CITY COUNCIL AGENDA

Brainerd, Minnesota
August 20, 2018
7:30 P.M.
Brainerd City Hall
Council Chambers

1. **Call To Order - 7:30 PM**

2. **Roll Call**

   ___ S. Hilgart ___ J. Lambert ___ K. Stunek ___ K. Bevans

   ___ D. Badeaux ___ G. Johnson ___ D. Pritschet ___ Mayor Menk

3. **Pledge Of Allegiance**

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

5. **Consent Calendar**

   NOTICE TO PUBLIC - all matters listed are considered routine by the Council and will all be enacted by one (1) motion. There will be no separate discussion of these items unless good cause is shown prior to the time the Council votes on the motion to be ADOPTED BY ROLL CALL

   A. **Approval Of Minutes**

      1. Joint Meeting Between BPU and City of Brainerd Held on August 6, 2018
      2. Regular Meeting Held on August 6, 2018

      Documents:

      20180806_CC BPU Commission draft.pdf
      20180806_CC draft.pdf

   B. **Approval Of Licenses**

      1. Contractor Licenses - 11 - New; 5 - Renewals

      Documents:

      2018-08-20 License RPT.pdf

   C. **Department Activity Reports**

1. Police Chief
2. Finance Director

Documents:

Police Chief Report.pdf

D. **Accept Performance Review Summary For City Administrator Cassandra Torstenson - Successful Completion Of Six-Month Probationary Period & Proceed To Step C (95%) Of Salary Administration Plan Or $9,488.14 Per Month Retroactive To July 1, 2018.**

Documents:

City Administrator Performance Review Summary - Complete Probation Advancement.pdf

E. **Agreement For Election Equipment Utilization And Storage With Crow Wing County**

Documents:

Agreement with CWC for Election Equipment.pdf

F. **Resolution Approving The Issuance Of Health Care Facilities Revenue Bonds By The Duluth Economic Development Authority To Refinance Projects Located In The City**

Documents:

RES - Healthcare Facilitites.pdf

6. **Council Committee Reports**

A. **Safety And Public Works Committee**

Documents:

20180820 SPW.pdf

1. Overview Of 2018 Street And Sewer Capital Improvement Projects And Anticipated Public Informational Meetings

Documents:

Street and Sewer Capital Projects and Public Informational Meetings.pdf

B. **Personnel And Finance Committee**

Documents:

20180820_PF.pdf

1. Approval Of Bills
2. Resignation Of Accounts Payable/Administrative Specialist Darla Johnson Effective August 20th 2018

Documents:

Johnson Resignation .pdf

7. **Unfinished Business**

A. **Committee Recommendations - Recommended By Mayor Menk**

- Mr. Richard Fargo, Charter Commission
- Ms. Melanie Ellstrom, Transportation Advisory Committee (TAC)
- Ms. Rachel Zetah, Transportation Advisory Committee (TAC)

Documents:

Charter - Fargo, Richard.pdf
TAC - Ellstrom, Melonie.pdf
TAC - Zetah, Rachel.pdf

B. **Call For Applicants - Informational**
(Application Information at the City's Website
(*http://www.ci.brainerd.mn.us/*)

Mayor Recommended: (all terms expire on 12/31 of said year)
Charter Commission - 1 term (Expire 2021)
Library Board - 1 term (Expire 2021)

8. **New Business**

A. **Downtown Parking**

Documents:

Downtown Parking .pdf

9. **Planning Commission**

A. **Final Reading Of Proposed Ordinance No. 1486 - An Ordinance To Rezone Property At 1110 Pine Street And All Other Properties On**

Block 9, 2nd Addition To Brainerd As Listed Below From An R-1 (Single Family Residential) District To An R-2 (Medium Density Residential) District

- Donna Pearson - 1106 Pine Street
- Dianna Lorimor - 1114 Pine Street; 1107 and 1109 Quince Street
- B.A. Doer - 1120 Pine Street
- Jeffrey Kollars - 1124 Pine Street
- Jan Walters - 1103 Quince Street
- HRA - 1113 and 1115 Quince Street; 714 and 716 12th Street St

a. Hold Final Reading of Ordinance (Voice Vote)
b. Adopt Ordinance (Roll Call)

Documents:

Final Ordinance Reading Rezone Block 9 2nd Add to Brainerd from R-1 to R-2.pdf

B. **Final Reading Of Proposed Ordinance No. 1487 - An Ordinance To Rezone 1202 And 1210 13th Street SE From An R-3 (High Density Residential) District To An R-2 (Medium Density Residential) District**

a. Hold Final Reading of Ordinance (Voice Vote)
b. Adopt Ordinance (Roll Call)

Documents:

Final Ord. Reading - Rezone 1202 and 1210 3th Street SE from R-3 to R-2.pdf

C. **Final Reading Of Proposed Ordinance No. 1488 - An Ordinance To Rezone 1015 Walnut Street And Three Other Properties On Walnut Street As Listed Below From An R-3 (High Density Residential) District To An R-1 (Single Family Residential) District**

- Annamarie Denti - 1014 Walnut Street
- Michael and Lynn Jannetta - 1016 Walnut Street
- Cyris and Kathleen Poorwell - 1018 Walnut Street

a. Hold Final Reading of Ordinance (Voice Vote)
b. Adopt Ordinance (Roll Call)

Documents:

Final Ordinance Reading - Rezone 1014,15,16,18 Walnut Street R-3 to R-1.pdf

D. **First Reading Of Proposed Ordinance No. 1489 - An Ordinance To**

Rezone Property At 15770 Dellwood Drive From A B-1 (Residential Office) District To An I-1 (Light Industrial) District

Documents:

First Reading Ord. No. 1489 - 15770 Dellwood Dr.pdf

10. **Public Forum**
    Time allocated for citizens to bring matters not on the agenda to the attention of the Council - Time limits may be imposed

11. **Staff Reports**

    (Verbal: Any Updates since Packet)

12. **Council Member Reports**

13. **Adjourn To:**

    - Closed Session pursuant to MN Statutes, 13D.05, Subd. 3(b) for Attorney-Client Privilege to Discuss the IAFF v. City of Brainerd lawsuit.
    - Budget Workshop on August 27, 2018 at 6:00 p.m.

Note: Safety and Public Works Committee will meet at 7:15 P.M.
Personnel and Finance Committee will meet at 7:15 P.M.

ANY INDIVIDUAL NEEDING SPECIAL ACCOMMODATIONS,
PLEASE CALL 828-2307
Visit the City's Website (ci.brainerd.mn.us)

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

Brainerd, MN
August 6, 2018

Pursuant to due call and notice thereof, the Joint Meeting of the Brainerd City Council and Brainerd Public Utilities Commission was called to order at 6:33 P.M. by Council President Pritschet.

The following members were noted as present: Hilgart, Lambert, Stunek, Bevans, Badeaux, Johnson, Pritschet and Mayor Menk. City Staff present included: City Administrator Torstenson, Finance Director Hillman, HR Coordinator Schubert, BPU Superintendent Magnuson, BPU Finance Director Wicklund, and BPU Commissioners Dolly Matten, Mike Angland, and Mark O' Day.

HR Coordinator Schubert introduced Ms. Tessia Melvin, DDA Compensation Study Consultant who will be explaining the basics of pay philosophy, merit pay and pay equity.

Ms. Melvin indicated the job descriptions are now up to date, they have been approved and are classified based on points. The beginning of budget implementation discussions is under way.

Ms. Melvin explained the definition of pay philosophy is an organization's commitment to how we value employees. The goal is to attract, retain and motivate employees. She reviewed the City and BPU's current pay philosophy that is being used and shared an example of a pay philosophy using a step system. The advantages of current pay philosophy are the quick base pay for recruiting a new employee and the quick base pay for retaining them. However, there are challenges such as the quick base may affect long tenure and it is not always consistent for all employees. A step system can eliminate the need for longevity pay and would be consistent for all employees.

Ms. Melvin gave examples of positions and options to the steps for advancement. She explained the details of merit pay, which is based on an employee's job performance and not the length of employment. Each job description is assigned points based on the following classification categories:

- Training and Abilities
- Experience Needed for the Job
- Work Conditions and Hazards
- Level of Work
- Human Relation Skills
- Physical Demands
- Independence of Actions
- Impact of End Results
- Supervision Exercised

Ms. Melvin reviewed pay equity which is required by state law. The City must file a report with the state every three years regarding pay equity to receive Local Government Aid (LGA). The report looks at pay between men and women and ensures that similar classes are paid the same.

Council and commission discussion took place and questions answered.

Ms. Melvin thanked the Council and Commission for the opportunity to present tonight.

<u>Adjourn</u>

The Chair adjourned the meeting at 7:18 P.M.

_____
Cassandra Torstenson
City Administrator

Brainerd, MN
August 6, 2018

Pursuant to due call and notice thereof, the regular meeting of the Brainerd City Council was called to order at 7:30 P.M. by Council President Pritschet.

Upon roll call, the following members were noted as present: Hilgart, Lambert, Stunek, Bevans, Badeaux, Johnson and Pritschet. Mayor Menk was also noted as present.

Council President Pritschet opened the meeting with the Pledge of Allegiance to the Flag.

MOVED AND SECONDED BY ALDERMEN HILGART AND BEVANS, DULY CARRIED, TO APPROVE THE AGENDA.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT THE CONSENT CALENDAR.

A. Approval of the Minutes of the Regular Meeting held on July 16, 2018 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 4 – New; 7 – Renewals

C. Department Activity Reports – Approved

1. Fire Chief
2. Parks Director

D. Extension of Premises – Submitted by Sage on Laurel, 606 Laurel St., Brainerd for an Event to be Held on August 10, 2018 in the Adjacent City Parking Lot – Approved

E. Temporary Beer License – Submitted by The Brainerd Eagles Club for an Event to be Held on August 8, 2018 at Memorial Park, 1700 Mill Ave., Brainerd - Approved

Upon roll call, members Hilgart, Lambert, Stunek, Bevans, Badeaux, Johnson and Pritschet voted "aye." No member voted "nay." The Chair declared the motion carried.

Presentations

Brainerd History Week Presentation

The Chair welcomed Mr. Dave Borash, Committee Chair and Ms. Julie Jo Larson, Student Support Services at CLC who thanked the council for the opportunity to present tonight. Mr. Borash reviewed the calendar of events that are planned for Brainerd History Week, August 9 – 12, 2018. The schedule is posted on the Brainerd History website as well as the City website. Ms. Larson explained this is also the 80th Anniversary for Central Lakes College. There will be tours, a reception and slideshow at the college. Everyone is invited and encouraged to attend the festivities.

The Chair thanked them for the presentation.

Facility Study – Optional Plan – Mr. Mike Angland, WSN

The Chair welcomed Mr. Mike Angland, Architect for Widseth Smith Nolting who explained the three goals and objectives for the discussion tonight.

- Emphasis on improving customer service
- Increase Efficiency
- Potential for co-location of outside community partners in the City Hall building – will address deficiencies identified in the facility study and to potentially eliminate some of the deficient costs through these consolidations.

Mr. Angland reviewed the following possible options and floor plans for the areas below:

- Street Department: Consolidation of the Parks and Recreation and street maintenance staff.
- Fire Department: Adding a designated public entrance and connecting the sidewalk to the parking lot.
- Police Department: Renovating current office spaces into interview rooms, creating a secured waiting area, and relocation of the city computer server with a dedicated HVAC system.
- City Hall: Considering current number of staff with potential addition of staff from other departments and rented office space would entail an expansion. Two site plan options were shown.

Mr. Kevin Currie, from the Contegrity Group gave a breakdown on cost estimates at the different levels for both plan options.

The Chair thanked them for the presentation.

Council Committee Reports

Safety and Public Works Committee Report

Street and Sewer Assessment Policy - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO ADOPT THE ASSESSMENT POLICY AS PRESENTED ADDING THE FOLLOWING TO #2 DEVELOPER OF NEW CONSTRUCTION - UTILITIES AND ROADWAYS MUST BE APPROVED BY CITY STAFF.

414 N 10th Street Petition for Improvement and Assessment - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO APPROVE THE REQUEST FOR IMPROVEMENT AND ASSESSMENT BY THE PETITIONER AT 414 N 10TH STREET.

Event/Street Closure Application – 21st Bataan Memorial Death March – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO APPROVE THE EVENT/STREET CLOSURE APPLICATION FOR THE 21ST BATAAN MEMORIAL DEATH MARCH ON SEPTEMBER 8, 2018.

Ground Lease with Productive Alternatives - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO APPROVE THE LEASE AGREEMENT AS PRESENTED ADDING A SIX-MONTH END DATE TO THE AGREEMENT BETWEEN PRODUCTIVE ALTERNATIVES AND THE CITY OF BRAINERD, AND THAT THE AGREEMENT IS ON A MONTH TO MONTH BASIS IN THE AMOUNT OF $1,200 PER MONTH UNTIL SUCH TIME PRODUCTIVE ALTERNATIVES SECURES LEASED SPACE.

Improvement 18-11 – Joint City of Brainerd and Crow Wing County Storm Manhole Rehabilitation Project - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO AUTHORIZE SOLICITATION OF QUOTES TO PERFORM THE WORK FROM QUALIFIED MANHOLE REHABILITATION CONTRACTORS AS OUTLINED IN THE SPECIAL PROVISIONS.

Improvement 17-13 – Change Order 1 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO APPROVE THE CHANGE ORDER AS PRESENTED AND DIRECT STAFF TO INVOICE FOR THE TIME AND MATERIALS SPENT ON ASSISTING IN THE REPAIR TO TDS TELECOM.

Improvement 18-02 – Final Pay Estimate 1 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO APPROVE THE IMPROVEMENT 18-02 FINAL PAY ESTIMATE 1 IN THE TOTAL SUM OF $131,997.

Improvement 18-04 – 2018 Patching Project Approval of Quote - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO APPROVE THE QUOTE FROM ANDERSON BROTHERS FOR A CITY OF BRAINERD TOTAL COST OF $9,733 AND A BRAINERD PUBLIC UTILITIES TOTAL COST OF $5,460.

Personnel and Finance Committee Report

Approval of Bills & Payments to Contractors - Approved

Contractor	Imp.#	Project	Amount Paid	Amount Retained
Asphalt Preservation Co.	IMP 18-02	Chip Seal – FINAL	$131,997	$0

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART TO APPROVE THE PAYMENT OF BILLS & PAYMENTS TO CONTRACTORS AS RECOMMENDED BY PERSONNEL AND FINANCE COMMITTEE.

Upon roll call, members Hilgart, Lambert, Stunek, Bevans, Badeaux, Johnson and Pritschet voted "aye." No member voted "nay." The Chair declared the motion carried.

Fire Department Relief Association Annual Report - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE INCREASE IN FUNDING LEVEL TO $10,000 PER YEAR OF SERVICE AND AUTHORIZE STAFF TO SIGN THE ANNUAL REPORTS AS PRESENTED.

Leave of Absence from Fire Department - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO ACCEPT FIREFIGHTER TECKEMEYER'S LEAVE OF ABSENCE REQUEST FOR UP TO ONE YEAR, EFFECTIVE AUGUST 1, 2018.

Police Department FY 2019 Towards Zero Deaths (TZD) Grant – Adopted by Resolution No. 43:18

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO APPROVE THE RESOLUTION AUTHORIZING THE POLICE DEPARTMENT TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE STATE OF MINNESOTA OFFICE OF TRAFFIC SAFETY FOR THE FEDERAL FISCAL YEAR 2019 TOWARD ZERO DEATHS (TZD) TRAFFIC SAFETY ENFORCEMENT GRANT.

RESOLUTION NO. 43:18

Upon roll call, members Hilgart, Lambert, Stunek, Bevans, Badeaux, Johnson and Pritschet voted "aye." No member voted "nay." The Chair declared the motion carried.

Police Department Out-of-State Travel/Training Request – Tim Friis - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO AUTHORIZE OUT OF STATE TRAVEL FOR POLICE OFFICER TIM FRIIS TO ATTEND THE EXPLOSIVES TRAINING IN TULSA, OK FROM AUGUST 13TH – AUGUST 18TH, 2018.

Police Department Out-of-State Travel/Training Request – Julie McCullough - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE OUT OF STATE TRAVEL FOR POLICE ADMINISTRATIVE SUPERVISOR JULIE MCCULLOUGH TO ATTEND THE ZUERCHER ONE CONFERENCE IN SIOUX FALLS, SD SEPTEMBER 12TH AND 13TH, 2018 WITH THE COSTS OF TRAVEL, LODGING AND SOME MEALS TO BE COVERED UNDER THE POLICE DEPARTMENT'S PROFESSIONAL DEVELOPMENT FUND.

Police Request to Sell Retired Squad Cars - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO AUTHORIZE THE SALE OF RETIRED POLICE VEHICLES UNITS #924, 415 AND #418, UTILIZING MID-STATE AUTO AUCTION IN NEW YORK MILLS, MN.

Gregory Park Archway - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE UP TO $7,000 OF CAPITAL IMPROVEMENT FUNDS TO REPAIR THE STONE ARCHWAY IN GREGORY PARK.

Parks and Recreation Facility Priority – Informational

Committee Chair Johnson indicated the Park Board has reviewed the facility study. The priority will be to replace the warming house and restrooms in Gregory Park, which will be budgeted in the department's 2019 Capital Improvement request.

Council Member Badeaux clarified the agenda request indicated the Mill Avenue Park warming house as a priority as well, however, this is on leased property and should not be part of the consideration.

Temporary Trainee Building Inspector – Request Authorization to Hire - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE STAFF TO HIRE A TEMPORARY TRAINEE BUILDING INSPECTOR AS PROPOSED; FURTHER, THAT THE POSITION ONLY BE POSTED INTERNALLY.

Community Development Director Position – Review Job Description, 2019 Wage for Job Posting, and DDA Recruitment Proposal - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE THE COMMUNITY DEVELOPMENT DIRECTOR JOB DESCRIPTION, APPROVE THE RECOMMENDED 2019 WAGE RANGE OF $33.51-$44.52 PER HOUR FOR THE JOB POSTING AND UTILIZE THE SERVICES OF MR. GARY WEIERS, DDA HUMAN RESOURCES FOR THE RECRUITMENT.

2017 Tax Increment Financing (TIF) Report Summary – Informational

Committee Chair Johnson indicated the reports were filed on time and published in the Brainerd Dispatch as required.

Unfinished Business

Call for Applicants – Informational:
(Application Information at www.ci.brainerd.mn.us/boards/)

Mayor Recommended: (all terms expire on 12/31 of said year)
Charter Commission – 1 term (Expire 2020) – 1 term (Expire 2021)
Library Board – 1 term (Expire 2021)
Transportation Advisory Committee – 1 term (Expire 2018) – 1 term (Expire 2019)

Public Hearing - Final Reading of Proposed Ordinance No. 1485 – Amending City Code Section 900 Animals and 1010 Licensing Fees to Permit Miniature Pigs Within the City of Brainerd - Denied

The Chair opened the Public Hearing at 8:53 p.m.

The Chair recognized Ms. Kathy Deuel, 1717 Norwood St., who spoke against the ordinance. She submitted and read a letter of opposition to the proposed ordinance.

The Chair recognized Mr. Daniel Wahl who is the resident that desires to have a pet miniature pig. Mr. Wahl has had a miniature pig in the past and it did not exceed 66 lbs. He stated that the weight can be determined based on the parents of the pig. If the ordinance is passed, Mr. Wahl would like the requirement of neighboring residents' approval be removed from the ordinance, as a neighbor currently does not need to approve the purchase of a large dog.

The Chair closed the Public Hearing at 9:01 p.m.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN STUNEK AND BADEAUX TO DENY PROPOSED ORDINANCE NO. 1485 TO AMEND CITY CODE SECTION 900 ANIMALS AND 1010 LICENSING FEES TO PERMIT MINIATURE PIGS WITHIN THE CITY OF BRAINERD.

Members Hilgart, Lambert, Stunek and Badeaux voted "aye". Members Johnson and Pritschet voted "nay". Member Bevans abstained from voting. The Chair declared the motion carried.

Historic Water Tower Discussion

City Engineer Sandy explained the actions that were taken after the last council meeting regarding the immediate concerns for public safety. An 8-foot high chain link fence was installed by Hy-Tec Construction to protect the public from falling debris. A covered entrance into the Breen and Person building will be constructed to allow safe passage to the business. These actions address the immediate concerns and insurance requirements while plans are being made about the future of the water tower. It was also determined the piece that fell from the structure was part of a previous repair, and there did not appear to be any additional loose pieces. The condition of the face of the tower bowl is in major disrepair and once scaping or chipping away is started, there would be no appropriate stopping point.

City Engineer Sandy reviewed the options and cost factors that were discussed at the last council meeting.

Finance Director Hillman discussed the funding options and due to the water tower being a non-functioning structure, it is deemed a non-essential part of the city infrastructure's cost. This limits the financing that is available to rehabilitate the tower. A sample ballot with questions was drafted if the Council determines this should go to a referendum.

City Planner Ostgarden had contacted the City of Pipestone, who has a similar water tower in the same condition with a cost estimate of approximately $2M to repair. The City of Pipestone

is currently unsure of the future decisions for their tower. An idea discussed could be the possible cost savings if one chosen contractor was retained to do both projects.

City Planner Ostgarden mentioned that if demolition is the determined outcome, there are some requirements and costs involved to remove a structure from the historical registry listing.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPOINT A CITIZEN'S COMMITTEE; ALLOW CITIZEN'S TWO YEARS (8/6/20) TO FUNDRAISE TOWARD THE RESTORATION OF THE WATER TOWER; COMMIT $300,000 OVER THE NEXT THREE YEARS TOWARDS THE WATER TOWER PROJECT, AND DIRECT STAFF TO APPLY FOR HISTORICAL SOCIETY FUNDING AND GRANTS.

Finance Director Hillman added that Brainerd Community Action is the fiscal agent handling the funds donated towards the restoration of the water tower.

Ms. Holly Holm, Director of Brainerd Community Action requested that Council determine what is done with the funds collected if the goal is not met. It was decided to assign the task to the members of the Citizen's Committee once established.

New Business

Public Hearing for Discussion on the Implementation and Progress of the Small Cities Development Program (SCDP) Grant CDAP-15-0038-O-FY16 (Downtown Grant) - Held

The Chair opened the Public Hearing at 9:42 p.m.

No one came forward.

The Chair closed the Public Hearing at 9:42 p.m.

Planning Commission

First Reading – Proposed Ordinance No. 1486 – Rezone 1110 Pine Street and All Other Properties on Block 9, 2nd Addition to Brainerd as Listed Below from an R-1 (Single Family Residential) District to an R-2 (Medium Density Residential) District - Approved

City Planner Ostgarden explained all three of the proposed zoning changes on the agenda involve property owners who collaborated with their neighbors to request the change for the entire block or area. He explained this property was purchased with the desire to return it to a duplex from it's current use as a single-family home.

- John Groenwold – 1110 Pine Street, applicant
- Donna Pearson – 1106 Pine Street
- Dianna Lorimor – 1114 Pine Street; 1107 and 1109 Quince Street
- B.A. Doer – 1120 Pine Street
- Jeffrey Kollars – 1124 Pine Street
- Jan Walters – 1103 Quince Street

- HRA – 1113 and 1115 Quince Street; 714 and 716 – 12th Street SE

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1486 TO REZONE 1110 PINE STREET AND ALL OTHER PROPERTIES ON BLOCK 9, 2ND ADDITION TO BRAINERD AS LISTED FROM AN R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO AN R-2 (MEDIUM DENSITY RESIDENTIAL) DISTRICT.

First Reading – Proposed Ordinance No. 1487 – Rezone 1202 and 1210 – 13th Street SE from an R-3 (High Density Residential) District to an R-2 (Medium Density Residential) District – Approved

City Planner Ostgarden explained Mr. Chase Vreeland purchased the property at 1210 13th Street SE with the intentions of remodeling the current structure into a single-family home. Due to the R-3 zoning, a single-family home is not allowed. Mr. Vreeland contacted the property owner of 1202 13th Street SE with the request to be a part of the application to rezone both properties to an R-2 district.

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1487 TO REZONE 1202 AND 1210 13TH AVE SE FROM AN R-3 (HIGH DENSITY RESIDENTIAL) DISTRICT TO AN R-2 (MEDIUM DENSITY RESIDENTIAL) DISTRICT.

First Reading – Proposed Ordinance No. 1488 – Rezone 1015 Walnut Street and Three Other Properties on Walnut Street as Listed Below from an R-3 (High Density Residential) District to an R-1 (Single Family Residential) District - Approved

City Planner Ostgarden explained the applicant owns a parcel at the south end of Walnut Street on which he would like to build a single-family home. The current R-3 zoning does not permit the construction of single-family homes. The applicant contacted the neighboring property owners to collaborate on the application to rezone the area to an R-1 district.

- Bruce Isebrand – 1015 Walnut Street, applicant
- Annamarie Denti – 1014 Walnut Street
- Michael and Lynn Jannetta – 1016 Walnut Street
- Cyris and Kathleen Poorwell – 1018 Walnut Street

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BADEAUX, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1488 TO REZONE 1015 WALNUT STREET AND THREE OTHER PROPERTIES ON WALNUT STREET LISTED FROM AN R-3 (HIGH DENSITY RESIDENTIAL) DISTRICT TO AN R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT.

Public Forum

The Chair opened the Public Forum at 9:55 p.m.

No one came forward.

The Chair closed the Public Forum at 9:56 p.m.

Staff Reports

Finance Director Hillman stated the Primary Election will be held Tuesday, August 14, 2018 and reminded everyone that four of the polling locations have changed. The changes are:

- Ward 2 Precinct 1 - Essentia Health Sports Center (was Riverside School)
- Ward 3 Precinct 1 – NE Fire Station (was Lowell School)
- Ward 3 Precinct 2 – Bethlehem Evangelical Lutheran Church (was Garfield School)
- Ward 4 Precinct 1 – Carefree Living (was Harrison School)

City Administrator Torstenson stated there is an economic interest in the city and hope to bring information within the next two weeks. She also announced there will be a music festival taking place on Friday, August 10th in the Laurel Street city parking lot starting at 6:30 p.m. The Farmer's Market takes place every Tuesday from 3:00 – 7:00 p.m. in the city parking lot; some are accompanied with live music from local talent.

Mayor Menk indicated he will be speaking at the Roundhouse Brewery on Thursday evening, August 9, 2018 at 5:30 p.m. for the start of Brainerd History Week.

Council Member Reports

Council Member Bevans reminded everyone of the National Night Out event taking place on the northside at Gregory Park on Tuesday, August 7, 2018.

Council Member Badeaux thanked everyone for participating, volunteering and attending another successful Brainerd Jaycees Street Fest last weekend.

Adjourn To Closed Session Pursuant to MN Statutes 13D.05, Subd. 3(A) To Conduct the City Administrator Performance Review – 10:00 p.m.

The Chair reconvened into open session at adjourned the meeting at 10:22 p.m.

The Chair adjourned the meeting at 10:22 p.m.

_____
Cassandra Torstenson
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS

CITY COUNCIL MEETING
August 20, 2018

(11 New, 5 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
GARLING CONSTRUCTION INC. 1120 11TH STREET BELLE PLAINE, IA 52208 18-0195 (new)	(319) 444-3409	GENL	4/1/2019	12/31/2018	
L-K PLUMBING AND HEATING INC. 1650 49TH STREET SE ST. CLOUD, MN 56304 18-0196 (new)	(320) 656-9670	MECH	2/22/2019	6/1/2019	MB697440 PC698336
MCKAY'S CONCRETE & MASONRY, INC. 11198 BRAYTON ROAD BRAINERD, MN 56401 18-0197	(218) 851-0353	MASO	3/1/2019	12/31/2018	
BRIAN MILLER EXCAVATING LLC 2345 HWY 6 TRAIL MARENGO, IA 52301 18-0198 (new)	(319) 642-7926	EXCA	8/1/2019	12/31/2018	
CUSTOM MECHANICAL & SHEET METAL LLC 6209 HIGHLAND SCENIC ROAD BAXTER, MN 56425 18-0199	(218) 821-1068	MECH	12/6/2018	1/1/2020	MB676877
AIRTECH HEATING AND COOLING OF BRD 624 WASHINGTON ST BRAINERD, MN 56401 18-0200 (new)	(218) 297-0130	MECH	3/28/2019	7/28/2020	MB713591
AR CONSTRUCTION INC 25651 JAMESTOWN STREET NE ISANTI, MN 55040 18-0201 (new)	(763) 202-2646	MASO	5/19/2019	12/31/2018	
ELITE REFRIGERATION HEATING AND AC 9324 NOVEMBER DRIVE ST. JOSEPH, MN 56374 18-0202 (new)	(320) 406-0864	MECH	5/20/2019	2/3/2019	MB720872
SWAN COMPANIES, INC. 682 39TH AVENUE NE COLUMBIA HEIGHTS, MN 55421 18-0203 (new)	(612) 490-8111	EXCA	5/1/2019	12/31/2018	
MINNESOTA PETROLEUM 682 39TH AVENUE NE COLUMBIA HEIGHTS, MN 55421 18-0204 (new)	(763) 780-5191	MECH	7/31/2019	1/5/2020	MB004080

CITY OF BRAINERD
LICENSED CONTRACTORS

CITY COUNCIL MEETING
August 20, 2018

(11 New, 5 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
ABLE BUILDERS INC. 15587 ELDER AVENUE NW CLEARWATER, MN 55320 18-0205 (new)	(763) 257-7121	CARP	2/22/2019	12/31/2018	
BORGY'S PLUMBING LLC 13252 WILSON LAKE DRIVE DEERWOOD, MN 56444 18-0206	(218) 820-7758	PLUM	3/5/2019	12/31/2018	PC646061
C&D EXCAVATING, LLC 9964 COUNTY ROAD 108 BRAINERD, MN 56401 18-0207	(218) 821-3684	EXCA	7/26/2019	12/31/2019	
LENNOX NAS 7150 BOONE AVENUE STE 1180B BROOKLYN PARK, MN 55428 18-0208 (new)	(612) 462-6959	MECH	7/1/2019	1/1/2020	MB648089
LANGE TRENCHING, INC. 111 DORADO AVE NW P.O. BOX 70 AVON, MN 56310 18-0209	(320) 356-7976	EXCA	5/1/2019	12/31/2018	L688
DUERSON CORPORATION, THE 601 1ST AVENUE N ALTOONA, IA 50009 18-0210 (new)	(515) 967-8300	CROO	3/22/2019	12/31/2018	

BRAINERD POLICE DEPARTMENT
MEMORANDUM

TO: Brainerd City Council

FROM: Police Chief Corky McQuiston

DATE: 08-15-18

RE: Monthly Report

Brainerd Police Officers in the Community

Jaycees Street Fest 2018

Officers staffing the Street Fest this year reported good attendance and no issues with those enjoying at the event.

Bike Patrol

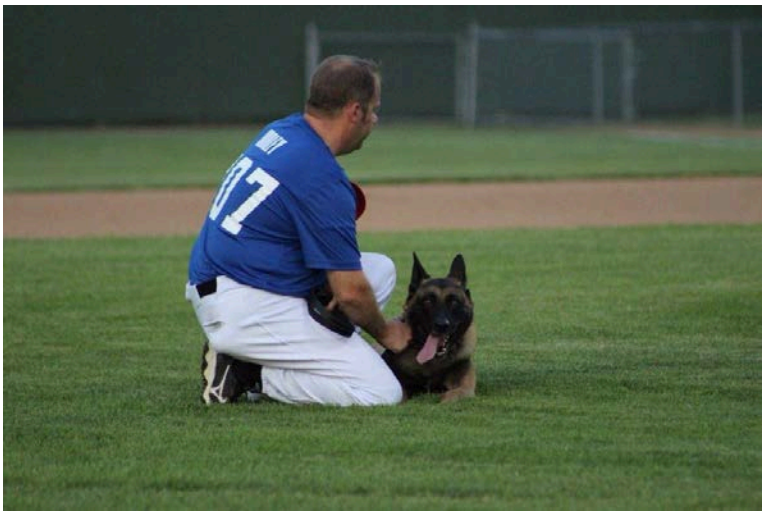
Officer Travis Gleason spent time in July on bike patrol and was able to connect with some local bicyclists.

We also had bike patrol officers out during the 4th of July event and we will continue to work on scheduling opportunities for officers the remainder of the summer to get into the neighborhoods on the department bikes.

Wounded Warrior Softball Game

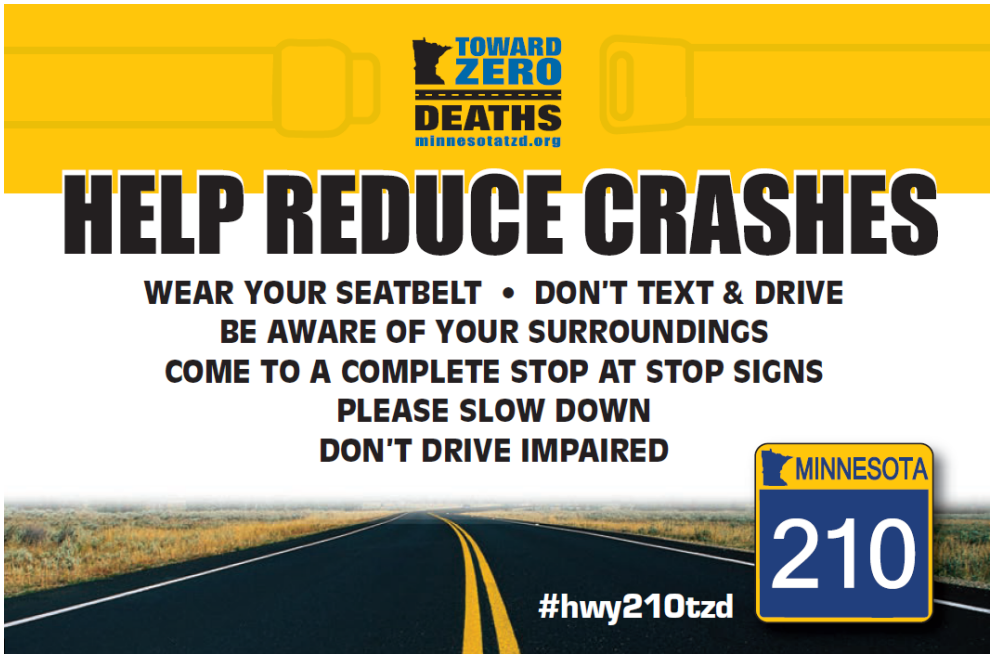
Officer Travis Kostreba and Sergeant Paul Dooley played in the Wounded Warrior Softball Game on July 19th.

K9 Keno attempted to play in the outfield for Team USA, but it was determined he would give them an unfair advantage since he is very good at chasing and catching balls.



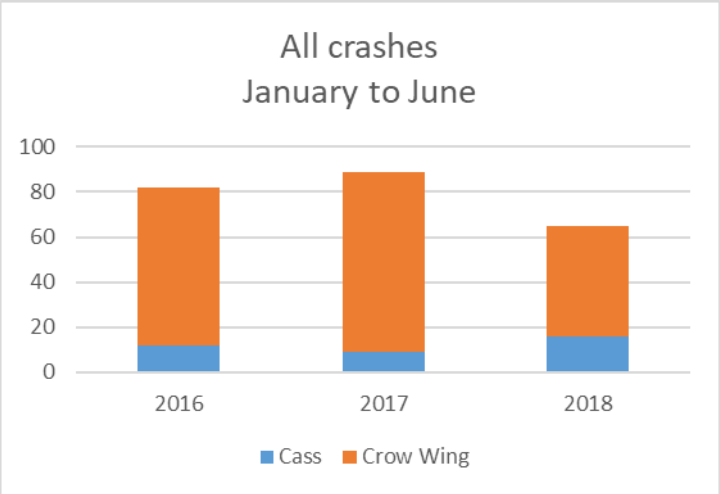
The Wounded Warrior Veteran Team was short one player, so Officer Travis Kostreba (pictured right) played on their team. We then learned that Travis is actually a very good athlete and the players on Team USA wished they would have kept Travis. Sergeant Dooley (pictured 2nd from the right) played on Team USA along with Sheriff's Department staff Craig Katzenberger and Pat Pickar.

Highway 210 TZD



As we continue to work with the partner agencies on Highway 210 to reduce serious and fatal crashes we review the data involved and have our first 6-month comparison to look at since the increased enforcement and signage has occurred beginning in March.

We were very surprised to see that the initial 6-month comparison to the past two years shows a significant reduction in overall crashes along the corridor for this year.



We are also now planning for increased traffic enforcement efforts during peak time-blocks and days of the week. Interestingly, our first wave of data shows the highest crash day of the week to be Wednesday, followed by Thursday and the peak crash times begin at 11 am staying consistent throughout the early afternoon peaking at 5pm.

July Police Activity

On July 5th, at about 1:20 am, officers were dispatched to respond to a residence in the 300 block of 1st Avenue NE, to investigate a report of an Open 911 call where a male voice could be heard making threatening comments. Investigating officers found that males in an apartment had been involved in some type of argument that escalated to where one of the males swung at the other with a knife. Officers subsequently arrested 33-year-old Jerome Hickman of Brainerd for Second Degree Assault and Possession of Drug Paraphernalia.

On July 6th, at about 1130 am, West Brainerd Auto reported that someone had just stolen one of their employee's vehicles. A description of the vehicle was provided to the officers and they located the vehicle driving on Washington Street near North 2nd. The vehicle attempted to initially evade officers quickly turning off Washington Street into North Brainerd. Officers were able to follow the vehicle from North Brainerd into NE Brainerd and confirmed it was the stolen vehicle.

The vehicle then went westbound on Washington Street. When officers attempted to stop the vehicle at North 8th Street, the driver fled westbound from officers. Officers quickly ended the pursuit, executing a PIT maneuver when the vehicle attempted a U-turn just before the Washington Street Bridge and apprehended the suspect in the Dairy Queen parking lot. Officers arrested 44-year-old Wesley Raasch of Wisconsin, for Motor Vehicle Theft and Fleeing a Peace Officer in a motor vehicle. Officers subsequently learned that Raasch was released from Jail approximately 30 minutes before he stole the vehicle and had gone to West Brainerd in an attempt to get his own vehicle out of impound. There was some type of issue with Raasch not having money for the impound fees, so he reportedly stole a different vehicle.

On July 11th, at about 2:30 am, officers were stopped at a railroad crossing for an eastbound train when the train made an abrupt stop. Officers then continued east, finding the front of the Burlington Northern Santa Fe train east of the crossing at SE 13th Street, in Brainerd.

Officers met with the train operator and learned that an adult male was observed near the crossing at that intersection. The male then went onto the tracks directly in front of the moving train. The train operator immediately applied the brakes; however, the male was struck by the train. Officers located the male who appeared to have been killed instantly by the impact of the train. He was identified as a 38-year-old Brainerd man.

Body Worn Camera Data Report

AXON Evidence.com

Month	Number of Videos	Hours of Videos	GB of Videos	Average MB per Video	Average Time Length of Videos	Average Number of Videos Per Day
June	1516	306 Hours	611 GB	400 MB	12.35 Minutes	50
July	1695	334 Hours	647 GB	381 MB	11.83 Minutes	54

Conduct on Premises Activity Report for July

ICR	Date Reported	Title	Address	Summary Contains
18009050	07/01/18	Conduct on Premises	1413 8th Avenue NE	Conduct on Premises
18009460	07/08/18	Conduct on Premises	815 South 7th Street	Conduct on Premises
18009855	07/15/18	Conduct on Premises	419 3rd Avenue NE	Conduct on Premises
18010007	07/18/18	Conduct on Premises	1306 Norwood Street	Conduct on Premises
18010275	07/24/18	Conduct on Premises	816 ½ South 6th Street	Conduct on Premises
18010332	07/25/18	Conduct on Premises	1002 SE 15th Street	Conduct on Premises

Monthly Police Activity

July	2018	2017
Calls	1634	1632
Citations (Inc. Parking)	182	100
Part I and Part II Crimes Reported	213 **	276

** Note: This does not include files that have not yet been coded.

62 parking tickets were issued in the month of July with the following dispositions:

3	Dismissed
0	Business Validations
29	Paid in Full
1	Partial Payments Received
29	No Payment Received

Revenue Recapture Receipts:

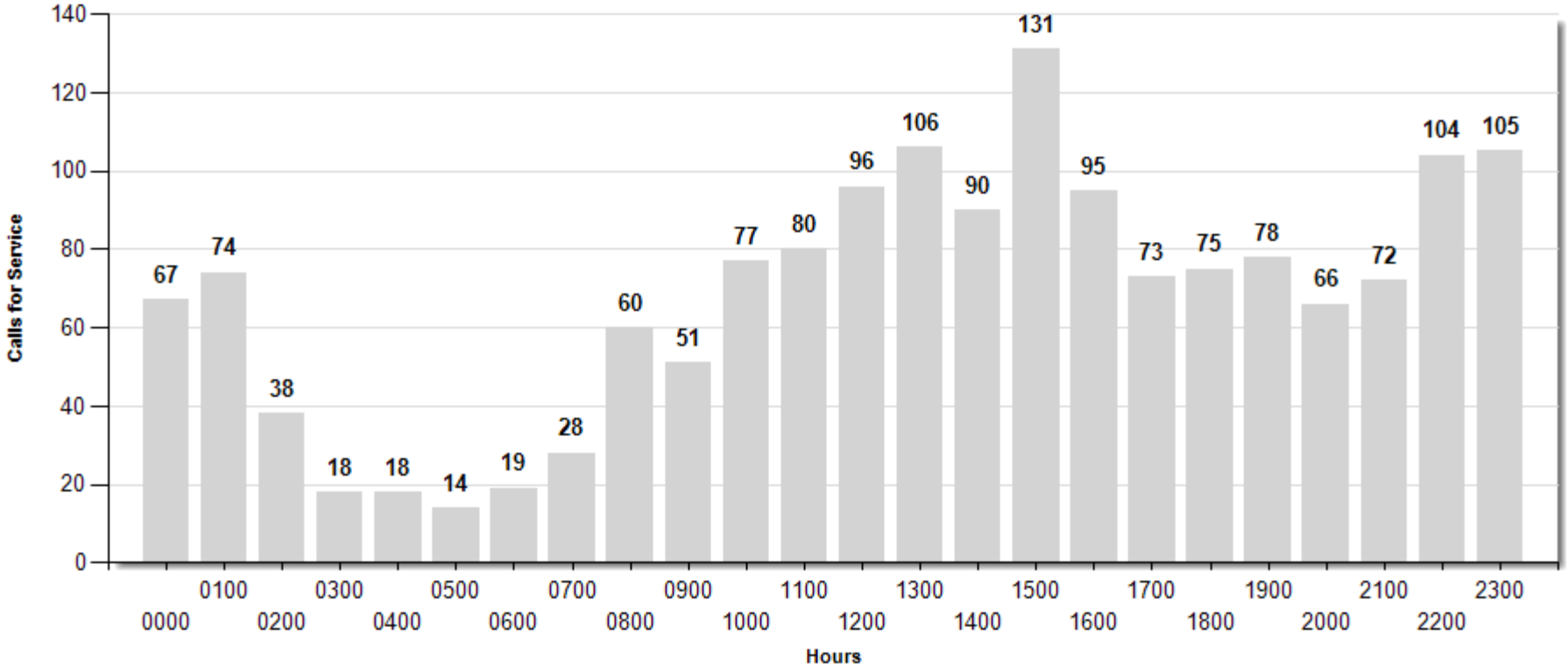
To Date: $ 39,775.69

In 2018: $ 5,987.00

Calls for Service Hourly

7/1/2018 to 7/31/2018

Total Calls: **1697**



Brainerd City Council
Agenda Request

Requested Meeting Date: August 20, 2018

Title of Item: City Administrator Performance Review Summary/Complete Probation

☐ INFORMATION ONLY ☑ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	**Action Requested:** ☑ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: HR Coordinator Kris Schubert	**Department:** Administration
Presenter (Name & Title): Council President Dave Pritschet	**Estimated Time Needed:** n/a - consent calendar

Summary of Issue:

The Mayor and Council met in closed session on August 6, 2018 to conduct City Administrator Torstenson's six-month performance review. As required by State Law, a summary of her review is attached.

Alternatives, Options, Effects on Others/Comments:

City Administrator Torstenson successfully completed her six-month probationary period; therefore, should proceed to Step C (95% of the top rate for the position) based on our Salary Administration Plan. Her wage after this adjustment will be $9,488.18 per month. Since her date of hire was January 1, 2018, the wage adjustment should be retroactive to July 1, 2018.

Recommended Action/Motion:

n/a - included on the consent calendar.

Financial Impact:

Is there a cost associated with this request: ☑ Yes ☐ No

What is the total cost, with tax and shipping $ $9,488.14/month

Is this budgeted? ☑ Yes ☐ No

Please Explain: This wage adjustment was included in 2018 budget as it follows our Salary Administration Plan progression guidelines.

CITY ADMINISTRATOR PERFORMANCE REVIEW SUMMARY
August 6, 2018

The Brainerd City Council completed City Administrator Cassandra Torstenson's six-month probationary period performance review on August 6, 2018.

The performance ratings, from the City Council and the Mayor, as summarized below, recognized City Administrator Torstenson for her continued leadership and focus on improving service, streamlining operations and managing costs during her tenure.

Overall, Administrator Torstenson's were mostly in the "Achieves Expectations" performance rating and there were several "Exceeds Expectations" ratings for her attitude/motivation and customer service focus. The Council and the Mayor were very satisfied with Administrator Torstenson's work thus far and are looking forward to the strides she will make in the future.

Administrator Torstenson's notable traits/accomplishments were highlighted by the following observations/comments:

1. Problem solver that is very optimistic and energetic.
2. Is advancing a collaborative, engaged and high performing culture throughout the City.
3. Identification of policies that have not been followed in the past.
4. Attendance at many local activities and events.
5. Seen as a positive City representative.
6. Is a good and effective communicator.

Other comments:

1. City Administrator Torstenson is a hard worker, has done a good job and will continue to grow/get better as she becomes more familiar with our City.
2. Appreciate her energy and positivity.
3. Six-month timeframe is short for a review.
4. Council would have appreciated Staff's input as well.
5. Some concern expressed regarding "burn-out".
6. Recommended creation of a position manual for each department.

City Administrator Torstenson successfully completed her six-month review and is recommended to proceed to Step C of our Salary Administration Plan which is 95% of the base rate for the position retroactive to 7/1/18.

Submitted by:

David J. Pritschet, President
Brainerd City Council

Dated: 8/7/18

Brainerd City Council
Agenda Request

Requested Meeting Date: August 20, 2018

Title of Item: Agreement for Election Equipment Utilization & Storage with CWC

☐ INFORMATION ONLY ☑ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	**Action Requested:** ☑ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: Connie Hillman	**Department:** Finance
Presenter (Name & Title): Finance Director Hillman	**Estimated Time Needed:**

Summary of Issue:

Crow Wing County received a grant and purchased new vote tabulators, assisted voting devices, ballot bins, and additional electronic rosters for all polling places in Crow Wing County. The County has also agreed to store our voting booths. Attached is an agreement with Crow Wing County for election equipment utilization and storage.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:

Authorize staff to sign the agreement with Crow Wing County.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☐ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☐ Yes ☐ No

Please Explain:

Agreement for Election Equipment Utilization and Storage

This agreement between Crow Wing County (the "County") and the city/town of _____City of Brainerd_____ (the "Municipality") outlines the utilization and storage of election tabulating equipment for all elections in Crow Wing County.

I. The County agrees to purchase and maintain election equipment including vote tabulators, assisted voting devices, voting booths, ballot bins, and electronic rosters for all polling places in Crow Wing County.

II. The County will deploy equipment as needed to polling places as determined by the County based on expected voter turnout and election trends for each election.

III. The Municipality agrees to store non-programmable components of the election equipment as requested by the County. This will include the ballot box that the vote tabulator will be connected to on Election Day.

IV. The Municipality agrees to store said election equipment components in a secure location free from environmental hazards. Components may be stored at the municipal polling location if it is a municipal owned building and the building can be secured when not in use.

V. The County agrees to provide general insurance replacement coverage for all election equipment according to MCIT guidelines; including the components stored at the Municipality.

VI. The Municipality agrees to provide replacement of components if damage occurs due to improper storage or negligence on the part of the Municipality.

VII. This agreement is in effect beginning with new equipment delivered in 2018 and ongoing until terminated by either party with 30-day notice.

_____ _____

Crow Wing County

Deborah A. Erickson

Administrative Services Director

Municipal Clerk

Date _____ Date _____

Brainerd City Council
Agenda Request

Requested Meeting Date: August 20, 2018

Title of Item: Res: Approving Issuance of Health Care Facilities Revenue Bonds

☐ INFORMATION ONLY ☑ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	**Action Requested:** ☐ Approve/Deny Motion ☑ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: Connie Hillman	**Department:** Finance
Presenter (Name & Title): Finance Director Hillman	**Estimated Time Needed:**

Summary of Issue:

Essentia Health is refunding bonds that were originally issued by the Minnesota Agricultural and Economic Development Board in 2008 and 2014. In order to refinance the debt, there is a procedural requirement under Minnesota law, in which communities where the bond proceeds were originally spent must provide consent in the form of a resolution. The bond proceeds were originally spent at the Essentia Health St. Joesph's - Brainerd Clinic.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:

Adopt the resolution approving the issuance of Health Care Facilities Revenue Bonds by the Duluth Economic Development Authority to refinance projects located in the City.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☐ Yes ☐ No

Please Explain:

RESOLUTION NO. XX:18

RESOLUTION APPROVING THE ISSUANCE OF HEALTH CARE FACILITIES REVENUE BONDS BY THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY TO REFINANCE PROJECTS LOCATED IN THE CITY

BE IT RESOLVED by the City Council (the "City Council") of the City of Brainerd, Minnesota (the "City"), as follows:

Section 1. General Recitals.

A. On May 2, 2008, the Minnesota Agricultural and Economic Development Board issued its $42,635,000 Health Care Facilities Revenue Bonds, Series 2008E (Essentia Health Obligated Group) (the "Series 2008E Bonds") to finance or refinance, as applicable, a project located in the City.

B. On July 29, 2014, the Minnesota Agricultural and Economic Development Board issued its $29,480,000 Health Care Facilities Revenue Bonds, Series 2014 (Essentia Health Obligated Group) (the "Series 2014 Bonds" and together with the Series 2008E Bonds, the "Prior Bonds") to finance or refinance, as applicable, a project located in the City.

C. The project located in the City and financed by the Series 2008E Bonds consisted of the following activity: acquisition and installation of certain equipment in, and remodeling and improvements to, the existing medical facilities of St. Joseph's Medical Center d/b/a Essentia Health St. Joseph's Medical Center, located at 523 North Third Street, Brainerd, MN (the "2008 Project"). The project located in the City and financed by the Series 2014 Bonds consisted of the following activities: capital expenditures incurred by Brainerd Medical Center, Inc., d/b/a Essentia Health St. Joseph's – Brainerd Clinic, to renovate approximately 118,000 square-feet of the existing clinic space located at 2024 South Sixth Street (the "2014 Project" and together with the 2008 Project, the "Projects"). Through the Projects, Essentia Health ("Essentia") provides health care services available to residents of the City and the surrounding area.

D. Essentia has requested that the Duluth Economic Development Authority ("DEDA") issue its health care facilities revenue bonds to refund the Bonds and certain other bonds on which Essentia is obligated and finance improvements in Essentia's Medical Campus located in Duluth, Minnesota, including construction of a new acute care hospital.

E. Fryberger, Buchanan, Smith & Frederick, P.A., bond counsel to DEDA, has informed the City that since the Projects are located in the City, Minnesota Statutes, Section 471.656, subdivision 2(2) requires the City Council to consent by resolution to the issuance by DEDA of any portion of bonds financing or refinancing the Projects, and further, that adoption of this resolution by the City Council provides the required consent.

Section 2. Consent. The City consents to the issuance by DEDA of health care facilities revenue bonds to refinance the Projects.

Section 3. Authorization to Staff. The officers of the City are authorized to provide a certified copy of this resolution to DEDA or its representatives, as evidence of the City's consent to the refinancing of the Projects by DEDA.

Adopted this ___ day of August, 2018

_____
DAVID J. PRITSCHET
President of the Council

Approved this __ day of August, 2018

_____
EDWIN L. MENK
Mayor

ATTEST:_____
CASSANDRA TORSTENSON
City Administrator

EXTRACT OF MINUTES OF A REGULAR MEETING OF THE CITY OF BRAINERD, MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Brainerd, Minnesota, was held at the City Hall located in Brainerd, Minnesota, on August 20, 2018, at 6:30 p.m.

The following members were present:

and the following members were absent:

MOTION: Member _____ moved to adopt Resolution No. _____, entitled "Resolution Approving the Issuance of Health Care Facilities Revenue Bonds by the Duluth Economic Development Authority to Refinance Projects Located in the City."

SECOND: Member _____

RESULT: On a roll call vote the motion was carried.

Ayes:

Nays:

Not Voting:

Absent:

CITY OF BRAINERD
SAFETY AND PUBLIC WORKS COMMITTEE
AGENDA

August 20, 2018
City Hall Conference Room
7:15 PM

1. Overview of 2018 Street and Sewer Capital Improvement Projects and Anticipated Public Informational Meetings

Brainerd City Council
Agenda Request

Requested Meeting Date: August 20, 2018

Title of Item: Capital Improvement Projects and Anticipated Public Informational Meetings

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☑ SPW COMMITTEE ☐ MAIN AGENDA	**Action Requested:** ☑ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: City Engineer Sandy	**Department:** Engineering
Presenter (Name & Title): City Engineer Sandy	**Estimated Time Needed:** 10 Minutes

Summary of Issue:

Staff would like to bring the committee up to date on the project development and set some dates for public informational meetings regarding 2019 street and sewer capital improvement projects.

Alternatives, Options, Effects on Others/Comments:

See the attached memos.

Recommended Action/Motion:

Staff recommends considering the dates presented on Monday, October 16, 2018 and Monday, January 8, 2019 to hold public informational meetings for the Buffalo Hills Lane Reconstruction project and consider dates to propose to SEH for a second public open house for the Garfield Safe Routes to School project.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☐ Yes ☐ No

Please Explain:

M E M O

TO: Safety and Public Works Committee

FROM: City Engineer Paul Sandy

DATE: August 14, 2018

SUBJECT: Overview of 2019 Street and Sewer Capital Improvement Projects and Anticipated Public Informational Meetings

As the 2018 construction season begins to wrap up, staff has begun turning the attention to the 2019 construction projects and would like to bring the committee up to date on each project anticipated to be constructed in 2019 along with setting potential dates for some public informational meetings that correspond with each the projects.

Improvement 16-09 – SAP 108-136-004 – Buffalo Hills Lane Reconstruction Project
As the committee may recall, the last time we discussed this project was to decide on a typical section for construction of Buffalo Hills Lane. Since this item was discussed, staff has completed the preliminary survey and has the base map drawn with proposed 26-foot curb and gutter section with a separated 10-foot paved bituminous trail.

The next step in the design process will be modeling the corridor, sizing the storm sewer, design of the storm pond, and calculation of estimated quantities for the project.

As we have wrapped up a preliminary concept drawing, staff would like to consider setting a few dates for public meetings to discuss assessments and final layout with the residents in this area. The first of two public informational meetings that staff would like to propose for committee participation and consideration would be held on October 16, 2018. The main points of discussion at this meeting would be to gather public input on the assessment methodology of choice by the council, and to look at preliminary layout maps and diagrams to gather the public's input on the layout and typical section as proposed. The second of two public meetings staff would like to propose for the committee consideration would be held on January 8, 2019. The purpose of this meeting would be to discuss the final design and preliminary assessment amounts with the public. It is anticipated that approval of final plans and authorization to bid would occur at the January 21, 2019 council meeting with a bid opening of February 25, 2019. It is anticipated that State Aid funds will be utilized for construction of Buffalo Hills Lane.

Improvement 17-07 – 10th Avenue NE Reconstruction; Improvement 17-06 – SAP 108-119-006 – H Street Reconstruction; SP 108-591-005 Garfield Safe Routes to School

Staff has continued to work closely with SEH and is currently in plan development to reconstruct H Street from 8th Avenue NE to 13th Avenue NE and 10th Avenue NE from Washington Street to I Street. The H Street project will also consist of a filling of gap of sidewalk on H Street between 1st Avenue NE and 4th Avenue NE. There will also be a small gap of sidewalk filled on 1st Avenue NE between H Street and Evergreen Avenue as part of this project as discussed in the City's Non-Motorized Transportation Plan developed by the Walkable-Bikeable City Committee.

SEH continues to develop plans to for the Garfield Safe Routes to School project, Phase II and Phase III. Staff is currently working with Scott Hedlund to schedule another public meeting some point at the end of September and will update the committee when a time and date are set for this meeting.

State Aid funds are anticipated to be utilized for all work on H Street, with local funds to be used on 10th Avenue NE and the sidewalk gap construction on 1st Avenue NE. Staff has been working closely with MnDOT State Aid staff to formulate the Safe Routes to School projects such that State Aid funds can be utilized to match the 80% federal funds on the sidewalks adjacent to State Aid streets consisting of H Street and N Street. The 20% local match on the rest of the streets that sidewalk will be added will be covered with local funds. Some of the project costs are also anticipated to be assessed to benefitting properties for the reconstruction work on H Street and 10th Avenue NE.

Improvement 18-08 – SAP 108-124-008 – South 4th Street Mill and Overlay tied to Improvement 17-07 - SAP 108-126-014 – College Drive Mill and Overlay Project

Staff has completed preliminary survey for both the S 4th Street mill and overlay project along with the College Drive mill and overlay project and anticipate tying these projects together. Plan development will commence with anticipated bid letting date of sometime in early spring.

State Aid funds will be utilized for both projects in this circumstance.

Improvement 17-10 – Alley Sanitary Sewer Reconstruction – Oak Street to Pine Street, 11th Avenue Se to 19th Avenue SE

Plans and specifications for this project have been completed and shelved for the 2018 construction season. Staff can bid this project at any time and anticipate a late fall/early winter letting. Funds for this project are anticipated to come from the sanitary sewer fund.

Conclusion

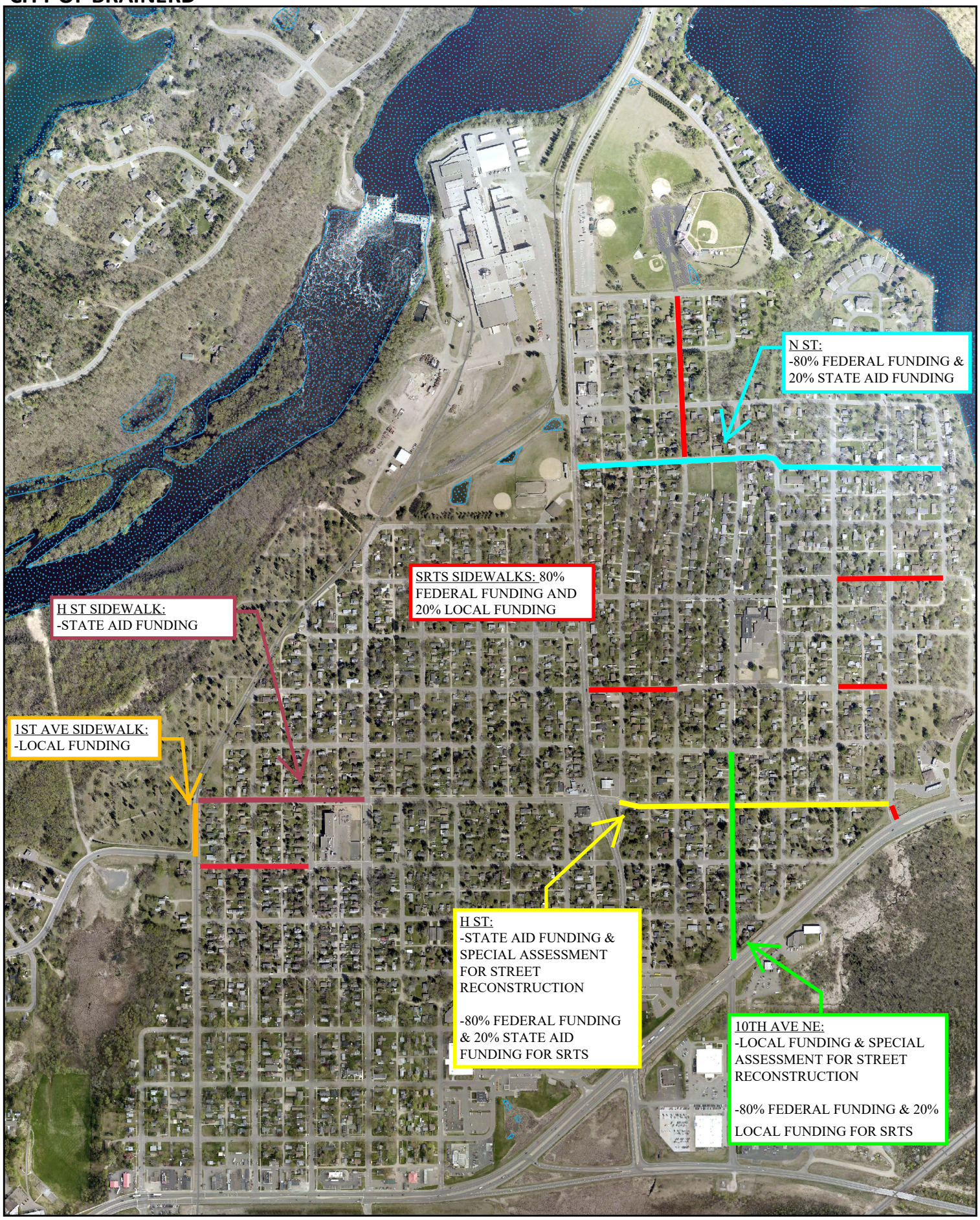
Staff would like the committee to consider the recommendations for public meetings, and also to give us some good dates that work at the end of September to hold a second public open house for the Garfield Safe Routes to School project. We have also formulated some maps, as I see that this memo may be confusing with all the different funding sources planned to be utilized for construction.

CITY OF BRAINERD

BUFFALO HILLS RECONSTRUCTION PROJECT

IMP 16-09 / SAP 108-136-004

CITY OF BRAINERD



10th AVE NE RECONSTRUCTION, H ST RECONSTRUCTION, GARFIELD SRTS

IMP 17-07, IMP 17-06 (SAP 108-119-006), SP 108-591-005

CITY OF BRAINERD

S 4TH ST MILL AND OVERLAY & COLLEGE DRIVE MILL AND OVERLAY

IMP 18-08 (SAP 108-124-008) & IMP 17-07 (SAP 108-126-014)

CITY OF BRAINERD

ALLEY SANITARY SEWER RECONSTRUCTION - OAK ST TO PINE ST, 11TH AVE TO 19TH AVE

IMP 17-10

CITY OF BRAINERD
PERSONNEL AND FINANCE COMMITTEE
AGENDA

August 20, 2018
City Hall Conference Room
7:15 PM

1. Approval of Bills

2. Resignation of Accounts Payable/Administrative Specialist Darla Johnson

Brainerd City Council
Agenda Request

Requested Meeting Date: August 20, 2018

Title of Item: Resignation of Accounts Payable/Administrative Specialist Darla Johnson

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☑ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	**Action Requested:** ☑ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: Connie Hillman	**Department:** Finance
Presenter (Name & Title): Finance Director Hillman	**Estimated Time Needed:** 5 Minutes

Summary of Issue:

On August 7th, Darla Johnson, Accounts Payable/Administrative Specialist, submitted her resignation effective August 20, 2018.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:

The recommended action is to accept Ms. Johnson's resignation. Staff has posted an employment ad advertising the open position.

Financial Impact:

Is there a cost associated with this request: ☑ Yes ☐ No

What is the total cost, with tax and shipping $ unknown

Is this budgeted? ☐ Yes ☑ No

Please Explain: We feel that the administrative department will be able to absorb the cost of hiring.

August 7, 2018

To: Connie Hillman

Kris Schubert

I am writing to inform you that I will be resigning from the City of Brainerd. My last day in the office will be Friday, August 17, 2018 and my last day of employment will be Monday, August 20, 2018, utilizing my remaining vacation day.

Please accept this letter as my official notice. I have learned so much working for the City and I appreciate the time you have taken to mentor me. Thank you.

Sincerely,

Darla Johnson

RECEIVED

AUG 07 2018

CITY OF BRAINERD
ADMINISTRATION

City of Brainerd
Commission/Committee/Board Application Form

Any *questions contact City Hall at 218-828-2307*

Commission/Committee/Board Applying for CHARTER Comm Date: 8-6-18

This application is public data pursuant to M.S. 13.43

PLEASE NOTE: **Completion and submission of this form grants the City authority to conduct a background check including a complete criminal history and driver's license check.**

***Name: Last** FARGO **First** RICHARD **M.I.** A.

PLEASE NOTE: **To serve on a City Committee or Board, you must either live in or own property within the City Limits of Brainerd.**

Why do you want to be on the Commission/Committee/Board you are applying for? I FEEL I CAN HELP

RECEIVED
AUG 10 2018
CITY OF BRAINERD
ADMINISTRATION

What skills, strengths, or abilities do you believe you will add to the organization? DETAIL ATTENTION

***Please refer to the "Meeting Dates and Time" for your desired Committee; are you able to commit to this schedule?** YES

***After Reviewing the City's "Conflict of Interest Policy" Please Explain if you are aware of any situation that might be perceived by others as a "Conflict of Interest" if you are appointed:** NONE

Please list any additional comments:

(Signature) (Date) 8-6-18

***Required Information**

Submit completed application forms via one of the following options:

email: chillman@ci.brainerd.mn.us **fax**: 218-828-2316
Mail: City of Brainerd, 501 Laurel Street, Brainerd MN 56401

RECEIVED

JAN 25 2018

CITY OF BRAINERD ADMINISTRATION

City of Brainerd
Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

Commission/Committee/Board Applying for TAC Date: 1-25-18

This application is public data pursuant to M.S. 13.43

PLEASE NOTE: **Completion and submission of this form grants the City authority to conduct a background check including a complete criminal history and driver's license check.**

*Name: Last Ellstrom First Melanie M.I. A.

PLEASE NOTE: **To serve on a City Committee or Board, you must either live in or own property within the City Limits of Brainerd.**

*Address: _____ City, State, Zip: Brainerd, MN 56401

*If you do not live but do own property within the City Limits please list the address of that property for verification: _____

*Phone Number(s): Home: _____ Work: _____

Cell: _____ *Email Address: _____

Why do you want to be on the Commission/Committee/Board you are applying for?

I want to have a better understanding of our transit system and want to be able to help in making it the best it can be.

What skills, strengths, or abilities do you believe you will add to the organization?

Insight to the happenings in and around the community and a 1st hand look and experiences with commuters in our county.

***Please refer to the "Meeting Dates and Time" for your desired Committee; are you able to commit to this schedule?** Yes

***After Reviewing the City's "Conflict of Interest Policy" Please Explain if you are aware of any situation that might be perceived by others as a "Conflict of Interest" if you are appointed:**

None

Please list any additional comments on the back of this form (limit of 2 pages)

(Signature) 1-25-18 (Date)

*Required Information

Submit completed application forms via one of the following options:

email: chillman@ci.brainerd.mn.us **fax**: 218-828-2316
Mail: City of Brainerd, 501 Laurel Street, Brainerd MN 56401

Updated 2/2017

City of Brainerd
Commission/Committee/Board Application Form

Any *questions contact City Hall at 218-828-2307*

Commission/Committee/Board Applying for Transportation Advisory Committee Date: 12/22/2017

This application is public data pursuant to M.S. 13.43

PLEASE NOTE: **Completion and submission of this form grants the City authority to conduct a background check including a complete criminal history and driver's license check.**

*Name: Last Zetah First Rachel M.I. L

PLEASE NOTE: **To serve on a City Committee or Board, you must either live in or own property within the City Limits of Brainerd.**

*Address: _____ City, State, Zip: Brainerd, MN 56401

*If you do not live but do own property within the City Limits please list the address of that property for verification: N/A

*Phone Number(s): Home: _____ Work: _____

Cell: _____ *Email Address: _____

Why do you want to be on the Commission/Committee/Board you are applying for?

I would like the opportunity to advocate for the transportation needs in our community. Having access to transportation can lead to better opportunities for residents of Brainerd and more involvement within our community.

What skills, strengths, or abilities do you believe you will add to the organization?

I have a strong understanding of the public transportation needs for our residents of Brainerd, ability to analyze problems and create solutions.

***Please refer to the "Meeting Dates and Time" for your desired Committee; are you able to commit to this schedule?** Yes

***After Reviewing the City's "Conflict of Interest Policy" Please Explain if you are aware of any situation that might be perceived by others as a "Conflict of Interest" if you are appointed:**

No Conflicts of Interest

Please list any additional comments on the back of this form (limit of 2 pages)

(Signature) 12/26/17 (Date)

*Required Information

Submit completed application forms via one of the following options:

email: chillman@ci.brainerd.mn.us **fax**: 218-828-2316
Mail: City of Brainerd, 501 Laurel Street, Brainerd MN 56401

Updated 2/2017

Brainerd City Council
Agenda Request

Requested Meeting Date: August 20, 2018

Title of Item: Downtown Parking

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☑ MAIN AGENDA	**Action Requested:** ☑ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: City Administrator Torstenson	**Department:** Administration
Presenter (Name & Title): Torstenson & Sandy	**Estimated Time Needed:** 5 minutes

Summary of Issue:

Interest has been expressed by downtown businesses to have a three hour parking lot. City staff propose moving the three hour parking lot from the City Hall lot to the Front Street lot on a trial basis for three months to see if this alleviates parking concerns. The City Hall parking lot will become a two hour parking lot and the Laurel Street parking lot and on street parking will remain two hours.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:

Approve City Hall parking lot as two hours and the Front Street lot as three hours.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☐ Yes ☐ No

Please Explain:

Brainerd City Council
Agenda Request

Requested Meeting Date: August 20, 2018

Title of Item: Final Reading Ord.1486 - Rezone Block 9, 2nd Add. to Brainerd from R-1 to R-2

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☑ MAIN AGENDA	**Action Requested:** ☑ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☑ Ordinance 2nd Reading **provide copy of published hearing notice*
Submitted by: Mark Ostgarden	**Department:** Planning
Presenter (Name & Title): Same	**Estimated Time Needed:** 10 minutes

Summary of Issue:

John Groenwold, 13713 Olivewood Drive, Baxter, MN 56425 has submitted a request on behalf of himself, for his property at 1110 Pine Street and all the other property owners on Block 9, 2nd Addition to Brainerd: Donna Pearson – 1106 Pine Street; Dianna Lorimor – 1114 Pine Street; 1107 and 1109 Quince Street; B.A. Doer – 1120 Pine Street; Jeffrey Kollars – 1124 Pine Street; Jan Walters – 1103 Quince Street and the HRA – 1113 and 1115 Quince Street, 714 and 716 12th Street SE to rezone the block from an R-1 (Single-Family Residential) District to an R-2 (Medium-Density Residential) District.

See attached Staff Report, Findings of Fact and the July 18, 2018 Planning Commission meeting minutes.

Alternatives, Options, Effects on Others/Comments:

Approving the ordinance will rezone the entire block to R-2. A denial will mean the R-1 zone will remain.

The required public hearing occurred at the Planning Commission meeting.

Recommended Action/Motion:

The Planning Commission voted 5-0 to recommend approval of the amendment.

A motion by _____ and seconded by _____ to approve/deny the final reading of proposed Ordinance No. 1486 to rezone Block 9 of the 2nd Addition to Brainerd from an R-1 (Single Family Residential) District to R-2 (Medium Density Residential) District zoning.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ 0

Is this budgeted? ☐ Yes ☐ No

Please Explain:

O R D I N A N C E
NO. 1486

AN ORDINANCE AMENDING ORDINANCE NO. 812
PERTAINING TO THE ZONING IN THE CITY OF BRAINERD

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That existing Section 515-04-02 of the Brainerd City Code is hereby amended by changing the zoning designation of the properties below from an R-1 (Single-Family Residential) District to an R-2 (Medium Density Residential) District for the following:

LOTS 1 THRU 24 BLOCK 9 OF SECOND ADDITION TO BRAINERD
TWP 45 RNG 31 SECT 25

SECTION TWO: This Ordinance shall take effect and be in force one week from and after its publication.

Adopted this ___ day of August, 2018

_____
DAVID J. PRITSCHET
President of the Council

Approved this ____ day of August, 2018

_____
EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One Time, _____, 2018

STAFF REPORT TO THE PLANNING COMMISSION
July 11, 2018

APPLICANT/LOCATION: John Groenwold, 13713 Olivewood Drive, Baxter, MN 56425 has submitted a request on behalf of himself, for his property at 1110 Pine Street and all the other property owners on Block 9, 2nd Addition to Brainerd:

- Donna Pearson – 1106 Pine Street
- Dianna Lorimor – 1114 Pine Street; 1107 and 1109 Quince Street
- B.A. Doer – 1120 Pine Street
- Jeffrey Kollars – 1124 Pine Street
- Jan Walters – 1103 Quince Street
- HRA – 1113 Quince Street, 1115 Quince Street, 714 12th Street SE, 716 12th Street SE

REQUESTED ACTION: Rezone the block from an R-1 (Single-Family Residential) District, which permits only single-family dwellings to an R-2 (Medium-Family Residential) District, which permits single-family dwellings and two-family (duplexes) dwellings.

AREA: Approximately 2 Acres

ADJACENT USES

North: Generally Single-family dwellings with some two-family dwellings
East: Generally Single-family dwellings with some two-family dwellings
South: Generally Single-family dwellings with some two-family dwellings
West: Generally Single-family dwellings with some two-family dwellings

AREA ZONING:

North: R-1 (Single-Family Residential) District
East: R-2 (Low to Medium Density Residential) District
South: R-1 (Single-Family Residential) District
West: R-1 (Single-Family Residential) District

PETITION EVALUATION

Mr. Groenwold purchased 1110 Pine Street with plans to re-establish the building as a two-family dwelling that existed many years ago. The property is located in an R-1 (Single Family Residential) District and although it was once a two-family dwelling, it lost its right to be reused in that manner. He asked if rezoning is an option and it was explained that zoning one lot at a time is not a preferred method of zoning. It was further explained his best option would be to include all the property owners on the block. Mr. Groenwold sent a letter to the property owners and each responded, stating their desire to be included on the application (See attached letters).

In compliance with Section 515.09 of the Brainerd Zoning Ordinance, the Planning Commission shall conduct a Public Hearing regarding this request. To assist the Planning Commission in evaluating the suitability of this requested change, the following are guidelines and a staff review of issues associated with the application to consider in the review process.

1. **The proposed action's consistency with the specific policies and provisions of the official City Comprehensive Plan.**

   The Comprehensive Plan Land Use Goals and Strategies applicable to this request are included in the Findings of Fact.

2. **The proposed use's compatibility with present and future land uses of the area.**

   The Comprehensive Plan specifies:

   Low to medium density residential development as portions of Brainerd hat should contain one and two-family dwellings such as duplexes and town homes. Low to Medium Density Residential could include both the older, smaller lot, single-family subdivisions found within the city as well as the newer, larger lot subdivisions within the city and its planned growth areas.

   The overall density of these areas should be maintained at or between three and five units per acre.

   The attached section of the Comprehensive Plan Future Land Use Map identifies this property as Low to Medium Residential land use. Single-family (R-1) and two-family (R-2) zoning is consistent with the Future Land Use Map.

3. **The proposed use's effect upon the area in which it is proposed.**

   There would be 16 dwelling units (currently 15) should the block be rezoned. The block is approximately two acres which means this a density of 8 units per acre. This density is at the lower end of the Medium to High Density described as 5 to 20+ units per acre in the Comprehensive Plan.

4. **Traffic generation of the proposed use in relation to capabilities of streets serving the property.**

   The block currently has 10 units in 5 two-family dwellings and 5 single-family dwellings totaling 15 units. Should the block be rezoned that would increase to 12 units in 6 two-family dwellings and 4 single-family dwellings.

   Should the remaining four single-family dwellings have the potential for two-family dwelling use, that would create four additional units increasing the total to 20 units increasing the density to 10 units/ acre.

   The neighborhood streets are capable of handling the additional traffic.

5. **The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.**

Should the rezoning occur, public services and facilities in the area are capable of handling the impact of the additional units.

PLANNING DEPARTMENT REVIEW

During the City-wide Zoning Map review and update in 2011, the Planning Commission and City Council changed a significant area of the R-2 zoning and rezoned it to R-1. This area was one of the areas affected by that change. The thought being that the R-1 zoning may slow the increase in rental property. A copy of the current Zoning Map and the map prior to 2011 are attached.

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission may consider a recommendation on this request at its July 18, 2018 meeting. The City Council can receive the Planning Commission recommendation and consider an Ordinance First Reading on August 6th, 2018 and an Ordinance Second/Final Reading on August 20, 2018.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

Findings of Fact

1. John Groenwold, 13713 Olivewood Drive, Baxter, MN 56425 has submitted a request on behalf of himself, for his property at 1110 Pine Street and all the other property owners on Block 9, 2nd Addition to Brainerd:

    - Donna Pearson – 1106 Pine Street
    - Dianna Lorimor – 1114 Pine Street; 1107 and 1109 Quince Street
    - B.A. Doer – 1120 Pine Street
    - Jeffrey Kollars – 1124 Pine Street
    - Jan Walters – 1103 Quince Street
    - HRA – 1113 Quince Street, 1115 Quince Street, 714 12th Street SE, 716 12th Street SE

    To rezone a block bounded by Pine Street, 11th St. SE, Quince Street and 12th St. SE property from an R-1 (Single Family Residential) District to an R-2 (Low to Medium Density Residential) District.

2. All the property owners on the block have submitted letters to be part the rezoning application.

3. The area is generally single-family units with some two-family units in the area.

4. Zoning to the north is an R-1 (Single Family Residential) District; to the east is an R-2 (Low to Medium Density Residential) District; to the south is an R-1 (Single Family Residential) District and the west is an R-1 (Single Family Residential) District.

5. The block has 5 – two-family dwellings and 5 – single-family dwellings. The rezoning will change that to 6 – two-family dwellings and 4 – single-family dwellings.

6. The block is approximately two acres. There are currently 16 dwelling units on the block, which equates to 8 units/acre. If rezoned, there is a density potential of 10 units/acre. The densities are at the low end of the 5 to 20+ units/acre medium to high density Comprehensive Plan Future Land Use Designations.

7. City sewer and water are available and capable of providing for additional density.

8. During the 2011 City-wide Zoning Map review and update, a significant area of R-2 zoning was change to R-1 zoning. This is one of the areas affected.

9. The rezoning is supported by the following Comprehensive Plan Goals and Strategies:

GENERAL GOAL #1: *Maximize Brainerd's potential as a thriving center for business, health care, industry, education and recreation, while maintaining and enhancing its livability.*

Strategy

Protect both the general welfare and the individual choices of Brainerd residents. Insure that decisions that are made by the community reflect the needs of current residents and business owners.

LAND USE GOAL #3: *Plan for the orderly, efficient and fiscally responsible growth of residential development in Brainerd.*

Strategies

1. Continue to guide residential growth in an orderly and compact manner so that new developments can be effectively served by public improvements and that the character and quality of the city's existing neighborhoods can be maintained and enhanced.

2. Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost-effective provision of city services.

3. Encourage housing rehabilitation and redevelopment in appropriate areas.

Existing Land Use Map

Legend

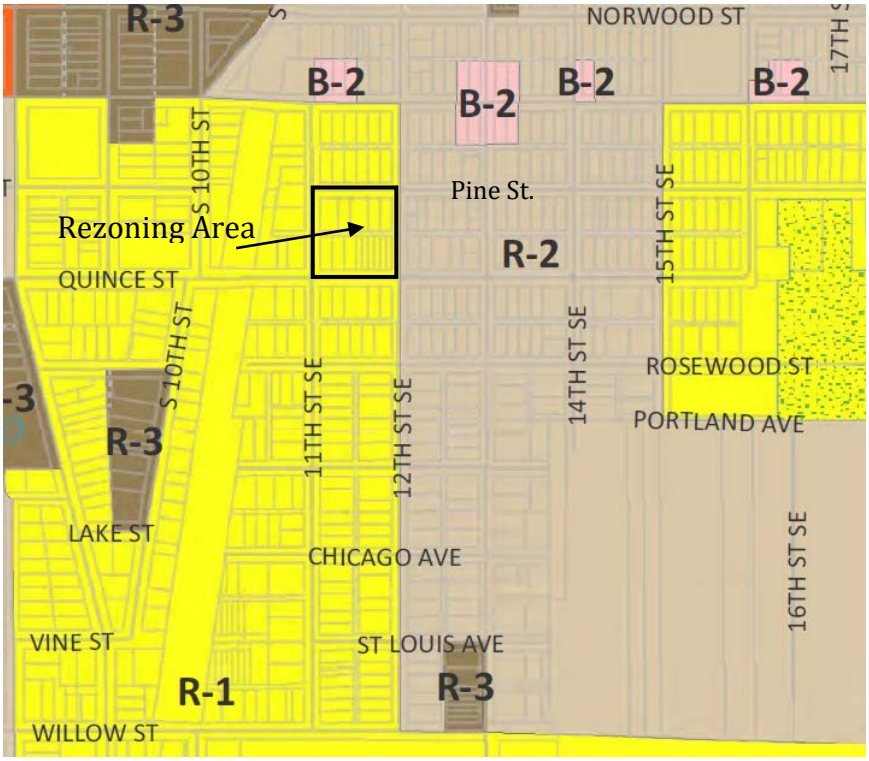
- City Limits
- Parks
- Lakes

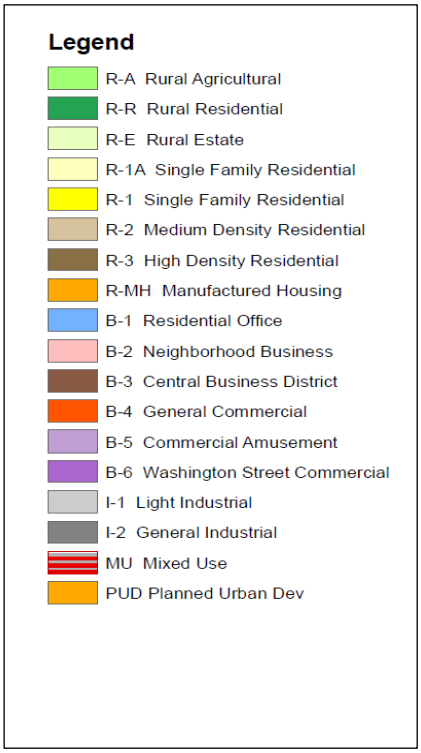
Parcels

Existing Land Use

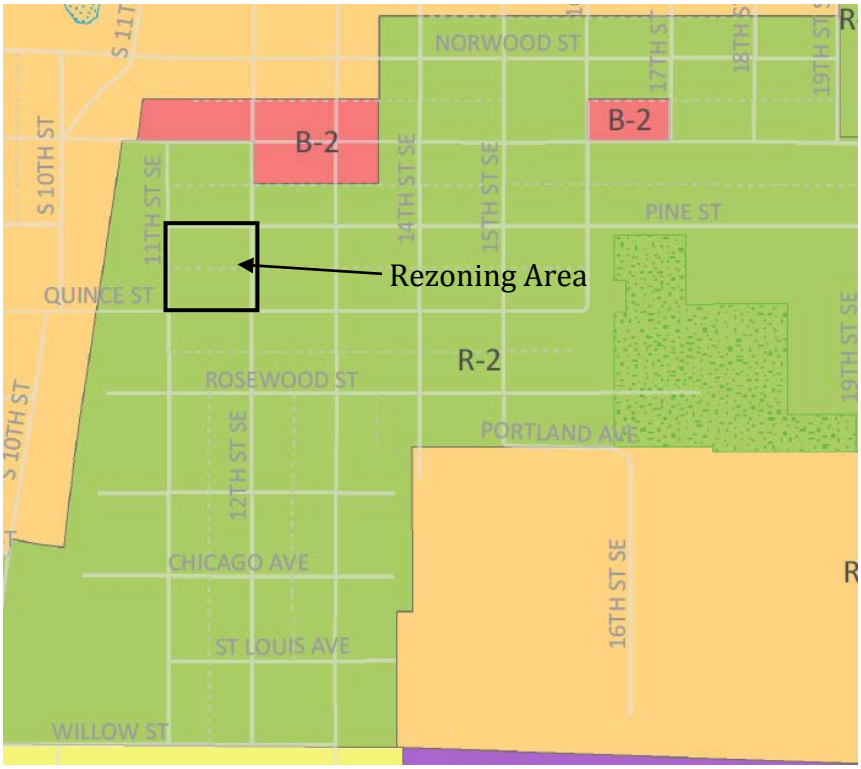
- Single Family Residential
- Two Family (Duplex)
- Multiple Family Residential
- Manufactured Homes
- General Commercial
- Industrial
- Public / Semi Public
- Park / Trail
- Agriculture
- Vacant / Undeveloped
- Not In City

Current Zoning Map

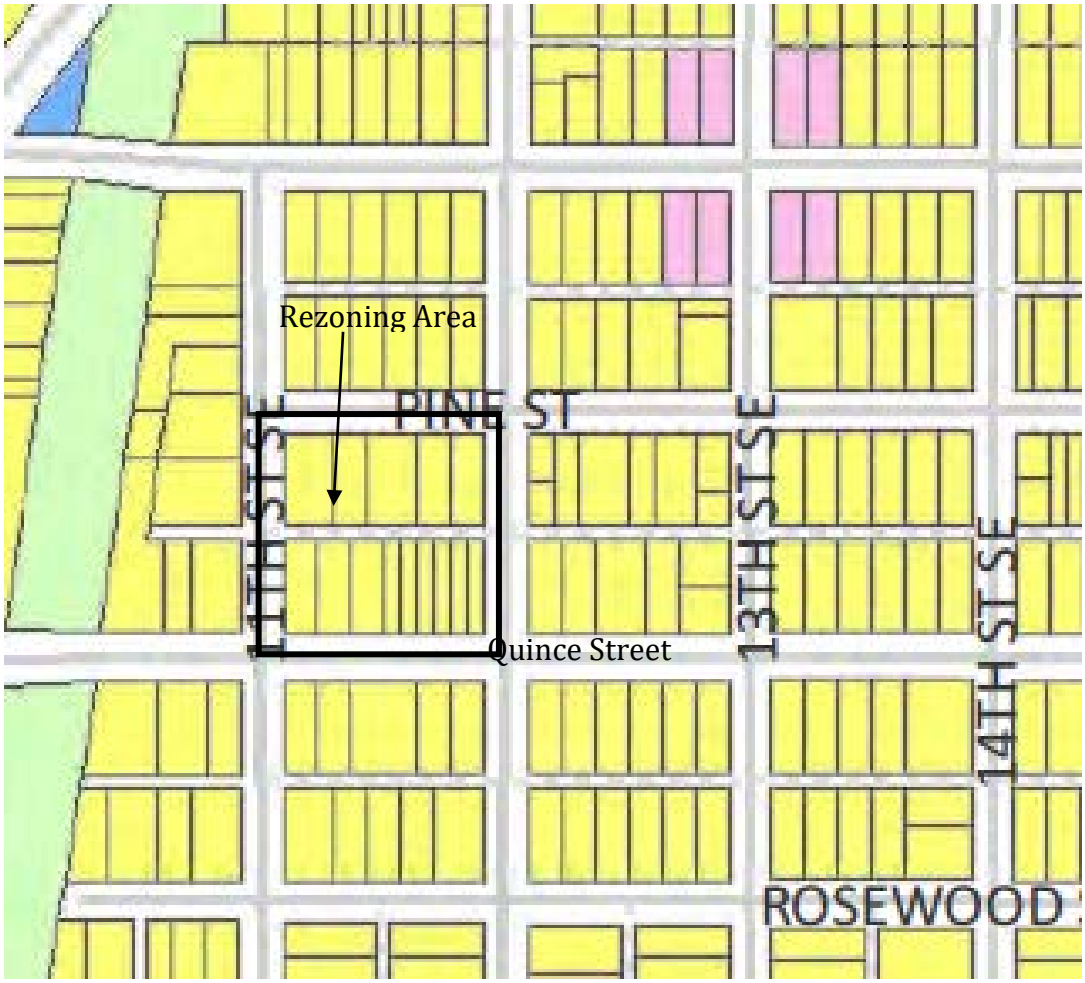




Zoning Map Prior to 2011



Future Land Use Map



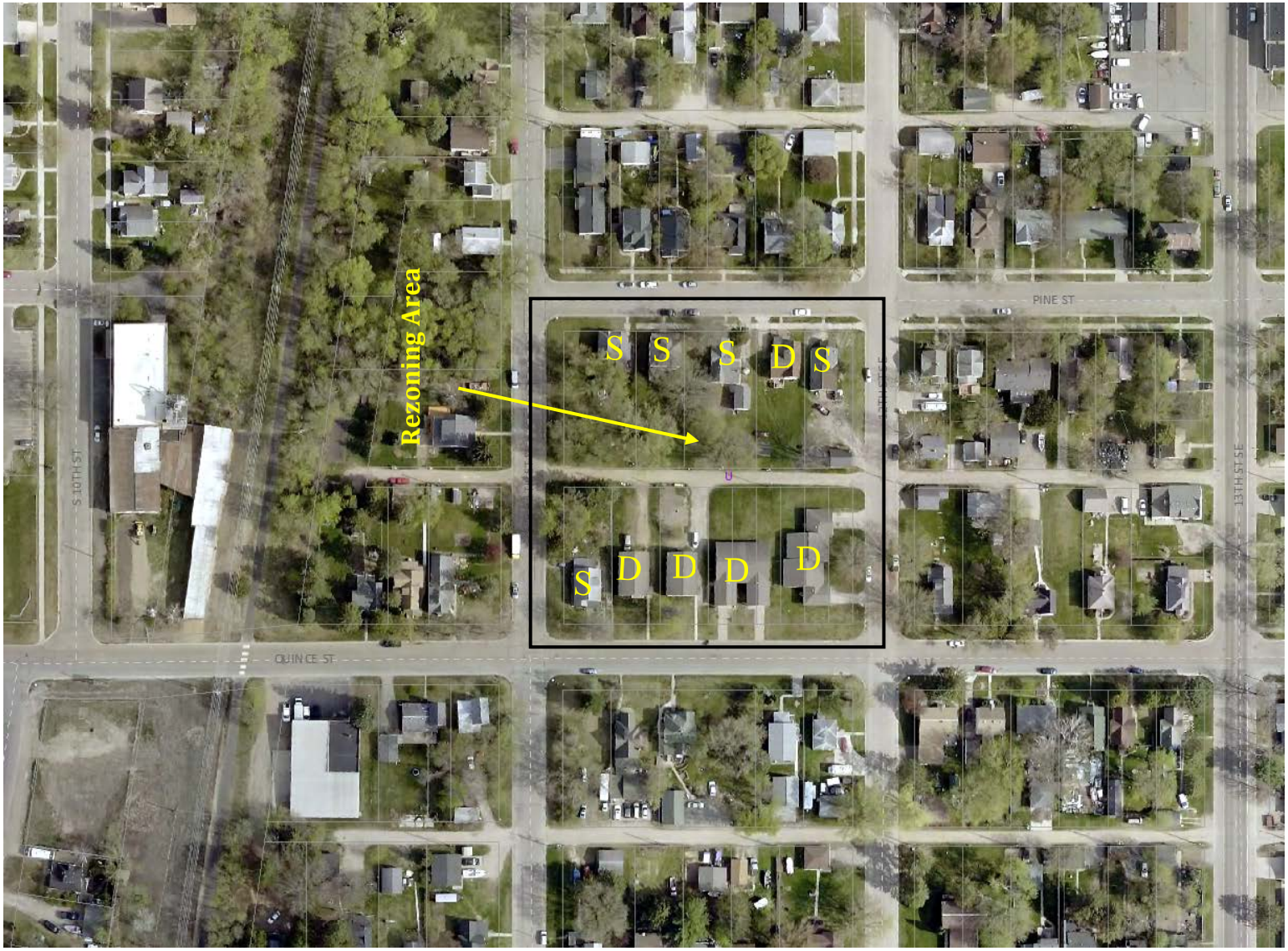
Legend

- City Limits
- Parks
- Lakes

Future Land Use

- Low-Med Density Residential
- Med-High Density Residential
- Downtown Commercial
- Business Park
- General Commercial
- Development Preserve
- Industrial
- Public / Semi Public
- Park / Open Space
- Mixed Residential

Site Aerial


13TH ST SE
PINE ST
S 10TH ST
QUINCE ST
Rezoning Area
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Sample letter signed by all property owners on the block

June 4, 2018

Dear Neighbor,

I am seeking your support to rezone the block on which we own property. I recently purchased 1110 Pine Street on the block where you also own property. The house I purchased was designed for and used as a duplex. Our block is currently zoned to permit only one dwelling unit on a lot. I would like to use the house as a duplex again. However, due to the rental license lapsing for more than 1 year and the current zoning of the block does not allow it to be returned to a duplex.

The only option I have to be able to return the house to a duplex is to rezone the property. I have discussed this with the City of Brainerd and was informed that rezoning a single lot would not feasible. The only possible way (which also is not a guarantee) is to rezone the entire block.

Attached is a map that depicts the 10 houses on our block, all which are not owner occupied. I have identified that 6 are designed as a duplex and 4 are used as family single dwellings. The City explained the zone that is needed is one that permits one and two units on a lot. The City has also explained that the required zoning will have no negative impacts on your property but may benefit you in the following ways:

1. For those that own a duplex, the zoning would bring the property back into zoning compliance and eliminate for you the problem I encountered should a rental license on your property lapse for more than 1 year, and

2. If you own a builing used as a single family dwelling the rezoning gives you the opportunity, if feasible, to have another unit on your property.

The City requires a $300 processing fee to rezone property, which I am willing to pay.

I need to provide proof that all the property owners on the block support rezoning the block. Below is a signature area for you to sign. I am enclosing 2 copies of this letter, one for you to keep and one for you to sign and return to me. I have enclosed a self-addressed stamped return envelope for your convenience.

I am happy to talk with about this request in person or over the phone. Please call me at 218-851-8182 any time if you would like to discuss.

Thank you for considering my inquiry!

John Groenwold

I support rezoning my property located at 1120 Pine St. Brainerd, MN. 56401

B.A. Doer Nathan Hanson 6/5/18

Printed Name/ Date

Your Signature

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that John Groenwald 13713 Olivewood Drive, Baxter, MN 56425 has submitted a request on behalf of himself, for his property at 1110 Pine Street and all the other property owners on Block 9, 2nd Addition to Brainerd:

Donna Pearson – 1106 Pine Street
Dianna Lorimor – 1114 Pine Street
B.A. Doer – 1120 Pine Street
Jeffrey Kollars – 1124 Pine Street
Jan Walters – 1103 Quince Street
Dianna Lorimor – 1107 Quince Street
Dianna Lorimor – 1109 Quince Street
HRA – 1113 Quince Street
HRA – 1115 Quince Street
HRA – 714 12th Street SE
HRA – 716 12th Street SE

to rezone the block from an R-1 (Single-Family Residential) District which permits only single-family residential dwellings to an R-2 (Medium-Family Residential) District which permits single-family dwellings and two-family (duplexes) dwellings.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, July 18, 2018 in the Brainerd City Hall Council Chambers, 501 Laurel Street to consider the request.

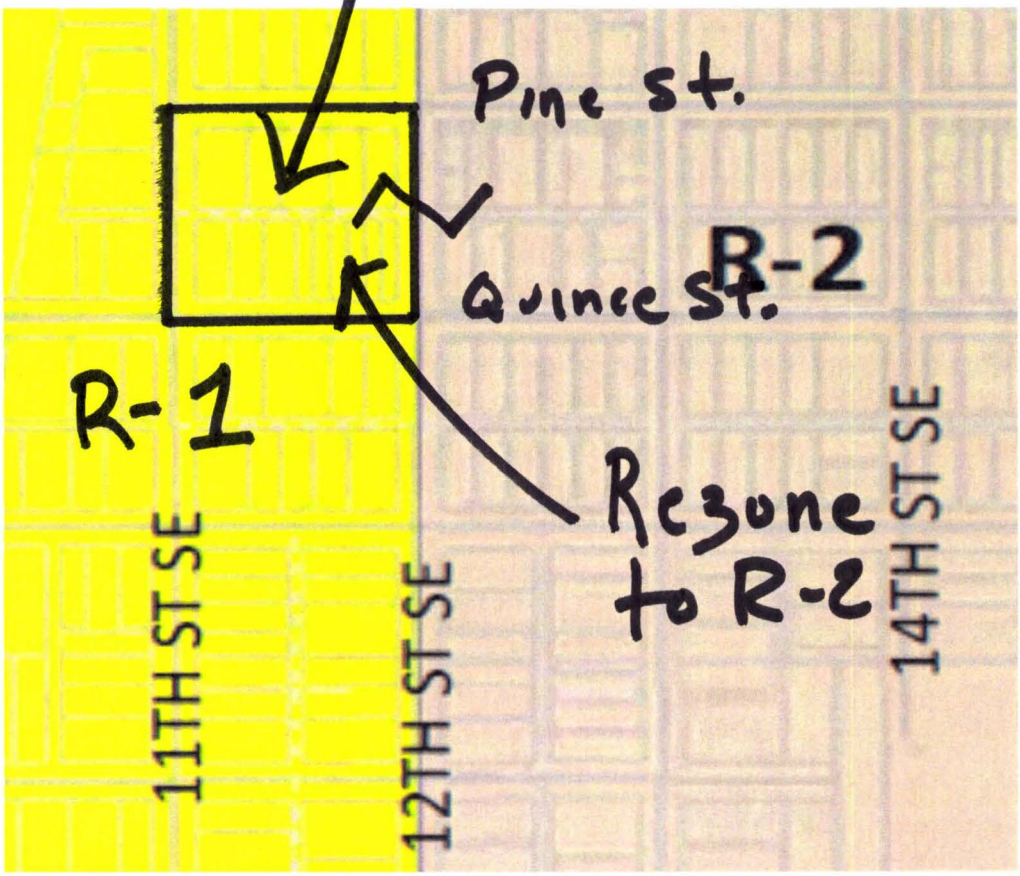
Any individual needing special accommodations or would like more information about this request please call (218) 828-2309.

Dated this 5th day of July 2018.

_____
Mark Ostgarden AICP
City Planner

See reverse side for maps.

Pine st
11th st SE
14th st SE
Quince st


Pine st.
Quince st.
R-2
R-1
Rezone to R-2
11TH ST SE
12TH ST SE
14TH ST SE

Brainerd City Council
Agenda Request

Requested Meeting Date: August 20, 2018

Title of Item: Final Reading Ord. No. 1487 - Rezone 1202 and 1210 13th Street SE from R-3 to R-2

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☑ MAIN AGENDA	**Action Requested:** ☑ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☑ Ordinance 2nd Reading **provide copy of published hearing notice*
Submitted by: Mark Ostgarden	**Department:** Planning
Presenter (Name & Title): Same	**Estimated Time Needed:** 10 minutes

Summary of Issue:

Chase Vreeland, 1507 South 6th Street, Brainerd, MN 56401, owner of 1210 13th Street SE and Mustang Sally Investments, 10471 State Highway 25, Brainerd, MN 56401 owner of 1202 13th Street SE have requested rezoning the two 13th Street SE properties from an R-3 (High Density Residential) District and multi-family dwellings to an R-2 (Medium Density Residential) District.

See attached Staff Report, Findings of Fact and the July 18, 2018 Planning Commission meeting minutes.

Alternatives, Options, Effects on Others/Comments:

Approving the ordinance will rezone the two properties to an R-2. A denial will mean the R-3 zone will remain.

The required public hearing occurred at the Planning Commission meeting.

Recommended Action/Motion:

The Planning Commission voted 5-0 to recommend approval of the amendment.

A motion by _____ and seconded by _____ to approve/deny the second reading of proposed Ordinance No. 1487 to rezone 1202 and 1210 13th Street SE from an R-3 (High Density Residential) District to an R-2 (Medium Density Residential) District zoning.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ 0

Is this budgeted? ☐ Yes ☐ No

Please Explain:

O R D I N A N C E
NO. 1487

AN ORDINANCE AMENDING ORDINANCE NO. 812
PERTAINING TO THE ZONING IN THE CITY OF BRAINERD

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That existing Section 515-04-02 of the Brainerd City Code is hereby amended by changing the zoning designation of the properties below from an R-3 (High Density Residential) District to an R-2 (Medium Density Residential) District for the following:

LOTS 7 THRU 12 BLOCK 15 INCLUSIVE & THAT PT OF ADJ VAC ALLEY AS SHOWN ON DOC #349971 TWP 45 RNG 31 SECT 25 DAVIS' ADDITION TO THE CITY OF BRAINERD

SECTION TWO: This Ordinance shall take effect and be in force one week from and after its publication.

Adopted this ___ day of August, 2018

_____
DAVID J. PRITSCHET
President of the Council

Approved this ____ day of August, 2018

_____
EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One Time, _____, 2018

STAFF REPORT TO THE PLANNING COMMISSION
July 10, 2018

APPLICANT/LOCATION: Chase Vreeland, 1507 South 6th Street, Brainerd, MN 56401, owner of 1210 13th Street SE and Mustang Sally Investments, 10471 State Highway 25, Brainerd, MN 56401 owner of 1202 13th Street SE

REQUESTED ACTION: Rezoning the two 13th Street SE properties from an R-3 (High Density Residential) District which permits two-family dwellings (duplexes) and multi-family dwellings to an R-2 (Medium Density Residential) District that permits single-family dwellings and two-family dwellings.

AREA: Each parcel is 150' x 75' = totaling 22, 500 sq. ft. = .5 acres

ADJACENT USES:
North: Group home
East: Single-family dwellings
South: Two multi-family dwellings
West: Single-family and two-family dwellings

AREA ZONING:
North: R-2 (Low to Medium Density) Residential
East: R-2 (Low to Medium Density) Residential
South: R-3 (Multi-Family Residential) District
West: R-2 (Low to Medium Density) Residential

PETITION EVALUATION

Chase Vreeland purchased the property at 1210 13th St SE. The property has had a vacant windowless building on it for decades that has never been used as a dwelling. Mr. Vreeland's plan is to remodel the building for use as a single-family dwelling. The Building Department became aware of the work and had to ask the owner to stop work because a building permit had not been issued. The parcel is part of an R-3 (Multi-Family Residential) District along the west side of 13th Street SE from St. Louis Street to Willow Street as zoning district that does not permit single-family dwellings.

Tim Caughey, Building Official and I met with Mr. Vreeland to explain that because of the building's nonconforming status, work could not continue. It was explained that rezoning is needed, however rezoning one parcel at a time is not typically a preferred method. Based on the area zoning, it was suggested that if he could get the approval of the property owner to the north to be part of the rezoning application, a stronger rezoning case might be made. Mr. Vreeland sought and received the signature on the application from the owner to the north.

In compliance with Section 515.09 of the Brainerd Zoning Ordinance, the Planning Commission shall conduct a Public Hearing regarding this request. To assist the Planning

Commission in evaluating the suitability of this requested change, the following are guidelines and a staff review of issues associated with the application to consider in the review process.

1. **The proposed action's consistency with the specific policies and provisions of the official City Comprehensive Plan.**

   The Comprehensive Plan Land Use Goals and Strategies that apply to this request are included in the Findings of Fact by which this proposal should be reviewed.

2. **The proposed use's compatibility with present and future land uses of the area.**

   The Comprehensive Plan specifies:

   The purpose of this category is to identify portions of Brainerd that should contain higher density housing units. Medium to High Density Residential is intended to accommodate primarily manufactured home parks, apartments, rooming houses and other multi-family development. The overall density of these areas should generally be maintained at 5 to 20+ units per acre.

   The attached section of the Comprehensive Plan Future Land Use Map identifies this property as Medium to High Density Residential land use. The north parcel has a three-family dwelling currently used as a group home. The Vreeland parcel would be one unit and the north parcel would have two additional units (the group home being considered a unit, so the net increase is two). The area is .5 acres which equals a density of 6 units/acre.

   Should the owner of the north property no longer desire to use it for a group home, the R-2 zoning will permit the building to be reused as a three-family dwelling.

3. **The proposed use's effect upon the area in which it is proposed.**

   Except for the multi-family use at the NW corner of Willow Street and 13th Street the area is primarily single-family dwellings. The current use of the dwelling on the north parcel is a group home. The south parcel is where the single-family dwelling would be located. The proposed single-family dwelling and group home are consistent with the residential use of the area.

4. **Traffic generation of the proposed use in relation to capabilities of streets serving the property.**

   Thirteenth Street SE is County Road 45 and Crow Wing County has jurisdictional authority over the street. It is considered a collector street and is a well-traveled north south corridor and traffic can be expected to increase in the future. The parcels do not have alley access; however, the north parcel does have St. Louis Street access and the Vreeland parcel has 13th Street SE access. An additional single-family driveway should have no effect on 13th Street SE's ability to function as a collector street.

There is no non-motorized transportation infrastructure along 13th Street SE. A trail and/or sidewalk is planned for the entire length of 13th Street from Washington Street to the south city limits.

5. **The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.**

   A new single-family dwelling, a group home or a three-family dwelling should not have a negative impact on public services and facilities.

PLANNING DEPARTMENT REVIEW

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission can consider a recommendation on this request at its July 18, 2018 meeting. The City Council can receive the Planning Commission recommendation and consider an Ordinance First Reading on August 6th, 2018 and an Ordinance Second/Final Reading on August 20, 2018.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

Findings of Fact

1. Chase Vreeland, 1507 South 6th Street, Brainerd, MN 56401, owner of 1210 13th Street SE and Mustang Sally Investments, 10471 State Highway 25, Brainerd, MN 56401 owner of 1202 13th Street SE submitted an application to rezone the two 13th Street SE properties from an R-3 (High Density Residential) District which permits two-family dwellings (duplexes) and multi-family dwellings to an R-2 (Medium Density Residential) District that permits single-family dwellings and two-family dwellings.
2. Lands to the north are developed with single-family dwellings, land to the east are developed with a single-family dwelling, land to the south is developed with a two multi-family buildings and lands to the west are developed almost entirely as single-family dwellings.
3. Zoning to the east is an R-1 (Single-family Residential) District, zoning to the north and west is R-2 (Low and Medium Residential) District and zoning to the south is an R-3 (High Density Residential) District.
4. The rezoning area totals 22,500 sq. ft. with a building on each parcel. The north parcel has a group home in a building designed as a three-family dwelling, the south parcel has a vacant building that has never been occupied, however it can be remodeling for that purpose.
5. 13th Street SE capable of supporting additional traffic from development of the parcels.
6. City sewer and water is available to the site.
7. The parcels are identified as Medium to High Density Residential on the Comprehensive Plan Future Land Use Map. Density is 6 units/acre which is considered Medium to High Density Residential density in the Comprehensive Plan.
8. The rezoning is supported by the following Comprehensive Plan Goals and Strategies:

LAND USE GOAL #3: *Plan for the orderly, efficient and fiscally responsible growth of residential development in Brainerd.*

Strategies

1. Encourage development of low density and high-density family housing units in those areas designated on the adopted Land Use Plan.

2. Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost-effective provision of city services.

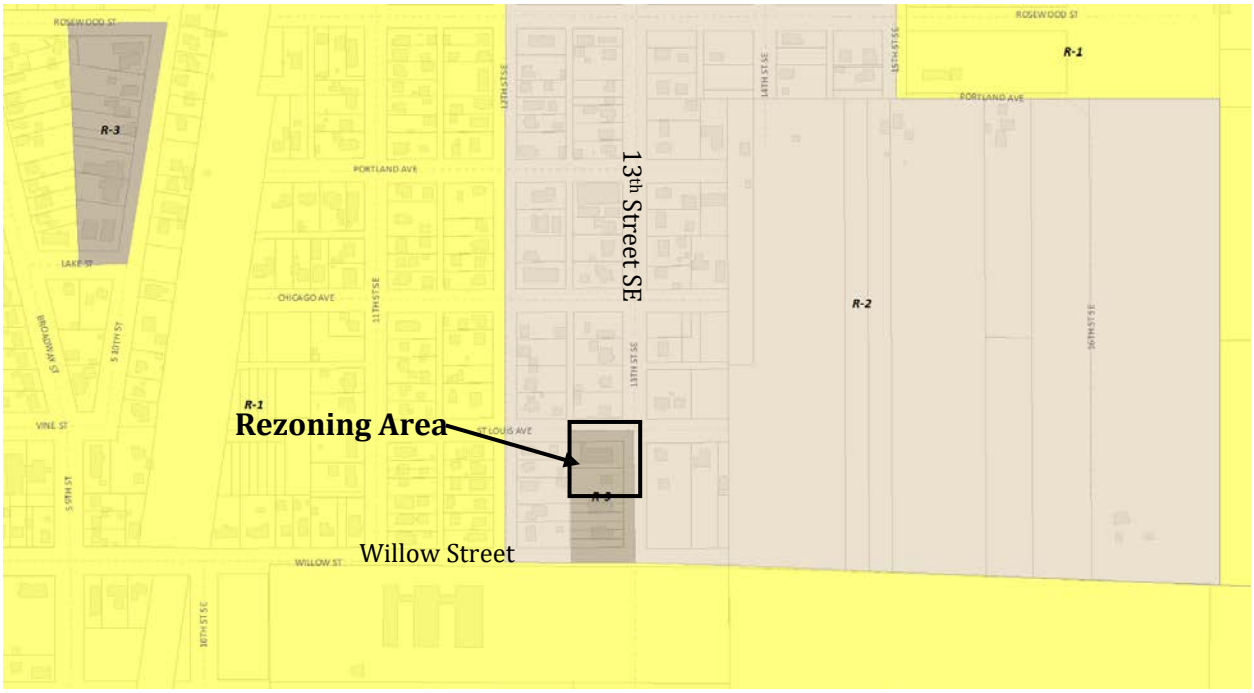
LAND USE GOAL #4: *Plan land uses and implement standards to minimize land use conflicts.*

Strategies

1. Require adequate transitions between different land uses through appropriate land use planning and zoning standards.

Existing Land Use Map

Zoning Map



Legend

- R-A Rural Agricultural
- R-R Rural Residential
- R-E Rural Estate
- R-1A Single Family Residential
- R-1 Single Family Residential
- R-2 Medium Density Residential
- R-3 High Density Residential
- R-MH Manufactured Housing
- B-1 Residential Office
- B-2 Neighborhood Business
- B-3 Central Business District
- B-4 General Commercial
- B-5 Commercial Amusement
- B-6 Washington Street Commercial
- I-1 Light Industrial
- I-2 General Industrial
- MU Mixed Use
- PUD Planned Urban Dev

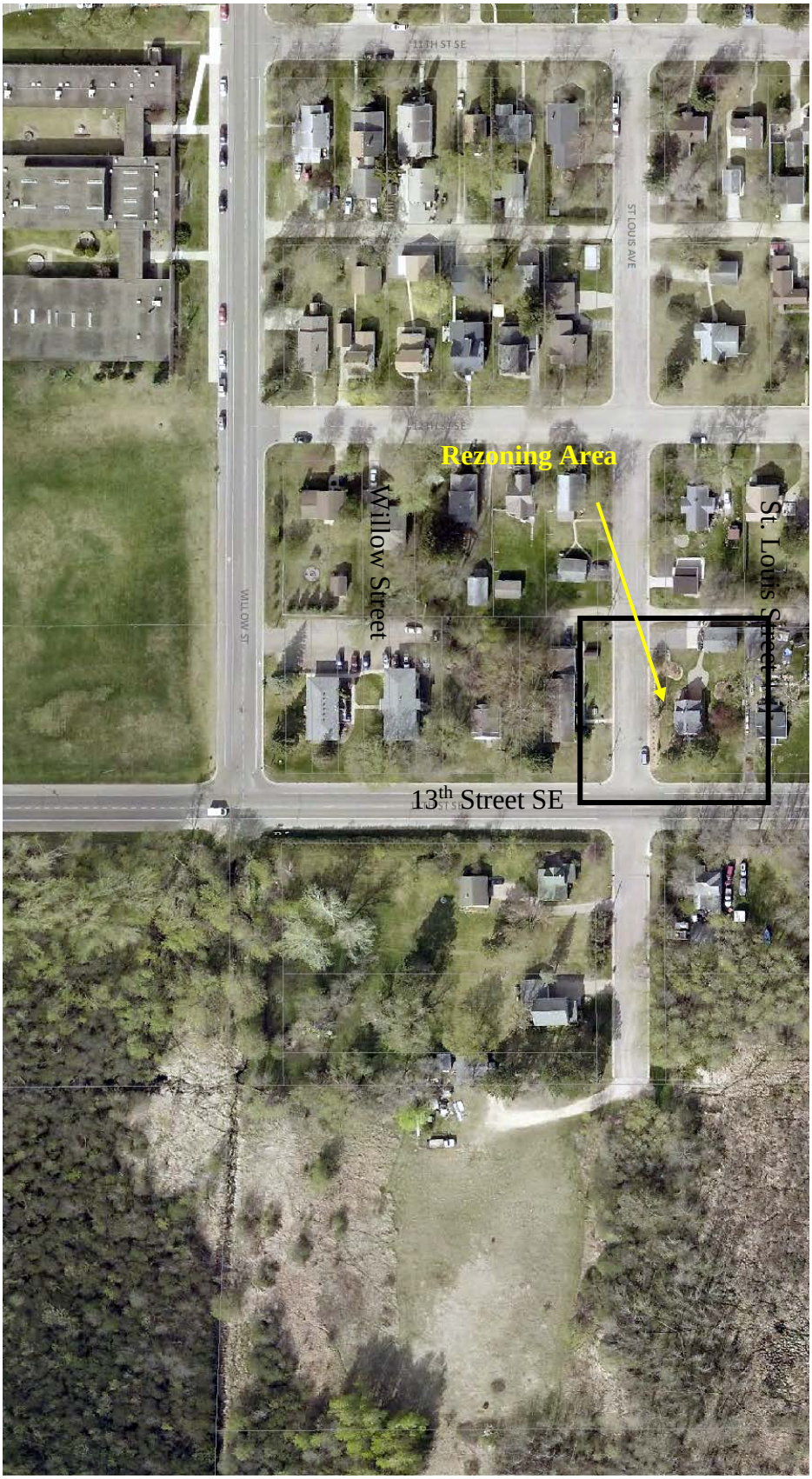
Future Land Use Map

Legend

- City Limits
- Parks
- Lakes

Future Land Use

- Low-Med Density Residential
- Med-High Density Residential
- Downtown Commercial
- Business Park
- General Commercial
- Development Preserve
- Industrial
- Public / Semi Public
- Park / Open Space
- Mixed Residential


11TH ST SE
ST LOUIS AVE
Rezoning Area
St. Louis Street
Willow Street
WILLOW ST
13th Street SE

Site Aerial

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Chase Vreeland, 1507 South 6th Street, Brainerd, MN 56401, owner of 1210 13th Street SE and Mustang Sally Investments, 10471 State Highway 25, Brainerd, MN 56401 owner of 1202 13th Street SE, have submitted a request to consider rezoning the two 13th Street SE properties from an R-3 (High Density Residential) District which permits two-family dwellings (duplexes) and multi-family dwellings to an R-2 (Medium Density Residential) District that permits single-family dwellings and two-family dwellings.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, July 18, 2018 in the Brainerd City Hall Council Chambers, 501 Laurel Street to consider the request.

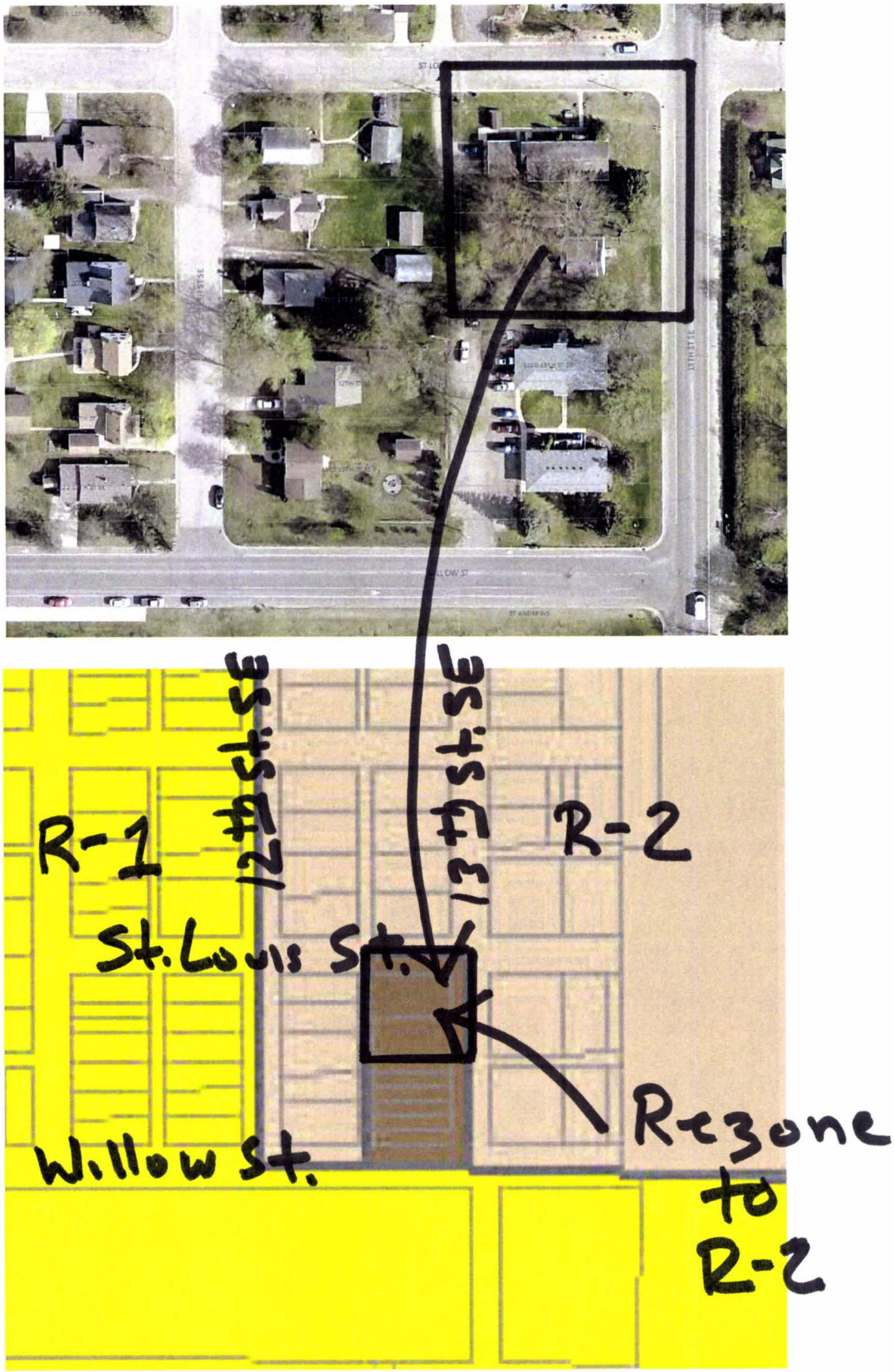
Any individual needing special accommodations or would like more information about this request please call (218) 828-2309.

Dated this 5th day of July 2018.

_____

Mark Ostgarden AICP
City Planner

See reverse side for maps.


R-1
12th St SE
13th St SE
R-2
St. Louis St.
Willow St.
Rezone
to
R-2

Brainerd City Council
Agenda Request

Requested Meeting Date: August 20, 2018

Title of Item: Final Reading Ord. No. 1488 - Rezone 1014, 1015,1016 & 1018 Walnut St. from R-3 to R-1

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☑ MAIN AGENDA	**Action Requested:** ☑ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☑ Ordinance 2nd Reading **provide copy of published hearing notice*
Submitted by: Mark Ostgarden	**Department:** Planning
Presenter (Name & Title): Same	**Estimated Time Needed:** 10 minutes

Summary of Issue:

Bruce and Sharon Isebrand, 815 SE 19th Street, Brainerd, MN 56401 property owners 1015 Walnut Street, have submitted a request on behalf of themselves and Annamarie Denti, 1014 Walnut Street; Michael and Lynn Jannetta, 1016 Walnut Street; and Cyris and Kathleen Poorwell,1018 Walnut Street to rezone their property from an R-3 (High Density Residential) District to an R-1 (Single-Family Residential) District.

See attached Staff Report, Findings of Fact and the July 18, 2018 Planning Commission meeting minutes.

Alternatives, Options, Effects on Others/Comments:

Approving the ordinance will rezone the four properties to an R-1. A denial will mean the R-3 zone will remain.

The required public hearing occurred at the Planning Commission meeting.

Recommended Action/Motion:

The Planning Commission voted 5-0 to recommend approval of the amendment.

A motion by _____ and seconded by _____ to approve/deny the second reading of proposed Ordinance No. 1488 to rezone 1014, 1015,1016 & 1018 Walnut Street from an R-3 (High Density Residential) District to an R-1 (Single Family Residential) District.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ 0

Is this budgeted? ☐ Yes ☐ No

Please Explain:

O R D I N A N C E
NO. 1488

AN ORDINANCE AMENDING ORDINANCE NO. 812
PERTAINING TO THE ZONING IN THE CITY OF BRAINERD

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That existing Section 515-04-02 of the Brainerd City Code is hereby amended by changing the zoning designation of the properties below from an R-3 (High Density Residential) District to an R-1 (Single-Family Residential) District for the following:

LOTS 1 THRU 3 BLOCK 1 ISEBRAND ADDITION TWP 45 RNG 30 SECT 30

and

TRACTS 27 & 28 LYING N'LY OF THE FOL DESC LINE: COMM AT THE SE COR OF SD TRACT 27 THEN N 02D 44'56" W ASSM BEAR 511.83 FT ALG THE E LINE OF SD TRACTS 27 & 28 TO THE NE COR OF OUTLOT A ISEBRAND ADDN & TO THE POB OF THE LINE TO BE DESC THEN SW'LY 134.06 FT ALG A CURVE NOT TANG TO THE LAST DESC CURVE CONCAVE TO THE NW C/A OF 53D 42'53" RAD OF 143 FT & A CHORD BEAR OF S 45' 16'57" 129.21 FT ALG THE N LINEO F SD OUTLOT A THEN S 72D 08'23" W TANG TO THE LAST DESC CURVE 186.65 ALG THE N LINE OF SD OUTLOT A THEN SW'LY 228.55 FT ALG A TANG CURVE CONCAVE TO THE SE C/A 33D 41'33" & A RAD OF 388.66 FT TO THE NW'LY COR OF SD OUTLOT A THEN SW'LY IN A STRAIGHT LINE TO THE SW COR OF SD TRACT 27 & SD LINE THERE ENDING. HOLLAND'S SECOND ADDITION TO THE CITY OF BRD TWP 45 RNG 30 SECT 30

SECTION TWO: This Ordinance shall take effect and be in force one week from and after its publication.

Adopted this ___ day of August, 2018

_____
DAVID J. PRITSCHET
President of the Council

Approved this ____ day of August, 2018

_____
EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One Time, _____, 2018

STAFF REPORT TO THE PLANNING COMMISSION
July 10, 2018

APPLICANTS/LOCATION: Bruce and Sharon Isebrand, 815 SE 19th Street, Brainerd, MN 56401 property owners 1015 Walnut Street, have submitted a request on behalf of themselves and Annamarie Denti, 1014 Walnut Street; Michael and Lynn Jannetta, 1016 Walnut Street; and Cyris and Kathleen Poorwell,1018 Walnut Street

REQUESTED ACTION: Rezone their property from an R-3 (High Density Residential) District to an R-1 (Single-Family Residential) District

AREA: Approximately 9.5 acres

ADJACENT USES:
North: Condominiums
East: Wetland
South: Wetland
West: Generally vacant woodland

AREA ZONING:
North: R-3 (High Density Residential) District
East: R-3 (High Density Residential) District
South: R-3 (High Density Residential) District
West: R-3 (High Density Residential) District

PETITION EVALUATION

The Isebrands own a parcel at the south end of Walnut Street on which they desire to construct a single-family dwelling. At the south end, Walnut curves westerly where it becomes a private street. The street dead ends due to a large wetland area extension cannot occur. In addition to the Isebrand parcel there are 3 other lots developed with single-family dwellings (2 lots are developed with a zero-lot line twin home) on this section of Walnut Street. It was explained to the Isebrands that rezoning 1 lot at a time is typically not a preferred method. It was suggested to the Isebrands that a better rezoning case could be made if the other property owners along t private street would be part of the application. They were able to get their consent and they are part of the application.

In compliance with Section 515.09 of the Brainerd Zoning Ordinance, the Planning Commission shall conduct a Public Hearing regarding this request. To assist the Planning Commission in evaluating the suitability of this requested change, the following are guidelines and a staff review of issues associated with the application to consider in the review process.

1. **The proposed action's consistency with the specific policies and provisions of the official City Comprehensive Plan.**

   The Comprehensive Plan Land Use Goals and Strategies that apply to this request are included in the Findings of Fact.

2. **The proposed use's compatibility with present and future land uses of the area.**

   The Comprehensive Plan specifies:

   Low to medium density residential development as portions of Brainerd that should contain one and two-family dwellings such as duplexes and town homes. Low to Medium Density Residential could include both the older, smaller lot, single-family subdivisions found within the city as well as the newer, larger lot subdivisions within the city and its planned growth areas.

   The attached section of the Comprehensive Plan Future Land Use Map identifies this property as Low to Medium Residential land use. Single-family and two-family zoning is consistent with the Future Land Use Map.

3. **The proposed use's effect upon the area in which it is proposed.**

   The 3 other parcels have non-conforming single-family dwellings and the vacant parcel will be a single-family dwelling. There is multi-family development to the north.

   The area surrounding the proposed rezoning area is wetland and cannot be developed. The only current access to the buildable Isebrand parcel is from the private portion of Walnut Street and a driveway constructed years ago through the wetland.

   An additional single-family dwelling will have no effect on the area.

4. **Traffic generation of the proposed use in relation to capabilities of streets serving the property.**

   Walnut Street is a dead end public street. The City has no maintenance responsibility for the private portion of the street.

   The traffic generated from the single-family dwelling constructed on the vacant lot will have no impact on Walnut Street.

5. **The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.**

   The site is not served by City sewer and water meaning a well and septic system will be required for the vacant lot to be developed.

PLANNING DEPARTMENT REVIEW

The wetland in the area is a natural resource that should have protection from adverse effects of development. Sewer and water is available about 50' north on Walnut Street and perhaps by agreement with the condominium development to the north. The vacant parcel developable area is about 50,000 sq. ft. The parcel size and the R-3 zoning would permit a multi-family use of perhaps 12 to 16 units.

A multifamily development scenario that extends sewer and water from its location on Walnut Street and using the private street to serve the 4 dwellings would be costly and most likely not a practical development scenario. However, as future infill development is encouraged, 19th Street SE located to the west, could provide access to the vacant parcel. The R-1 zoning removes the potential multifamily use density which should be beneficial to the area wetlands.

The Engineering Department and Fire Department have no issues with the rezoning or with the construction of an additional single-family dwelling.

A wetland delineation has not been done for the Isebrand parcel. It would benefit the Isebrands when it comes time to build and would prevent any unintended encroachments that would need to be corrected.

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission can consider a recommendation on this request at its July 18th, 2018 meeting. The City Council can receive the Planning Commission recommendation and consider an Ordinance First Reading on August 6th, 2018 and an Ordinance Second/Final Reading on August 20, 2018.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

Findings of Fact

1. Bruce and Sharon Isebrand, 815 SE 19th Street, Brainerd, MN 56401 property owners 1015 Walnut Street, have submitted a request on behalf of themselves and Annamarie Denti, 1014 Walnut Street; Michael and Lynn Jannetta, 1016 Walnut Street; and Cyris and Kathleen Poorwell, 1018 Walnut Street to rezone their property from an R-3 (High Density Residential) District to an R-1 (Single-Family Residential) District.

2. Land use to the north is condominiums, with remaining area wetland with some wooded area.

3. R-3 (High Density Residential) District zoning surrounds the rezoning area.

4. Access to the area is a via a private drive off Walnut Street.

5. Over 6 acres of the 9.5-acre area is wetland.

6. The public portion of Walnut Street is capable of supporting the additional traffic from an additional single-family dwelling.

7. City sewer and water is not available to the area.

8. The area is identified as Low to Medium Density Residential on the Comprehensive Plan Future Land Use Map. The area density is less than 1 units/acre which is considered Low to Medium Density Residential density in the Comprehensive Plan.

9. The vacant parcel has the potential for multi-family development. The R-1 zoning removes the potential multifamily use density which should be beneficial to the area wetlands.

10. The existing single-family dwellings are non-conforming uses limiting the potential for expansion on the parcels. They will become conforming uses with R-1 zoning.

11. The rezoning is supported by the following Comprehensive Plan Goals and Strategies:

    LAND USE GOAL #1: *Support the efficient and orderly growth of all urban development, including residential, commercial and industrial areas. Strengthen the distinction between the urban city and the rural countryside with well-planned and carefully coordinated services appropriate to the distinct needs of each*

    Strategy

    Identify areas of significant natural resource benefit and protect these areas from premature or incompatible development.

    LAND USE GOAL #3: *Plan for the orderly, efficient and fiscally responsible growth of residential development in Brainerd.*

Strategies

1. Encourage development of low density and high-density family housing units in those areas designated on the adopted Land Use Plan.

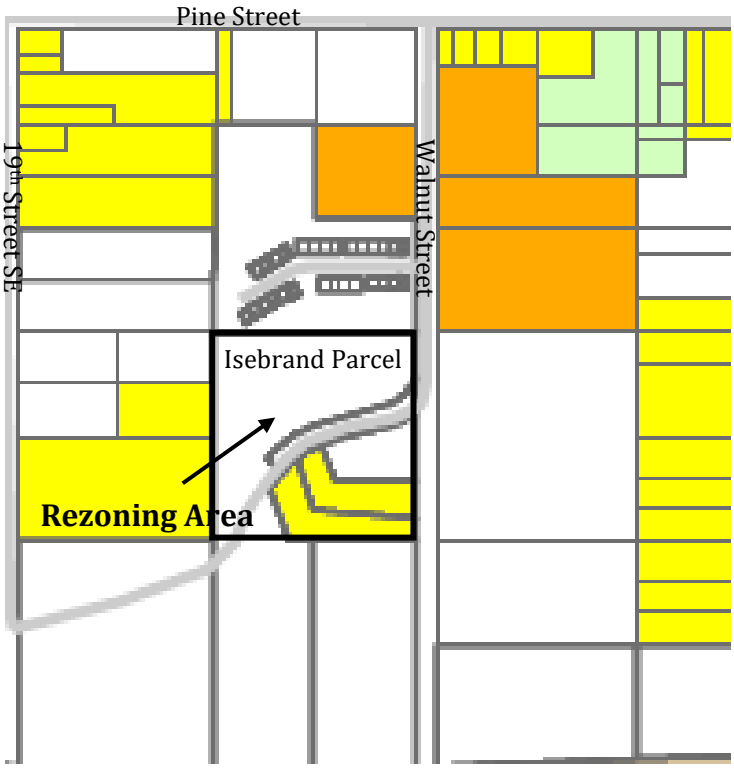
2. Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost-effective provision of city services.

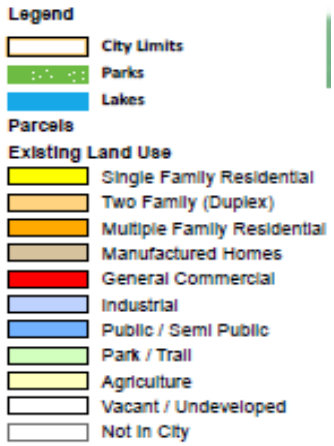
LAND USE GOAL #4: *Plan land uses and implement standards to minimize land use conflicts.*

Strategy

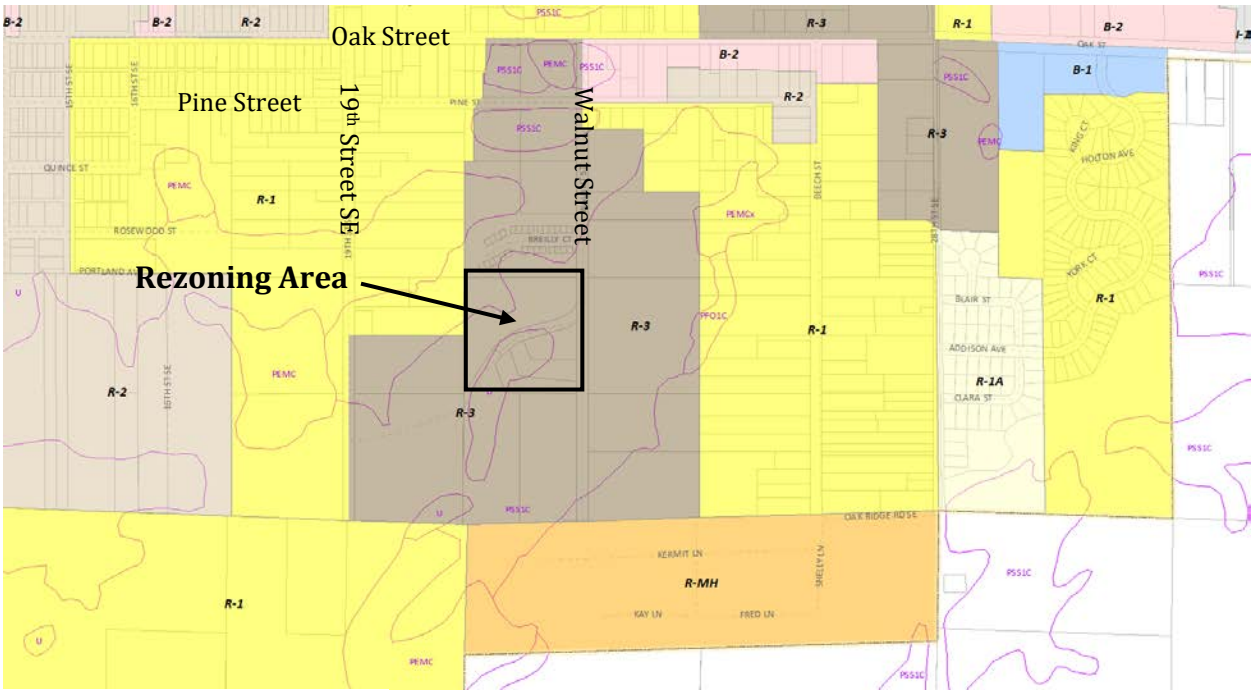
Require adequate transitions between different land uses through appropriate land use planning and zoning standards.

Existing Land Use Map





Zoning and Wetland Map



Legend

- R-A Rural Agricultural
- R-R Rural Residential
- R-E Rural Estate
- R-1A Single Family Residential
- R-1 Single Family Residential
- R-2 Medium Density Residential
- R-3 High Density Residential
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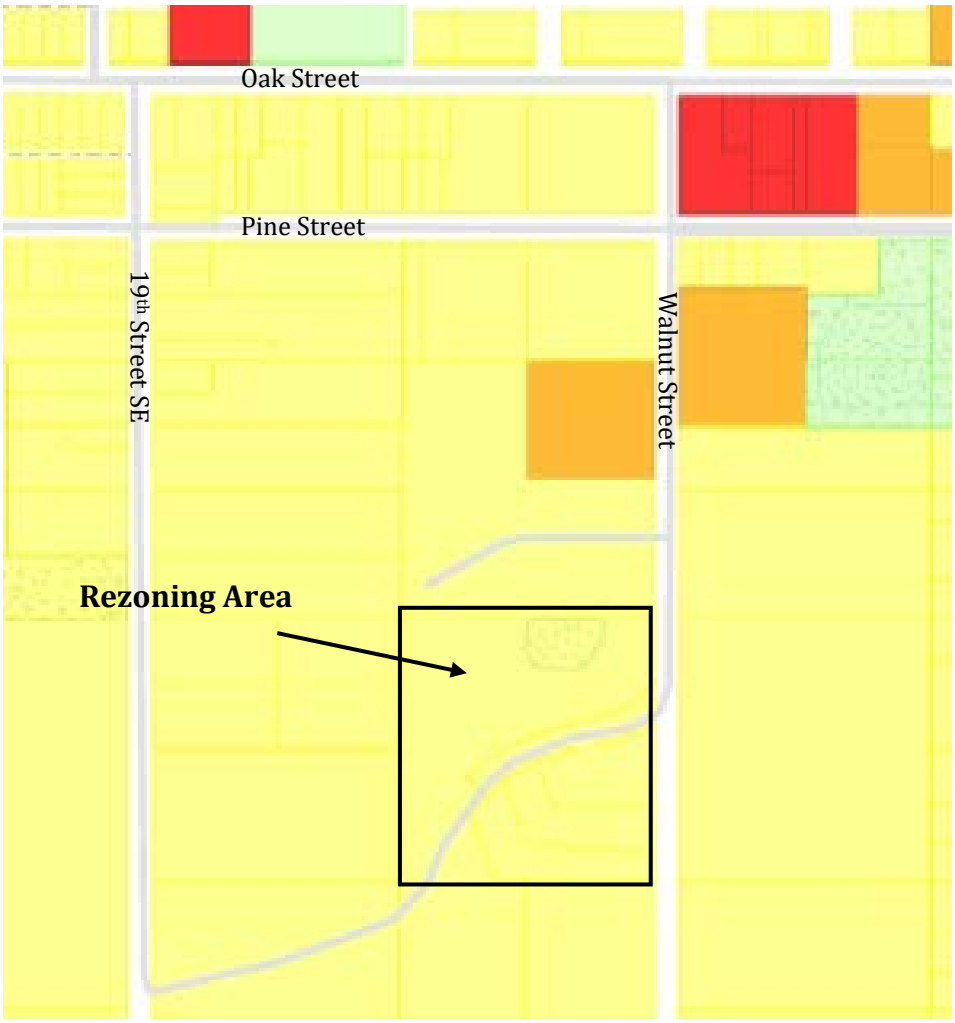
- B-6 Washington Street Commercial
- I-1 Light Industrial
- I-2 General Industrial
- MU Mixed Use
- PUD Planned Urban Dev

Future Land Use Map

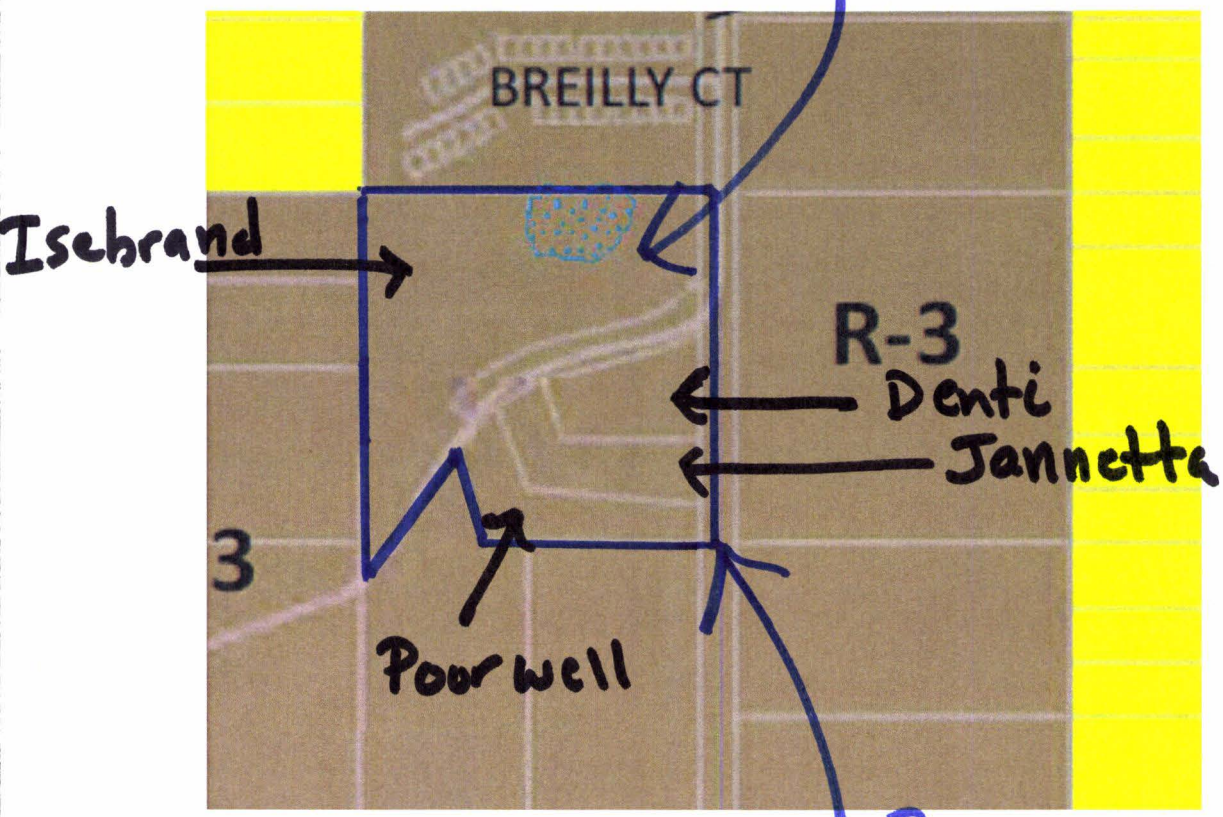


Legend

- City Limits
- Parks
- Lakes

Future Land Use

- Low-Med Density Residential
- Med-High Density Residential
- Downtown Commercial
- Business Park
- General Commercial
- Development Preserve
- Industrial
- Public / Semi Public
- Park / Open Space
- Mixed Residential



Rezon area to R-1

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Bruce and Sharon Isebrand, 815 SE 19th Street, Brainerd, MN 56401, have submitted a request on behalf of themselves for their property at 1015 Walnut Street and on behalf of the following property owners:

Annamarie Denti – 1014 Walnut Street
Michael and Lynn Jannetta – 1016 Walnut Street
Cyris and Kathleen Poorwell – 1018 Walnut Street

To rezone their properties from an R-3 (High Density Residential) District that permits two-family dwellings (duplexes) and multi-family dwellings to an R-1 (Single-Family Residential) District that permits only single-family dwellings.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, July 18, 2018 in the Brainerd City Hall Council Chambers, 501 Laurel Street to consider the request.

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

Dated this 5th day of July 2018.

_____
Mark Ostgarden AICP
City Planner

See reverses side for maps.

Site Aerial

Rezoning Area
Isebrand Parcel
19th Street SE
Walnut Street

Brainerd City Council
Agenda Request

Requested Meeting Date: August 20, 2018

Title of Item: 1st Reading Ord. No. 1489 - Rezone 15770 Dellwood Drive, from B-1 (Res. Office) District to I-1 (Light Ind.) District.

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☑ MAIN AGENDA	**Action Requested:** ☑ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☑ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: Mark Ostgarden	**Department:** Planning
Presenter (Name & Title): Same	**Estimated Time Needed:** 10 minutes

Summary of Issue:

Shannon Tibbetts, 16693 Carlson Lake Road, Brainerd, MN 56401 has requested to rezone property at 15770 Dellwood Drive, from a B-1 (Residential Office) District to an I-1 (Light Industry) District. Shannon Tibbetts has purchased a 2.5-acre parcel on Dellwood Drive and plans to use the site for a self-storage facility. The site was rezoned to a B-1 (Residential Office) District in 2015, however, development did not occur after the rezoning. The current B-1 zoning does not permit self-storage units.

See attached Staff Report, Findings of Fact and the August 15, 2018 Planning Commission meeting minutes.

Alternatives, Options, Effects on Others/Comments:

Approving the ordinance will rezone the property to I-1. A denial will mean the B-1 zone will remain.

Recommended Action/Motion:

The Planning Commission voted 4-0 to recommend approval of the amendment.

A motion by _____ and seconded by _____ to approve/deny the first reading of proposed Ordinance No. 1487 to rezone property at 15770 Dellwood Drive, from a B-1 (Residential Office) District to an I-1 (Light Industry) District.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ 0

Is this budgeted? ☐ Yes ☐ No

Please Explain:

STAFF REPORT TO THE PLANNING COMMISSION
August 15, 2018

APPLICANT/LOCATION:	Shannon Tibbetts, 16693 Carlson Lake Road, Brainerd, MN 56401
REQUESTED ACTION:	Rezone property at 15770 Dellwood Drive, from a B-1 (Residential Office) District to an I-1 (Light Industry) District
AREA:	2.5 acres
ADJACENT USES:	North: Undeveloped East: Undeveloped South: Undeveloped West: Undeveloped
ADJACENT ZONING:	North: R-R (Rural Residential) District East: R-R (Rural Residential) District South: City of Baxter West: City of Baxter

PETITION EVALUATION

Shannon Tibbetts has purchased a 2.5-acre parcel on Dellwood Drive and plans to use the site for a self-storage facility. The site was rezoned to a B-1 (Residential Office) District in 2015, however, development did not occur after the rezoning. The current B-1 zoning does not permit self-storage units. Following is information from Mr. Tibbetts about the proposed use:

I am requesting the rezoning of my property located at 15770 Dellwood Drive, Brainerd, MN to start a self-storage facility business. I would have no sewer or water to damage or upset the natural environment. There will be no residents residing at the location as well as no trash or garbage to contend with. The entire site will be securely fenced, well-lit and quiet. I am designing the building layout to keep as much green space as possible. The property will be well kept, clean and taken care of always. Thank you for your consideration in this matter. I appreciate it.

In compliance with Section 515.09 of the Brainerd Zoning Ordinance, the Planning Commission shall conduct a Public Hearing regarding this request. To assist the Planning Commission in evaluating the suitability of this requested change, the following are guidelines and a staff review of issues associated with the application to consider in the review process.

1. **The proposed action's consistency with the specific policies and provisions of the official City Comprehensive Plan.**
   See the Planning Department Review for a response to this question.

2. **The proposed use's compatibility with present and future land uses of the area.**
   Baxter zoning to the south and southwest is Regional Commercial and Office Service. To the west and northwest is Special Residential Cluster. The area is generally undeveloped. North of the site there are two single family dwellings in Brainerd and one single family dwelling north of the site in Baxter. A self-storage facility will require no on-site employees, trash removal, semi or truck traffic, or create large traffic volumes and noise. The parcel size and the lack of utilities limit the site's development potential.

3. **The proposed use's effect upon the area in which it is proposed.**
   Dellwood Drive is the north/south street that provides access to this area. Neighborhood street capacity will not be negatively affected by this individual change. The only activity associated with this type of use is renters coming and going. The site will have a security fence and have security lighting.

4. **Traffic generation of the proposed use in relation to capabilities of streets serving the property.**
   Vehicle trips per day can be difficult to quantify for this type of land use. The Institute of Traffic Engineers estimate between .17 - .23 Vt/d for each 1,000 sq. ft. of storage. Should the site have 8 - 4,000 sq. ft. buildings = 32,000 sq. ft. of storage = 32,000 x .17 = 5,440/1,000 = 5.4 vehicle trips/day. A typical single-family dwelling would generate 9-10 trips der day.

5. **The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.**
   There will be no negative impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.

PLANNING DEPARTMENT REVIEW

Dellwood Drive is split half in Baxter and half in Brainerd where we have a common border. The nearest utilities to Dellwood Drive are Beaver Dam Road. Baxter is in a better position than Brainerd.

Although the Future Land Use Map identifies this area as low to medium density residential, it is unlikely that will occur anytime soon without utilities. The better use for the area may be those that have little sewer/water needs, such as self-storage units and warehouses.

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission can consider a recommendation on this request at its August 15, 2018 meeting. The City Council can receive the Planning Commission recommendation and can consider an Ordinance First Reading on August 20, 2018 meeting and an Ordinance Second/Final Reading on TUESDAY, September 4, 2018.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

Findings of Fact

1. The site is proposed for self-storage units at the property, which is not permitted in B-1 Districts.

2. The property is 2.5 acres and vacant. In a 40-acre area to the north and east, there are two single family dwellings along Dellwood Drive and one dwelling located off Wise Road.

3. The property was rezoned to a B-1 (Residential Office) District in 2015. Development did not occur after the rezoning.

4. The property does not have city sewer or water and the nearest sewer and water is on Beaver Dam Road, which is almost 1 mile to the east. The proposed use will have no need for sewer and water.

5. The Institute of Traffic Engineers estimate that between .17 and .23 vehicle trips per day for each 1,000 sq. ft. of storage space can be expected. A 32,000 sq. ft. facility can be expected to have less than 6 trips per day on average. A typical single-family dwelling would generate 9-10 trips der day.

   Dellwood Drive was improved in 2016 and at minimum can be considered a collector street. Its capacity will not be affected by a self-storage facility.

6. The following Comprehensive Plan Goals and Strategies support the rezoning:

   Goal: *PLAN FOR THE ORDERLY, EFFICIENT AND FISCALLY RESPONSIBLE GROWTH OF COMMERCIAL AND INDUSTRIAL DEVELOPMENT IN BRAINERD.*

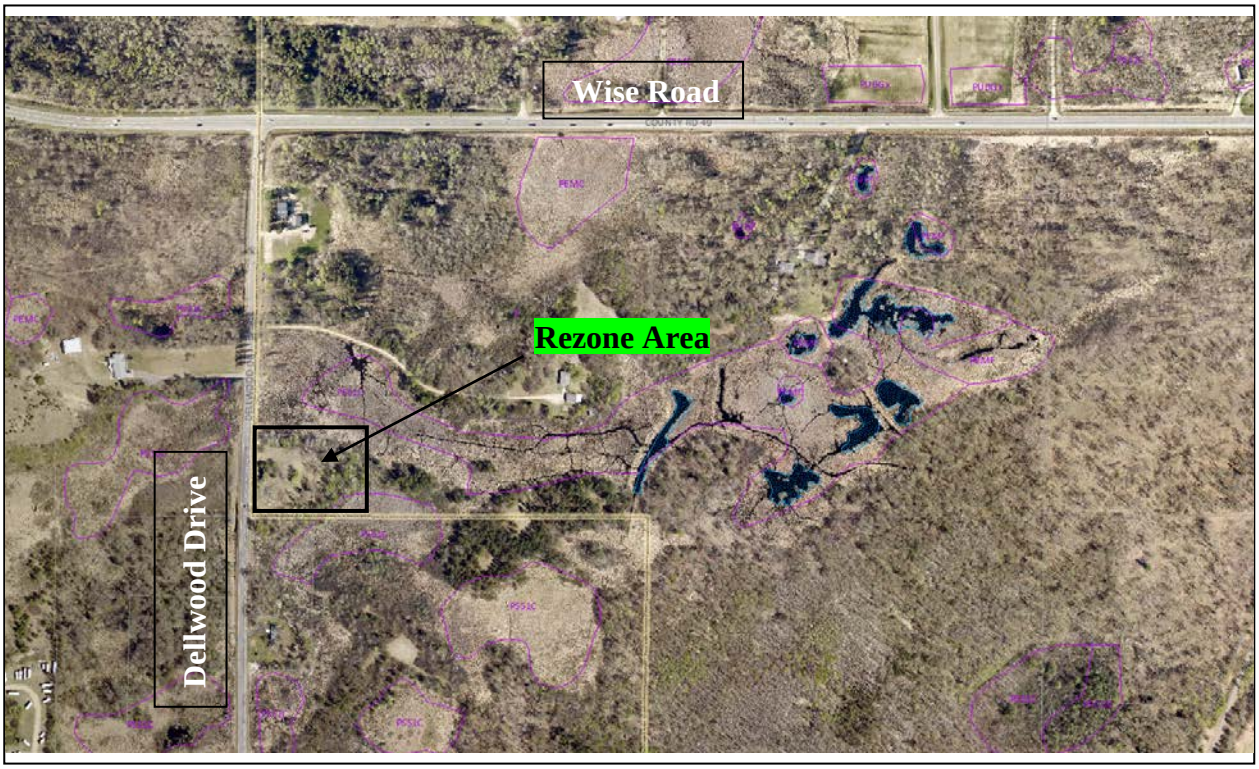
   Strategies

   1. Locate and design industrial and commercial developments to provide good access and road service, while avoiding the routing of traffic through residential neighborhoods.

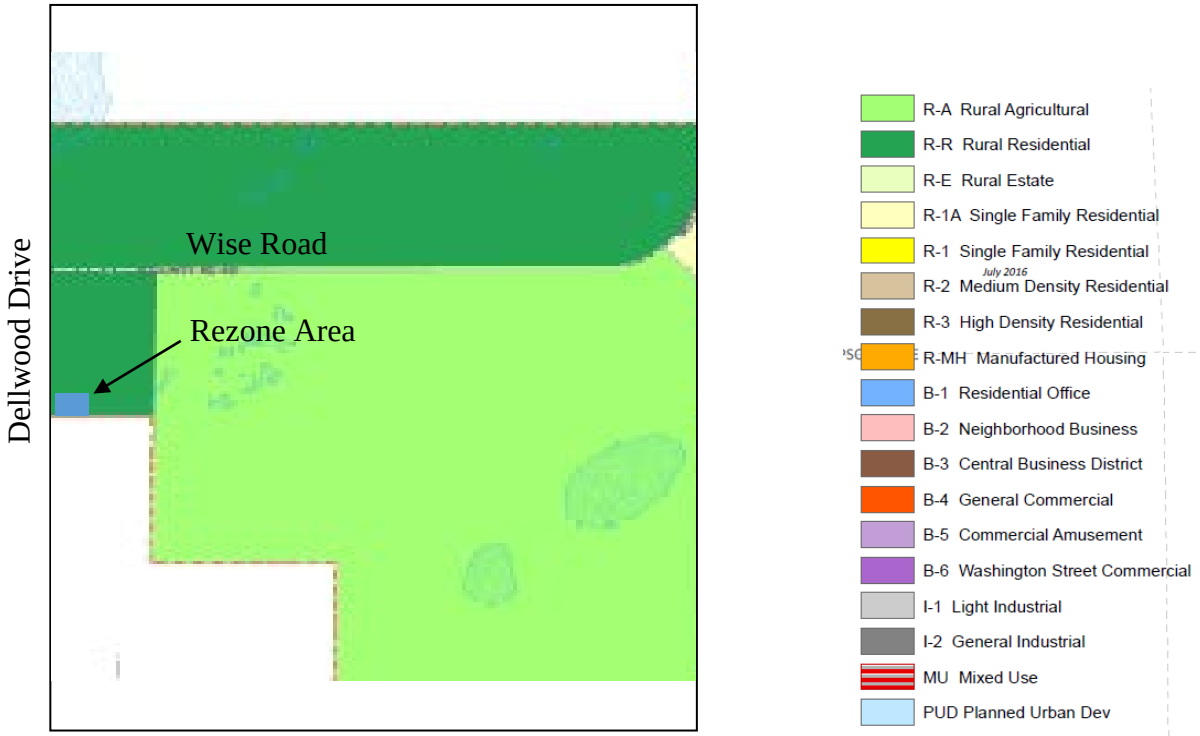
   2. Require new commercial and industrial developments to have access to adequately sized and designed public roads.

7. There will be no negative impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.

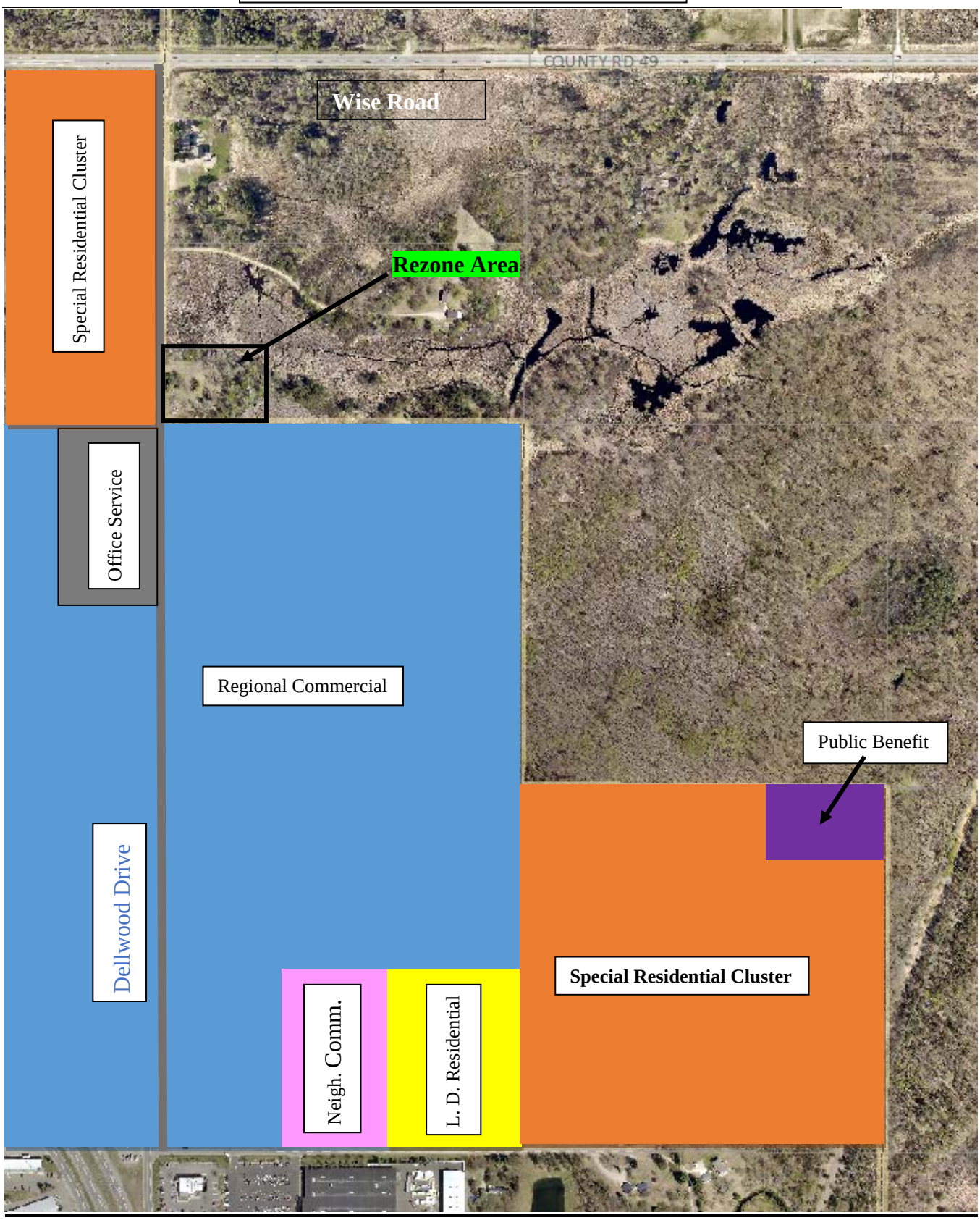
Aerial Map



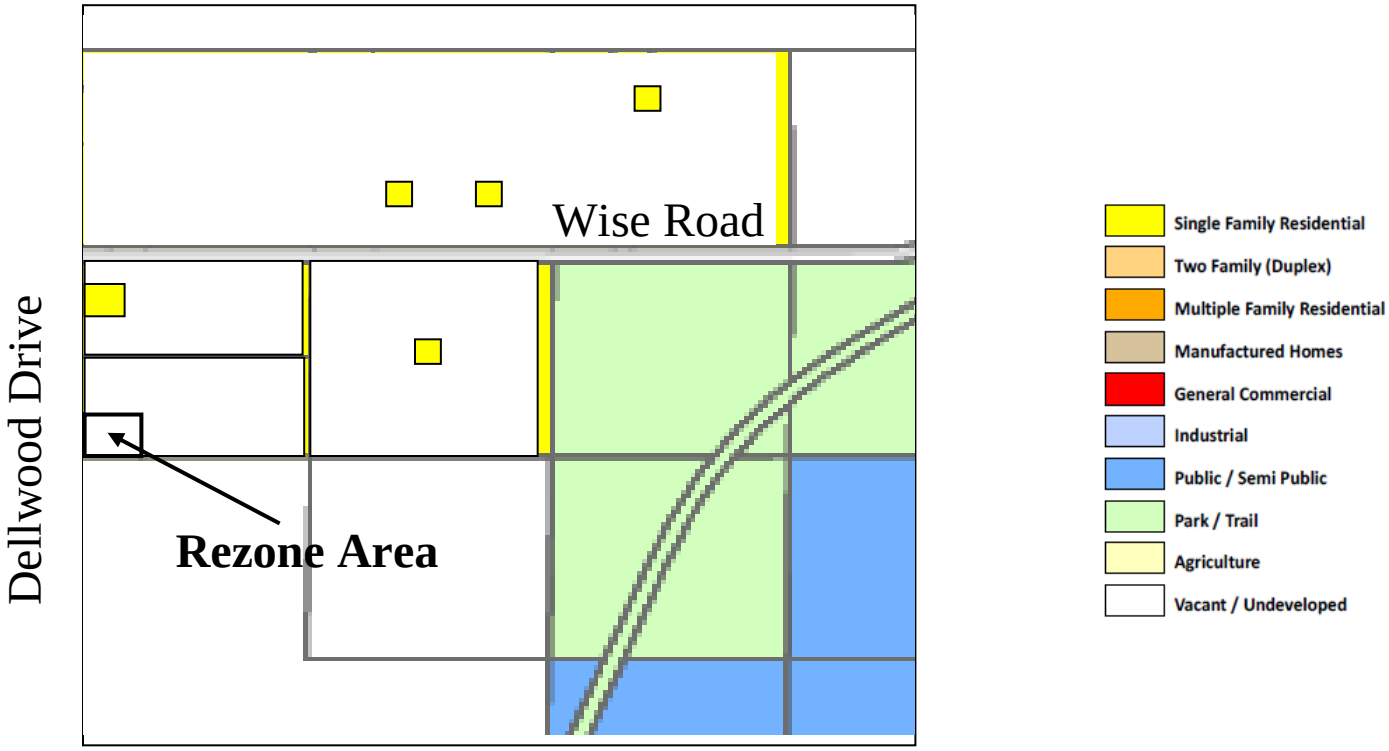
Brainerd Zoning

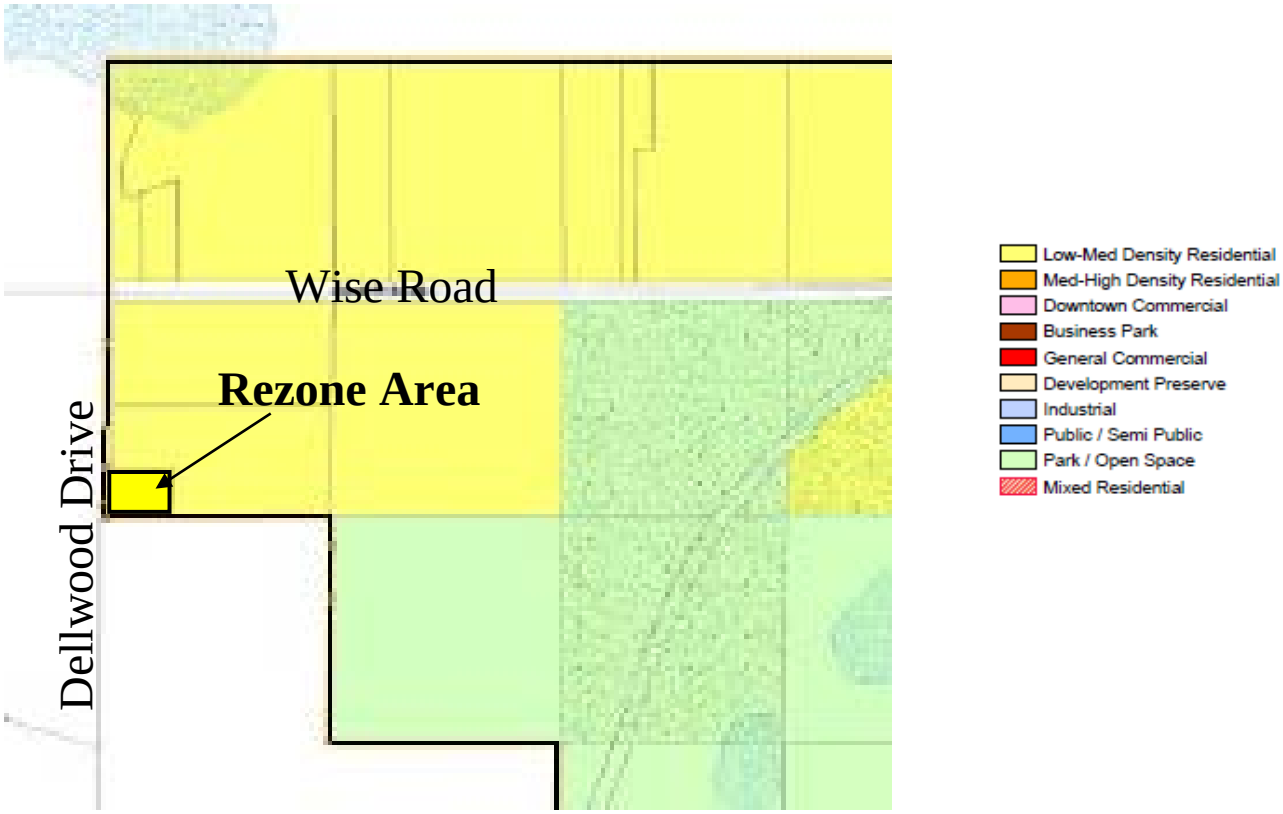


Baxter Zoning



Existing Land Use





NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Shannon Tibbetts, 16693 Carlson Lake Road, Brainerd, MN 56401 has applied to rezone property at 15770 Dellwood Drive, Brainerd, MN 56401 from a B-1 (Residential Office) District to an I-1 (Light Industrial) District. The property legal description is:

S 275 FT OF W 400 FT OF NW 1/4 OF NW 1/4, Township 134, Range28, Section 32 and the PID is 080322200B00009.

SECTION 60 – B-1, RESIDENTIAL-OFFICE DISTRICT*

515-60-2: Permitted Uses.

A. Government and public buildings, utilities, and/or structures.
B. Office Businesses-Clinic.
C. Office Businesses-General.
D. Single family dwellings.
E. Essential services… as regulated by Section 36 of this Ordinance.

515-60-4: Uses by Administrative Permit.

A. Personal wireless service antennas as regulated by Section 35 of this Ordinance.

515-60-5: Interim Uses.

A. None

515-60-6: Conditional Uses.

A. Funeral homes and mortuaries provided that:
B. Studios limited to art, dance, music, decorating and photography …
C. Places of worship and related buildings provided that: …
D. Off-street parking and access …
E. Bed and breakfast subject to the provisions of Section 31 of this Ordinance.
F. Planned Unit Developments as regulated by Section 11 of this Ordinance.

SECTION 70 – I-1, LIGHT INDUSTRY DISTRICT

515-70-2: Permitted Uses.

A. Conducting a process, fabrication, wholesale operation, manufacturing or providing a service, …
B. Radio and television studios.
C. Research laboratories.
D. Warehousing and wholesaling.
E. Guard/Reserve facilities.
F. Automobile body shop and transmission repair subject to the following conditions: …
G. Government and public utility buildings and structures.
H. Office business …
I. Contractor offices.
J. Essential services as regulated by Section 36 of this Ordinance.
K. Retail sales operated by non-profit organizations to benefit said non-profit organizations …
L. Electrical/Plumbing/Heating/Air Conditioning products and parts.
M. Metal Sales such as steel and other raw materials.
N. Construction equipment sales and repair.
O. Truck and semi tractor/trailer sales and repair.
P. Sale of parts/sale and repair of tires for construction equipment and semi tractor trailers.
Q. Sales and distribution of propane, acetylene, helium, CO2 and similar tanks.
R. Commercial sales incidental to the manufacture, processing or wholesaling of products …
S. …commercial uses permitted in B-1, B-2, B-3, B-4, and B-6 zoning districts subject to….
T. Fitness and Recreation Centers …
U. Brew Pub Off-Sale ...
V. Brew Pub On-Sale …

W. Brewery with Taproom On-Sale …
X. Brewery with Taproom Off-Sale …
Y. Microdistilleries and Cocktail Rooms …

515-70-4: Interim Uses.
A. Outdoor storage as a principal use provided that: …
B. Billboard signs as regulated by Section 37 of this Ordinance.
C. Decommissioning, …

515-70-5: Conditional Uses.
A. Outdoor sales lot, …
B. Bulk liquid storage provided that: …
C. Planned Unit Developments (PUD) as regulated by Section 11 of this Ordinance.
D. Placement and operation of outdoor wood burning furnaces subject to the following conditions: …
E. Animal hospital, clinic, kennels and shelters provided that: …
F. Trade/specialty schools.
G. Mini self storage facilities provided that: …

515-70-6: Uses by Administrative Permit.

A. Personal wireless service antennas as regulated by Section 35 of this Ordinance.
B. Telecommunication towers as regulated by Section 35 of this Ordinance.
C. Temporary mobile towers as regulated by Section 35 of this Ordinance.

* See the Brainerd Zoning Ordinance for a complete description of the listed uses.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, August 15, 2018 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider rezoning the property.

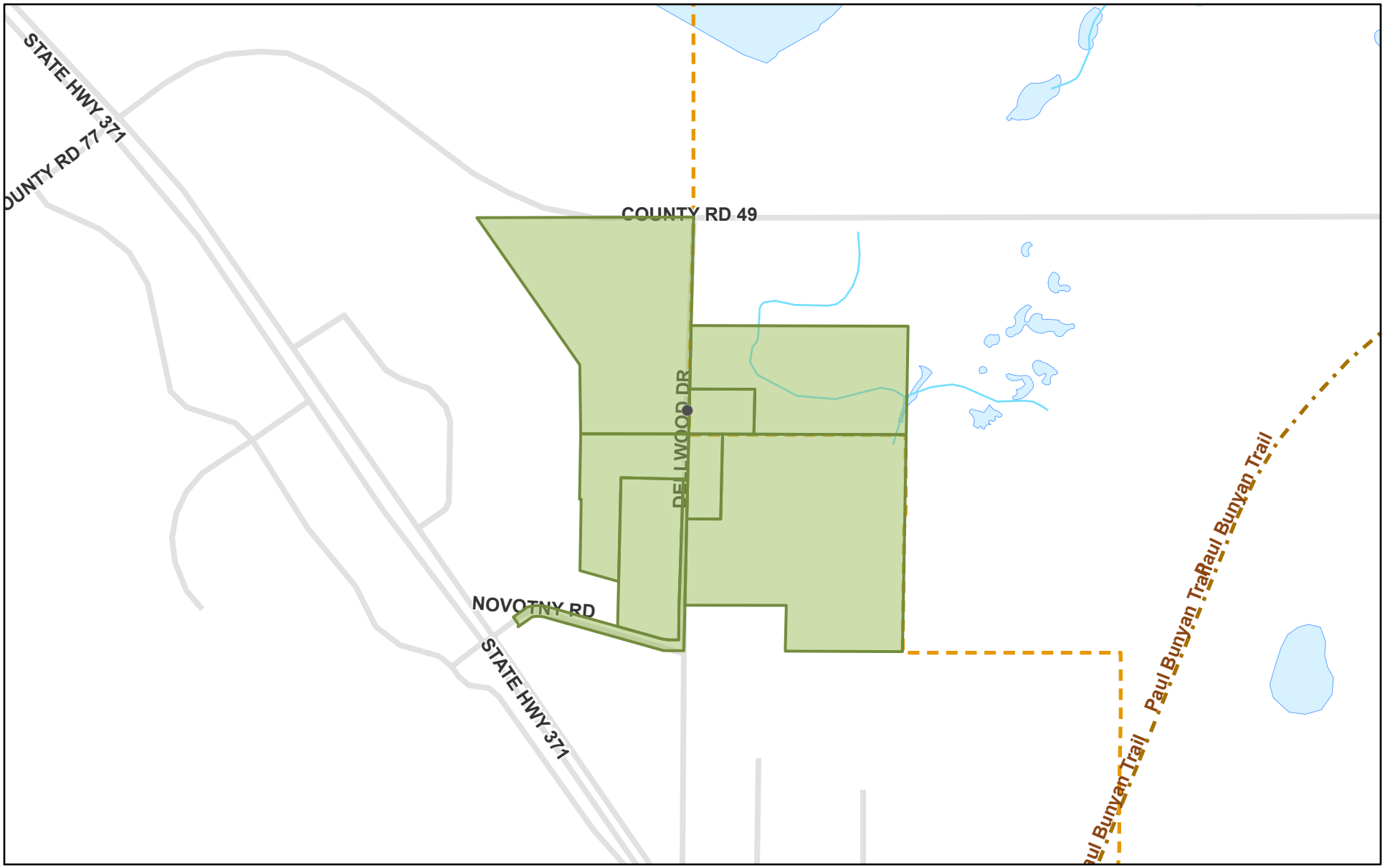
The public is invited to attend the hearing to offer input regarding the proposed rezoning.

Any individual needing special accommodations please call (218) 828-2309.

Dated this 2nd day of August 2018.

Mark Ostgarden AICP
City Planner

15770 Dellwood Dr



7/31/2018 1:55:31 PM

Select Parcels _Query result

Trails

Streams

City Limits

Roads

Water

1:14,670

0 0.07 0.15 0.3 mi

0 0.13 0.25 0.5 km

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City of Brainerd
2017

PIN	TXNAME	TXADR1	TXADR2	TXADR3	TXADR4	Physical Address	PHYSCITY	PHYSZIP
080322200B00009	TAYLOR, DERRICK	Returned in mail				15770 DELLWOOD DR	BRAINERD,	56401
080322200B00009	TIBBETTS, SHANNON	16693 CARLSON LAKE RD	BRAINERD, MN 56401			15770 DELLWOOD DR	BRAINERD,	56401
080322200AB0009	MERTES, RANDY RENE	15876 DELLWOOD DR	BRAINERD, MN 56401			15876 DELLWOOD DR	BRAINERD,	56401
030311100A00009	PETERSON, JOAN M & CYNTHIA CARLSON	15840 AUDUBON WAY	BAXTER, MN 56425			15847 DELLWOOD DR	BRAINERD,	56401
030322300B00009	ELLEVOLD, YVONNE JEAN	15694 DELLWOOD DR	BRAINERD, MN 56401			15694 DELLWOOD DR	BRAINERD,	56401
030311400AAA009	PEARO LAND COMPANY	7810 UNIVERSITY AVE NE	FRIDLEY, MN 55432			15279 DELLWOOD DR	BAXTER MI	56425
030311400AC0009	BJORNSON, MELVIN O & LINDA K	7444 NOVOTNY RD	BRAINERD MN 56401			7444 NOVOTNY RD	BRAINERD	56401
030311400BD0009	CITY OF BAXTER	JEREMY VACINEK FINANCE DIR	CITY HALL	P O BOX 2626	BAXTER, MN 56425			
030322300AA0009	REIKOFSKI, CRAIG	15532 DELLWOOD DR	BRAINERD, MN 56401				BRAINERD	56401

City Planning Department
City Hall – 501 Laurel Street
Brainerd, MN 56401
218-828-2309/Fax 218-828-2316
www.ci.brainerd.mn.us

RECEIVED
JUL 19 2018
CITY OF BRAINERD
ADMINISTRATION

Receipt # 2018-00033
Check # 2597
Date Paid: 7/19/18

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

	RESIDENTIAL	COMMERCIAL
CONDITIONAL USE PERMIT	☐ ($250.00)	☐ ($400.00 + $500.00 escrow deposit)
REZONING	☐ ($300.00)	☒ ($500.00)
VARIANCE	☐ ($250.00)	☐ ($400.00 + $500.00 escrow deposit)

PROPERTY ADDRESS: 15770 Dellwood Drive Brainerd MN 56401

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: _____
(attach description if lengthy)
SEC:32 TWP:134.0 RG:28 S275 FT OF W 400 FT OF NW 1/4 OF NW 1/4

Property Owner Name: Shannon J Tibbetts

Street Address: 16693 Carlson Lake Rd **City:** Brainerd **State:** MN **Zip Code** 56401

Phone Number: 218-821-2335 **Fax:** _____ **E-mail:** carking.69@hotmail.com

Applicant Name: (If different than Property Owner) _____

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

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

Description of Request: I am requesting the rezoning of my property on Dellwood Drive to C-1 light industrial in order to place a self storage business on the property.

_____ 07/19/2018
Property Owner Signature **Date**

Shannon J Tibbetts
(Please print name)

_____ _____
Applicant Signature **Date**

_____
(Please print name)

(OVER)

AGENCY REVIEW CHECKLIST

Your request may require review by one or more of the agencies listed below. The City of Brainerd will determine which agencies will need to review your application and provide that agency with the notice of public hearing regarding your application:

Also - City of Baxter
Josh Doty Community Development Director

✓ **BRAINERD FIRE DEPARTMENT**
Attn: Fire Chief; 23 Laurel St; Brainerd, MN 56401; 218-828-2312; fire@ci.brainerd.mn.us

✓ **BRAINERD POLICE DEPARTMENT**
Attn: Corky McQuiston, 225 East River Road; Brainerd, MN 56401; 218-829-2805; corky.mcquiston@ci.brainerd.mn.us

✓ **BRAINERD PUBLIC UTILITIES**
Attn: Scott Magnuson, Supt.; P.O. Box 373; Brainerd, MN 56401; 218-829-8726; smagnuson@bpu.org

✓ **BWSR (MN Board of Water and Soil Resources)**
Attn: ~~John Overland~~; 1601 Minnesota Dr; Brainerd, MN 56401; 218-828-2383; ~~john.overland@state.mn.us~~ Chris Pence

✓ **CROW WING COUNTY HIGHWAY DEPARTMENT**
Attn: Tim Bray, County Engineer; 16589 County Rd 142; Brainerd, MN 56401; 218-824-1110/FAX 218-824-1111
tim.bray@crowwing.us

✓ **CROW WING COUNTY SOIL AND WATER CONSERVATION DISTRICT**
Attn: Melissa Barrick; 322 Laurel St-Ste. 13; Brainerd, MN 56401; 218-828-6197/FAX 828-6095
melissa.barrick@crowwingswcd.org

____ **CROW WING COUNTY SURVEYOR'S OFFICE**
Attn: ~~Mark Liedl~~; 322 Laurel St Ste 14.; Brainerd, MN 56401; 218-824-1124/FAX 824-1126; ~~mark.liedl@crowwing~~.us

____ **HRA**
Attn: Jennifer Bergman; 324 E. River Rd.; Brainerd, MN 56401; 218-828-3705/FAX 828-8817; jennifer@brainerdhra.org

____ **MISSISSIPPI HEADWATERS BOARD**
322 Laurel Street Ste 5; Brainerd, MN 56401; 218-824-1307/FAX 824-1104
mhb@mississippiheadwaters.org

____ **MINNESOTA DEPARTMENT OF TRANSPORTATION**
Attn: Steve Voss; 7694 Industrial Park Rd.; Baxter, MN 56425; 218-828-5779; steve.voss@state.mn.us

____ **MINNESOTA DEPARTMENT OF NATURAL RESOURCES**
Attn: Wade Miller; 1601 Minnesota Dr.; Brainerd, MN 56401; 218-828-2605/FAX 828-6043; wade.miller@state.mn.us

____ **MINNESOTA POLLUTION CONTROL AGENCY**
Attn: Reed Larson; 7678 College Rd-Ste. 105; Baxter, MN 56425; 218-828-2492/FAX 828-2594
Reed.Larson@state.mn.us

____ **U.S. ARMY CORPS OF ENGINEERS:**
Attn: Jeff Koshak, 8896 E. Gull Lake Dr.; Brainerd, MN 56401; 218-829-8402

PLANNING COMMISSION
Wednesday, August 15, 2018

#1 Call to Order

Planning Commission Chair Headley called the meeting of the Brainerd Planning Commission to order at 6:00 p.m. in the City Hall Council Chambers.

Noted present were Commissioners Headley, Gorham, and Antolak; and Council Liaison Lambert. Noted absent were Commissioners Burslie, Marohn, and Wussow. Also present was City Planner Ostgarden, Administrative Specialist Bestul and Planning Department Intern Jared Boom.

#2 Approval of Agenda

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND GORHAM, DULY CARRIED, TO APPROVE THE AGENDA.

#3 Approval of Minutes of the Regular Meeting held on July 18, 2018

MOTION AND SECONDED BY COMMISSIONERS GORHAM AND LAMBERT, DULY CARRIED, TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON JULY 18, 2018.

#4 New Business

A. Public Hearing – Rezoning Request to Rezone Property at 15770 Dellwood Drive, Brainerd from a B-1 (Residential Office) District to an I-1 (Light Industry) District

City Planner Ostgarden explained the petitioner, Shannon Tibbetts, 16693 Carlson Lake Road, Brainerd has applied to rezone his property at 15770 Dellwood Drive to construct a self-storage facility. The property is located on Dellwood Drive, which is a unique area of the city as it is part of the joint city limits of Brainerd and Baxter for approximately ½ mile south of Wise Road. In 2015, it was rezoned to a B-1 district as the previous owner had plans for development. City Planner Ostgarden reviewed a zoning map of the area showing it is primarily undeveloped and wetland. The City of Baxter anticipates the future land use map as regional commercial. It is also an area where there is currently no city sewer or water, which makes it an ideal location for this type of business. If the rezoning is granted, there will be the potential for other possible businesses such as warehouses, light office, auto shops, bulk liquid storage or an outdoor sales lot by Conditional Use Permit. City Planner Ostgarden reviewed the findings of fact and the comprehensive plan goals and strategies. A mini-storage facility is a Conditional Use in the I-1 Light Industry District.

Commissioner Gorham inquired what the equivalent zoning term is for the City of Brainerd to the City of Baxter's term of Regional Commercial. City Planner Ostgarden stated the B-4 General Commercial zoning district is comparable.

Commissioner Gorham asked if the City of Baxter has made any inquires to the rezoning. City Planner Ostgarden stated the Community Development Director in Baxter had phoned him, but he was unable to reach him back prior to the meeting tonight.

The Chair opened the public hearing at 6:13 p.m.

The Chair recognized Mr. Shannon Tibbetts, the applicant for the rezoning explained the desire to construct a self-storage business. The need for self-storage facilities is high in our area, and this property would be an ideal location.

The Chair closed the public hearing at 6:16 p.m.

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND ANTOLAK, DULY CARRIED, TO RECOMMEND APPROVAL TO REZONE PROPERTY AT 15770 DELLWOOD DRIVE FROM A B-1 (RESIDENTIAL OFFICE) DISTRICT TO AN I-1 (LIGHT INDUSTRY) DISTRICT BASED ON THE FINDINGS OF FACT AND ADDING THE SIZE OF THE BUILDING WOULD NOT EXCEED 20,000 SQUARE FEET.

1. The site is proposed for self-storage units at the property, which is not permitted in B-1 Districts.

2. The property is 2.5 acres and vacant. In a 40-acre area to the north and east, there are two single family dwellings along Dellwood Drive and one dwelling located off Wise Road.

3. The property was rezoned to a B-1 (Residential Office) District in 2015. Development did not occur after the rezoning.

4. The property does not have city sewer or water and the nearest sewer and water is on Beaver Dam Road, which is almost 1 mile to the east. The proposed use will have no need for sewer and water.

5. The Institute of Traffic Engineers estimate that between .17 and .23 vehicle trips per day for each 1,000 sq. ft. of storage space can be expected. A 32,000 sq. ft. facility can be expected to have less than 6 trips per day on average. A typical single-family dwelling would generate 9-10 trips per day.

   Dellwood Drive was improved in 2016 and at minimum can be considered a collector street. Its capacity will not be affected by a self-storage facility.

6. The following Comprehensive Plan Goals and Strategies support the rezoning:

   Goal: *PLAN FOR THE ORDERLY, EFFICIENT AND FISCALLY RESPONSIBLE GROWTH OF COMMERCIAL AND INDUSTRIAL DEVELOPMENT IN BRAINERD.*

   Strategies

   1. Locate and design industrial and commercial developments to provide good access and road service, while avoiding the routing of traffic through residential neighborhoods.

   2. Require new commercial and industrial developments to have access to adequately sized and designed public roads.

7. There will be no negative impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.

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8. The structure will not exceed 20,000 square feet in size.

B. Review Draft Changes to Zoning Ordinance Section 57-2 R-3 High Density Residential District Permitted Uses – To Permit Single-Family Dwellings

City Planner Ostgarden indicated that many different things need to be considered when making amendments to a zoning ordinance. With the absence of several commissioners, it is suggested that this topic be addressed at a later date.

MOTION AND SECONDED BY COMMISSIONERS GORHAM AND ANTOLAK, DULY CARRIED, TO POSTPONE THE TOPIC TO A FUTURE PLANNING COMMISSION MEETING.

#5 Presentations

A. Intern Program Activities – Planning Department Intern Jared Booms

City Planner Ostgarden welcomed Jared Booms to talk about his experience as the Planning Department Intern this summer.

Mr. Booms indicated he is studying Natural Resources Planning at Stevens Point Wisconsin. He is very grateful for the opportunity to be an intern for the City of Brainerd to learn first hand the aspects of city planning. Mr. Boom has been involved in many projects in the City and explained his involvement in the following activities:

- Farmers Market
- LUCA 2020 Census Update
- Climate Change Adaption Plan
- Event Planning
- Communications with other cities on ordinance topics
- Created a downtown map of businesses
- Steering Committee meetings for the Comprehensive Plan
- Toured the hydro dam, wastewater treatment plant and a ride-along with the Police Department

Commissioner Gorham thanked Mr. Booms for all his hard work and dedication to the downtown projects.

The Commission thanked Mr. Booms for the presentation.

#6 Public Forum

The Chair opened the public forum at 6:46 p.m.

No one came forward.

The Chair closed the public forum at 6:46 p.m.

#7 Old Business

None

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#8 Commissioners' Questions/Comments

None

#9 City Planner's Report

None

#10 Adjourn

The Chair adjourned at 6:47 p.m.

Respectfully submitted,

_____Mark Ostgarden AICP
City Planner

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