

MEMO



TO: Planning Commission
FROM: James Kramvik, Assistant Planner
DATE: March 10th, 2022
RE: Interim Use Permit for Commercial Greenhouse

Steven Zelinske has submitted a request on behalf of Yesterday's Gone for an Interim Use Permit to operate a commercial greenhouse supporting the operations of a licensed food establishment at an unaddressed parcel with an ID number of 41241525.

Findings of Fact

1. Parcel number 41241525 is currently located in a B-3 (Central Business) District.
 - a. The parcel will be located in the TC-1 (Town Center) District upon adoption of the proposed zoning code and zoning map.
2. The operation of a commercial greenhouse supporting the operations of a licensed food establishment requires an Interim Use Permit in a TC-1 Town Center District per section 515-3-15.A of the proposed zoning code.
3. Approval of this Interim Use Permit must contingent upon the adoption of the new zoning code and zoning map.
4. Commercial greenhouses supporting the operations of a floral shop or licensed food establishment must comply with the following minimum standards: as required by the aforementioned section of the proposed zoning code:
 - a. Structure framing shall be treated wood, aluminum, or steel and shall be covered by materials as regulated by Section 515-4-6 of this Ordinance.
 - i. *The proposed greenhouse structure will be constructed with a galvanized steel frame and covered with a double layer of 6mil polyethylene film.*
 - ii. *Currently, the Zoning Code prohibits the use of flexible, rolled material as a greenhouse covering. However, on March 7th, the City Council directed staff to included flexible, rolled material as an allowed greenhouse covering in the proposed zoning code.*
 - b. Structure shall not exceed fifteen (15) feet in height.
 - i. *The proposed greenhouse height is 12'10" high x 24' wide x 72' long*
 - c. Structure may be located on a separate lot from the licensed food establishment or floral shop it supports provided that:
 - i. The lot is within one-hundred fifty (150) feet of the business.
 1. *The vacant lot that is proposed for construction of the greenhouse is located 20 FT across the alley from Yesterday's Gone.*
 - ii. The structure shall meet the setback requirements of the Base Zoning District or 10 feet from all property lines, whichever is greater.

1. *The proposed green house site plan meets the setback requirements. While the TC-1 District has the potential for zero-yard setbacks on all boundaries, the required setback for a greenhouse in this district is 10 feet from all property lines. The proposed greenhouse will have a 10' northern and a 16' southern side yard setback. The proposed front yard setback is 24'. The proposed rear yard setback is 20'.*
 - d. No outdoor storage.
 - e. Indoor storage shall be limited to material incidental to the operation of a greenhouse.
 - f. Should the licensed food establishment or floral shop cease operations, the greenhouse must be removed within 60 days
 - g. Sales shall only occur at the principal place of business that is supported by the greenhouse.
 - i. *The applicant plans to use the proposed greenhouse to produce food and herbs for Yesterday's Gone. There will be no direct sales on the greenhouse property.*
5. The applicant has also proposed the construction of a chain link fence around the property if the greenhouse is approved and constructed. The fence will require an administrative permit and must comply with section 515-4-11 Fence Standards in the proposed zoning code.
6. The applicant will be required to apply for a commercial building permit as the structure is over 200 sq. ft. The proposed greenhouse must meet all Building Codes, City Codes, and Zoning Codes. The proposed greenhouse will be reviewed by the City of Brainerd Building Official, Zoning Administrator, and City Engineer prior to issuance of the permit. The commercial building permit must be issued prior to construction of the proposed greenhouse.

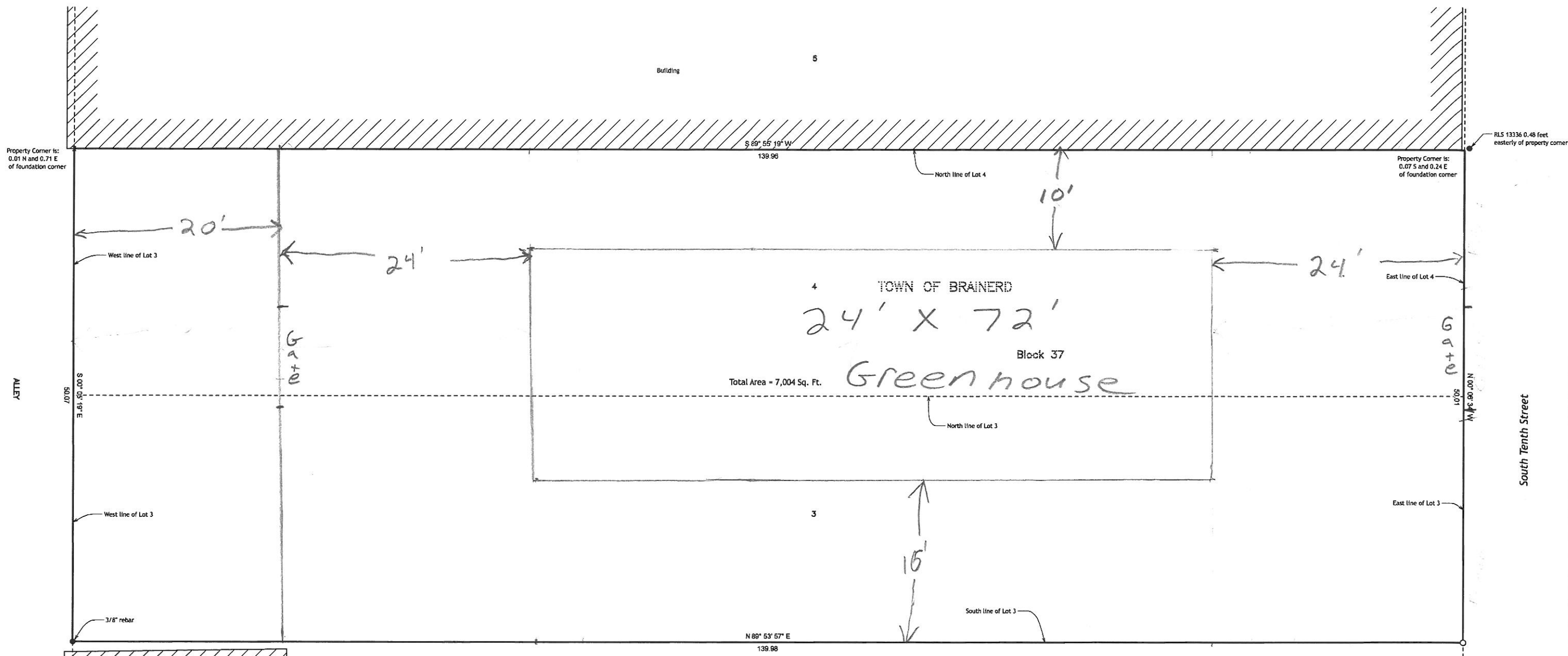
As of this writing, no one has contacted the Community Development Department with concerns or objections to the Interim Use Permit.

Staff Opinion

Staff recommends approval of this Interim Use Permit contingent upon adoption the proposed zoning code.



ANCHOR



Surveyors Notes

The property address for the subject property is:
Not Declared

The Parcel Number for the subject property is: 41241523

The current zoning classification for the subject property is Central Business District (B-3)

This survey was completed without the benefit of a title commitment or title opinion, there may be easements or other limiting factors that affect the subject property that are not shown on this survey.

Legal Description

Lot 3 and 4, Block 37, TOWN OF BRAINERD, Section 24, Township 45 North, Range 31 West, Crow Wing County, Minnesota.

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE CROW WING COUNTY COORDINATE SYSTEM

PROPERTY BOUNDARY LEGEND

- SET IRON PIPE WITH CAP STAMPED "KRAMER 23668"
- FOUND IRON MONUMENT
- X COMPUTED POSITION



NO.	REVISIONS SINCE INITIAL DATE OF	DATE

KRAMER LEAS DELEO
 SURVEYING • ENGINEERING • PLANNING
 BRAINERD ST. CLOUD

1 HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: *James Kramer* Date: 07/30/2020
 James Kramer, License No. 23668

PROJECT NO. ZELIB2001

CERTIFICATE OF SURVEY
 Topographic and Property Boundary Survey

Beaver Zelinski
 Section 24, Township 45 North, Range 31 West
 Crow Wing County, Minnesota

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Steven Zelinske has submitted a request on behalf of Yesterday's Gone for an Interim Use Permit to operate a commercial greenhouse supporting the operations of a restaurant. The property included in this application is located across the alley from Yesterday's Gone and is described as:

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

The property is zoned B-3 (Central Business District), and Zoning Ordinance Section 515-62-5 (Central Business District) Interim Uses permits the operation of a commercial greenhouse supporting the operations of a restaurant provided that it meets the required provisions as listed under 62-5.A. A copy of the site plan for the proposed greenhouse is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, March 16, 2022 in the Council Chambers at Brainerd City Hall, 501 Laurel Street, to consider the Interim Use Permit request.

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

Dated this 2nd day of March 2022



David C. Chanski, MPA
Community Development Director

Publication Date: March 6th, 2022