHEREAS, a public hearing was held by the Planning Commission as required by the Zoning Code, on September 17th, 2025

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

SECTION ONE: Section 515-3-17 Allowed Uses (Commercial Greenhouses) is hereby amended with the following new language underlined and deleted language struck out:

- A. Commercial greenhouses supporting the operations of a floral shop, cannabis microbusiness with a retail endorsement, or licensed food establishment must comply with the following minimum standards:
1. Structure framing shall be treated wood, aluminum, or steel and shall be covered by materials as regulated by Section [515-4-6] of this Ordinance.
 2. Structure shall not exceed 15 feet in height.
 3. Structure may be located on a separate lot from the establishment ~~or floral shop~~ it supports provided that:
 - a. The lot is within 150 feet of the principal business.
 - b. The structure shall meet the setback requirements of the Base Zoning District or 10 feet from all property lines, whichever is greater.
 - c. No outdoor storage is permitted.
 - d. Indoor storage shall be limited material incidental to the operation of a greenhouse.
 - e. Should the establishment or floral shop cease operations, the greenhouse must be removed within 60 days.
 - f. Sales shall only occur at the principal place of business that is supported by the greenhouse.

SECTION TWO: 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 – _____



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: 219 SOUTH NINTH STREET BRAINERD

LEGAL DESCRIPTION: Lot(s): 3 & 4 Block: 37 Addition: FEAST ADDITION

(attach description if lengthy)

LOT 16 THRU 24 INCL BLOCK 37 EXC PART OF LOTS

Property Owner Name: STEVEN ZELINSKE

Street Address: 15965 COUNTY RD 25 City: BRAINERD State: MN Zip Code:

Phone Number: 218-270-0365 Fax: E-mail: ygonz@brainerd.mn.us

Applicant Name: (If different than Property Owner)

Street Address: City: State: Zip Code:

Phone Number: Fax: E-mail:

Description of Request: AMEND 515-3-17 TO INCLUDE

CANNABIS MICROBUSINESS

ALLOW A 10' FENCE PER OCM REQUIREMENTS

Steven Zelinske
Property Owner Signature

8-29-25
Date

STEVEN ZELINSKE
(Please print name)

Steven Zelinske
Applicant Signature

8-29-25
Date

STEVEN ZELINSKE
(Please print name)

8-28-2025

Brainerd City Council and Staff

We currently have preliminary license approval from the Minnesota Office of Cannabis to operate a Cannabis Microbusiness. It is our intent to operate Kraft Roots out of part of our 219 south 9th street location and cultivate in the existing greenhouse.

We are asking the city to amend 515-3-17 Commercial Greenhouses to include Cannabis Microbusiness's and allow a Cannabis Microbusiness in the Town Center district.

Thank you for your consideration

Steve Zelinske

Kraft Roots



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: 219 SOUTH 9TH STREET BRAINERD

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

Permit to allow A CANNABIS MICRO BUSINESS IN

THE TOWN CENTER DISTRICT

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

Legal Description (attach, if lengthy): Lot 344 Block 37 Addition FIRST ADDITION

LOT 16 THRU 24 INCL BLOCK 37 EXC PT OF LOTS

Property Owner: STEVEN ZELINSKE

Address: 15965 COUNTY RD 25 BRAINERD MN 56401
(Street) (City) (State) (Zip)

Contact Information #: 218-270-0365 218-824-2050
(Home) (Business)

(Fax) YGON@BRAINERD.NET
(E-mail)

Applicant: (if different than Property Owner) _____

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

Contact Information #: _____
(Home) (Business)

(Fax) (E-mail)

Contact Person: (if different than Property Owner) _____

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

Contact Information #: _____
(Home) (Business)

(Fax) (E-mail)

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

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

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

Signed by:  Date: 8-29-25
(Property Owner)

STEVEN ZELENSKIE
(Property Owner-Please print Name)

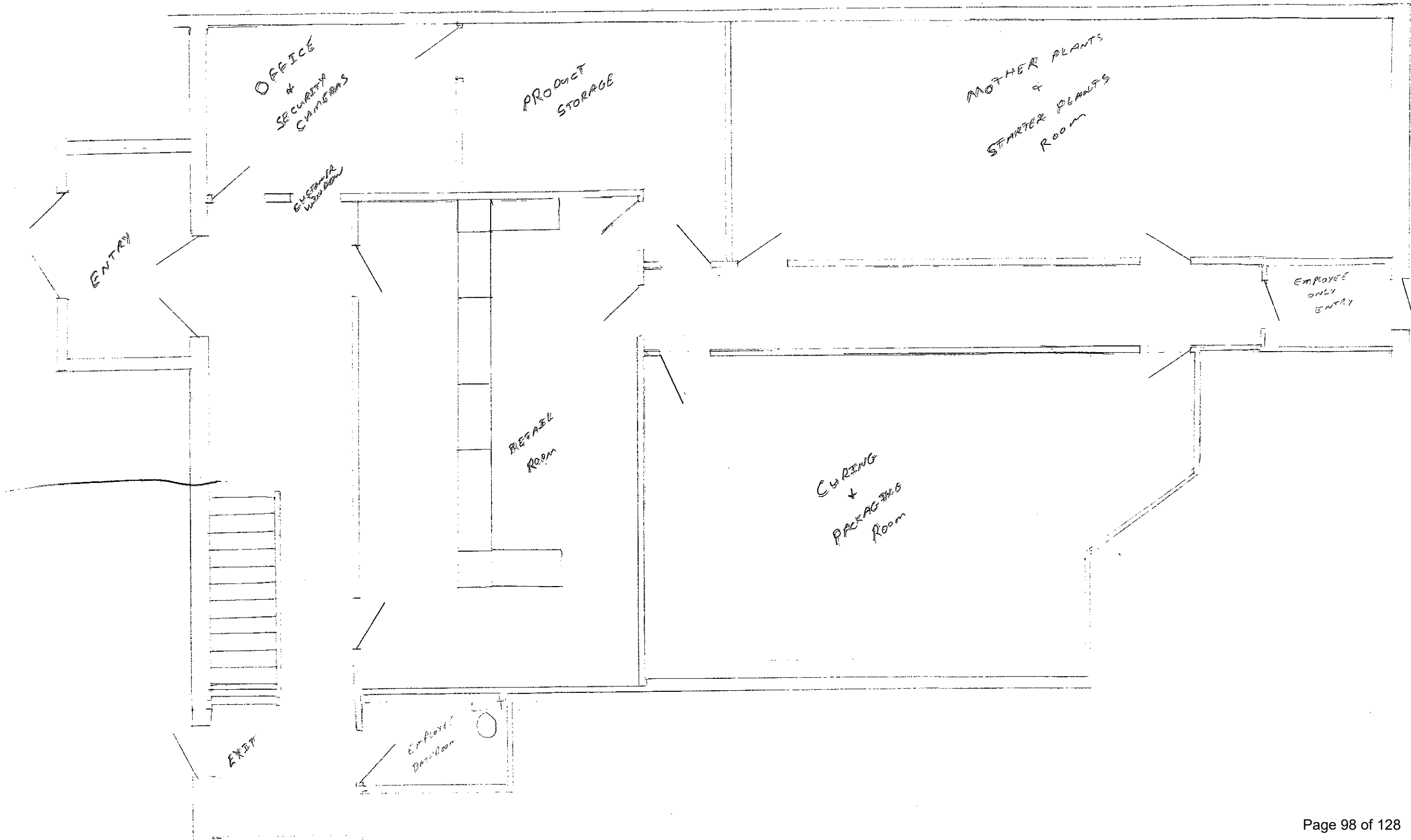
(Applicant-If different than owner) Date: _____

(Applicant - Please print name)

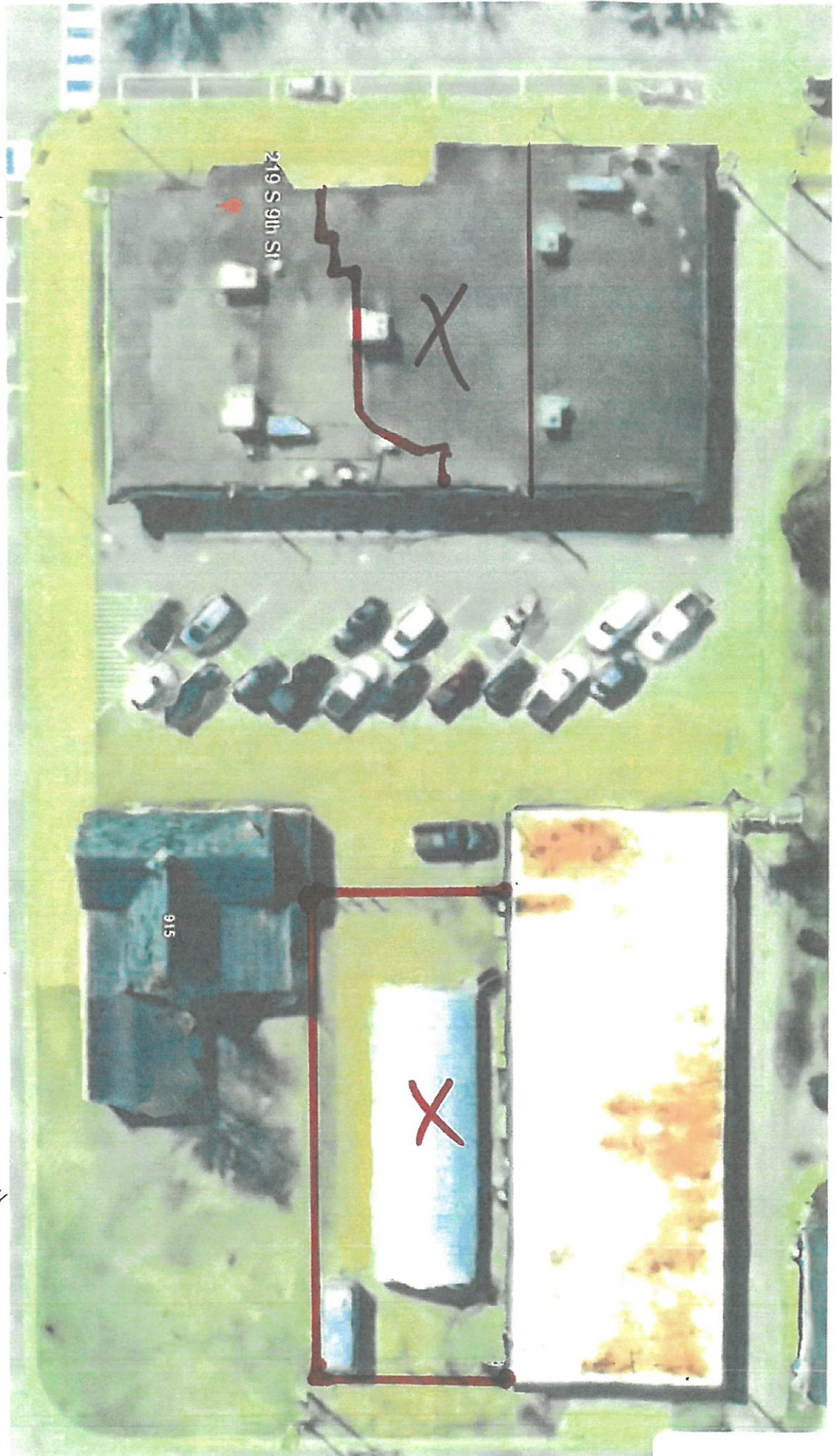
Interim Use Permit
Supporting Information

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

1. **Public Health/Safety/Welfare.** The *Planning Commission* and the *City Council* shall review each application for the purpose of determining that each proposed use meets the following criteria referenced in Section 515-5-3 and in addition, shall find adequate evidence that each use in its proposed location will address the following:
- (a) The proposed use conforms to the district and conditional use provisions and all general regulations of this Ordinance.
 - (b) The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.
 - (c) The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
 - (d) The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - (e) The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - (f) The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.
 - (g) The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.



OUTLINE OF
PORTION OF BUILDING
TO BE USED BY
KRAFT ROOTS



RAISE EXISTING
GREEN HOUSE
SECURITY FENCE
FROM 8' TO
10' AND INSTALL
PRIVACY SCREENING
AND LIVE CAMERA
SURVEILLANCE
SYSTEM
PER OCM

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Steven Zelinske has submitted a request on behalf of Yesterday's Gone for a Zoning Text Amendment to allow for cannabis microbusinesses to operate in an accessory greenhouse in the TC (Town Center) Zoning District, an Interim Use Permit Amendment to allow for the operation of a cannabis microbusiness in an existing accessory greenhouse in the TC District, and a Variance to allow for a fence height of 10' for the property across the alley from Yesterday's Gone that contains the restaurant's greenhouse and is described as:

*LOTS 3 & 4 BLOCK 37 TOWN OF BRAINERD & FIRST ADDITION TO BRA
P.I.N. 41241525
Section 24, Township 45, Range 31*

The property is zoned TC (Town Center). A copy of the site plan for the proposed greenhouse 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, September 17th, 2025 in the Council Chambers at Brainerd City Hall, 501 Laurel Street, to consider the Text Amendment, Interim Use Permit Amendment, and Variance requests.

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

Dated this 3rd day of September, 2025



James L. Kramvik
Community Development Director

Publication Date: September 6th, 2025

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: September 17th, 2025

RE: Consider Rezoning and Future Land Use Map Amendment from CN-2 to GC to Allow for Office/Retail Building – 3424 Oak St

REQUEST

PUBLIC HEARING. **Rezoning and Future Land Use Map Amendment** from CN-2 (Contemporary Neighborhood 2) Zoning District to GC (General Commercial) Zoning District – 3424 Oak Street

Joel Jacobson on behalf of Lifelong Learners LLC (Jacobson Excavating). Has applied for a Rezoning and Future Land Use Map amendment from CN-2 (Contemporary Neighborhood 2) Zoning District to GC (General Commercial) Zoning District to allow for the construction of an office/retail building on vacant property at 3424 Oak Street. The applicant also requested a Future Land Use amendment from Medium-High Density to Commercial.

CONTEXT

Parcel Number: 41290611

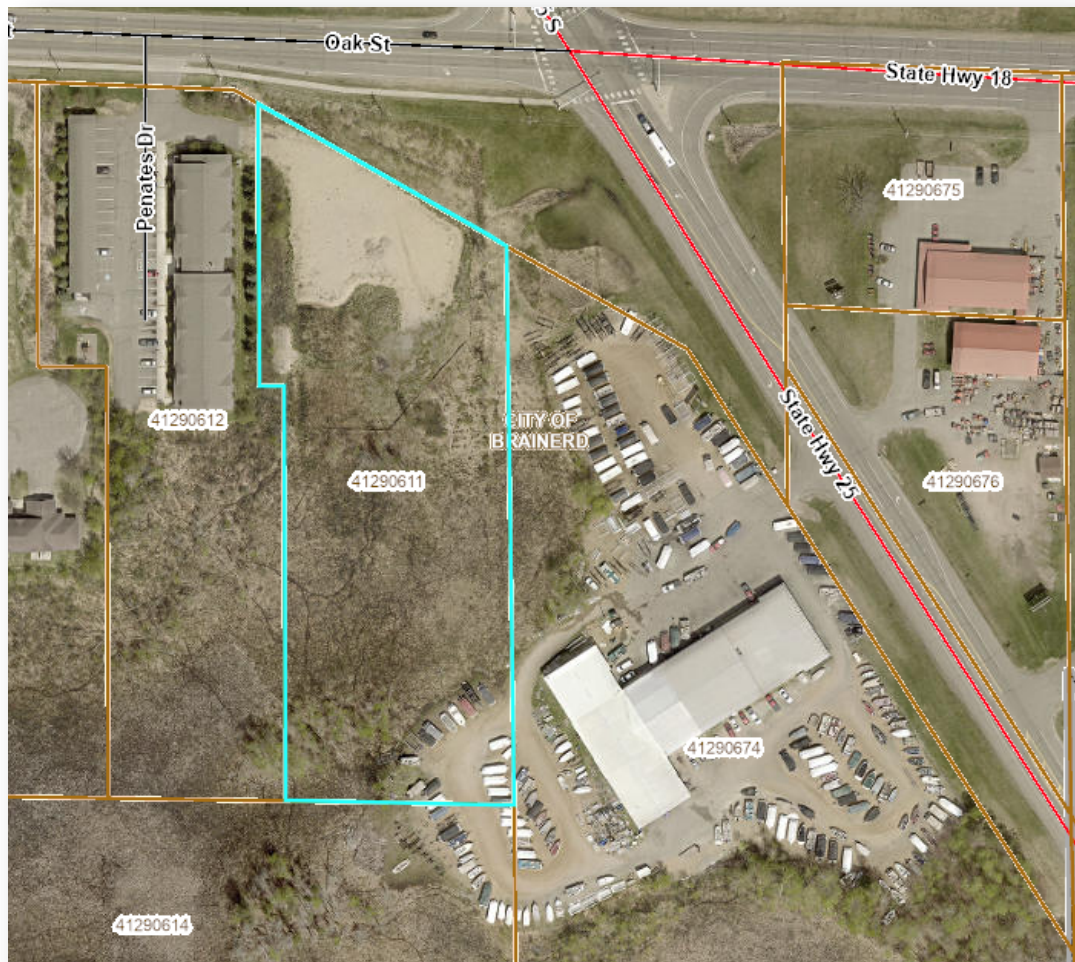
Zoning District: CN-2 (Contemporary Neighborhood 2)

Property Area: Approximately 3.5 acres

Adjacent Uses: North: Retail/ Motor Vehicle Fuel Sales
 East: Commercial Retail Business
 South: Vacant Property
 West: Multi-Family Apartment Building

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

AERIAL MAP



FINDINGS OF FACT

1. The property at 3424 Oak St Brainerd, MN 56401 is in the CN-2 (Contemporary Neighborhood 2) District. Zoning Ordinance [515-3 Allowed Uses. Appendix A: Table of Uses](#) shows the CN-2 district does not allow for office/retail building uses.
 - a. *The applicant is requesting a rezoning from CN-2 (Contemporary Neighborhood 2) to GC (General Commercial) District to allow for an office building for Jacobson Excavating to be constructed on the vacant property they own at 3424 Oak St.*
2. The property is currently designated for Medium-High Density in the [Comprehensive Plan's Future Land Use Map](#). The applicant is requesting that the property is designated Commercial in the Future Land Use Map to reflect the proposed zoning change.
 - a. The Land Use Map, along with related goals, policies and strategies serve as the Land Use Plan, which is a long-term guide for how development should occur in Brainerd and provides a framework for making decisions on development and allocation of public resources.

3. The City Council and the Planning Commission shall consider possible adverse effects of the proposed amendment. Their judgment shall be based upon (but not limited to) the following factors:
- a. The proposed action's consistency with the specific policies and provisions of the official City Comprehensive Plan.
 - i. Economic Development GOAL 1: Support infill and redevelopment throughout Brainerd as a strategic component of growth.
 - 1. Drive infill development and redevelopment towards areas where current infrastructure is present, or places where high levels of blight or disinvestment exists.
 - a. *The subject property is currently vacant and located along a major thoroughfare where existing infrastructure is present.*
 - b. The proposed uses are to be compatible with present and future land uses of the area.
 - i. *The applicant is proposing an amendment to the Future Land Use Map in the Comprehensive Plan to reflect the proposed zoning change to GC.*
 - ii. *The property is adjacent to other properties zoned GC.*
 - iii. *This property is located at the corner of Oak Street and Highway 25 and all other properties at this intersection are zoned GC.*
 - c. The proposed use's effect upon the area in which it is proposed.
 - i. *The proposed use will not have an adverse effect on the area as the surrounding uses are commercial.*
 - d. Traffic generation of the proposed use in relation to capabilities of streets serving the property.
 - i. *The office for Jacobson's excavating will not add significant traffic to the area. This location will not serve as their construction storage site. It will serve as a general office for the business and a building to meet clients.*
 - ii. *The City Engineer and MNDOT have reviewed the plans and have no concerns. The site will not require additional access to Oak Street. The proposed business will share access with the abutting apartment complex to the West as detailed in their existing easement agreement.*
 - iii. *The Fire Marshal required a turnaround on the property per State Fire Code and has preliminarily approved the plans.*
 - e. The proposed uses impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.
 - i. *The proposed use will not have an impact on existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.*

Approval of a proposed Zoning Map amendment which changes all or part of the existing classification of a zoning district from Residential to Commercial, Industrial, or Planned Unit Development that allows for commercial or industrial uses shall require a two-thirds (2/3) vote of the City Council.

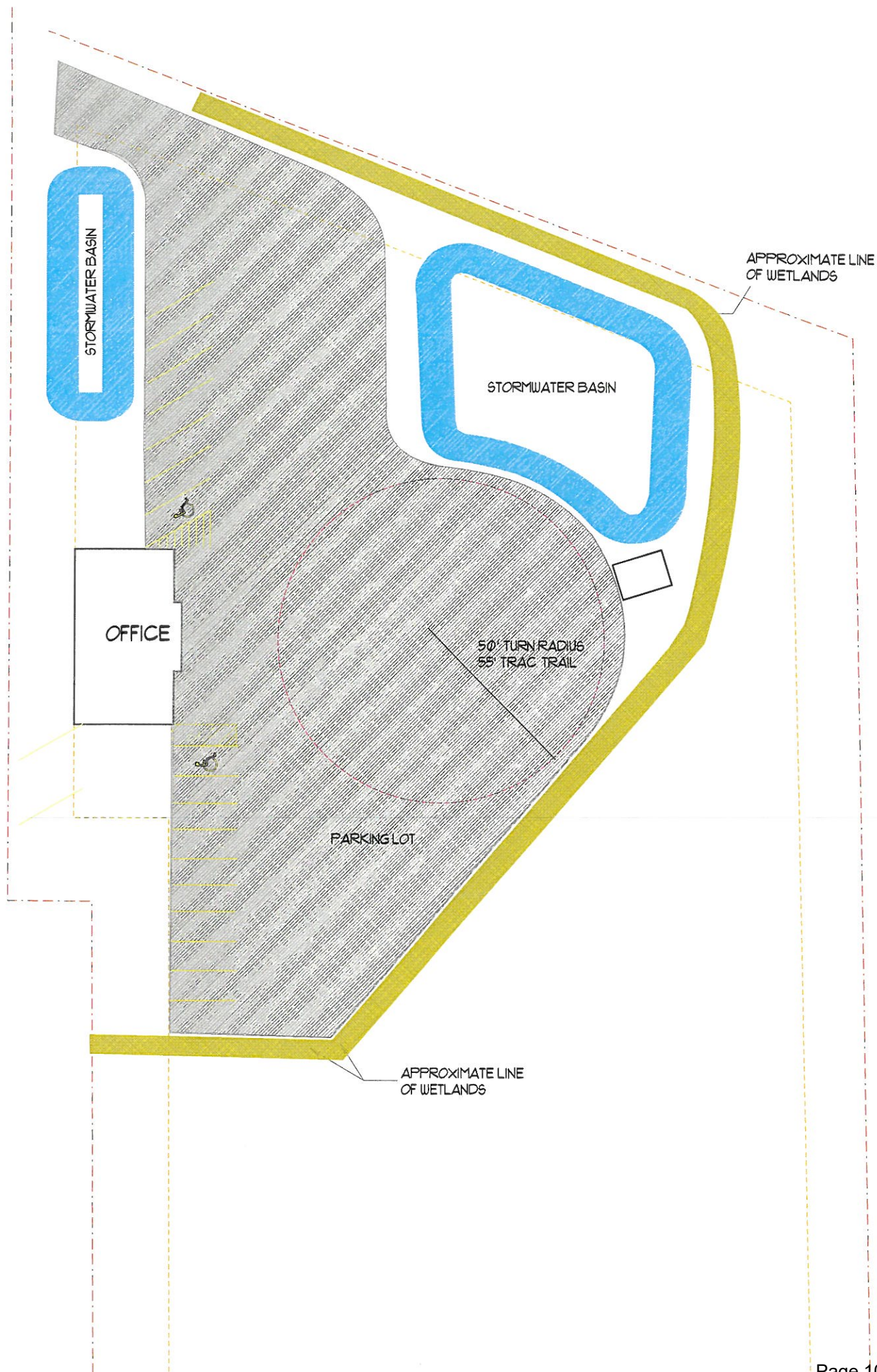
4. In addition to the above criteria, the City Council should consider the following criteria for a Future Land Use Amendment.
- a. Are there changed conditions that affect the development of the property, which supports the proposed amendment?
 - i. *The property was zoned for Commercial in the previous Zoning Map. The new Zoning Map, adopted in 2022, rezoned the property to CN-2.*
 - ii. *The property owner originally purchased the property in 2018 for the purposes of a contractor office with outdoor storage bins for the sale of bulk landscape materials. City Council approved a conditional use permit for the outdoor storage bins in 2020 which has since expired.*
 - iii. *The property was not developed as a contractor's office but was re-graded for future development.*
 - iv. *There have been no other changes to the site.*
 - b. Is there a mistake in the Future Lands Use Plan map?
 - i. *There is no mistake with the Future Land Use map. However, this property abuts both commercial and residential properties so uses could be either residential or commercial.*
 - ii. *The intersection of Oak Street and Highway 25 is surrounded by properties designated for Commercial in the Future Land Use Map with the exception of this property.*
 - c. Has there been a change in the community not anticipated when the Plan was adopted?
 - i. *There have not been changes in the community or in this area that would require this property to be commercial.*

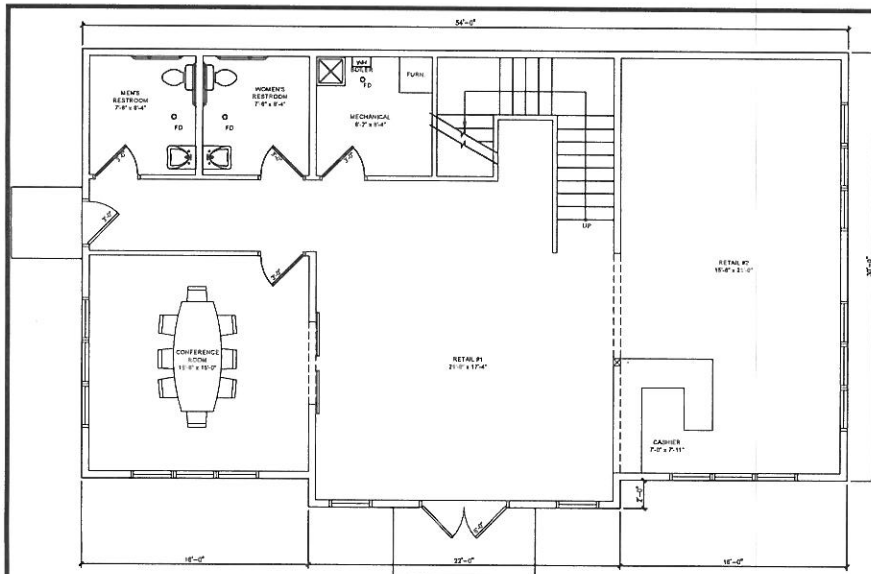
The City Council may, by resolution by a two-thirds vote of all of its members, adopt and amend the comprehensive plan or a portion of the plan.

As of this writing, no party has contacted the Community Development Department with concerns about the request.

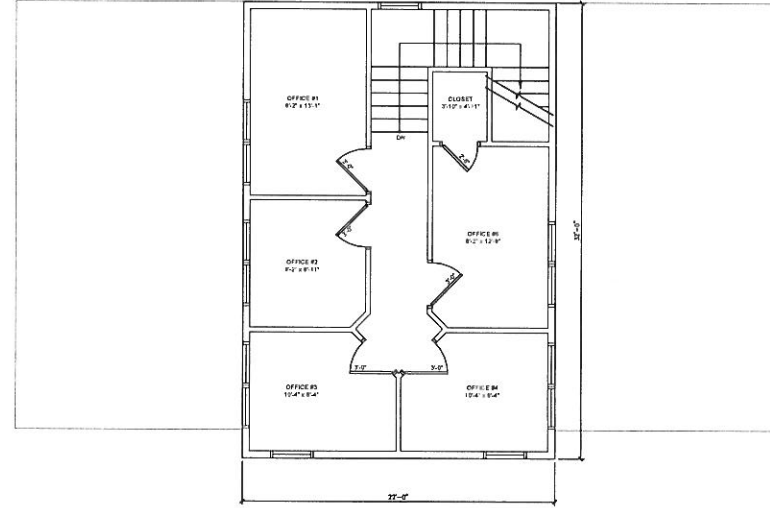
STAFF RECOMMENDATIONS

Staff recommend approval of the rezoning and future land use map amendment as presented.

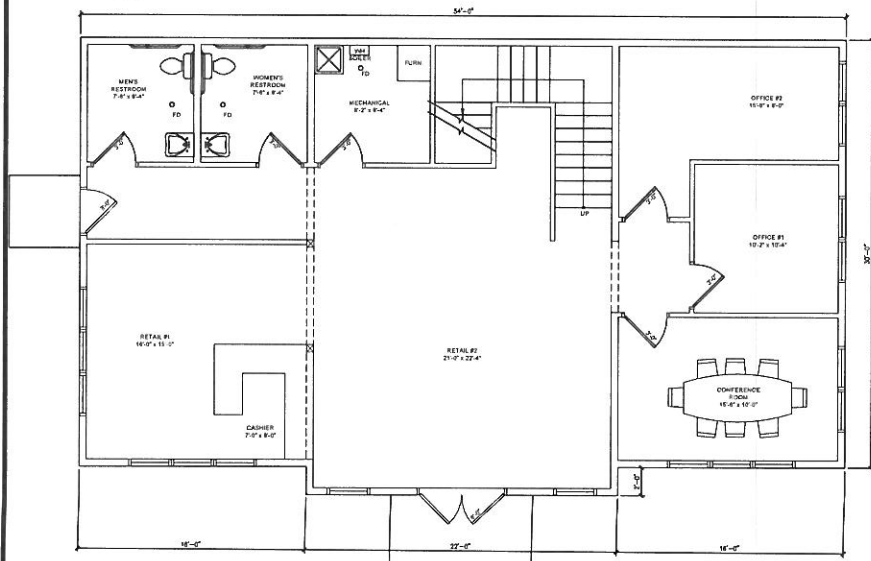




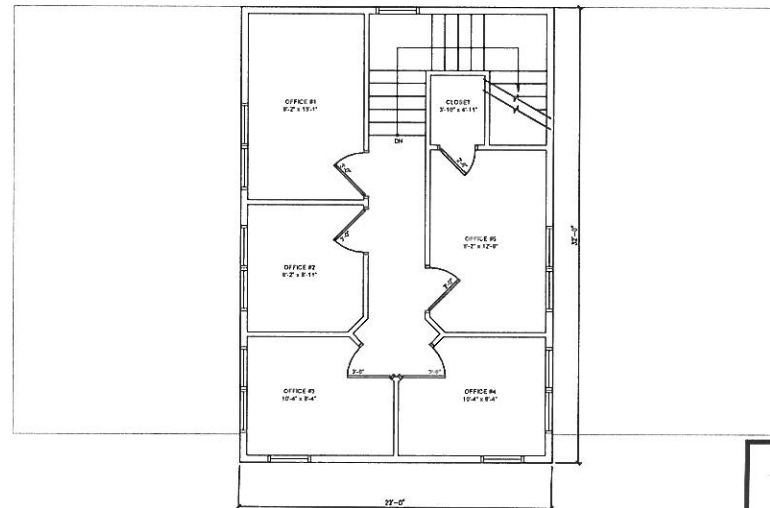
1 PRELIMINARY MAIN FLOOR PLAN - OPTION #1
1/4" = 1'-0" ON 24 X 36 PAPER



2 PRELIMINARY SECOND FLOOR PLAN - OPTION #1
1/4" = 1'-0" ON 24 X 36 PAPER



3 PRELIMINARY MAIN FLOOR PLAN - OPTION #2
1/4" = 1'-0" ON 24 X 36 PAPER



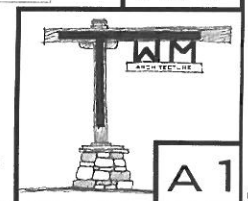
4 PRELIMINARY SECOND FLOOR PLAN - OPTION #2
1/4" = 1'-0" ON 24 X 36 PAPER

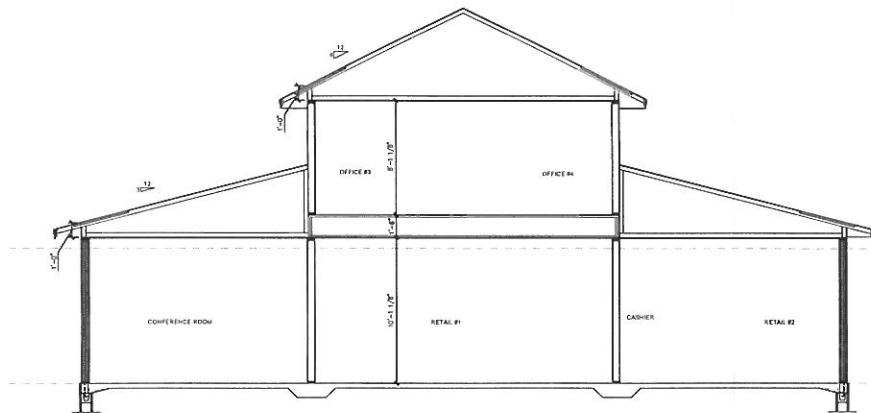
5-27-20

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

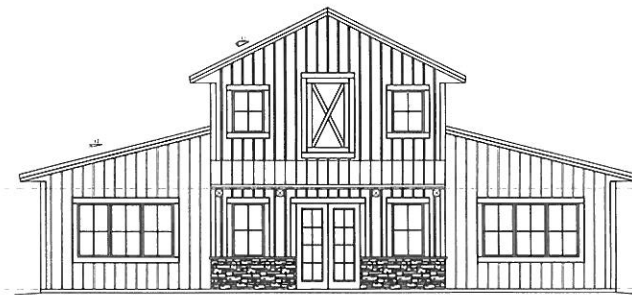
TRAVIS MILLER DATE: LIC. # 45743

JACOBSON EXCAVATING
OFFICE BUILDING
BRainerd, MN

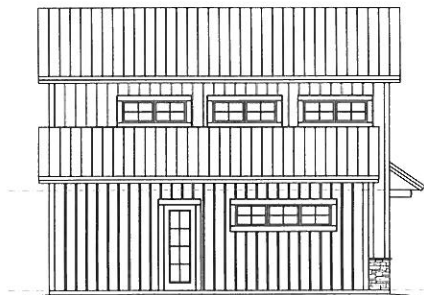




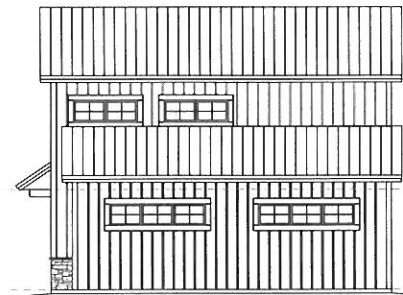
1 PRELIMINARY SECTION
1/4" = 1'-0" ON 24 X 36 PAPER



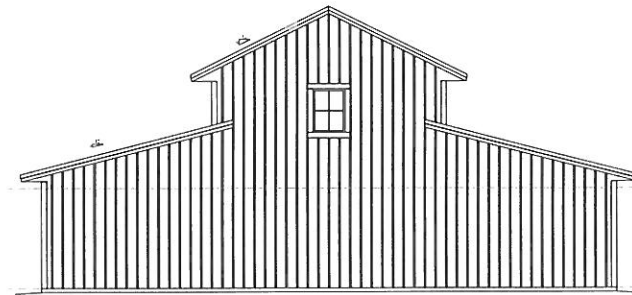
2 PRELIMINARY NORTHEAST ELEV.
3/16" = 1'-0" ON 24 X 36 PAPER



3 PRELIMINARY SOUTHEAST ELEV.
3/16" = 1'-0" ON 24 X 36 PAPER



4 PRELIMINARY NORTHWEST ELEV.
3/16" = 1'-0" ON 24 X 36 PAPER



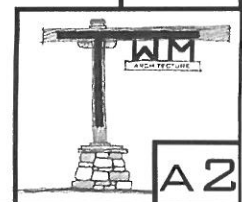
5 PRELIMINARY SOUTHWEST ELEV.
3/16" = 1'-0" ON 24 X 36 PAPER

5-27-20

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

TRAVIS MILLER DATE: LIC. # 45743

JACOBSON EXCAVATING
OFFICE BUILDING
BRainerd, MN



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**ORDINANCE
NO. 15XX**

**AN ORDINANCE AMENDING THE ZONING MAP OF
THE CITY OF BRAINERD AND SECTION 515-3 OF THE ZONING CODE**

WHEREAS, a public hearing was held by the Planning Commission as required by the Zoning Code, on September 17th, 2025

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

SECTION ONE: The Zoning Map of the City of Brainerd is hereby amended by changing the zoning designation of the property below from a CN-2 (Contemporary Neighborhood 2) District to a GC (General Commercial) District:

PIN 41290611
LOT 3 BLOCK 1 TOGETHER WITH AN ESMNT OF REC.
TIMBERLAND ADDITION

SECTION TWO: 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 – _____

**RESOLUTION
NO. xx:25**

RESOLUTION APPROVING COMPREHENSIVE PLAN/FUTURE LAND USE MAP AMENDMENT

BE IT RESOLVED by the City Council of the City of Brainerd, Crow Wing County, Minnesota as follows:

WHEREAS, the City of Brainerd approved a Comprehensive Plan (the Plan) in 2021, and

WHEREAS, the Plan included a Future Land Use Map (the Map) to guide Brainerd's growth and development, and

WHEREAS, the City Council has designated as one of the duties of the Planning commission to write and revise its Plan when it finds need to do so; and

WHEREAS, a parcel along Oak Street with PIN 41290611 and is legally described as LOT 3 BLOCK 1 TOGETHER WITH AN ESMNT OF REC. TIMBERLAND ADDITION (the Area) is identified as Medium-High Density in the Map, and

WHEREAS, the property owner requested an amendment to the Map for this Area to identify it as Commercial, and

WHEREAS, on September 17th, 2025, the Planning Commission conducted a Public Hearing to consider a Map amendment of the Area to Commercial and recommends to the City Council that the Map change should be approved based on the findings of fact.

NOW THEREFORE, BE IT HEREBY RESOLVED that the City Council has received the Planning Commission recommendation, reviewed the information associated with the change, and approves the change for the reasons cited in the findings of fact.

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

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Joel Jacobson on behalf of Lifelong Learners, LLC. has applied for a Rezoning and Future Land Use Map Amendment from CN-2 (Contemporary Neighborhood 2) Zoning District to GC (General Commercial) Zoning District to allow for the construction of an office/retail building on vacant property at 3424 Oak Street. The property is legally described as:

P.I.N. 41290611

Timberland Addition Lot 3 Block 1 Together with an Esmnt of Rec.

The application for the Rezoning and Future Land Use map amendment 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, September 17th, 2025 in the Council Chambers at Brainerd City Hall, 501 Laurel Street, to consider the Rezoning and Future Land Use Map Amendment requests.

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

Dated this 3rd day of September, 2025



James Kramvik,
Community Development Director

Publication Date: September 6th, 2025

September 12, 2025

Ms. Stephanie Bestul
City of Brainerd
Zoning Specialist, Permit Tech

RE: 3424 Oak St., Brainerd,
Rezoning Application

Dear Ms. Bestul:

Thank you for providing information to MnDOT District 3 regarding the potential rezoning of PID 41290611, which has adjacent right of way to MN 18 to General commercial for our review and comment. This request was shared with MnDOT District 3's Development Review Committee (DRC) on Tuesday September 9 for review, discussion and comments.

After reviewing the rezoning application MnDOT District 3 has the following comments:

- MnDOT District 3 currently has a project identified in our Capital Highway Improvement Plan (CHIP) to resurface MN 18 from MN 25 to Garrison with a proposed roundabout at the intersection of MN 18 and MN 25 which is currently planned for 2030. It is anticipated that splitter islands would be constructed on certain legs of the roundabout including the Oak St. leg in order to manage access and restrict turning movements in proximity to the proposed roundabout.
- The construction of splitter islands would likely extend far enough east on Oak St. to result in a right in, right out access at Panates Dr. which appears to serve Oak Heights Apartments and be the shared (easement) access for the subject parcel. This would require the future proposed retail development to exit onto Oak St. by taking a right out of the subject property and then, utilizing the proposed roundabout at MN 18 and MN 25 to select from a variety of turning movements.

Aside from making the City aware of the proposed roundabout at MN 18 and MN 25 and subsequent splitter islands resulting in right in right out turning movements at the shared (easement) access for the subject parcel and future proposed retail development, MnDOT District 3 has no additional comments at this time.

If you have any further questions or comments, please call me at (218)828.5830.

Sincerely,

Tad Erickson
Principal Planner

ecc: MnDOT District 3 Development Review Committee File

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: September 17th, 2025

RE: Review Shoreland Ordinance

INTRODUCTION

Upon review of the current regulations, the MN DNR wrote a letter to the City requiring an update to its Shoreland Management Regulations found in [City Code Section 530](#). The current shoreland ordinance was last revised in 2003. Cities are required to meet the minimum standards for shoreland regulations according to state statutes. In addition, the City updated its Zoning Code which caused irregularities in the Shoreland Management Regulations specifically pertaining to uses and zoning districts.

Staff have extensively researched shoreland regulations in other municipal code's and determined that Crow Wing County's regulations should serve as the model ordinance for Brainerd. Crow Wing County has an extensive number and variety of water bodies, and the current ordinance protects the water quality, allows greater use of the property for homeowners, and meets state statute requirements.

Staff have coordinated with our local DNR Hydrologist on the formation of a new shoreland ordinance. Staff are recommending that we repeal and replace the existing regulations found in City Code Section 530 and add the new regulations to the Zoning Code by forming the Shoreland Overlay District. The DNR has provided additional requirements and comments to staff and the Commission for consideration. In addition to the DNR requirements, staff will be working on the following updates:

- 1) Adding Shoreland PUD requirements to Section 515-5 Rules and Administration of the Zoning Code.
- 2) Creating a Use Table within the new Shoreland Overlay District Section.
- 3) Adding shoreland definitions to Section 515-6 Rules and Definitions of the Zoning Code.

PROPOSED SCHEDULE

September 17th – Planning Commission reviews preliminary shoreland regulations and provides high level comments to staff.

October 15th – Staff finalizing preliminary shoreland regulations and Planning Commission asks any detailed questions that they may have.

November 19th – City receives approval letter from the DNR that we meet the minimum requirements and the Planning Commission holds a public hearing.

Minnesota Department of Natural Resources - Ecological & Water Resources
1601 Minnesota Drive
Brainerd, MN 56401

Via Electronic Mail

September 11, 2025

James Kramvik
Community Development Director
501 Laurel Street
Brainerd, MN 56401

Re: Initial Review of City of Brainerd Proposed Shoreland Ordinance Amendments

Dear James:

Thank you for sending the City of Brainerd's proposed shoreland ordinance amendments to the DNR for review. We received the proposed draft revisions on 7/31/2025. A shoreland ordinance is an important land use regulatory tool that helps to protect surface water quality, near shore habitat, and shoreland aesthetics of Minnesota's public waters. This letter is the DNR's "initial review" letter. It is not yet a "conditional approval" letter. This means that while we have fully reviewed the proposed amended text provided to-date, we are not yet ready to provide any type of approvals yet without additional revisions made to the ordinance. The purpose of this letter is to provide both specific and broad feedback on the language within the proposed ordinance revisions and determine whether it is following state shoreland rules. As you may know, state rules require DNR approval of shoreland ordinances and amendments for those ordinances to be effective.

During our review, we evaluated the proposed amendments against state shoreland rules (MR 6120.2500 – 6120.3900). The shoreland model ordinance translates these rules into local ordinance language and is used for evaluating proposed ordinances and amendments.

Broad / general feedback:

Planned Unit Developments. MN Rule 6120.3800 states that local governments must incorporate, with approval of the (DNR) commissioner, provisions into shoreland management controls to allow (or not allow) planned unit developments. It is not clear within the draft Shoreland Overlay District whether or how planned unit development (whether residential or commercial) are allowed in the District and whether there are any minimum standards that comply with State Shoreland Rules. To meet minimum Shoreland Rules, draft language in the proposed District that provides clarity as to how and where planned unit developments are allowed and what the standards are.

Shoreland Overlay District and Allowed Uses. MN Rule 6120.3200 subp. 4 dictates the minimum allowable and prohibited uses within Shoreland areas. These uses must be reflected in local Shoreland Ordinances to ensure conformance with minimum Shoreland Rules. It is not clear within the draft Shoreland Overlay District whether or how certain specific uses are allowed and regulated under the City's Code and/or Ordinance. To meet minimum Shoreland Rules, language should be drafted within the proposed district that provides clarity as to which uses are permitted, allowed via Conditional Use Permit (CUP), or prohibited within the Overlay District. And, ensure the uses align with minimum Shoreland Rule allowance. For example, industrial uses are allowed within Shoreland areas, but not within the Shoreland of Natural Environment (NE) classified lakes. This kind of specificity needs to be clearly articulated within the proposed district to align with State Shoreland Rules.

Applicability with Mississippi Headwaters Regulations. Brainerd City Code 525 is the City of Brainerd's "Mississippi Headwaters Regulations". Ensure this section of Brainerd's City Code also meets minimum Shoreland Rules and that

it meshes with and does not conflict or create confusion when that same area also exists within the proposed Shoreland Overlay District.

City of Brainerd Zoning Map. The City of Brainerd's Zoning Map (last updated in 2022) is shown here: [Zoning-Map](#). We encourage the City of update the map with a graphical representation of where the proposed shoreland overlay district will be located to ensure consistent application of zoning district rules in the places where specific structures and uses are to occur.

Other comments. We (DNR) have attached to this letter a number of other comments to be addressed by the City in their continued revisions process. Some of those comments echo the guidance provided in one or more section written above in this letter. Please review each comment and address the comments in appropriate ways to ensure increased clarity and alignment with State Shoreland Rules.

Next Steps

Following are the steps for receiving a conditional and then final DNR approval for your amendments:

1. Continue to refine and revise the proposed ordinance amendments to address comments provided in the attached ordinance and within this letter, to meet minimum Shoreland Rules.
2. Provide a draft "final" copy to the MN DNR for formal review. After receiving, we (DNR) will issue a conditional approval letter.
3. Hold a formal public hearing to consider the ordinance amendments. The DNR's conditional approval is read and/or entered into the hearing record.
4. Revise the amendments based on the conditions listed in the conditional approval letter.
5. The county board adopts the amendments revised according to the listed conditions.
6. Email the completed Ordinance Processing Checklist (attached) and the documents identified on the checklist within 10 days of county board decision to:
 - a. DNR Area Hydrologist Jacob Frie at Jacob.frie@state.mn.us
 - b. ordinance.review.dnr@state.mn.us

We will review the amendments adopted by the county board for consistency with the above conditions.

If the adopted amendments are consistent with the conditions, we will send you a "final approval" letter. The ordinance will not be effective until the DNR provides final approval.

We appreciate the opportunity to work with you in revising the City of Brainerd's shoreland ordinance amendments. I will continue to be available to help the county administer the ordinance and to consult with you on other water-related projects and plans, and their implementation.

Sincerely,

Jacob Frie
Area Hydrologist
MN DNR – Division of Ecological and Water Resources

Attachments:

- 2025-08-07-BrainerdDraftSLOrd_DNRComments

cc:

Darrin Hoverson, DNR District Manager
Ordinance.review.dnr@state.mn.us

BRAINERD, MN
Chapter 515 ZONING

515-2-22 Shoreland Overlay (S)

- A. **Purpose of Shoreland Overlay District.** The purpose of the Shoreland Overlay Zoning District is to protect the quality of surface waters and preserve the natural characteristics of shoreland areas by regulating development along lakes and rivers. This includes managing lot sizes, building placement, and alterations to the shoreline to minimize environmental impact.
- B. **Jurisdiction.** The shore lands of the city are hereby designated as a shore land overlay district pursuant to the authorization contained in the Minnesota statutes chapter 103F; Minnesota regulations parts 6120.2500 through 6120.3900; and the planning and zoning enabling legislation in Minnesota statutes chapter 462. The provisions of this Ordinance shall apply to the shorelands of the public water bodies as classified in this Section G Table 515-2-22-1 of this Ordinance and to private water bodies greater than 10 acres in size. For the purposes of this ordinance, “public waters” includes private water bodies greater than 10 acres in size.
- C. **Compliance.** The use of any shoreland of public waters; the size and shape of lots; the use, size, type and location of structures on lots; the installation and maintenance of water supply and waste treatment systems, the grading and filling of any shoreland area; the cutting of shoreland vegetation; and the subdivision of land shall be in full compliance with the terms of this ordinance and other applicable regulations.
- D. **Interpretation.** In their interpretation based on the most current information available and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by State Statutes.
- E. **Severability.** If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall not be affected thereby.
- F. **Abrogation and Greater Restrictions.** It is not intended by this Ordinance to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance imposes greater restrictions, the provisions of this Ordinance shall prevail. All other Ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only and the stricter state guidelines shall apply.
- G. **Public Waters Classifications.**

Table 515-2-22.1. S Public Waters Classifications

Lakes		
A	General Development Lakes (list here and designate on official Zoning map)	Rice Lake: 18-145 Gilbert Lake: 18-320 1 unnamed lake: 18-537
B	Natural Environment (list here and designate on official zoning map)	Mud Lake: 18-321 - Sec 29 and 30 T1234N R28W Buffalo Lake: 18-152 - Sec 2 and 3 T44N R31W 1 unnamed lake: 18-535
Rivers and Streams		
D	Forested Rivers (list river names here and show boundaries of district on official zoning map)	Mississippi River: T45N R30W Sect 18,19 - T45N R31W Sect 24,25,35,36 - T133 R28W Sect 4,9 - T134 R28W Sect 34
E	Tributary Streams (list stream names here and show boundaries of district on official zoning map)	Little Buffalo Creek: T45N R31W Sect 35,36 - T45N R30W Sect 31 Tributary to Lt Buffalo Creek - T45N R30W Sect 31 - T44N R30W Sect 6 Gilbert Lake Creek - T134 R28W Sect 28
F	All protected watercourses in the City of Brainerd shown on the Protected Waters Inventory Map for Crow Wing County, a copy of which is hereby adopted by reference, not given a classification in this Section shall be considered "Tributary".	

BRAINERD, MN
Chapter 515 ZONING

H. **S Zoning District Dimensional Standards.** The following dimensional requirements shall apply to all shorelands of all public waters within the city.

Table 515-2-22.2. S Dimensional Standards – Density, Lot Size, Coverage and Height Standards

Lot Dimensions		Natural Environmental Lakes	Recreational Development Lakes	General Development Lakes	Forested Rivers	Tributary Streams
A	Lot Size - Unsewered (minimum)	80,000 SF – 160,000 SF (160,000+SF requires CUP)	40,000 SF - 80,000 SF (80,000+SF requires CUP)	20,000 SF - 40,000 SF (40,000+SF requires CUP)		
B	Lot Frontage on All Roads and Water Frontage - Unsewered (minimum)	200'	150'	100'	200'	100'
C	Lot Size - Sewered (minimum)	40,000 SF - 80,000 SF (80,000+SF requires CUP)	20,000 SF - 40,000 SF (40,000+SF requires CUP)	20,000 SF - 40,000 SF (40,000+SF requires CUP)		
D	Lot Frontage on All Roads and Water Frontage - Sewered (minimum)	125'	100'	100'	100'	100'
E	There are no minimum lot size requirements for rivers and streams.					
F	Dwelling units per acre requirements in the underlying zoning district shall not apply to the Shoreland Overlay District.					
Building Setback Standards						
G	Building setback from ordinary high- water mark (minimum)	150'	100'	75'	150'	100'
H	Front Yard Setback (minimum)	Dimensional standards regulated by underlying zoning district.				
I	Side Yard Setback (minimum)	Dimensional standards regulated by underlying zoning district.				
J	Rear Yard Setback (minimum)	Dimensional standards regulated by underlying zoning district.				
K	Accessory Building Location, detached	Behind principal building façade.				
Sewage System Setback Standards						
L	Sewage systems setback from ordinary high-water mark (minimum)	150'	75'	50'	100'	75'
Additional Structure Setbacks						
M	Top of Bluff (feet) (minimum)	30'				
N	Unplatted Cemetery (feet) (minimum)	50'				
O	Right-of-way line of federal, state, or county highway (feet) (minimum)	50'				
Other Standards						
P	Impervious Surface Coverage (maximum)	25%				
Q	Principal structure height (feet) (maximum)	35'				
R	Accessory structure height (maximum)	Up to 35' but may not exceed height of principal structure				

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I. Land Development Restrictions

1. **Placement of Structures on Lots.** When more than one setback applies to a site, structures and facilities must be located to meet all setbacks. Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered with a variance to conform to the adjoining setbacks from the ordinary high-water level, provided the proposed building site is not located in a shore impact zone or in a bluff impact zone.
2. **Bluff Impact Zones.** Structures and accessory facilities, except stairways and landings, may not be placed within bluff impact zones.
3. **Steep Slopes.** The Zoning Administrator must evaluate possible soil erosion impacts and development visibility from public waters before issuing a permit for construction of sewage treatment systems, roads, driveways, structures or other improvements on steep slopes. When determined necessary, conditions must be attached to issued permits to prevent erosion and to preserve existing vegetation screening of structures, vehicles, and other facilities as viewed from the surface of public waters, assuming summer, leaf-on vegetation.
4. **Setbacks and Screening for Uses Without Water-Oriented Needs.** Non-residential uses without water-oriented needs must be located on lots or parcels without public waters frontage or, if located on lots or parcels with public waters frontage, must either be set back twice the normal ordinary high-water level setback or be substantially screened from view from the water by vegetation or topography, assuming summer, leaf-on conditions.
5. **High Water Elevations.** Structures must be placed in high water elevations in accord with the floodplain regulations. Water-oriented accessory structures may have the lowest floor placed lower than the elevation determined in this item if: 1) the structure is constructed of flood-resistant materials to the elevation; 2) electrical and mechanical equipment is placed above the elevation; and 3) if long duration flooding is anticipated, the structure is built to withstand ice action and wind-driven waves and debris.
6. **Significant Historic Sites.** No structure may be placed on a significant historic site, as identified by the Minnesota Historical Society, in a manner that affects the value of the site unless adequate information about the site has been removed and documented in a public repository.

J. Use Standards

1. **Permitted Uses:** The base zoning district shall regulate uses in the shoreland overlay district as identified in Appendix A: Table of Uses.
 - a. The following uses shall be considered conditional uses in the shoreland overlay district if it is identified as a permitted use in the base zoning district.
 - i. Auto dealerships
 - ii. Commercial car washes as a principle or accessory use
 - iii. Commercial greenhouses as a principle or accessory use
 - iv. Motor vehicle fuel sales
 - v. Automobile and truck repair
 - vi. Construction equipment sales and repair
 - vii. Sales and distribution of propane, acetylene, helium, CO2 and similar tanks
 - viii. Small engine and boat repair
 - ix. Truck and semi-tractor/trailer sales and repair

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- x. Truck terminals
- 2. **Allowed Uses:** All permitted uses, conditional uses, interim uses, and accessory uses allowed and regulated by the applicable zoning district underlying this shore land overlay district as indicated on the official zoning district map.
- 3. **Standards for Water-Oriented Commercial, Industrial, Public and Semi-Public Uses.** Surface water-oriented commercial, industrial, public and semi-public uses with similar needs to have access to and use of public waters may be located on parcels or lots with frontage on public waters. Those uses with water-oriented needs must meet the following standards:
 - a. In addition to meeting impervious coverage limits, setbacks and other zoning standards in this Code, the uses must be designed to incorporate topographic and vegetative screening of parking areas and structures.
 - b. Uses that require short-term watercraft mooring for patrons must centralize these facilities, design them to avoid obstructions of navigation, and to be the minimum size necessary to meet the need.
 - c. Uses that depend on patrons arriving by watercraft may use signs and lighting to convey needed information to the public, subject to the following general standards:
 - i. No advertising signs or supporting facilities for signs may be placed in or upon public waters. Signs conveying information or safety messages may be placed in or on public waters by a public authority or under a permit issued by the County Sheriff.
 - ii. Signs may be placed, when necessary, within the shore impact zone if they are designed and sized to be the minimum necessary to convey needed information. The signs must only convey the location and name of the establishment and the general types of goods or services available. The signs must not contain other detailed information, such as product brands and prices, must not be located higher than ten (10) feet above the ground, and must not exceed thirty-two (32) square feet in size. If illuminated by artificial lights, the lights must be shielded or directed to prevent illumination out across public waters.
 - d. Outside lighting may be located within the shore impact zone or over public waters if it is used primarily to illuminate potential safety hazards and is shielded or otherwise directed to prevent direct illumination out across public waters. This does not preclude use of navigational lights.
 - e. Industrial uses require a conditional use permit.
- 4. **Standards for Non-Water-Oriented Commercial, Industrial, Public and Semi-Public Uses.** Non-residential uses without water-oriented needs must be located on lots or parcels without public waters frontage or, if located on lots or parcels with public waters frontage, must either be set back twice the normal ordinary high-water level setback or be substantially screened from view from the water by vegetation or topography, assuming summer, leaf-on conditions.
- 5. **Residential Uses**
 - a. Lots intended as private controlled accesses to public waters, or as recreation areas for use by owners of non-riparian lots within subdivisions, are prohibited.
- 6. **Agricultural Use Standards**
 - a. The shore impact zone for parcels with permitted agricultural land uses is equal to a line parallel to and 50 feet from the ordinary high-water level.
 - b. General cultivation farming, grazing, nurseries, horticulture, truck farming, sod farming, and wild crop harvesting are permitted uses if steep slopes and shore and bluff impact zones are maintained in permanent vegetation or operated under an approved conservation plan (Resource Management Systems) consistent with the field office technical guides of the local soil and water conservation districts or the United States National Resource Conservation Service.

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7. Forest Management Standards

- a. The harvesting of timber and associated reforestation must be conducted consistent with the provisions of the Minnesota Non-point Source Pollution Assessment-Forestry and the provisions of the Water Quality in Forest Management “Best Management Practices in Minnesota”.

8. Extractive Use Standards

- a. Extractive uses require a conditional use permit.
- b. Site Development and Restoration Plan. An extractive use site development and restoration plan must be developed, approved, and followed over the course of operation of the site. The plan must address dust, noise, possible pollutant discharges, hours and duration of operation, and anticipated vegetation and topographic alterations. It must also identify actions to be taken during operation to mitigate adverse environmental impacts, particularly erosion, and must clearly explain how the site will be rehabilitated after extractive activities end.
- c. Setbacks for Processing Machinery. Processing machinery must be located consistent with setback standards for structures from ordinary high-water levels of public waters and from bluffs.

9. Mining of Metallic Minerals

- a. Mining of metallic minerals, as defined in Minnesota Statutes, sections 93.44 to 93.51, shall be a conditional use provided the provisions of Minnesota Statutes, sections 93.44 to 93.51, are satisfied.

K. Shoreland Alterations

1. **Decks.** Construction of new decks shall require a shoreland alteration permit, building permit, and comply with the following standards:
 - a. Decks adjacent to dwellings shall meet structure setbacks in Table 515-2-22.1 of this Section.
 - b. A 4-foot walkway located beyond the minimum required setback required for dwellings, or within said setback when attached or immediately adjacent to a building, constructed for the purpose of providing access to an entrance door on a dwelling, may be added without a shoreland alterations permit and without regard to its setback to the ordinary high-water level, but may need a building permit.
 - c. Decks should be constructed as to be pervious, allowing water to reach a pervious surface below the deck. Decks not meeting this requirement shall be considered impervious surfaces.
2. **Patios.** Patios placed within the structure setback require a shoreland alteration permit and shall comply with the following standards:
 - a. Not be located in shore impact zone 1 except as a water-oriented accessory structure according to this Section;
 - b. Be free standing;
 - c. Have no railings;
 - d. Be a maximum of 250 square feet in size. Up to 400 square feet in size is allowed with an approved and implemented Stormwater Management Plan approved by the City Engineer;
 - e. The combined footprint of patios, swimming pools and hot tubs in shore impact zone 2 may not exceed 400 square feet;
 - f. Not be more than one foot above natural ground level.
3. **Stairways, Walkways, Lifts and Landings.** Stairways, walkways, lifts, and landings for public water access shall require shoreland alteration permits and comply with the following standards:
 - a. Preferred to topographic changes. Stairways, walkways, and lifts are the preferred alternative to major topographic alterations for achieving access up and down bluffs and steep slopes to shore areas.

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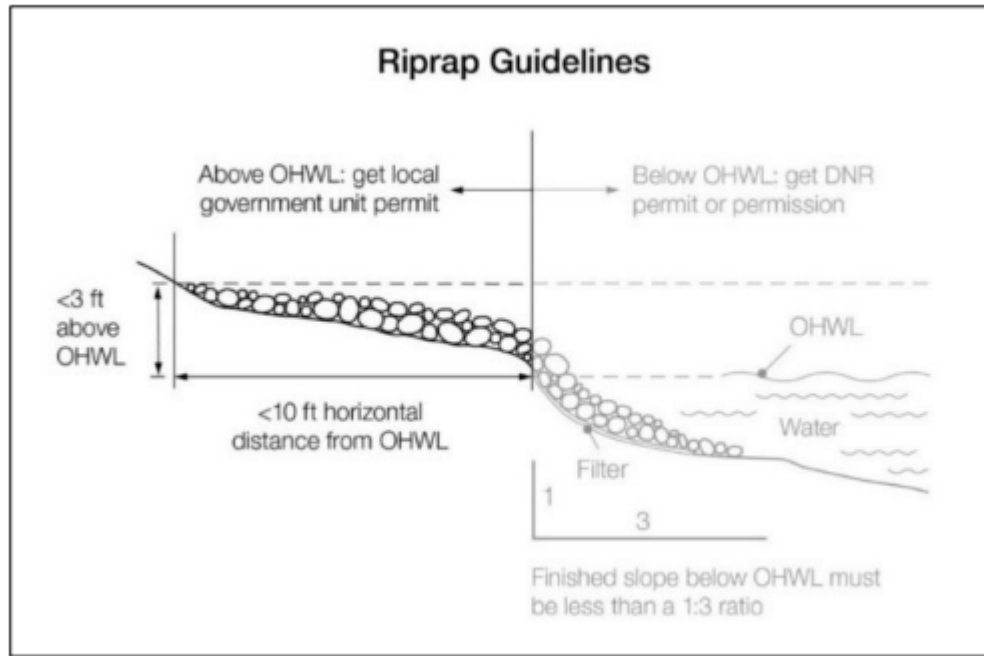
- b. Only one stairway or walkway shall be allowed within a shore or bluff impact zone. The combination of stairways and walkways to traverse a shore or bluff impact zone shall be allowed, provided they are constructed in a continuous manner without diverting in different directions. A parcel may contain one lift in addition to any allowed stairway/walkway. Within SIZ 1, both the lift and the walkway/stairway must be located within the allowable cleared vegetation standards of this Section.
 - c. Maximum width. Stairways and lifts shall not exceed four feet in width on residential lots. Up to eight-foot-wide stairways may be permitted on water-oriented commercial lots.
 - d. The maximum impervious surface limits for the lot shall not be exceeded.
 - e. Landings. Landings for stairways and lifts on residential lots must not exceed 32 square feet in area and be integral to the function of the stairway and not constitute a deck. Landings for stairways and lifts on water-oriented commercial lots must not exceed 64 square feet in area and be integral to the function of the stairway and not constitute a deck.
 - f. Canopies or roofs are not allowed on stairways, lifts, or landings.
 - g. Stairways, lifts, and landings may be either constructed above the ground on posts or pilings or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion.
 - h. Facilities such as ramps or mobility paths for handicapped access to shoreline areas may be allowed, provided that:
 - i. The department determines that there is no other reasonable way to achieve access; and
 - ii. The dimensional and performance standards of this section are met; and
 - iii. The requirements of Minnesota Rules, Chapters 1307 and 134 are met.
4. **Accessory Structures.**
- a. The placement and total cumulative area that all accessory structures may occupy on a lot shall be subject shall be regulated by the applicable zoning district underlying this shoreland overlay district.
 - b. Accessory structures without water-oriented needs must be located on lots or parcels without public waters frontage, or, if located on lots or parcels with public waters frontage, must meet primary structure setbacks from the ordinary high-water level and all other setback requirements of this Code.
 - c. Private swimming pools located above or below the ground and hot tubs located above or below the ground shall require a permit as an accessory structure and must meet all applicable setbacks. Private swimming pools and hot tubs located in the ground are prohibited in shore impact zone 1 but shall be allowed in shore impact zone 2 and the rear lot zone. The combined footprint of patios, swimming pools and hot tubs in shore impact zone 2 may not exceed 400 square feet.
 - d. New boathouses and boat storage structures that do not meet the setback requirements of this Code are prohibited.
 - e. Existing boathouses and boat storage structures may be repaired or replaced pursuant to Minn. Stat. §394.36, subd. 4.
5. **Water-Oriented Accessory Structures.** One water-oriented accessory structure that does not meet the structure setbacks in Table 515-2-22.2 of this Code may be placed with a shoreland alterations permit on a water-oriented residential or commercial lot provided the following standards are met:
- a. For riparian commercial properties the structure or facility shall not exceed 15 feet in height and cannot occupy an area greater than 200 square feet;
 - b. For riparian residential properties the structure or facility shall not exceed 12 feet in height and cannot occupy an area greater than 120 square feet;
 - c. The minimum setback of the structure or facility from the OHWL level shall be 20 feet;

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- d. The structure or facility is treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, assuming summer, leaf-on conditions;
 - e. The structure shall not be used for human habitation;
 - f. The structure shall not include bathroom facilities.
 - g. The structure shall not be located within a bluff impact zone;
6. **Retaining Walls**
- a. A retaining wall may be installed with a shoreland alteration permit in shore impact zones 1 or 2 provided the following standards are met:
 - i. The City Engineer determines that there is no other alternative to control erosion.
 - ii. No tier of the retaining wall shall exceed four feet in height without a plan signed by a Minnesota licensed professional engineer.
 - iii. A retaining wall is not required to meet a side yard setback provided it does not adversely affect adjoining property.
 - b. A retaining wall may be installed without a permit behind the structure setback provided that:
 - i. It does not significantly alter the character of the property or does not create runoff or erosion problems.
 - ii. A retaining wall is not required to meet a side yard setback provided it does not adversely affect adjoining property.
7. **Shoreline Recreation Use Areas.** Intensive vegetation clearing for the purpose of creating a new shoreline recreation use area within shore impact zone 1 is allowed with an approved shoreland alteration permit. The dimensions of a shoreline recreation use area shall be determined as follows:
- a. Only one shoreline recreation use area is allowed on each lot and the recreation use area must not exceed 30% of the total lot width and 25 feet landward from the ordinary high-water level in depth. The maximum width of a shoreline recreation use area created under this Article shall not exceed 60 feet.
 - b. Invasive species removal or the removal of trees or branches that pose a safety hazard or are diseased is allowed;
 - c. Vegetation must be maintained to screen structures with trees and shrubs so that the structures are substantially screened from view during summer, leaf-on conditions;
 - d. Sand Blankets pursuant to this Code shall be located in the shoreline recreation use area;
 - e. Stairways, lifts and landings pursuant to this Code shall terminate or be adjacent to the shoreline recreation use area;
 - f. Permitted paths pursuant to this Code shall terminate or be adjacent to the shoreline recreation use area.
8. **Rip-Rap.** Placement of natural rock riprap, including the necessary grading of the shoreline and placement of a filter blanket, shall require a shoreland alteration permit and comply with the following standards:
- a. Only natural rock (cannot average less than 6 inches or more than 30 inches in diameter) may be used that is free of debris that may cause pollution or siltation. Concrete is not allowed;
 - b. A filter of crushed rock, gravel, or filter fabric material must be placed underneath the rock;

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- c. The minimum finished slope waterward of the OHWL must be no steeper than 3 to 1 (horizontal to vertical);
- d. The riprapped area must be no more than 200 linear feet of shoreline along lakes and wetlands or, along shorelines of streams, must be less than five times the average width of the affected watercourse;
- e. The landward extent of the riprap must be within ten feet of the ordinary high-water level;
- f. The height of the riprap above the ordinary high-water level shall not exceed three feet (see figure below);



- g. The installation of riprap must not be located in wetlands.
 - h. The installation of riprap must not result in a violation of this Code (dirt moving, historic ice ridges, vegetation alterations, recreation use areas, bluff and steep slope standards, etc.), or any other Shoreland District performance standard.
 - i. The installation of riprap is subject to the requirements of, and/or permitting by, the Minnesota Department of Natural Resources (DNR).
 - j. Riprap shall only be allowed when erosion is evident.
- 9. Boardwalks and Bridges.**
- a. Boardwalks over non-public waters are permitted in SIZ1, SIZ2, and RLZ with an approved shoreland alteration permit.
 - b. Boardwalks located in shoreland or non-shoreland areas are the preferred method of accessing public waters across riparian wetlands. Boardwalks constructed on posts or pilings (temporary or permanent) shall not be considered fill pursuant to MN Rules 8420.0111 Subpart 26. Boardwalks may incorporate railings and shall comply with the following standards:
 - i. Be constructed perpendicular to the shoreline to the greatest extent possible;
 - ii. Not have a canopy, roof, or be enclosed;
 - iii. Not extend into adjoining riparian use areas;

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- iv. Meet property line setbacks;
- v. Be no wider than 6 feet;
- vi. Structure supports, other than posts or pilings, shall be constructed above the wetland surface and decking shall be constructed a minimum of 12" above the wetland surface;
- vii. Comply with MN Rules 6115.0210 for docks and access below the OHWL ; and
- viii. Comply with the Floodplain Overlay District.

10. Dirt Moving

- a. The standards in this Section shall apply to all dirt moving activities within the Shoreland District. Except as specified below, dirt moving activities shall require permits and may require a site plan, scope of work, and additional supporting documents including, but not limited to, surveys, wetland delineation reports, engineered grading plans with profile view, engineered drainage plans including erosion and sediment control and stormwater management plans.
- b. The following activities shall not require a shoreland alteration permit but must meet the provisions of this Article.
 - i. **Dirt moving associated with construction of structures.** Grading, filling, or excavations necessary for construction of structures or septic systems, if part of an approved permit, shall not require a separate shoreland alteration permit.
 - ii. **Small landscaping projects.** Placement of up to 10 cubic yards of soil for the creation of a lawn or yard as long as the fill / dirt moving is not located within a bluff impact zone or shore impact zone 1.
 - iii. **Private roads or driveways.** The construction of a driveway, access road, or parking area provided that they:
 - a. Meet the structure setback from the ordinary high-water level from public waters.
 - b. Are properly screened from public waters.
 - iv. **Approved agricultural road.** Agricultural roads for machinery, livestock crossings, or shoreline stabilization on agricultural land with a stabilization plan approved by the Engineering Department.
 - v. **Approved agricultural improvements.** The construction of livestock watering ponds, agricultural manure treatment facilities and conservation projects approved by the Natural Resource Conservation Service (NRCS), Soil and Water Conservation District (SWCD) and / or other regulatory agencies, only in the RLZ.
 - vi. **Wetland Replacement Plan.** A shoreland alteration permit is not required if a wetland replacement plan, exemption, or no-loss has been approved pursuant to Minnesota Rules Chapter 8420.
 - vii. **Normal Agricultural Practices.** To include but not be limited to tillage, planting, harvesting, fencing and proper disposal of animal mortalities pursuant to all state and federal agricultural regulations.
 - viii. **Existing Sand Blankets / Beaches.** A shoreland alteration permit shall not be required to place 10 cubic yards of sand annually on an existing sand blanket / beach on residential parcels located in the shoreland district. A shoreland alteration permit shall be required for new sand blankets or expansions to existing sand blankets and shall be subject to this Code.

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- c. **Standards for Grading and Filling. Activities in the Shore Impact Zone 1 (SIZ1)** Dirt moving activities in shore impact zone 1 shall require shoreland alteration permits and meet the following standards unless the activity is exempt in this Code:
- i. **Sand Blanket**
- a. The maximum dimensions shall not exceed 30 percent of the total lot width by 25 feet landward from the OHWL and shall be located within the shoreline recreation use area. The maximum width of a sand blanket created under this Article shall not exceed 200 feet. A sand blanket may also be located in shore impact zone 2 and the rear lot zone.
- b. The slope of the area to be covered by the sand blanket shall be less than 10 percent. The sand shall be clean with minimal amounts of organic materials.
- c. Sand blankets shall be limited to 10 cubic yards annually with a shoreland alteration permit.
- ii. **Upland Fill.**
- a. For residential properties in the shoreland district the following standards shall apply:
- i. A maximum of 30 cubic yards of dirt moving may be permitted.
- b. For commercial and industrial properties in the shoreland district the following standards shall apply:
- i. General Development Lakes: 30 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width.
- ii. Recreational Development Lakes: 30 cubic yards of dirt moving may be permitted for each 150 feet of shoreline width.
- iii. Natural Environment Lakes: 30 cubic yards of dirt moving may be permitted for each 200 feet of shoreline width.
- iv. Natural Environment – Special Shallow Lakes: 30 cubic yards of dirt moving may be permitted for each 250 feet of shoreline width.
- v. Forested Rivers: 30 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width.
- vi. Tributary Streams: 30 cubic yards of dirt moving may be permitted for each 200 feet of shoreline width.
- vii. Total cubic yards of dirt moving in SIZ1 includes that placed as a sand blanket, if applicable.
- viii. Applications for all properties to move larger quantities of dirt for all public water classifications in SIZ1 shall be processed as conditional uses.
- c. **Wetland Fill.** No wetland fill shall be allowed in SIZ 1 except as allowed under MN Rules Chapter 8420.0420 Subpart 8 A (1) d.

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- iii. **Annual ice ridges.** Annual ice ridges may be regraded to their original shoreline contour without a shoreland alteration permit provided that the work is completed in the year in which the annual ice ridge occurred. Any such regrading shall meet the following standards:
 - a. There shall be no topsoil or vegetative matter deposited in the lake.
 - b. Any dirt moving from re-grading the annual ice ridge that is used on the remainder of the property shall require a shoreland alteration permit.
 - c. Depositing any sand below the OHWL is subject to DNR public waters permit rules.
 - d. Temporary erosion and sediment control best management practices shall be implemented.
- iv. **Historic Ice Ridges.** On those ice ridges with well-established vegetative cover, alterations for lake access shall require a shoreland alteration permit and comply with the following standards:
 - a. One alteration site is allowed per conforming residential lot, single nonconforming lot of record, or per group of contiguous nonconforming lots in the same ownership.
 - b. On residential lots, the bottom width shall not exceed 15 feet, with side slopes no steeper than 2:1 at each end.
 - c. On waterfront commercial lots, the maximum bottom width shall be 25 feet with 2:1 side slopes at each end.
 - d. Berms of not less than 12 inches above grade level or diversions not less than 12 inches below grade level shall be placed landward of all ice ridge alterations to prevent erosion from upland runoff.
 - e. A stormwater management plan must be approved by the City Engineer prior to any dirt moving.
 - f. All disturbed material shall be graded landward or removed from the site.
 - g. Any alteration below the OHWL may require approval from the Department of Natural Resources and / or U.S. Army Corps of Engineers.
- d. **Upland Fill in the Shore Impact Zone 2 (SIZ2).** Dirt moving activities in shore impact zone 2 shall require shoreland alteration permits and meet the following standards unless the activity is exempt in this Code:
 - i. For residential properties in the shoreland district the following standards shall apply:
 - a. A maximum of 50 cubic yards of dirt moving may be permitted. Applications to move larger quantities shall be processed as conditional uses.
 - ii. For commercial and industrial properties in the shoreland district the following standards shall apply:
 - a. General Development Lakes: 50 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width.
 - b. Recreational Development Lakes: 50 cubic yards of dirt moving may be permitted for each 150 feet of shoreline width.

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- c. Natural Environment Lakes: 50 cubic yards of dirt moving may be permitted for each 200 feet of shoreline width.
 - d. Natural Environment – Special Shallow Lakes: 50 cubic yards of dirt moving may be permitted for each 250 feet of shoreline width.
 - e. Forested Rivers: 50 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width.
 - f. Tributary Streams: 50 cubic yards of dirt moving may be permitted for each 200 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
 - g. Total cubic yards of dirt moving in SIZ2 includes that placed as a sand blanket, if applicable.
 - h. Applications for all properties to move larger quantities of dirt for all public water classifications in SIZ2 shall be processed as conditional uses.
 - iii. **Wetland Fill.** No wetland fill shall be allowed in SIZ 2 except as allowed under MN Rules Chapter 8420.0420 Subpart 8 A (1) d.
- e. **Upland Fill in the Rear Lot Zone (RLZ).** Dirt moving activities in the rear lot zone shall require shoreland alteration permits and meet the following standards and meet the following standards unless the activity is exempt in this Code:
 - i. For residential properties in the shoreland district: A maximum of 100 cubic yards of dirt moving may be permitted per calendar year.
 - ii. For commercial and industrial properties in the shoreland district the following standards shall apply:
 - a. General Development Lakes: 100 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width.
 - b. Recreational Development Lakes: 100 cubic yards of dirt moving may be permitted for each 150 feet of shoreline width.
 - c. Natural Environment Lakes: 100 cubic yards of dirt moving may be permitted for each 200 feet of shoreline width.
 - d. Natural Environment – Special Shallow Lakes: 100 cubic yards of dirt moving may be permitted for each 250 feet of shoreline width.
 - e. Forested Rivers: 100 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width.
 - f. Tributary Streams: 100 cubic yards of dirt moving may be permitted for each 200 feet of shoreline width.
 - g. Total cubic yards of dirt moving in RLZ includes that placed as a sand blanket, if applicable.
 - h. Applications for all properties to move larger quantities of dirt for all public water classifications in RLZ shall be processed as conditional uses.
- iii. **Wetland Fill.** No wetland fill shall be allowed in RLZ except as allowed under MN Rules Chapter 8420.0420 Subpart 8 A (1) d.

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- f. **General Dirt Moving Standards.** All dirt moving activities shall comply with the following standards.
- i. No more than one dirt moving permit shall be allowed on the same property in any three-year period. This limitation shall apply to each of the SIZ1, SIZ2 and RLZ areas separately.
 - ii. Soil used as fill shall be free of state-regulated contaminants.
 - iii. Exposure of bare ground. Dirt moving must be designed to ensure that the smallest amount of bare ground is exposed for the shortest period of time.
 - iv. Erosion and sediment control best management practices as required by the Department shall be used during and immediately after construction.
 - v. Permanent vegetative coverage shall be established within 21 days of the completion of construction, or when vegetation establishment is not possible, other protective measures such as erosion control fabric or mulch blankets shall be installed until permanent vegetation can be established.
 - vi. Dirt moving in a bluff impact zone is prohibited, except for the placement of stairways, lifts, or landings permitted under this Code.
 - vii. Steep slope stabilization. Dirt moving on steep slopes may be permitted with a stormwater and erosion control plan approved by the City Engineer.
11. **Removal of Natural Vegetation.** Vegetation alteration necessary for the construction of structures and sewage treatment systems and the construction of roads and parking areas regulated by this Code are exempt from the vegetation alteration standards that follow:
- a. Removal or alteration of vegetation, except for agricultural and forest management uses as regulated in this Code, respectfully, is allowed subject to the following standards:
 - i. Intensive vegetation clearing within the shore impact zone 1, shore impact zone 2, and bluff impact zones and on steep and long gradual slopes is not allowed. Intensive vegetation clearing for forest land conversion to another use outside of these areas is allowable as a conditional use if an erosion control and sedimentation plan is developed and approved by the soil and water conservation district in which the property is located.
 - ii. In shore and bluff impact zones and on steep slopes, limited clearing of trees and shrubs and cutting, pruning, and trimming of trees is allowed to provide a view to the water from the principal dwelling site and to accommodate the placement of stairways and landings, picnic areas, access paths, livestock watering areas, and beach and watercraft access areas, provided that:
 - a. The screening of structures, vehicles, or other facilities as viewed from the water, assuming summer, leaf-on conditions, is not substantially reduced;
 - b. Along rivers, existing shading of water surfaces is preserved; and
 - c. The above provisions are not applicable to the removal of trees, limbs, or branches that are dead, diseased, or pose safety hazards.
12. **Placement and Design of Roads, Driveways, and Parking Areas.**
- a. Public and private roads and parking areas must be designed to take advantage of natural vegetation and topography to achieve maximum screening from view from public waters. Documentation must be provided by a qualified individual that all roads and parking areas are designed and constructed to minimize and control erosion to public waters consistent with the field office technical guides of the local soil and water conservation district, or other applicable technical materials.

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- b. Roads, driveways, and parking areas must meet structure setbacks and must not be placed within bluff and shore impact zones, when other reasonable and feasible placement alternatives exist. If no alternatives exist, they may be placed within these areas and must be designed to minimize adverse impacts.
13. **Watercraft Access Ramps.** Watercraft access ramps, approach roads, and access related parking areas require shoreland alteration permits and shall comply with the following standards:
- a. Are permitted for private residential lots only on lakes without Public Accesses.
 - b. May be permitted for water-oriented commercial uses on any lake classified General Development or Recreational Development.
 - c. Shall not include asphalt in shore impact zone 1.
 - d. Shall not exceed 15 feet in width from the lake to the structure setback line.
 - e. Construction complies with all storm water management provisions of this Code.
 - f. The maximum impervious surface limits for the lot are not exceeded.
14. **Connections to Public Waters.** Excavations, where the intended purpose is connection to public water, such as boat slips, canals, lagoons and harbors, must be controlled by local shoreland controls. Permission for excavations may be given only after the Commissioner of Natural Resources has approved the proposed connection to public waters.
15. **Use of Fertilizer.** The Use of fertilizer, pesticides, or animal wastes in shoreland districts must conform to Minnesota Statutes, chapters 18B, 18C, 18D, and 103H, and be consistent with the latest best management practices developed for such use by the Minnesota Department of Agriculture and Pollution Control Agency.